



New South Wales

Agricultural Industry Services (Interstate Arrangements) Amendment (Murray Valley Wine Grape Industry Development) Regulation 2004

under the

Agricultural Industry Services Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Agricultural Industry Services Act 1998*.

IAN MICHAEL MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

Part 3A of the *Agricultural Industry Services Act 1998* (*the Principal Act*) enables the regulations under that Act to declare an instrument under an Act of another jurisdiction to be a **recognised foundation instrument** for the purposes of the Principal Act. The effect of such a declaration is to apply the agricultural industry services legislation of that jurisdiction to the area, the commodity and the primary producers of that commodity, described in the regulation by which the declaration is made, and to disapply the corresponding New South Wales legislation.

The object of this Regulation is declare the *Murray Valley Wine Grape Industry Development (Extra-territorial) Order 2004* made under section 8 of the *Agricultural Industry Development Act 1990* of Victoria to be such a recognised foundation instrument. One of the effects of this extra-territorial application is that instead of there being committees in both New South Wales and Victoria to deal with wine grapes, there will in future be a single committee (the Murray Valley Wine Grape Industry Development Committee referred to in the Victorian Order) which will represent the interests of producers of wine grapes grown or produced in the respective areas of both States.

This Regulation is made under the *Agricultural Industry Services Act 1998*, including sections 32D and 51 (the general regulation-making power).

2004 No 805

Clause 1 Agricultural Industry Services (Interstate Arrangements) Amendment
(Murray Valley Wine Grape Industry Development) Regulation 2004

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1 Name of Regulation

This Regulation is the Agricultural Industry Services (Interstate Arrangements) Amendment (Murray Valley Wine Grape Industry Development) Regulation 2004.

2 Amendment of Agricultural Industry Services (Interstate Arrangements) Regulation 2004

The Agricultural Industry Services (Interstate Arrangements) Regulation 2004 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 5

Insert after clause 4:

5 Declaration of Murray Valley Wine Grape Industry Development (Extra-territorial) Order 2004 (Vic) as recognised foundation instrument

- (1) For the purposes of section 32D (1) of the Act, the *Murray Valley Wine Grape Industry Development (Extra-territorial) Order 2004* made under section 8 of the *Agricultural Industry Development Act 1990* of Victoria is declared to be a recognised foundation instrument for the purposes of the Act.
- (2) For the purposes of section 32D (3) of the Act, the instrument referred to in subclause (1) is declared:
 - (a) to apply in the area of New South Wales comprising the local government areas of Balranald, Wakool and Wentworth, and
 - (b) to apply to and in relation to the commodity wine grapes, being any variety of grapes grown in those areas and used or intended to be used for processing into wine, must, juice or wine spirit, and
 - (c) to apply to and in relation to primary producers of that commodity.