



SOUTH AUSTRALIAN
WINE INDUSTRY ASSOCIATION

SOUTH AUSTRALIAN WINE INDUSTRY ASSOCIATION INCORPORATED

Newsletter

22 February 2010

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Message from the Chief Executive

With all the challenges of 2009 behind us there are still many to confront in 2010.

The Wine Restructuring Action Agenda (WRAA) announced by the four national wine industry bodies late last year has now set out its program for four regional sessions to be held in South Australia with one in each of February and March and two to be held in May (*refer to feature article below for details*). I strongly encourage all growers and producers to attend and learn more about the issues confronting the industry and the opportunities ahead.

The commencement of 2010 also saw major changes to employment terms and conditions through new industrial awards and the 10 National Employment Standards. The implementation was supported by your association delivering several rounds of seminars to the seven major wine regions late last year. The number of calls placed to the association has increased in January as members explore the options to restructure work, minimise costs and understand the complex transitional provisions. Any member with a concern, query or simply looking for some confirmation is encouraged to ring a SAWIA Business and Workplace Advisor – don't be left in the dark!

The association has recently been involved in discussions regarding the restructure of the South Australian Wine Industry Council. The discussions have been fruitful with a smaller number of positions to be recommended to the Minister and the Council meeting in March.

Should I talk about the State Government election? By the time you are reading this, the members of the House of Assembly will be knocking on doors, holding street corner meetings and seeking to influence you leading up to the election on 20 March. SAWIA continues to meet with representatives of both the government and opposition to ensure they are informed of the key issues facing the industry. Refer to the articles below (*under Industry and Government*) with regard to recent industry/government developments in the areas of tourism, taxation and (tasting) samples.

SAWIA has also been active in the media commenting on the Wine Industry Restructuring Agenda, Award Modernisation, Australian Bureau of Statistics data (using the opportunity to also highlight the importance of water quality, quantity and consistency of supply) and the State Government's 30-year development plan.

While we have not seen the extremes of high temperature in 2010, the November heat event was sufficient to cause some loss to certain varieties in a number of regions. Vintage has well and truly commenced with reports of very good quality.

I wish the industry a safe and prosperous vintage 2010.



Brian Smedley

FEATURE ARTICLES

Wine Restructuring Action Agenda Regional Workshops

The four National organisations (WFA, WGGA, AWBC and GWRDC) announced the Wine Restructuring Action Agenda (WRAA) in late 2009, and have now announced details of the first South Australian workshop. Kangarilla Community Hall is the location of the first workshop on 24 February 2010 (10.30am to 4pm), followed by Barmera (16 March), Angaston (4 May) and Penola (or Naracoorte) for 13 May 2010.

The workshop will focus on:

- § The national analysis that underpins the WRAA initiative
- § Implications for your region
- § Options for individual winemakers and grapegrowers
- § Support tools available.

Click [here](#) for more information. To reserve your place for the sessions, email craig@wfa.org.au with the name of the location in the subject box and your name(s) in the body text.

Wine Industry Salary & Benefits Survey 2010 – Participate now!

SAWIA's 10th annual *Wine Industry Salary & Benefits Survey* is now underway, and will provide valuable information on a national and state level about practices and trends in the wine industry. The 2010 Survey covers 60 positions across winemaking, viticulture, warehouse, sales, accounting, marketing, human resources and administration - typically those positions not covered by any industrial award.

In addition to job salary information, the survey covers matters such as how pay is reviewed, when it is reviewed, salary movement percentages (actual and forecast), pay policy and practices, superannuation benefits, employer provided car practices, "at risk" incentive payments and share schemes. Following on from the 2009 survey report, the 2010 report will also report a subset of salary data for smaller businesses (sales revenue < \$10M per annum).

The survey is being taken as a "snap shot" of information applying as at 30 April 2010. Survey and position description forms will be available from 15 March 2010, and need to be returned by 10 May 2010.

Survey participants receive a substantial discount on the cost of the final survey. You can [order your copy now](#) for delivery on 7 June 2010. If you wish to participate in the survey or need more information please contact Michael Asmar on 8222 9270 or michael@winesa.asn.au.

Passionate about employee relations, OHSW or the environment?

Expressions of interest are sought from SAWIA members who are interested in helping to identify and address the key issues facing the wine industry by contributing to the activities of the association's Employee Relations, OHSW and/or Environment committees.

