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Message from the Chief Executive

The association's Annual Report, highlighting the key activities of the association over the 2008/09 year, has recently been mailed to each member. I hope that you take the time to read this report, which discusses many of the key issues facing the industry, and how the association has responded to these challenges on your behalf.

The Annual General Meeting saw the election of a new President, a new Vice President and the association's Executive Committee for 2009/10 (refer to article below). I would like to thank past President John Angove for three years of strong leadership and support to the association, while welcoming Stuart McNab (Fosters Group Ltd) as President and Brett McKinnon (Pernod Ricard Pacific Pty Ltd) as Vice President.

The association's annual lunch at the National Wine Centre provided an opportunity to meet fellow members, state and federal parliamentarians, industry supporters and to hear the luncheon address by SA Agriculture, Forestry and Fisheries Minister the Hon Paul Caica MP.

The South Australian Parliament resumes in September, and its six week sitting calendar is expected to include the introduction of some important legislation impacting on the wine industry:

- § The *Natural Resource Management (Commercial Forests) Amendment Bill* dealing with the inclusion of water licensing for forestry, an issue of particular relevance to the South East of South Australia
- § Amending liquor licensing laws connected to the producer's licence – it is expected that proposals will include allowing collective cellar doors, an ability for a producer to combine two or more of their premises under one producer's licence, the sale and supply of liquor other than the licensee's own product when a meal is served, sampling of liquor other than the licensee's own product, and allowing a licence to include local festivals and farmers markets held on a regular basis where the licensee is selling their product
- § Industrial relations legislation referring the State's Industrial Relations powers to the Commonwealth, which will require private sector non-constitutional employers to observe national Industrial Relations laws.

No doubt the Government will have many other items on their agenda for the six week sitting, so we will be working hard to ensure that wine industry matters stay at the top of the list.

I recently had the opportunity to represent the association at the Morialta Trust dinner. Thank you to the members who donated wine for this dinner, which was greatly appreciated. The Morialta Trust provides funds to various needy causes related to children. Of particular note this year was the support to aboriginal children at Yalata – many without parents, many whose diet is less than adequate and others with medical issues that need special treatment. With a life expectancy of 47 years, this is a worthy cause indeed.

I would also like to introduce a new staff member, Michael Asmar, who has joined the association as a Business & Workplace Advisor (see article below).



Brian Smedley

FEATURE ARTICLES

Annual General Meeting & Luncheon

The association's Annual General Meeting and Luncheon on Friday 28 August saw a strong turnout of members and invited guests. Attendees enjoyed the presentations and networking opportunities, and were delighted by the wonderful array of wines provided by members.



In his President's Report, John Angove reported that his three years as President had seen some turbulent times for the industry. John stated that he still believes the industry's glass is "half full", but clearly the industry is facing serious issues at unprecedented levels. Oversupply was flagged as the most pressing issue, and while change is happening, it will be years before we see the lower levels of tonnage needed to rebalance supply and demand.

John also highlighted the pressing issue of water, and raised the environment, wine taxation and the many legislative changes in recent times as other challenges being tackled by the industry.

SAWIA's Annual Report has been sent to each member. We encourage members to take the time to read the report which highlights the key activities of your association over the year.

2009/10 Executive Committee

At the AGM, Stuart McNab (Fosters Wine Estates) was elected as president, and Brett

McKinnon (Pernod Ricard Pacific) was elected vice-president of the association.

Other Executive Committee members for the upcoming year are:

Marc Allgrove (Chapel Hill Winery, McLaren Vale Grape, Wine & Tourism Assoc)
John Angove (Angove's Pty, Riverland Wine Industry Development Council Incorporated)
Chris Brodie (Wingara Wine Group, Coonawarra Vignerons Assoc)
Helen Edwards (The Lane Vineyards, Adelaide Hills Wine Region)
Sam Holmes (Henry Holmes Wines, Barossa Grape & Wine Assoc)
Neil Jericho (Taylors Wines, Clare Valley Winemakers Assoc)
Paul Kassebaum (Constellation Wines Australia)
Bruce McDougall (CMV Farms)
Anne McLennan (Cleggett Wines, Langhorne Creek Wine Industry Council)
Jason Spiteri (Yalumba Wine Company)
Chris Zajac (Tarac Technologies).

