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Australian Wine and Brandy Corporation Amendment Regulations 2000 (No. /)

Statutory Rules 2000 No. /

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I, WILLIAM PATRICK DEANE, Governor-General of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Australian Wine and Brandy Corporation Act 1980*.

Dated 21 JUN 2000 2000

WILLIAM DEANE

Governor-General

By His Excellency's Command

WARREN TRUSS

Minister for Agriculture, Fisheries and Forestry



Australian Wine and Brandy Corporation Amendment Regulations 2000 (No. 1)¹

Statutory Rules 2000 No. 1²

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made under the

Australian Wine and Brandy Corporation Act 1980

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1 Name of Regulations

These Regulations are the *Australian Wine and Brandy Corporation Amendment Regulations 2000 (No. 1)*.

2 Commencement

These Regulations commence on 1 January 2001.

3 Amendment of Australian Wine and Brandy Corporation Regulations

Schedule 1 amends the Australian Wine and Brandy Corporation Regulations.

4 Transitional

(1) Regulation 16 of the Australian Wine and Brandy Corporation Regulations, as in force immediately before 1 January 2001, continues to apply during the marketing period to the use of the name 'Riesling' to describe and present wine if:

- (a) the wine was produced and labelled before 1 January 2001; and
- (b) the name is used by:
 - (i) a wholesaler of wine in the course of the wholesaler's business; or
 - (ii) a retailer of wine in the course of the retailer's business.

(2) In subregulation (1):

during the marketing period means from 1 January 2001 until:

- (a) for a wholesaler — the end of 30 June 2001; or
- (b) for a retailer:
 - (i) the end of 30 June 2001; or
 - (ii) if the retailer has a stock of the wine at the end of that day — the stock is exhausted.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 1

substitute

1 Name of Regulations

These Regulations are the *Australian Wine and Brandy Corporation Regulations 1981*.

[2] Regulation 13

substitute

13 Geographical indications and traditional expressions

For subsection 40J(5) of the Act, the use of a geographical indication or traditional expression mentioned in Schedule 1 is exempted from the operation of sections 40C and 40E and subsection 40H(1) of the Act.

[3] Regulation 16

omit

[4] After subregulation 17 (3)

insert

(4) However, the exemption in subregulation (1) ceases to apply to the use of the name 'Riesling' permitted under the repealed regulations:

(a) for a wholesaler — at the end of 30 June 2001; or

(b) for a retailer:

- (i) at the end of 30 June 2001; or
- (ii) if the retailer has a stock of the wine at the end of that day — when the stock is exhausted.

(5) In subregulation (4):

the repealed regulations means regulation 16 and subregulations 19 (3) and 20 (7) of the Australian Wine and Brandy Corporations Regulations as in force immediately before 1 January 2001.

[5] **Subregulation 19 (3)**

omit

[6] **Subregulation 20 (7)**

omit

[7] **Schedule, heading**

substitute

Schedule 1 Geographical indications and traditional expressions

[8] **Schedule, Parts 1 and 2**

omit

[9] **Schedule, Part 3, heading**

omit

Notes

1. These Regulations amend Statutory Rules 1981 No. 156, as amended by 1986 No. 161; 1993 No. 374; 1994 No. 338.
2. Made by the Governor-General on *the Commonwealth of Australia Gazette* on *21 June* 2000, and notified in *28 June* 2000.