The three committees deal with a combination of both ongoing issues and specific one-off matters. The committees provide a forum for exchange of information and development of new ideas, while generating policy recommendations for consideration by SAWIA's Executive Committee. Each committee has terms of reference defining its role, and committee members are expected to contribute leadership and direction for the industry. Individual involvement provides an opportunity to network, contribute to personal development and allows for input into industry best practice. Meetings are held every second month and are generally for 2 hours duration.

If you or one of your staff members has particular expertise or interest in one of these areas, we invite you to complete an expression of interest form available from the Noticeboard of the Members' Home Page of SAWIA's [website](#).

If you have any questions, please contact Sarah Hills (8222 9212 or sarah@winesa.asn.au), for Employee Relations/OHSW or Mark Gishen (8222 9278 or mark@winesa.asn.au) for the Environment.

Hazard alert (moveable rail-mounted bins) – Wine industry death

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



SafeWork SA has issued a Hazard Alert to all wineries utilising a potter tanker system regarding the possible dangers associated with moveable receiving bins. This follows the release of a NSW Coroner's report into the death of a winery worker.

The Hazard Alert, available [here](#), identified 5 specific contributing factors and 9 required actions. This includes the NSW Coroner's recommendation that consideration be given to "...these bins being fully anchored before any potter is emptied."

SAWIA strongly recommends that members with potter tank systems should ensure appropriate risk assessments have been undertaken, and employees are consulted, trained, supervised and assessed as competent. For more information, such as risk assessment, refer to the Wine Industry OHS Guidelines (click [here](#) to purchase a copy), or contact Egon Schwidder (8222 9273 or egon@winesa.asn.au).

SAWIA welcomes Sarah Hills and Linda Pfefferkorn



We are delighted to welcome back Sarah Hills from maternity leave! As Business Services Manager, Sarah is responsible for the Employee Relations and Occupational Health & Safety Services provided to members.

Sarah has extensive experience providing practical and relevant advice in areas such as payroll, termination practices, pay rates, safety concerns, workers compensation, redundancy, long service leave, parental leave, agreement making, remuneration practices, letters of engagement and compliance with employment and OHS legislation.

Sarah also has represented the interests of individuals and the greater wine industry before numerous third party forums – including unfair dismissal, equal opportunity claims, issues relating to the interpretation of the Wine Industry Award, agreements and minimum wage submissions. Sarah can be contacted on 8222 9212 or sarah@winesa.asn.au.



Please join us in welcoming Linda Pfefferkorn, the association's new Executive Administrator while Layla Plummer is on maternity leave.

Linda is looking forward to supporting the SAWIA office and assisting members in any way she can, while taking this opportunity to resume her career in the wine industry. After returning to Adelaide recently after 2 years of working in London and travelling Europe, she is excited to absorb herself in the wine regions of South Australia, along with undertaking her Wine Marketing studies through Adelaide University!

Linda can be contacted on 8222 9277 or linda@winesa.asn.au.

Export Solutions - EMDG specialist is SAWIA's new sponsor



SAWIA is delighted to welcome Export Solutions, South Australia's largest and most successful Export Market Development Grant consultancy firm, as our newest sponsor!

The Export Market Development Grant (EMDG) Scheme encourages Australian exporters to develop overseas markets for goods, services (including tourism services) and intellectual property and know-how, which are manufactured, provided or developed in Australia.

Export Solutions already represents a large number of SAWIA's members. Export Solutions can help:

- § Determine whether your expenditure is eligible
- § Ensure your EMDG claim is maximized
- § Assist with implementing systems to capture supporting documentation and ensure your rebate is received as quickly as possible
- § Facilitate any meetings, investigations and appeals with Austrade on your behalf
- § Assist first time clients of the scheme with the provisions of the Grant Entry Test and other issues that could prevent a grant being paid
- § Organise and facilitate Joint Venture applications.

Services are provided on performance of obtaining a successful grant (i.e. "No Grant, No Fee"). For more information, contact Stuart Mitchell of Export Solutions on 8231 9066.

INDUSTRY & GOVERNMENT

South Australian cellar doors star in new tourism marketing push

SAWIA is delighted to announce that South Australia's wine industry is the focus of a new tourism marketing push that firmly positions Adelaide and South Australia as the nation's wine tourism capital.

