

4 yearly review of modern awards – *Pastoral Award 2010*

Agricultural Awards – comparison of the ‘wine industry’ definition

Note: This document has been prepared by the Commission research area and does not represent the view of the Commission on any issue.

<i>Pastoral Award 2010</i> [MA000035] (clause 3)	<i>Wine Industry Award 2010</i> [MA000090] (clause 3)	<i>Horticulture Award 2010</i> [MA000028] (clause 3)
<p>wine industry means the industry of growing and processing wine grapes and includes:</p> <ul style="list-style-type: none"> (a) the preparation of land for the planting of wine grape vines, the planting of wine grape vines, the pruning of wine grape vines, the care, growing, treating, picking, harvesting and forwarding of wine grapes and other activities associated with a wine grape vineyard; and/or (b) processing wine grapes, producing wine juice or grape spirit, the bottling, packaging, storage or dispatch of wine, brandy or other potable spirit, liqueurs, vinegar or grape juice and other activities associated with a winery or wine distillery including but not limited to cellar door sales, laboratory activities and making or repairing barrels, vats, casks and like articles; and/or (c) packaging, storing and dispatching of wine or grape spirit from a warehouse facility or other place of storage associated with a winery or wine distillery. 	<p>wine industry means the industry of growing and processing wine grapes and includes:</p> <ul style="list-style-type: none"> (a) the preparation of land for the planting of wine grape vines, the planting of wine grape vines, the pruning of wine grape vines, the care, growing, treating, picking, harvesting and forwarding of wine grapes and other activities associated with a wine grape vineyard; and/or (b) processing wine grapes, producing wine juice or grape spirit, the bottling, packaging, storage or dispatch of wine, brandy or other potable spirit, liqueurs, vinegar or grape juice and other activities associated with a winery or wine distillery including but not limited to cellar door sales, laboratory activities and making or repairing barrels, vats, casks and like articles; and/or (c) packaging, storing and dispatching of wine or grape spirit from a warehouse facility or other place of storage associated with a winery or wine distillery. 	<p>wine industry means:</p> <ul style="list-style-type: none"> (a) the preparation of land for planting of wine grape vines; care, growing, treating, picking, harvesting, forwarding of wine grapes; and pruning of wine grape vines and other activities associated with a wine grape vineyard; (b) processing wine grapes; producing wine juice or grape spirit; bottling, packaging, storage or dispatch of wine, brandy or other potable spirit, liqueurs, vinegar or grape juice and other activities associated with a winery or wine distillery including but not limited to cellar door sales, coopers, machinists, labourers making or repairing barrels, vats, casks, and like articles and laboratories; and (c) the packaging, storage and dispatching of wine or grape spirit from a warehouse facility or other place of storage associated with a winery or wine distillery
<p>NB1: The definition of ‘wine industry’ in the Exposure Draft based on the <i>Pastoral Award 2010</i> omitted ‘the planting of wine grape vines’ from paragraph (a).</p>		
<p>NB2: The remaining agricultural awards (<i>Aquaculture Industry Award 2010</i> [MA000114]; <i>Seafood Processing Award 2010</i> [MA000068]; <i>Silviculture Award 2010</i> [MA000040]; and <i>Sugar Industry Award 2010</i> [MA000087]) do not contain a definition of ‘wine industry’.</p>		

The definition of ‘wine industry’ in the *Pastoral Award 2010* was last varied by Roberts C in 2013:

‘It was further proposed that the definition of ‘wine industry’ in clause 3.1 be replaced with the definition contained in the *Wine Industry Award 2010*, as the Pastoral Award definition is inconsistent with that contained in the Wine Industry award. I agree with the proposal on the ground that consistency should be maintained between modern awards wherever possible...’ [[Decision \[2013\] FWC 9543](#) at [66]]