



THE WINE MAKERS REGULATIONS 1982

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 22nd day of March 1982

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to section 31 of the Wine Makers Act 1981, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Wine Makers Regulations 1982.

(2) These regulations shall come into force on the 1st day of April 1982.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Wine Makers Act 1981:

“Analyst” means a person appointed to be an analyst pursuant to section 19 of the Food and Drug Act 1969:

“Certificate of compliance”, in relation to any consignment or kind of wine, means a certificate under and for the purposes of section 25 of the Act to the effect that the wine complies with all the provisions of the Food and Drug Regulations 1973 so far as they would be applicable to that wine if it were offered for sale in New Zealand, and is free from obvious fault:

“Medical Officer of Health” means a Medical Officer of Health within the meaning of section 2 of the Health Act 1956; and includes an Inspector within the meaning of that section:

A reference to a numbered form is a reference to the form so numbered in the First Schedule to these regulations.

(2) Wines are of a different kind for the purposes of these regulations if—

- (a) They are of different types; or
- (b) They are made by different licensees; or
- (c) They are of different vintages.

3. Forms—(1) The forms set out in the First Schedule to these regulations are the forms to be used in respect of the several matters to which those forms relate.

(2) Such variations may be made in any form as the circumstances of any particular case may require.

4. Fees—The fees specified in the Second Schedule to these regulations are hereby prescribed as fees payable in respect of the several matters specified in that Schedule.

Licences and Permits

5. Application for licence—(1) Every application for a grape wine licence shall be in form 1.

(2) Every application for a fruit wine licence shall be in form 2.

(3) In respect of any application for a wine maker's licence, the Commission may call for such further reports or additional information as it thinks fit to enable it to determine the application.

(4) Without limiting subclause (3) of this regulation, in any case to which subsection (3) or subsection (4) of section 4, or subsection (4) of section 9, of the Act applies, the Commission may call for such further reports or additional information as it thinks fit to enable it to determine whether or not it should exercise any discretion conferred on it by that subsection.

6. Renewal of licence—(1) Every application for the renewal of a wine maker's licence shall be in form 5.

(2) Every notification of the renewal of a wine maker's licence shall be in form 6.

(3) In respect of any application for the renewal of a wine maker's licence, the Chairman of the Licensing Committee may call for such further reports or additional information as he thinks fit relating to any matter referred to or specified in section 12 (4) of the Act.

7. Transfer of licence—(1) Every application for the transfer of a wine maker's licence shall be in form 7.

(2) Every such application shall be filed, together with 3 copies, with the Secretary of the Commission.

(3) The Clerk shall send 1 copy of the application to the Police, and 1 copy to the Medical Officer of Health for the district in which the premises are situated.

(4) The Police and the Medical Officer of Health shall report in respect of the application.

(5) In respect of any application for the transfer of any wine maker's licence, the Chairman of the Commission may call for such further reports or additional information as he thinks fit to enable him to determine the application.

(6) Without limiting subclause (5) of this regulation, in any case to which paragraph (a) or paragraph (b) of subsection (5) of section 13 of the Act applies, the Chairman may call for such further reports or additional information as he thinks fit to enable him to determine whether or not he should exercise any discretion conferred on him by that subsection.

8. Removal of licence—(1) Every application for the removal of a wine maker's licence shall be in form 8.

(2) Where the Commission grants any application for the removal of a wine maker's licence, it may either make the order for removal immediately or notify the applicant that the application has been granted and that the order will be made when the requirements (if any) of the Commission (being requirements lawfully imposed) have been complied with.

(3) Whenever the Commission makes an order for the removal of a wine maker's licence, it shall send the order to the Chairman of the Licensing Committee for the district in which the present premises are situated.

(4) On being satisfied that the Commission's requirements (if any) have been complied with or that provision for compliance with those requirements has been made to the satisfaction of the Committee, the Chairman of the Committee shall endorse the licence in form 9.