Tourism Minister Jane Lomax-Smith has launched the South Australian Tourism Commission's new Cellar Door campaign aimed at high-yield, wine-loving east coast visitors. This includes a new wine-themed TV commercial being aired nationally.

The campaign positions Adelaide and its surrounding wine regions as a cosmopolitan, beautiful and relaxed destination where visitors can reconnect with themselves and their partners in indulgent, authentic surroundings. Not to mention the fact that Adelaide has more than 200 cellar doors with an hours drive – less time than many Sydneysiders and Melbournians spend commuting to work each day.

The State's tourism [website](#) has been updated to feature new wine and food information and holiday offers, while the new *South Australian Wine and Food Guide* (order [here](#)) makes it easier for visitors to plan their wine and food experiences throughout the State.

SAWIA advocates - No tax changes for members!

SAWIA is playing a key role in a coordinated national strategy arguing against tax changes that could potentially devastate the industry, including any unfavourable changes that might arise from the yet to be released Henry Tax Review.

The association supports the Winemakers' Federation of Australia [Pre-Budget Submission](#) to the Federal Government, which calls on the Treasurer to retain the Wine Equalisation Tax (WET) while seeking legislative changes to address some market distortions created by the current system. The submission also seeks government support for a range of other measures including industry-driven activities around the Wine Restructuring Action Agenda.

At the State level SAWIA has, via a number of channels, ensured that the State Government is informed and understands the need to communicate a clear message to the Federal Government about the importance of regional employment and the impact that changes in wine tax would have on the South Australian industry.

Liquor Licensing Act – SAWIA responds to definition of “sample”

SAWIA has responded at very short notice to a request by the Liquor & Gambling Commissioner's request that industry define a “sample”. The intention of the Office of Liquor and Gambling (OLG) was to include the definition within Regulations under the *Liquor Licensing Act 1997*.

Although the required response time allowed for significantly less consultation with industry than is desirable, SAWIA would like to thank the many members who provided feedback.

SAWIA has had a number of discussions with the Office of Liquor and Gambling, and also written to the Office of Liquor and Gambling, in order to clearly set out the range of views of members. This letter is available from the Noticeboard of the Liquor Licensing page of SAWIA's [website](#).

The OLG has indicated that without a form of industry consensus / viewpoint on the issue it would not seek to make a recommendation to the Minister on the definition of a “sample” at this point in time. However, SAWIA is still awaiting a written response on the matters raised. Once received, SAWIA will undertake further consultation with members, followed by additional discussions with the OLG.

Members requiring further information should contact Brian Smedley on 8222 9274 or brian@winesa.asn.au.

EMPLOYEE RELATIONS & OHSW

Did you know cellar door hours of work have changed?

NB: This article applies to those South Australian wine industry employers who are required to comply with the Wine Industry Award 2010.

There have been important changes to Cellar Door "ordinary hours" with the commencement of the new modern *Wine Industry Award 2010* on 1 January 2010. Please note that this does not apply to those wine industry employers who were following the Wine and Spirit Industry (SA) Award as of 31 December 2009 because of the transitional arrangements in place.

In response to a significant number of queries from members regarding the way in which casuals work in Cellar Door, we have prepared a **SAWIA Workplace Relations Alert** to help with the practical application of the award, including "getting it right" with the *Take Home Pay Order* provisions within the *Fair Work Act (Cth) 2009* and the Award transitional provisions that also apply.

Any queries arising out of this article, including determining if these provisions apply to your cellar door, can be discussed with Michael Asmar by contacting him on 8222 9270 or michael@winesa.asn.au.

SAWIA members can access the **SAWIA Workplace Relations Alert** from the Noticeboard of the Employee Relations > Federal IR page of SAWIA's [website](#). Any members experiencing difficulty accessing SAWIA's website should contact Linda Pfefferkorn on 8222 9277 or linda@winesa.asn.au.

Call for submissions: Fair Work Australia – Annual Wage Review 2009 / 2010

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

Fair Work Australia (FWA) has invited written submissions from interested parties in the lead-up to its Annual Wage Review 2009 / 2010. SAWIA is preparing a submission on behalf of members, to provide FWA with an update on the issues affecting the wine industry including the impact of the introduction of "modern awards", water restrictions, global financial crisis, level of employment, the impact of a rising Australian dollar, the oversupply of grapes and demand for wine.