Presentations at the AGM / luncheon included Paul Caica (SA Agriculture, Forestry and Fisheries Minister), plus SAWIA wine industry partners Will Taylor of Finlaysons Lawyers, Scott Vaughan of HostPLUS and Dave Baker of National Credit Insurance.



SAWIA member Mark Shaw of Ballast Stone Estate Wines was the lucky winner of the signed Crows guernsey presented by Scott Vaughan (left) and Scott Measday (right) of HostPLUS!

Award Modernisation Update

NB: The following article applies only to constitutional corporations covered by the Federal Industrial Relations system (Fair Work Act 2009 (Cth)).

The final version of all Stage 3 Modern Awards was released by the Award Modernisation Full Bench of the Australian Industrial Relations Commission (AIRC) on 4 September 2009. This includes the *Wine Industry Award 2010* that will replace the *Wine & Spirit Industry (SA) Award (NAPSA)* effective from 1 January 2010. A copy of the *Wine Industry Award 2010* is available from the Noticeboard of the Federal IR page of SAWIA's [website](#).

The terms and conditions of the Stage 3 Awards (including the *Wine Industry Award 2010*) will now be subject to "transitional provisions" setting out how we will move to the new terms and conditions. The process to determine how this will occur will be released by the AIRC shortly.

On 2 September 2009 the Award Modernisation Full Bench of the AIRC issued a decision in relation to transitional provisions for priority and Stage 2 modern awards. (Note: It is likely that similar transitional provisions may apply to State 3 awards).

Key aspects of the decision relate to:

- § Modern awards will take effect on 1 January 2010, however phasing in changes of entitlements to monetary provisions will commence from 1 July 2010
- § Cost increases and pay decreases will be phased in over five annual instalments starting on 1 July 2010 with the last instalment in July 2014
- § Monetary provisions include minimum wages; casual and part-time loadings; Saturday, Sunday, public holiday, evening and other penalties; and shift allowances
- § Future pay increases may be absorbed into over award payments.

As part of the next stage of SAWIA's strong representation of members, SAWIA will be assessing changes between the existing awards (NAPSA's and pre-reform Federal Awards) and the *Wine*

Industry Award 2010 to determine what transitional provisions are required by the wine industry. SAWIA will then be making submissions and presentations to the AIRC in accordance with its timetable.

Members can contact Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au) with any questions.

What the "Modern Awards" will mean for your business – Important Seminars

NB: This article applies to all South Australian wine industry employers.

The new "modern awards" (including the *Wine Industry Award 2010*) will mean significant changes for your business! SAWIA will be holding important seminars that explain the key aspects of the modern awards and the changes taking effect from 1 January 2010. Employers will also learn how to "transition" from the current Federal Industrial Relations instruments to the new modern award(s).

Other key aspects of the *Fair Work Act 2009* will also become operational on 1 January 2010, including the 10 National Employment Standards that will replace the five Australian Fair Pay and Conditions Standards. The operation and impact of each of the new Standards will be covered in the seminars.

The November seminars are a must for all wine industry employers! You cannot afford to miss out on understanding your new legal obligations.

SAWIA will be circulating detailed information on the seminars, including dates and times, in the near future. If you have any questions, please contact Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au).

Last chance to register for Environment Conference



Don't miss the 5th Australian Wine Industry Environment Conference, one of the best value events that you will see for a long time! Registration is only \$395 for the full day Conference on 23 September 2009 at the National Wine Centre, and \$185 for the full day Technical Tour visiting the Barossa Region on 24 September.

The full-day Conference is divided into four sections:

- § The international global picture
- § Regional approaches, adaptation and tools
- § Resource security
- § Opportunities for industry moving forward.

