



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

[3] After Schedule 3

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.