(5) If the present premises and the new premises are in different districts, a copy of the licence so endorsed, together with such other documents as the Clerk thinks fit, shall be sent to the Clerk of the Licensing Committee for the district in which the new premises are situated.

(6) When the licence is so endorsed, it shall have the same effect as if it had been granted in respect of the premises to which it is so removed.

9. Consent to use of premises—(1) Every application for the Commission's consent to the use of any part of the premises or equipment of the holder of a wine maker's licence for the making of any kind of wine or other liquor that is not authorised by his licence shall be in form 10 and shall be supported by a statutory declaration, made by the person who desires to use the premises or equipment, setting out the grounds on which the application is made.

(2) The application shall be accompanied by 3 copies of the application and of the declaration in support.

(3) The Secretary of the Commission shall send a copy of each to—

(a) The Police; and

(b) The Medical Officer of Health.

(4) Except where the matter is to be dealt with on the papers, the Secretary shall inform the Police and the Medical Officer of Health of the time and place appointed for the hearing of the application.

(5) Any consent under this regulation may be granted for such period as the Commission thinks necessary, and the period may be extended from time to time in the Commission's discretion.

(6) The consent shall be in form 11, and any extension of the period shall be noted on the consent together with the date and the signature of the Chairman.

(7) On any application for its consent under this regulation, the Commission may call for such further reports or additional information as it thinks fit to satisfy itself of the matters specified in section 16 (2) of the Act.

10. Vineyard bar permit—(1) Every application for a vineyard bar permit shall be in form 12, and shall be accompanied by scale plans showing—

- (a) The precise locality of the premises in respect of which the permit is sought;
 - (b) The general layout of the premises in respect of which the permit is sought, with details of the facilities and services to be provided.
- (2) Every vineyard bar permit shall be in form 13.

11. Special permit for social gatherings in vineyards—(1) Every application for a special permit under section 20 of the Act authorising the holder from time to time to sell and supply wine made by him for consumption on the premises described in his wine maker's licence or in any vineyard bar permit held by him to persons attending any social gathering shall be made in writing addressed to the Secretary of the Commission.

(2) Except where such a permit is sought in respect of one or more particular days, the applicant shall state in his application the frequency with which it is proposed to hold social gatherings [*for example, the first Monday in every month*], and, in every case, shall state the kind or kinds of gatherings to be held and the hours in respect of which a permit is sought.

- (3) Every such permit shall be in form 14.

Export of New Zealand Wine

12. Certificate of compliance—(1) Every application for a certificate of compliance shall be in form 15, and addressed to the Director.

(2) Where a certificate of compliance is sought in respect of a particular consignment of wine, the applicant shall supply to the Director, or permit the Director to take, such number of samples from the consignment as may be reasonable to enable the Director—

- (a) To satisfy himself that the samples are truly representative of the consignment; and
- (b) To have carried out all such analyses or tests as may be required to determine whether or not a certificate of compliance should be issued in respect of the consignment.

(3) Where a certificate of compliance is sought in respect of a particular kind of wine, the applicant shall supply to the Director, or permit the Director to take, such number of samples of the wine as may be reasonable to enable the Director—

- (a) To satisfy himself that the samples are truly representative of wine of that kind; and
- (b) To carry out all such analyses or tests as may be required to determine whether or not a certificate of compliance should be issued in respect of wine of that kind.

(4) In any case to which subclause (3) of this regulation applies, the applicant shall also supply to the Director sufficient particulars of his equipment, production control methods, records, and other matters as may be necessary to enable the Director to satisfy himself that all wine of the kind to which the application relates, whether made before or after the date of the application, conforms or will conform to the samples supplied under that subclause.

- (5) Every certificate of compliance shall be in form 16.