The Conference includes an outstanding line-up of speakers, including:

- § **Anthea Harris** (Assistant Secretary, Emissions Trading Division of the Department of Climate Change), presenting the **key elements of Australia's Carbon Pollution Reduction Scheme**, how it will impact on the agricultural sector, and the effect on prices of electricity, gas, fuel and the wider economy
- § **Richard Muhlack** (2008 Australian Agricultural Industries Young Innovators & Scientists Award, Australian Wine Research Institute) highlights **innovative applications of renewable energy opportunities** in the wine industry
- § **Robert Freeman** (Chief Executive of the Murray-Darling Basin Authority) addresses **key aspects of water security**, including the right of farmers to access ground water
- § **Sakkie Pretorius** (Managing Director, Australian Wine Research Institute) reports on how the **Australian wine sector can respond to climate change and resource security concerns** through innovation and collaboration.

Register now and ensure your business can better respond to the challenges posed by the market place and legislative changes. To register on-line click [here](#), or to obtain more information visit SAWIA's [website](#) or contact Marcia Burnett on 8222 9271 or marcia@winesa.asn.au.

This conference is supported by funding from the Australian Government Department of Agriculture, Fisheries and Forestry under its Promoting Australian Produce (Major Events) program.

SAWIA's annual OHS Seminars – November 2009

NB: This article applies to all South Australian wine industry employers.

SAWIA's annual Occupational Health and Safety Seminars will be held in the Barossa (5 November) and Coonawarra (12 November). This is a must attend event for those people in the industry with OHSW and related responsibilities, so put those dates in your diary now!

The full-day seminar will focus on the OHS issues that are important to the wine industry, including:

- § Proposed changes to OHS legislation in South Australia
- § Ongoing review of national OHS Laws
- § Return to work strategies
- § Ways of managing the most common injuries in our industry.

Full details and registration information will be forwarded to members before the end of September. In the interim, queries can be directed to Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au).

SAWIA welcomes Michael Asmar



SAWIA is delighted to welcome Michael Asmar, the association's new Business and Workplace Advisor.

Michael is committed to providing a tailored professional business service to SAWIA's members, and brings extensive experience in human resource management, employee relations/industrial relations, managing change through reform initiatives, and experience in customer facing organisations.

Michael's past experience includes working as an Employee Relations Consultant within Shared Services SA, Department of Treasury and Finance. Prior to that Michael worked for the former Department of Administrative and Information Services (DAIS) and Ashford Hospital.

Visit the Cellar Door Experience at the Royal Adelaide Show



SAWIA's highly successful Cellar Door Experience is once again featured at the Royal Adelaide Show from 4-12 September 2009. South Australian wines and wine regions are being showcased with 6 free educational wine tastings each day. The 20 minute sessions, each with a different regional focus, include tasting and comparing of 4 wines while a short educational presentation is made by a wine ambassador (one of SAWIA's wine educators).

The featured regions this year include Kangaroo Island, Barossa, Adelaide Hills, Langhorne Creek, McLaren Vale and Mt Benson.

Last year over 2,400 people took part in the regionally focussed tasting sessions. This excellent exposure translated into sales for many companies, with Goodwood Cellars reporting that more than a few participants were heading straight across Goodwood Road and asking to buy wines from the Cellar Door Experience!

We hope that many SAWIA members will drop by and visit us at the Cellar Door Experience! For more information, contact Marcia Burnett on 8222 9271 or marcia@winesa.asn.au.

EMPLOYEE RELATIONS & OHSW

2009 Award Wage / Minimum Standard for Remuneration increase – State System

NB: The following article applies only to non-constitutional corporations covered by the State Industrial Relations system (Fair Work Act 1994).

The South Australian Industrial Relations Commission has announced that adult award rates of pay will be increased by \$14.00 per week, with the new State Minimum Award Wage being \$560.65 per week. This impacts SAWIA members covered by the State Industrial Relations System.

The Minimum Standard for Remuneration (MSR) has also been increased by \$14.00 to \$560.65 per week for those adult employees who are “award free”. Certain adjustments also apply to juniors, trainees and other employees, with work related allowances also changing.