Any variation to modern award minimum wages and the national minimum wage order resulting from the review will come into operation from the first full pay period on or after 1 July 2010.

You are invited to raise any issues, questions or comments that you consider should be addressed in SAWIA's submission by contacting Sarah Hills (8222 9212 or sarah@winesa.asn.au) by close of business on 15 March 2010.

Award modernisation update

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

The *Fair Work Act 2009* is now fully operational with the 10 National Employment Standards (NES) and the 122 Modern Awards commencing from 1 January 2010.

Back in July 2009 the Australian Industrial Relations Commission (AIRC) indicated that any residual variations to modern awards would be finalised by the end of 2009. However, on 21 December 2009 the AIRC Full Bench issued a statement announcing that they had decided to delay the residual variations process until early in 2010. Residual variations deal with necessary changes in terminology and statutory references, typographical and formatting issues and changes in standard or model provisions for those awards dealt with in the "Priority", Stage 2 and Stage 3 awards. The residual variations do not impact on wage entitlements.

In line with that statement, in mid-January the AIRC published a number of draft awards (including the *Wine Industry Award 2010*) which outlined the proposed residual variations and sought comments by 5 February 2010. SAWIA reviewed the residual variations in awards relevant to the wine industry and made a submission to the AIRC advising we had no opposition to the proposed changes.

It is anticipated that when the AIRC finalise the residual variations, the awards (with the residual variations) will operate as if they existed from 1 January 2010. SAWIA will advise members when the variations are finalised by the AIRC, and will provide members with the final version of awards incorporating the residual variations.

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).

Reminder - All wine industry employers now in National IR System

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

From 1 January 2010, all South Australian wine businesses operate under new national industrial relations (IR) laws. For the first time, South Australian private sector employers and employees will have the one set of IR laws to work with, providing employers and employees with a more streamlined, simpler and more efficient IR system.

Non-constitutional corporation employers (such as partnerships, sole traders and incorporated businesses without significant trading or financial activities that have been operating in the state system) have transitioned to the Commonwealth Fair Work Act 2009 effective from 1 January 2010. For more information about this transition, refer to the Noticeboard of the Employee Relations ->Federal IR page of SAWIA's [website](#).

Given the operative date of 1 January 2010, employers have to understand the *Fair Work Act (Cth) 2009* and implement the detailed changes to avoid prosecution for breach of obligations. Further, non-constitutional employers who were previously known as "award free" (i.e. independent grape growers in the State System) are now bound by the Modern Award from 1 January 2010 (with some provisions to be phased-in).

Employers should note that there are some aspects of employment that have always been, and will continue to be, governed by State laws. This includes those covering OHS laws, workers compensation, training and skills development, shop trading hours, and long service leave. These have the same application in South Australia as they did immediately prior to 1 January 2010.

SAWIA can help members understand their new obligations and provide support. SAWIA members that would like individual assistance on any of the above matters, or wanting one-on-one support at your worksite, should contact Egon Schwidder (8222 9273 or egon@winesa.asn.au), Michael Asmar (8222 9270 or michael@winesa.asn.au) or Sarah Hills (8222 9212 or sarah@winesa.asn.au).

Approved Code of Practice - Working Hours

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

As reported in the December 2009 newsletter, a new *Code of Practice - Working Hours* has been approved by the South Australian Minister for Industrial Relations, under the *South Australian Occupational Health, Safety and Welfare Act 1986 (OHSW Act)*.

South Australia has not previously had any general code of practice or guidance material on reasonable working hours. The Code has been developed in recognition that excessive working hours may pose a significant risk to the health, safety and welfare of South Australian workers and their families, including the key issue of fatigue. The Code also reflects a contemporary understanding on working hours, work intensification and work life balance, and provides a best-practice approach to formulating policy on rostering and hours of work, taking into account the diversity of South Australian workplaces.

The Code will come into operation on 1 July 2010. SAWIA will be advising members of the requirements and implications for their business operations in the next couple of months. In the meantime you can access a copy of the Code [here](#).

Contact Sarah Hills (8222 9212 or sarah@winesa.asn.au), Egon Schwidder (8222 9273 or egon@winesa.asn.au) or Michael Asmar (8222 9270 or michael@winesa.asn.au) with any questions.

