

Terms and conditions of payment

Wine Grapes Industry Act 1991

Order by Minister

PURSUANT to section 6 of the Wine Grapes Industry Act 1991, I, Rory McEwen, Minister for Agriculture, Food and Fisheries make the following order applying to wine grapes grown in the production area and sold to a processor.

Terms and Conditions of Payment

(1) The following terms and conditions are fixed in respect of wine grapes harvested in 2004 or any subsequent year and are implied in every contract for the sale of such grapes to a processor:

(a) If the grapes are delivered to the processor prior to 1 April in a year, the processor must pay to the producer 33 1/3 per cent of the total amount payable for the grapes by the end of the month following the month during which the grapes are delivered, 50 per cent of the remaining balance by 30 June in that year and the balance by 30 September in that year.

(b) If the grapes are delivered to the processor on or after 1 April but prior to 1 May in a year, the processor must pay to the producer 33 1/3 of the total amount payable for the grapes by 31 May in that year, 50 per cent of the remaining balance by 30 June in that year and the balance by 30 September in that year.

(c) If the grapes are delivered to the processor on or after 1 May in a year, the processor must pay to the producer 66 2/3 per cent of the total amount payable for the grapes by 30 June in that year and the balance by 30 September in that year.

(d) If a processor defaults in making a payment within the time fixed above, the processor must pay to the producer an amount equal to interest on any amount remaining in default calculated at the Commonwealth Bank standard overdraft interest rate (as at the beginning of the month during which the default occurred) plus 1 per cent per annum until the following 31 December and thereafter at the Commonwealth Bank standard overdraft interest rate (as at 1 September in the year during which the default occurred) plus 5 per cent per annum.

Application

(2) The terms and conditions fixed by this Order apply in relation to contracts whether made before or after the publication of this Order in the Gazette.

RORY McEWEN, Minister for Agriculture, Food and Fisheries