For full details, including commencement dates, visit the Noticeboard of the State IR page in the members' area of SAWIA's [website](#).

Updated wage rates will be sent to SAWIA's non-constitutional members (that have requested copies) by mid-September 2009.

For further information, members can contact Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au).

2009 Federal System Wage Decision

NB: The following notice applies only to constitutional corporations covered by the Federal Industrial Relations system (Fair Work Act 2009 (Cth)).

As reported in the July newsletter, SAWIA members covered by the Federal Industrial Relations System are reminded that there will not be an increase to the Federal Minimum Wage, or the Australian Pay and Classification Scales (AFPC) this year. The Federal Minimum Wage will remain unchanged at \$543.78 per week (\$14.31 per hour for an adult full time employee).

The next Federal National Wage Decision will be conducted by Fair Work Australia in 2010. In accordance with the *Fair Work Act 2009*, any increase to the Federal minimum wage or minimum award rates of pay will apply from the first full pay period on or after 1 July 2010.

SAWIA members can contact Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au) with any questions.

State Government to join National Industrial Relations System

NB: The following article applies only to non-constitutional corporations covered by the State Industrial Relations system (Fair Work Act 1994).

The South Australian Government has announced that, from 1 January 2010, all private sector employers currently observing the State System of Industrial Relations System will be transferred to the National System. This means that, under the proposed changes, all wine industry employers will operate in the National System.

While the South Australian Government is still negotiating details with the Federal Government, legislation is expected to be introduced into the South Australian Parliament during September to refer the necessary powers to the Commonwealth. Legislation will also be required in the Commonwealth Parliament to accept the referral and provide transitional provisions.

The timeframe for the passage of legislation through both Parliaments is very tight. As a result,

we anticipate only a short period of time for members to understand and implement the detailed changes.

SAWIA will continue to keep members informed of developments. We strongly recommend that non-constitutional employers should plan to attend SAWIA's regional sessions on the National Employment Standards (NES) and Modern Awards that will be held in November. Further information, including dates and times of these sessions, will be available soon.

In the interim, members can direct any questions to Egon Schwidder (8222 9273 or egon@winesa.asn.au).

Daylight saving 2009/10 - It could be later than you think!

Following the April 2009 decision by the South Australian Government, the daylight saving period in South Australia is from the first Sunday in October each year until the first Sunday in April the following year, on an ongoing basis.

That means that clocks will need to be moved forward by one hour on 4 October 2009 at 2.00am.

SALES MARKETING & PROMOTION

Four events in China to choose from

Shanghai Wine & Spirits Bonded Expo

The annual Shanghai Wine & Spirits Bonded Expo is scheduled for 19 November 2009 in the Waigaoqiao Free Trade Zone in Shanghai. The target audience includes wine traders and retailers, importers, stores, cafes, hotels, restaurants and other businesses.

According to the event organisers, exhibitors can show wines with a bonded status in Shanghai, thereby realising cost savings on customs duties.

For more information, click [here](#) or contact event organisers on +86-21-5013-7179 or info@bizchina-bridge.com.

Wine & Spirits China 2009

Wine & Spirits China 2009, part of FHC China 2009, is scheduled for 18-20 November 2009 in Shanghai. The 13th edition of this event follows on from FHC China 2008, which attracted 807 companies from 82 countries and over 20,000 trade visitors.

For more information, visit www.fhcchina.com.

Shanghai China International Wine Exposition

The 5th annual Shanghai China International Wine Exposition is scheduled for 9 – 11 March 2010. The most recent exhibition had 98 exhibitors and almost 4,000 visitors. Organisers are aiming for a significantly expanded event in 2010.

Related events include a wine promotion tasting, gala wine dinner and an international wine competition.

To obtain more information, visit www.itpc.com.cn or contact Jeff Yao on jeff.yao@itpc.com.cn.

TopWine China – Beijing

TopWine China is being held in the China World Trade Center complex in Beijing from 1-3 June

2010. This new event was originally scheduled for Shanghai in June 2009, but was postponed due to the worldwide economic downturn.