Payroll tax – Nexus arrangements

All states and territories have recently agreed on new payroll tax nexus rules that apply where wages are paid to workers who provide their services in more than one state or territory in a month. In accordance with the new rules, where a worker provides services in more than one jurisdiction, payroll tax is to be paid to the jurisdiction where the worker resides, rather than where they are paid (as is currently the case).

Where the worker does not reside in Australia, tax is to be paid to the jurisdiction where the registered Australian Business Number address of the employer is located.

Legislation has been drafted to implement the new nexus rules, and once enacted will have retrospective effect to 1 July 2009. However, RevenueSA will accept any necessary adjustments, without penalty, as part of the annual reconciliation process for 2009/10.

The above changes do not impact workers providing their services solely in one jurisdiction – payroll tax will continue to be paid to the jurisdiction where those services are performed.

For more information, read the article in the January 2010 edition of RevenueSA [Perspectives](#) or phone RevenueSA on 8204 9880.

SUSTAINABILITY & WATER

Water allocations increase to 55%

Karlene Maywald, Minister for the River Murray, announced on 15 February that water allocations in South Australia would increase to 55% of entitlement. According to the Minister, an additional 40 gigalitres of water was secured from Victoria and New South Wales after an independent review of water allocations confirmed South Australia did not receive its full share between 2002 and 2009.

SAWIA members are also reminded that applications to carry-over water not used in 2009/10 for use in 2010/11 must be lodged on or before 19 March 2010. Applications are available on-line [here](#).

The latest Bureau of Meteorology outlook shows a 45-55% chance of exceeding median rainfall for the period February-April 2010, with a 35-65% chance of exceeding median maximum daytime temperatures.

National Packaging Covenant update

In November 2009, Australia's Federal and State Environment Ministers met and agreed on a new "Australian Packaging Covenant" that will take effect post June 2010 when the current arrangements expire. The strengthened (and renamed) Covenant will take a greater focus on packaging design, workplace and public place recycling and litter reduction projects.

The draft Australian Packaging Covenant (APC) document is available [here](#), with some of the key changes including:

- § A reduction in the number of Goals and Key Performance Indicators
- § The Environmental Code of Practice is being replaced by the Sustainable Packaging Guidelines
- § All action plans are to be for 5 years.

As this could take some time to set up, the Ministers also agreed to extend the current arrangements for up to 12 months to allow for a smooth transition.

The reporting requirements for this year remain the same as for last year. In other words, reports will need to address all the KPI's in the National Packaging Covenant as outlined in your current action plan.

SAWIA members are reminded that our mentoring program can help save you time and money! SAWIA takes the "hard slog" out of the reporting, and the service is free to members. SAWIA provides the reporting templates for members to complete, and then compiles and

reports the results to the National Packaging Covenant. All data is confidential and reported anonymously – however you can still benchmark your performance against other participants and learn from the group as a whole.

If you are interested in joining SAWIA's Mentor Program, or require further information, please contact Mark Gishen on 8222 9278 or mark@winesa.asn.au.

Wine Industry Sector Agreement – Free workshops coming to your region!



In early 2009 SAWIA conducted a series of well-attended regional information sessions to help create awareness of climate change and its impact on the wine industry. Following on from these information sessions, regional workshops were held in August/September 2009 to introduce participants to the Australian Wine Carbon Calculator and help guide the collection of data needed to calculate greenhouse emissions over the 2009/10 year. The industry was asked to sign up to a commitment to report in June 2010.

The next round of Climate Change and Greenhouse Emissions Reduction Workshops will be held in the post vintage period from March to May. SAWIA will be aiming to visit each region presenting the latest information on how to calculate your greenhouse gas emissions.

The workshops will include information on:

- § How to use the latest version of the Australian Wine Carbon Calculator (version 1.3)
- § Review of data submitted by participants for 2008/09
- § Contributions to the industry's footprint by various production chain segments (from grape growing right through to bottling)
- § Benchmarking — interpretation and pitfalls.

For further information please contact Mark Gishen on 8222 9278 or mark@winesa.asn.au.

Want to participate in the Wine Industry Sector Agreement? It's not too late – if you want to start measuring your greenhouse gas emissions, improve energy efficiency, and save money at the same time, then this voluntary, free and completely confidential program is for you! The Participant Commitment form can be downloaded [here](#).