13. Analysis of samples—(1) For the purposes of determining an application for a certificate of compliance, the Director shall submit such of the samples obtained by him under regulation 12 of these regulations as he considers necessary to an analyst, who shall report to the Director as to whether or not the wine—

- (a) Complies with all the provisions of the Food and Drug Regulations 1973 relating to the composition of wine, so far as those provisions would be applicable to that wine if it were offered for sale in New Zealand; and
 - (b) Is free from obvious fault.
- (2) The applicant, but no other person, shall be entitled to receive a copy of the analyst's report.
- (3) After considering the analyst's report, the Director shall determine whether or not to issue a certificate of compliance in respect of the consignment or kind of wine to which the application relates.
- (4) If he determines not to issue such a certificate, the Director shall notify the applicant, in writing,—
- (a) Of his decision and the reasons for it; and
 - (b) Where he has determined that the wine is not free from obvious fault, of the applicant's right to have the Director's decision reviewed under section 25 (2) of the Act.

14. Review of Director's decision—(1) Where the Director refuses to issue a certificate of compliance on the ground that the wine is not free from obvious fault, the applicant may, within 28 days after being notified of the Director's decision, file with the Director a notice of review in form 17.

(2) On receipt of a notice of review, the Director shall forthwith forward it to the Wine Institute, together with a copy of his decision and of the analyst's report.

(3) For the purposes of such a review, the Wine Institute shall from time to time appoint a panel of at least 3 persons who, in the opinion of the Wine Institute, have sufficient knowledge and experience to enable them to conduct such a review satisfactorily.

(4) The reviewing panel shall afford the applicant a reasonable opportunity to make oral or written submissions in support of his application.

(5) The applicant shall supply to the reviewing panel, or allow the reviewing panel to take, all such samples of the wine to which the application relates as may be necessary to enable the reviewing panel to conduct the review.

(6) If, after conducting such a review, the panel is satisfied that the Director's decision to refuse a certificate was correct, it shall notify the applicant and the Director accordingly.

(7) If, after conducting such a review, the panel is satisfied that the Director's decision was wrong and that the wine is free from obvious fault, it shall notify the applicant accordingly, and issue a directive in form 18 requiring the Director to issue such a certificate unless he is not satisfied that the wine complies with all the provisions of the Food and Drug Regulations 1973 so far as they would be applicable to that wine if it were offered for sale in New Zealand.

15. Export consignments to bear appropriate document—

(1) Every consignment of wine in respect of which a certificate of compliance has been issued shall bear a copy of that certificate when the consignment is entered for export in accordance with section 64 of the Customs Act 1966.

(2) Every consignment of wine of a kind in respect of which a certificate of compliance has been issued shall bear a statement in form 19 when the consignment is so entered for export.

(3) Where a consignment includes 2 or more kinds of wine, the relevant provisions of this regulation shall be complied with in respect of each kind of wine included in the consignment.

16. Director may require further samples from time to time—

Where a certificate of compliance has been issued in respect of wine of a particular kind, the maker of the wine and every other person who has any wine of that kind in his possession for the purposes of export, shall from time to time, on demand by the Director, supply to the Director, or permit the Director to take, all such samples of the wine as may be necessary to enable the Director to satisfy himself that the certificate of compliance should continue in force.

17. Revocation of certificate of compliance—(1) The Director may revoke a certificate of compliance at any time if he is satisfied that the consignment or kind of wine in respect of which the certificate was given—

(a) No longer complies with all the provisions of the Food and Drug Regulations 1973 so far as they would be applicable to that wine if it were offered for sale in New Zealand; or

(b) Is no longer free from obvious fault.

(2) In any case where the Director revokes a certificate of compliance, the provisions of regulations 13 (4) and 14 of these regulations shall apply, so far as they are applicable and with the necessary modifications, as if the Director had refused to issue the certificate of compliance.

(3) The revocation of a certificate of compliance shall be of no effect in respect of any wine that has been entered for export before that revocation.