Click [here](#) for more information about exhibiting, or contact George Zhu on +86-10-6406-6918 or zhuxd@pwcl.com.cn.

Hong Kong International Wine & Spirits Fair 2009

The Hong Kong International Wine and Spirits Fair is being held from 4-6 November 2009 at the Hong Kong Convention and Exhibition Centre.

The most recent event had 240 exhibitors and attracted more than 8,000 trade buyers and 10,000 public visitors.

Following the removal of wine duty in 2008, Hong Kong became the only major economy in the world to impose no duty or sales tax on wine. Click [here](#) for more information about the event.

Three upcoming events in India

IFDE New Delhi

International Food & Drink Expo (IFDE) India 2009 is scheduled for 2-4 December 2009 in New Delhi. According to Austrade, IFDE New Delhi is the key food and beverage event for the Indian market.

Austrade is organising an Australian pavilion for this trade only event. For more information, click [here](#) or contact Marilyn Shea of Austrade on (08) 9261 7908 or marilyn.shea@austrade.gov.au.

TASTE India and International Wine Fair

Held in Mumbai from 28-30 January 2010, TASTE India is a trade only event bringing together importers, wholesalers, distributors, retailers and prominent large scale buyers from hotels, airlines, restaurants and bars.

The event has 4 exhibitions (wine, spirits, food and hospitality) running concurrently. All shows are under the one roof delivering key decision makers from across the food and beverage spectrum.

For more information, visit www.taste-expo.com.

Drink India Congress 2010

Scheduled for 4-5 February 2010 in Bangalore, Drink India Congress 2010 is "an alternative way to do business". The event will host 200 "pre-qualified" Indian importers, distributors, retailers, hotels, restaurants and end-users that are seeking new wines from all over the world. A number of one-to-one meetings with buyers are included in the event fee.

Visit www.drinkindiacongress.com or contact Sonja Merchant on +91-80-4005-1000 or sonjam@saltmarch.com for more information.

Sydney International Wine Competition

Entries for the Sydney International Wine Competition 2010 are capped at 2000, so SAWIA members are encouraged to submit entries as soon as possible.

Judging of the 2010 Competition takes place 19–23 October 2009 and the individual entrants results are advised mid-November 2009. Results will be announced on 20 February 2010.

SUSTAINABILITY & WATER

Water Update

Water allocations

On 1 September 2009, Karlene Maywald (Minister for the River Murray) announced that licence holders can access 100% of private carry over and 10 percent of their River Murray current year entitlement effective from that date.

River Murray system inflows improved during August 2009 and are now expected to exceed 400 GL. While this is more than the 275 GL received last year, it is still well below the long-term August inflow of approximately 1,550 GL.

Weather outlook

The Bureau of Meteorology's latest forecast shows a 30-40% chance of exceeding the median rainfall across the Murray-Darling Basin for the period from September to November, with a 65% chance of exceeding the median maximum temperature during that period.

Latest water projections

Updated water allocation projections were recently issued by the Department of Water, Land and Biodiversity. Projections show a 75% chance of a 20% allocation, and a 50% chance of a 42% allocation, as at the end of November. However, obviously these projections need to be considered with caution.

The document setting out the latest projections is available from the Drought page of SAWIA's [website](#).

Coorong and Lower Lakes update

Jay Weatherill (Environment and Conservation Minister) and Paul Caica (Minister for Agriculture, Food & Fisheries) recently announced three steps to deal with low water flows in the River Murray. As part of its emergency response to this ongoing situation, the South Australian Government will:

- § Provide 50 billion litres (50 GL) of environmental water for the Lower Murray Lakes
- § Purchase up to an additional 60 billion litres (60 GL) of water for Adelaide and other communities
- § Provide grants to irrigators to help keep permanent plantings alive over summer.