The Wine Industry Sector Agreement - Climate Change and Greenhouse Emissions Reduction is a project to inform the wine industry of issues surrounding climate change, while encouraging and assisting industry to measure and report their carbon footprint. The South Australian Wine Industry Association and the Wine Grape Council of South Australia signed the Sector Agreement with the State Government in accordance with the Climate Change and Greenhouse Emissions Reduction Act 2007.

2nd Annual Industrial Energy Efficiency Forum

Energy costs are a major component of operating costs of wineries, with 40-60% being used for refrigeration. With energy savings translating to immediate cost savings, the 2nd Annual Industrial Energy Efficiency Forum in Melbourne (19-20 April 2010) will focus on encouraging near-term adoption of proven practices and technologies.

For registration and further information, click [here](#).

SALES MARKETING & PROMOTION

Promotional opportunity – North America / Europe

One of the most widely published wine writers in North America and Europe has launched an online directory of Australian wines, and is inviting SAWIA members to promote your winery and wines at no cost.

The directory will be promoted in a newsletter that goes to more than 100,000 subscribers, as well as regular columns in various magazines and newspapers.

For contact information regarding setting up your winery and wines on the site, SAWIA members should visit the Noticeboard of the SAWIA Export page of SAWIA's [website](#).

International Success with Decanter



Entries are now open for the Decanter World Wine Awards, the show where judges taste wines on the basis of region, variety, style and price point for a worldwide audience of over 20 million people – including a Chinese language edition of the magazine.

In Australia, Decanter's Adelaide based Australian office runs a national public relations campaign for the domestic market, with national coverage including ABC news and Sydney Morning Herald plus regional media. In 2009 Decanter launched a consumer tasting of medal winning wines in Sydney, the first international competition to do so in Australia.

Highlighting South Australia's past success, 60% of Australia's Trophy or Gold medal winning wines in 2009 were made in this state. In a competition of over 10,000 wines, South Australia alone won more Trophies and Gold medals than New Zealand, Bordeaux, Spain, Chile or Argentina. Judging is categorized by region, style, varietal and price-point, with certain regions having done particularly well in past competitions.

Entries close on 5 March 2010, with samples due to arrive in the UK by 22 March. To obtain further details, SAWIA members should contact Linda Pfefferkorn on 8222 9277 or linda@winesa.asn.au.

Drinks Trade Wine List Calendar for 2010

Drinks Trade, the magazine of the Liquor Merchants Association of Australia, has published its 2010 calendar, setting out the timetable for interested wineries to submit product samples for review by a panel of experts in its regular section called "Wine List". The magazine is direct mailed to over 20,000 licensed venues and outlets nationally.

Upcoming publications will report the results of Pinot Noir (April/May), Cabernet Sauvignon and blends (June/July), Shiraz and blends (Aug/Sept), Sparkling (Oct/Nov) and Chardonnay (Dec/Jan 2011).

The panel assesses not just the wine but the price points to select a "best value" pick in each category. The commercial or consumer appeal of the wine will also be assessed. Rankings or scores will not be published. The panel is made up of representatives from the wholesale, retail, educator, marketing and service side of the wine industry.

For the full calendar and contact details, SAWIA members should visit the Noticeboard of the SAWIA Export page of the association's [website](#).

China International Alcoholic Drinks Expo

The China International Alcoholic Drinks Expo 2010 is scheduled for Beijing from 9-11 July 2010, and includes a Conference, Exhibition and featured events. The 2009 event hosted more than 25,000 visitors.

For more information, click [here](#) or contact Vincent Yang on +86 10 8776 6850 ext. 213 or vincent.yang@triuni.com.cn.

China Australia Business Congress 2010

The 2nd annual China Australia Business Congress 2010 (22-23 March, Sydney) creates a

platform to facilitate business partnerships, co-operation and investment between business leaders, entrepreneurs and investors from both China and Australia. The Congress includes a Food & Beverage stream, plus presentations by industry leaders, panel sessions and networking opportunities.

The Food & Beverage stream includes case studies in exporting Australian Wine into China from acclaimed wine author Jeremy Oliver, while Bonnie Shek (Director, Hong Kong Trade Development Council) will make a presentation on Hong Kong's ambitions to be the future central wine hub for Asia. Visit www.chinabusinesscongress.com for more information.