18. Offences—Every person commits an offence and is liable on summary conviction to a fine not exceeding \$200 who—

(a) Exports any consignment of wine that does not bear the certificate or statement required by regulation 15 of these regulations; or

(b) Obstructs the Director, or any person acting on the Director's behalf, in the exercise of his powers under these regulations; or

- (c) Causes or permits any copy of an analyst's report or a certificate of compliance furnished for the purposes of the Act or these regulations to be used in any advertisement.

19. Food Hygiene Regulations 1974 amended—Regulation 4 (4) of the Food Hygiene Regulations 1974* is hereby amended by inserting, after paragraph (g), the following paragraph:

“(ga) Any premises in respect of which there is in force a licence under the Wine Makers Act 1981:”.

*S.R. 1974/169

SCHEDULES

FIRST SCHEDULE

PRESCRIBED FORMS

Form 1

Reg. 3

Reg. 5 (1)

APPLICATION FOR GRANT OF GRAPE WINE LICENCE

Section 8, Wine Makers Act 1981

I, [*Full name, address, and occupation*], hereby apply for the grant of a grape wine licence to make wine on the premises situated at [*Full address of premises*] and to sell wine of my making, or wine of my making blended with wine made by any other holder of a grape wine licence, such wine to be delivered from the premises situated at [*Full address of premises from which delivery is to be made*].

I hereby declare—

- (a) That I am not the holder of, nor have I applied for, a fruit wine licence in respect of the premises to which this application relates:
- (b) *That I am not the holder of, nor have I applied for, a grape wine licence or a fruit wine licence in respect of any other premises:

or

*That I am the holder of (*or have applied for*) such a licence in respect of the following premises:

- (i) Grape wine licence—
 [*Full address of premises*]
-
-
- (ii) Fruit wine licence—
 [*Full address of premises*]
-
-

FIRST SCHEDULE—continued

(c) *That I am not the holder of, nor have I applied for, an alcoholic drinks licence under the Sale of Liquor Act 1962 or a licence under section 80 (1) (c) of the Customs Act 1966 for the manufacture of spirituous liquor in respect of the premises to which this application relates or of any other premises.

or

*That I am the holder of (or have applied for) such a licence in respect of the following premises:

- (i) Alcoholic drinks licence—
 [Full address of premises]
- (ii) Licence to manufacture spirituous liquor—
 [Full address of premises]

Dated at this day of 19.....

.....
Applicant.

To: The Secretary,
The Licensing Control Commission,
Wellington.

NOTE: This application is to be accompanied by 3 copies.

*Delete whichever is inapplicable.

—

Form 2

Reg. 5 (2)

APPLICATION FOR GRANT OF FRUIT WINE LICENCE

Section 8, Wine Makers Act 1981

I, [Full name, address, and occupation], hereby apply for the grant of a fruit wine licence to make wine of the following kind(s), namely: [State separately the kinds of fruit wine (including cider and perry), and the kinds of vegetable wine, intended to be made] on the premises situated at [Full address of premises] and to sell wine of my making, such wine to be delivered from the premises situated at [Full address of premises from which delivery is to be made].

I hereby declare—

- (a) That I am not the holder of, nor have I applied for, a grape wine licence in respect of the premises to which this application relates:
- (b) *That I am not the holder of, nor have I applied for, a grape wine licence or a fruit wine licence in respect of any other premises:

or

FIRST SCHEDULE—continued

*That I am the holder of (or have applied for) such a licence in respect of the following premises:

(i) Grape wine licence—
[Full address of premises]

(ii) Fruit wine licence—
[Full address of premises]

(c) *That I am not the holder of, nor have I applied for, an alcoholic drinks licence under the Sale of Liquor Act 1962 or a licence under section 80 (1) (c) of the Customs Act 1966 for the manufacture of spirituous liquor in respect of the premises to which this application relates or of any other premises:

or

*That I am the holder of (or have applied for) such a licence in respect of the following premises:

(i) Alcoholic drinks licence—
[Full address of premises]

(ii) Licence to manufacture spirituous liquor—
[Full address of premises]

Dated at this day of 19.....

