Wine Australia Corporation Amendment Regulation 2012 (No. 1)'

Select Legislative Instrument 2012 No. 161

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the Wine Australia Corporation Act 1980.

Dated 12 July 2012

QUENTIN BRYCE
Governor-General

By Her Excellency’s Command

PETER DOUGLAS SIDEBOTTOM
Parliamentary Secretary for Agriculture, Fisheries and Forestry
1 Name of regulation
This regulation is the Wine Australia Corporation Amendment Regulation 2012 (No. 1).

2 Commencement
This regulation commences on the day after it is registered.

3 Amendment of Wine Australia Corporation Regulations 1981
Schedule 1 amends the Wine Australia Corporation Regulations 1981.

Schedule 1 Amendments
(section 3)

[1] After regulation 28
insert

28A Modifications of Division 4 of Part VIB of the Act
For subsection 40PA (3) of the Act, the provisions of Division 4 of Part VIB of the Act apply as if they were modified as set out in Schedule 4.

[2] Regulation 45, definition of party, paragraph (b)
substitute
(b) if the objection was made on a ground mentioned in subsection 40RB (1), (3) or (4) of the Act—the owner of the trade mark concerned;
(ba) if the objection was made on a ground mentioned in subsection 40RB (5) of the Act—the person who made the objection;

insert

Schedule 4  Modification of Division 4 of Part VIB of the Act
(regulation 28A)

1 After subsection 40RB (4)

insert

Common use

(5) A person may object to the determination of a proposed GI on the ground that the proposed GI is used in Australia:
(a) as the common name of a type or style of wine; or
(b) as the name of a variety of grapes.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the Legislative Instruments Act 2003. See www.comlaw.gov.au.