OTHER

ASIC v Rich – Judging the Business Judgment Rule



Finlaysons, SAWIA's Wine Industry Partner, has prepared a concise summary of the recent case against the former officers of failed telco One.Tel that examined which decisions of corporate officers, such as CEO's and finance directors, can be protected by the "Business Judgment Rule".

The Business Judgment Rule says that where a decision to take, or not take, an action in respect of a matter relevant to the business operations of a company is made in accordance with the Rule, a court cannot find that the relevant officer breached his or her legal duties on the basis of that decision.

In ASIC v Rich, the CEO and Finance Director of One.Tel successfully argued that their decisions relating to the planning, budgeting and forecasting of the company's business, including their decision as to what information should be passed to the board, was protected by this Rule. In order to fall within this protection, a number of criteria must be met.

To review the detailed criteria, SAWIA members should visit the Noticeboard of the Members' Home page of SAWIA's [website](#).

For further information, please contact Will Taylor (8235 7421 or will.taylor@finlaysons.com.au) at Finlaysons.

Export Procedures Course / Export Assist - Special offer for members



The Australian Institute of Export is offering a three day export procedures course that provides participants with detailed practical information on documentation, packaging, export finance, insurance, customs and much more. The course is being presented by Darren White of Export Assist (SAWIA Sponsor), who has kindly arranged for a discounted price of \$990 for SAWIA members (rather than the \$1,100 normal price), or a 20% discount for any companies with 2 or more participants.

Two upcoming sessions are being offered in Adelaide (11-13 May) or (14-16 May). Visit the Noticeboard of the SAWIA Export page of SAWIA's [website](#) for more information.

Export Assist is also offering SAWIA members a special trial of its new export management service. This service effectively provides management of your export operations including AWBC approvals, export customs clearance, export documentation and coordination with freight forwarders. Costs normally start from \$150 per shipment (plus GST), however SAWIA members are welcome to trial the service with a first shipment for only \$95. For details, click [here](#).

For more information on any of the above, SAWIA members are welcome to contact Darren White on 0418 885 380 or darren@exportassist.com.au.

Registration now open for Australian Wine Industry Technical Conference

Registration has opened for the 14th Australian Wine Industry Technical Conference being held in Adelaide 3-8 July 2010. The program includes more than fifty workshops and covers a range of

topics including:

- § Positioning for success
- § Wine – harmful or healthy? WHO is listening?
- § Flavour, aroma and mouth-feel
- § Cutting edge technology for targeted wine style
- § Innovation
- § Practical and innovative viticulture
- § Climate change, water availability and sustainability
- § Soil health, organics and biodynamics
- § “Message in a bottle”.

Running concurrently with the Conference is WineTech 2010 – featuring more than 200 local and international suppliers.

For more information, click [here](#), phone 8313 6696 or email info@awitc.com.au.

2010 Future Leaders announced

The wine sector has selected 15 participants to undertake *Future Leaders – Succession for the Australian Wine Sector* in 2010. This, the fourth intake, includes winemakers, viticulturists, brand managers, researchers and managers.

Please join us in congratulating the following SAWIA member participants based in South Australia:

- § Ben Harris – Vineyard Manager, Penfolds Robe Vineyard
- § Nick James-Martin – Winemaker/Brand Ambassador, d’Arenberg
- § Helen McCarthy – Senior Winemaker, Taylors Wines
- § Daniel McLean – CFO/Company Secretary, Wirra Wirra
- § Rebekah Richardson – Group White & Sparkling Winemaker, Orlando Wines
- § Louise Thiele – Senior Global Brand Manager, Constellation Wines
- § Ben Tolstoshev – National Sales & Marketing Manager, The Lane.

The Future Leaders program is designed to develop leadership and collaboration talents amongst the participants that will safeguard and foster the future business environment of the wine sector, while also giving participants new capabilities for their individual roles.

Funds available to help students in wine industry

Support payments ranging between \$1,000 and \$10,000 are now available to support students in the food and beverage industries.

The Board of the Food and Beverage Development Fund SA Inc has made available support payments to encourage individuals to develop their skills and knowledge through research, education and/or training – with a focus on the processing/manufacturing side of operations. SAWIA has been advised that wine marketing applications might be considered, although grapegrowing would not be covered.