.....
Applicant.

To: The Secretary,
The Licensing Control Commission,
Wellington.

NOTE: This application is to be accompanied by 3 copies.

*Delete whichever is inapplicable.

FIRST SCHEDULE—continued

Form 3

GRAPE WINE LICENCE

Sections 5 and 7, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, [Full name] is hereby authorised to make on the premises situated at [Full address of premises], during the year of the currency of this licence, wine from grapes grown in New Zealand; and to sell wine made pursuant to this licence in quantities of not less than 375 millilitres to any one person at any one time.

All wine sold pursuant to this licence is to be delivered from the premises situated at [Full address of premises from which delivery to persons other than holders of licences under the Sale of Liquor Act 1962 is to be made] or, in the case of delivery to holders of licences under the Sale of Liquor Act 1962, from premises used by the holder of this licence for the bulk storage of his wine, only.

Such wine shall not be consumed on the premises.

Subject to the provisions of the Act, this licence continues in force until the close of the 30th day of June next following its issue, and may from time to time be renewed by the Chairman for a period of 12 months from the time when the licence or the last preceding renewal thereof expires.

Dated at this day of 19.....

.....
Chairman of the
Licensing Committee.

Countersigned:

.....
Clerk of the Licensing Committee.

FIRST SCHEDULE—*continued*

Form 4

FRUIT WINE LICENCE

Sections 6 and 7, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, [Full name] is hereby authorised to make on the premises situated at [Full address of premises], during the year of the currency of this licence, fruit (and vegetable) wine of the following kind(s) from fruit (and/or vegetables) grown in New Zealand:

[State separately the kinds of fruit wine (including cider and perry), and the kinds of vegetable wine, intended to be made];

and to sell wine made pursuant to this licence in quantities of not less than 375 millilitres to any one person at any one time.

All wine sold pursuant to this licence is to be delivered from the premises situated at [Full address of premises from which delivery to persons other than holders of licences under the Sale of Liquor Act 1962 is to be made] or, in the case of delivery to holders of licences under the Sale of Liquor Act 1962, from premises used by the holder of this licence for the bulk storage of his wine, only.

Such wine shall not be consumed on the premises.

Subject to the provisions of the Act, this licence continues in force until the close of the 30th day of June next following its issue, and may from time to time be renewed by the Chairman for a period of 12 months from the time when the licence or the last preceding renewal thereof expires.

Dated at this day of 19.....

.....
Chairman of the
Licensing Committee.

Countersigned:

.....
Clerk of the Licensing Committee.

Reg. 6 (1)

Form 5

APPLICATION FOR RENEWAL OF WINE MAKER'S LICENCE

Section 12, Wine Makers Act 1981

I, [Full name, address, and occupation], hereby apply for the renewal of the [Specify grape or fruit] wine licence held by me in respect of the premises situated at [Full address of premises].

Dated at this day of 19.....

.....
Applicant.

To the Clerk of the Licensing Committee,

NOTE: This application is to be accompanied by 3 copies.

FIRST SCHEDULE—*continued*

Form 6

Reg. 6 (2)

NOTICE OF RENEWAL OF WINE MAKER'S LICENCE

Section 12, Wine Makers Act 1981

You are hereby notified that, pursuant to the Wine Makers Act 1981, the Chairman of the Licensing Committee has granted your application for the renewal of your [*Specify grape or fruit*] wine licence in respect of the premises situated at [*Full address of premises*].

Subject to the payment of the prescribed fee, this notification has the effect of renewing the licence for a period of 12 months from the time when the licence or the last renewal thereof expires.

Dated at this day of 19.....

.....
Clerk of the
Licensing Committee.

FIRST SCHEDULE—continued

Reg. 7 (1)

Form 7

APPLICATION FOR TRANSFER OF WINE MAKER'S LICENCE

Section 13, Wine Makers Act 1981

I, [Full name, address, and occupation], hereby apply for the transfer to me of the [Specify grape or fruit] wine licence held by [Full name of licensee] in respect of the premises situated at [Full address of premises].