The South Australian Government also announced the release of [Managing for a Healthy Future](#), which presents a range of options for how environmental issues facing the region will best be managed in the future. This is part of the effort to develop a long-term plan for the Coorong, Lower Lakes and Murray Mouth, and is part of the Government's \$610 million Murray Futures program.

The management options proposed in the planning document include:

- § Continuing re-vegetation and bioremediation work
- § Diverting water from the State's south-east drainage system to the Coorong
- § Extending existing pipelines and the irrigation pipeline currently under construction
- § Pumping saline water from the Coorong's South Lagoon into the sea
- § Installing fish passages to optimise fish movement between the lakes, tributaries and Coorong.

The Government has requested feedback by 11 September 2009.

Visit the Murray Futures website at www.murrayfutures.sa.gov.au for more information.

OTHER

Warning to trademark owners

At least one SAWIA member has received letters in the mail requesting payment of an invoice from TMP Trademark Publisher.

IP Australia has subsequently advised of numerous calls from trademark owners who have received an invoice from that company. The invoice includes a Sydney street address for TMP and requests payment for publication of the trademark owner's details in a register.

TMP is not associated with IP Australia and has no official or government authority. The service they offer does not affect official trademark registration or trademark rights in Australia or, to the best of our knowledge, any other country.

Before paying a fee for any IP related service, please be sure to check the bona fides of the service provider to avoid being deceived.

Members should carefully assess the credentials of mail such as this to ensure its authenticity. For more information relating to the risks of unsolicited IP services, click [here](#).

We thank our member for raising this matter for the attention of other SAWIA members.

Business tax break reminder

The Australian Taxation Office recently issued a reminder that a business tax break is currently available. The tax break is a temporary extra tax deduction available to businesses which buy eligible assets. Basically:

- § Small business (turnover less than \$2 million) may be able to claim an extra 50% tax deduction on eligible assets which cost \$1,000 or more
- § Businesses with turnover of \$2 million or more may be eligible for an extra 30% or 10% tax deduction – depending on when the asset is bought and used.

Eligible assets include certain new, tangible, depreciating assets including cars, trucks and other business vehicles, computer hardware, tools and furniture.

Visit the ATO [website](#) for more information. Contact your accountant or tax advisor before undertaking any transactions.

Dates for your diary

2009

- § 23 September, [Wine Industry Environment Conference](#), Adelaide
- § 24 September, [Wine Industry Environment Conference Technical Tour](#), Barossa
- § 24-26 September, [Vietwine '09](#), Hanoi
- § 1-3 October, [Food & Hotel Vietnam](#), Ho Chi Minh City
- § 16-18 October, [Coonawarra Cabernet Celebrations](#)
- § 4-6 November, [Hong Kong International Wine & Spirits Fair](#)
- § 5 November, Occupational Health and Safety Seminar, Barossa
- § Tba November, What Modern Awards & the NES mean for your business, regional SA
- § 12 November, Occupational Health and Safety Seminar, Coonawarra
- § 12-13 November, [Winefuture Rioja 09](#), Spain
- § 18-20 Nov, [Food & Hotel China](#), Shanghai
- § 19-21 November, [Shanghai International Wine & Spirits Bonded Expo](#), China
- § 24-28 November, [SIMEI 2009](#), Milan (Italy)
- § 26-28 November, [Interwine China](#) (autumn), Guangzhou
- § 1-3 December, [SITEVI 2009](#), Montpellier (France)
- § 2-4 December, [International Food & Drink Expo India](#), New Delhi

2010

- § 16-24 January 2010, [WineFest China](#), Beijing
 - § 28-30 January, [TASTE India and International Wine Fair](#), Mumbai
 - § 4-5 February, [Drink India Congress 2010](#), Bangalore
 - § 9-11 March, [Shanghai China International Wine Exposition](#), Shanghai
 - § 11-13 March 2010, [Food Hotel & Tourism](#), Bali
 - § 20-23 April, [Food & Hotel Asia](#), Singapore
 - § 1-3 June, [TopWine China](#), Beijing
 - § 3-8 July 2010, [WineTech 2010](#), Adelaide
-

Industry Partners

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