Applications will be accepted from:

- § Individuals intending to study
- § Apprentices or trainees
- § Post secondary, university or research students.

To obtain an application form or more information, click [here](#) or contact Carol Graham on 83629066 or info@foodandbeveragefunds.com.au.

Phylloxera detection near Mansfield Victoria

The Department of Primary Industries – Victoria has confirmed detection of phylloxera in a vineyard near Mansfield Victoria. A control zone with a minimum 5km radius is being established around the affected property, with surveys conducted on the surrounding vineyards plus other

vineyards shown to have links to the affected vineyard.

For more information, visit the News section of the Home page of SAWIA's [website](#).

Intervitis Interfructa - International Technology Trade Fair

Intervitis Interfructa, a major international technology trade fair for wine, fruit, fruit juice and spirits will take place 24-28 March 2010 in Stuttgart.

An estimated 600 exhibitors from around the world will present innovations in the areas of:

- § Cultivation and harvesting technology for grapes and fruit
- § Processing and process control for wine, fruit juice and spirits
- § Filling and packaging technology
- § Marketing and organisation.

Click [here](#) for more information.

Family Business Best Practice Workshops

Family Business Best Practice Workshops deliver information about the processes and structures used by the most successful family businesses both in Australia and overseas. The content was developed by Family Business Australia and the Australian Centre for Family Business at Bond University – the leading family business education and research provider.

The workshop will be run by Family Business Australia in Adelaide on Wednesday 10 March. Click [here](#) for further information and registration.

National Outlook Conference

The Australian Bureau of Agricultural and Resource Economics (ABARE) is hosting the National Outlook Conference from 2-3 March 2010 in Canberra. The Conference will focus on the outlook for Australia's rural industries under the new economic landscape, with topics including:

- § Climate change and greenhouse gas emissions
- § Outlook and industry trends for key commodities
- § Food security and biosecurity.

For more information, click [here](#) or contact Maree Finnegan on (02) 6272 2260 or mfinnegan@abare.gov.au.

Dates for your diary

2010

- § 24 February, [Wine Restructuring Action Agenda](#), Kangarilla
- § 2-3 March, [National Outlook Conference](#), Canberra
- § 10 March, [Family Business Best Practice](#), Adelaide
- § 11-13 March, [Food Hotel & Tourism](#), Bali
- § 11-14 March, [Taste of Sydney](#)
- § 16 March, [Wine Restructuring Action Agenda](#), Barmera
- § 21-23 March, [Prowein 2010](#), Germany
- § 22-23 March, [China Australia Business Congress](#), Sydney
- § 24-28 March, [Intervitis Interfructa](#), Stuttgart
- § 19-20 April, [Industrial Energy Efficiency Forum](#), Melbourne
- § 20-23 April, [Food & Hotel Asia](#), Singapore
- § 23-25 April, [China International Wine & Spirits Exhibition](#), Beijing
- § 4 May, [Wine Restructuring Action Agenda](#), Angaston

- § 6-8 May, [Seoul International Wines & Spirits Expo](#), Korea
- § 8-10 May, [Shanghai Intn'l Wine & Beverages Trade Fair](#), China
- § 11-13 May, [Export Procedures Course](#), Adelaide
- § 12-15 May, [Seoul Food & Hotel](#), Korea
- § 13 May, [Wine Restructuring Action Agenda](#), Penola or Naracoorte
- § 14-16 May, [Export Procedures Course](#), Adelaide
- § 12-16 May, [Thaifex 2010](#), Bangkok
- § 1-3 June, [TopWine China](#), Beijing
- § 3-8 July 2010, [Aust. Wine Industry Tech. Conf & Exhibition](#), Adelaide
- § 26-29 August, [Taste of Melbourne](#)
- § 9-10 September, [Drink World Congress](#) (Asia-Pacific), Hong Kong
- § 15-18 Sept, [Food & Hotel Thailand](#), Bangkok
- § 11-13 November, [FHC China 2010](#), Shanghai
- § 28-30 October, [Wine and Gourmet Asia](#), Macau
- § 4-5 November, [Drink World Congress](#) (Europe), Milan

2011

- § 17-18 March, [Drink World Congress](#) (Americas), New York
- § 9-10 June, [Drink World Congress](#) (CIS), Moscow

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