I will, if the licence is transferred to me, carry on the business conducted under the licence.

I hereby declare—

- (a) That I am not the holder of, nor have I applied for, a [Specify fruit or grape] wine licence in respect of the premises to which the application relates:
(b) *That I am not the holder of, nor have I applied for, any wine maker's licence in respect of any other premises:

or

*That I am the holder of (or have applied for) such a licence in respect of the following premises:

(i) Grape wine licence—
[Full address of premises]

(ii) Fruit wine licence—
[Full address of premises]

- (c) *That I am not the holder of, nor have I applied for, an alcoholic drinks licence under the Sale of Liquor Act 1962 or a licence under section 80 (1) (c) of the Customs Act 1966 for the manufacture of spirituous liquor in respect of any premises:

or

*That I am the holder of (or have applied for) such a licence in respect of the following premises:

(i) Alcoholic drinks licence—
[Full address of premises]

(ii) Licence to manufacture spirituous liquor—
[Full address of premises]

The licence will be produced for endorsement if this application is granted.

Dated at this day of 19.....

To: The Secretary,
Licensing Control Commission,
Wellington.

Applicant.

NOTE: This application is to be accompanied by 3 copies.

*Delete whichever is inapplicable.

FIRST SCHEDULE—continued

Form 8

Reg. 8 (1)

APPLICATION FOR REMOVAL OF WINE MAKER'S LICENCE

Section 14, Wine Makers Act 1981

I, [Full name], being the holder of a [Specify grape or fruit] licence in force in respect of the premises situated at [Full address of premises], hereby apply for an order removing the said licence to premises (or proposed premises to be) situated at [Full address of premises].

I hereby declare—

- (a) That I am not the holder of, nor have I applied for, a [Specify fruit or grape] wine maker's licence in respect of the new premises:
- (b) *That neither I nor, to the best of my knowledge, anyone else holds or has applied for an alcoholic drinks licence under the Sale of Liquor Act 1962 or a licence under section 80 (1) (c) of the Customs Act 1966 to manufacture spirituous liquor in respect of the new premises:

or

*That the following such licence(s) is (or are) held in respect of the new premises:

[Specify the type or types of licences, and the name or names of the licence holders.]

Dated at this day of 19.....

.....
Applicant.

To: The Secretary,
Licensing Control Commission,
Wellington.

NOTE: This application is to be accompanied by 3 copies.

*Delete whichever is inapplicable.

Form 9

Reg. 8 (4)

ENDORSEMENT OF REMOVAL OF WINE MAKER'S LICENCE

Section 14, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, this licence has been removed to the premises situated at [Full address of premises].

Dated at this day of 19.....

.....
Chairman of the
Licensing Committee.

Countersigned:

.....
Clerk of the Licensing Committee.

FIRST SCHEDULE—*continued*

Reg. 9 (1)

Form 10

APPLICATION FOR CONSENT TO USE OF WINE MAKER'S
PREMISES OR EQUIPMENT*Section 16, Wine Makers Act 1981*

I, [Full name, address, and occupation], being the holder of a [Specify grape or fruit] wine licence in respect of the premises situated at [Full address of premises], hereby apply for consent to the use of those premises (and equipment) (or of [Specify part of premises and of equipment, if any, to which application relates] by [Full name, address, and occupation]), during the period commencing on the day of 19..... and ending with the day of 19....., for the manufacture by him of [Specify type of liquor] in terms of the [Specify type of licence] held by him, on the following grounds:

[Specify grounds; for example, the more economic use of the licensee's premises and equipment at a time when he is not using them],—

as more particularly set out in the declaration of the said [Name of person who will use the premises if consent is given] filed with this application.

Dated at this day of 19.....

.....
Applicant.

To: The Secretary,
Licensing Control Commission,
Wellington.

NOTE: This application and the declaration are each to be accompanied by 3 copies.

Reg. 9 (8)

Form 11

CONSENT TO USE OF WINE MAKER'S PREMISES AND EQUIPMENT

Section 16, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, the Commission hereby consents to the use of the premises (or of [Specify part of premises] (and equipment) of [Full name, address, and occupation], being the holder of a [Specify grape or fruit] wine licence, by [Full name, address, and occupation], during the period commencing on the day of 19..... and ending with the day of 19....., for the manufacture of [Specify type of liquor] in terms of the [Specify type of licence] held by him.

This consent is subject to the provisions of the Wine Makers Act 1981, and to the following conditions and restrictions:

[Specify conditions or restrictions, if any].

Dated at this day of 19.....

.....
Chairman of the Licensing
Control Commission.

FIRST SCHEDULE—*continued*

Form 12

Reg. 10 (1)

APPLICATION FOR VINEYARD BAR PERMIT

Section 18, Wine Makers Act 1981

I, [*Full name, address, and occupation*], being the holder of (*or an applicant for*) a grape wine licence in respect of the premises situated at [*Full address of premises*], hereby apply for a vineyard bar permit in respect of [*Specify the premises or the part thereof in respect of which the permit is sought*].

I enclose scale plans showing—

- (a) The precise locality of the premises in respect of which the permit is sought:
- (b) The general layout of the premises or part thereof in respect of which the permit is sought, with details of the facilities and services to be provided.

Dated at this day of 19.....

.....
Applicant.

To: The Secretary,
Licensing Control Commission,
Wellington.

NOTE: This application is to be accompanied by 1 copy.

Form 13

Reg. 10 (2)

VINEYARD BAR PERMIT

Section 17, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, [*Full name*], being the holder of a grape wine licence, is hereby authorised to sell and dispose of grape wine made by him for consumption on [*Specify the premises or part thereof in respect of which the permit is granted*] at any time between the hours of 9 a.m. on any day and 9 p.m. on the same day.

This permit is granted subject to the condition that every bottle or other container in which wine is supplied pursuant to the permit, and every drinking vessel used for its consumption, shall be cleared away immediately after 9.30 o'clock in the evening, (and to the following further conditions: [*Specify any further conditions*]).

Dated at this day of 19.....

.....
Chairman of the Licensing
Control Commission.

FIRST SCHEDULE—continued

Reg. 11 (3)

Form 14

SPECIAL PERMIT FOR SOCIAL GATHERINGS IN VINEYARDS

Section 20, Wine Makers Act 1981

Pursuant to the Wine Makers Act 1981, the Licensing Control Commission hereby authorises [Full name, address, and occupation] to sell and supply wine made by him for consumption on the premises situated at [Full address of premises], at any time between the hours of and on [Specify day or days, or the frequency of occasions] to people attending there for a social gathering of any of the following kinds:

[Specify kinds of social gatherings for which the permit is granted].

This permit is granted subject to the following conditions:

- (a) That, except in the case of employees or other persons engaged in service at the gathering, no persons shall be admitted to any such gathering except the person or persons holding or promoting the gathering and guests specially invited thereto:
- (b) That wine shall not be sold or supplied or consumed after such hour as the Commission may from time to time determine in respect of any such gathering:
- (c) That the holder of the permit shall, not less than 2 hours before the commencement of any such gathering, notify the member of the Police for the time being in charge of the police station nearest to the premises that the gathering is to take place there:
- (d) [Specify any further conditions].

Dated at this day of 19.....

.....
Chairman of the Licensing
Control Commission.

Reg. 12 (1)

Form 15

APPLICATION FOR CERTIFICATE OF COMPLIANCE

Section 25, Wine Makers Act 1981

I, [Full name, address, and occupation], hereby apply for a certificate of compliance under and for the purposes of section 25 of the Wine Makers Act 1981 in respect of the following consignment (or kind) of wine:

[State particulars of wine, including maker, type, and vintage.]

Dated at this day of 19.....

.....
Applicant.

To: The Director,
Division of Public Health,
Department of Health.

FIRST SCHEDULE—continued

No.

Form 16

Reg. 12 (5)

CERTIFICATE OF COMPLIANCE

Section 25, Wine Makers Act 1981

This is to certify that [*Specify, with sufficient particulars to identify it, the consignment or kind of wine to which the application relates*] complies with all the provisions of the Food and Drug Regulations 1973 so far as they would be applicable to that wine if it were offered for sale in New Zealand, and is free from obvious fault.

Dated at this day of 19.....

.....
Director,
Division of Public Health,
Department of Health,
New Zealand.

Form 17

Reg. 14 (1)

NOTICE OF REVIEW

Section 25, Wine Makers Act 1981

I, [*Full name, address, and occupation*], hereby apply for review of the decision of the Director, Division of Public Health, Department of Health, of which notice was given to me on the day of 19....., to refuse to issue to me a certificate of compliance under and for the purposes of section 25 of the Wine Makers Act 1981 in respect of [*Specify, with sufficient particulars to identify it, the consignment or kind of wine to which the application relates*] on the ground that, in his opinion, the wine is not free from obvious fault.

Dated at this day of 19.....

.....
Applicant.

FIRST SCHEDULE—continued

Reg. 14 (7)

Form 18

DIRECTIVE TO DIRECTOR TO ISSUE CERTIFICATE OF COMPLIANCE

Section 25, Wine Makers Act 1981

Whereas, by decision dated the day of 19....., you refused to issue to [Full name, address, and occupation] a certificate of compliance under and for the purposes of section 25 of the Wine Makers Act 1981 in respect of [Specify, with sufficient particulars to identify it, the consignment or kind of wine to which the application relates] on the ground that, in your opinion, the wine was not free from obvious fault:

And whereas we have reviewed that decision and are satisfied that the wine is free from obvious fault:

Now, therefore, we hereby direct you to issue to the applicant a certificate of compliance in respect of the wine.

Dated at this day of 19.....

.....
For and on behalf of the reviewing panel.

To: The Director,
Division of Public Health,
Department of Health.



Reg. 15 (2)

Form 19

STATEMENT ON CONSIGNMENT OF WINE OF KIND IN RESPECT OF WHICH CERTIFICATE OF COMPLIANCE HAS BEEN ISSUED

Section 25, Wine Makers Act 1981

This consignment comprises [Specify, with sufficient particulars to identify it, the kind of wine] only, in respect of which a certificate of compliance under and for the purposes of section 25 of the Wine Makers Act 1981 was given on the day of 19..... by the Director, Division of Public Health, Department of Health, New Zealand. That certificate certifies that wine of the kind specified above complies with all the provisions of the Food and Drug Regulations 1973 so far as they would be applicable to that wine if it were offered for sale in New Zealand, and is free from obvious fault.

Dated at this day of 19.....

.....
Exporter.

SECOND. SCHEDULE

Reg. 4

PRESCRIBED FEES

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1. On making application for the grant or renewal of a wine maker's licence	40
2. On making application for a vineyard bar permit	25
3. On the grant of a special permit for social gatherings in vineyards:	
(a) Where the permit relates to one particular occasion only	5
(b) Where the permit relates to 2 or more occasions	25

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations are made pursuant to the Wine Makers Act 1981, and come into force (with the commencement of that Act) on 1 April 1982.

The regulations—

- (a) Prescribe the forms to be used, the procedures to be followed, and the fees (if any) to be paid in respect of various applications under the Act; and
- (b) Prescribe the forms to be used and the procedures to be followed where a person who wishes to export any New Zealand grape wine requires a certificate from the Director of the Division of Public Health in the Department of Health to the effect that the wine complies with the relevant provisions of the Food and Drug Regulations 1973, and is free from obvious fault.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 March 1982.

These regulations are administered in the Department of Justice.