L.N. 189 of 2006

WINE ACT
(CAP. 436)

Wine and Vitivinicultural Products (Stocks Declaration) Regulations, 2006

IN exercise of the powers conferred by articles 11(2) and 27 of the Wine Act, the Minister for Rural Affairs and the Environment has made the following regulations:-

Title, commencement and scope.

1. (1) The title of these regulations is the Wine and Vitivinicultural Products (Stocks Declaration) Regulations, 2006.

(2) These regulations shall be deemed to have come into force on the 1st May, 2004.

Interpretation.

2. In these regulations, unless already defined in the Act, the following words and phrases shall be defined as follows:-

"the Act" means the Wine Act;

"the Unit" means the office responsible for viticulture and oenology within the Department of Agriculture;

"retailer", within the meaning of Paragraph 2 of Article 6 of Commission Regulation (EC) 1282 of the 28th June, 2001 means:

(a) any natural or legal person or group of such persons whose business activity includes the direct sale to the consumer of a volume of wine not exceeding, at each sale, 20 litres, and

(b) resellers who use cellars equipped for storing and handling wine in quantities not exceeding 500 litres;

"hectolitre" represents 100 litres.

Stock declaration.

3. (1) In application of Article 6 of Commission Regulation (EC) 1282/01 of the 28th June, 2001 and successive modifications thereto, any person who keeps stocks of wine and, or musts, not being a private consumer or retailer, shall as of every year declare the quantities, expressed in hectolitres, of stocks held, including those held in a bonded warehouse, at midnight of the 31st July. Quantities of wine and, or musts

which are in transit at midnight of the 31st July, shall be declared by the receiver.

(2) As regards Community wine products, such declarations shall not include those products obtained from grapes harvested in the same calendar year.

(3) For the purposes of sub-regulation (1) of this regulation, in the conversion of muted must to wine, the quantity expressed as a volume shall be multiplied by 0.95. All concentrated musts shall be declared as their effective volume without the application of a coefficient.

Mode of presentation.

4. (1) The stocks declaration referred to in regulation 3 hereof shall be presented on the appropriate form in conformity with the First Schedule to these regulations.

(2) The form can be obtained from the Unit or in electronic format from the internet site of the Department of Agriculture. (www.agric.gov.mt).

(3) The declaration shall be presented, in original and copy form, to the Unit not later than noon of the 1st September of each year.

(4) Any person who is bound to make the declaration may, in alternative to the direct presentation of the declaration, present the stocks declaration by way of an electronic format following the terms laid down by the Unit allowing the said delivery of the declaration within the time limit set in sub-regulation (3) hereof.

(5) Upon receipt of the declaration, the Unit shall keep the original and return the copy with the appropriate stamps and signatures to the interested party as a receipt of the declaration.

Fines.

5. Any person who falls under any obligation set in sub-regulation (1) of regulation 3 hereof and who fails to present a stocks declaration by the 1st September of any year shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of two hundred liri payable to the Department of Agriculture.

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First Schedule

Regulation 4 (1)

Stocks Declaration of wines and, or musts
as at 31 July _____

Section A – Information regarding the declarant	
Name and Surname or Company Name	ID number and, or VAT number
Street and civic number or company address	Post Code

Section B – Information regarding the products stocked (expressed in hectolitres)						
	Product Category			Reds and Rosés Hectolitres	Whites Hectolitres	Total Hectolitres
Stocks held by producer	Table wines without a geographic indication		1			
	Table wine with a geographic indication		2			
	Liqueur, sparkling, aerated wines		3			
	Grape musts		4			
	Q.W.P.S.R.		5			
	Total at production (1+2+3+4+5)		6			
Stocks on the market	Wines of Community origin	Table wines without a geographic indication	7			
		Table wine with a geographic indication	8			
		Q.W.P.S.R.	9			
	Other wines (Wines imported from third countries)		10			
	Total on the Market (7 + 8 + 9 + 10)		11			
	TOTAL (6 + 11)		12			
Stocks held by producer	Concentrated musts (in hectoliters of must)		13			
	Rectified concentrated musts (in hectoliters of must)		14			
	Total with producer (13+14)		15			
Stocks on the market	Concentrated musts (in hectoliters of must)		16			
	Rectified concentrated musts (in hectoliters of must)		17			
	Total on the market (16+17)		18			
	TOTAL (15 + 18)		19			

Section C – Information regarding the location of the stocked products		
Address(es) where stocks are held	1	
	2	
	3	

The present form is composed by sections

(Cross out the boxes that correspond to the sections filled in)

A B C D E F G

Section D – Information on quality wines produced in Malta			
Code	Denomination	Red and Rosé Hectolitres	White Hectolitres
	TOTAL		

Section E – Information on quality sparkling wines produced in Malta			
Code	Denomination	Red and Rosé Hectolitres	White Hectolitres
	TOTAL		

Section F – Information on quality aerated wines produced in Malta			
Code	Denomination	Red and Rosé Hectolitres	White Hectolitres
	TOTAL		

Section G – Information on quality liqueur wines produced in Malta			
Code	Denomination	Red and Rosé Hectolitres	White Hectolitres
	TOTAL		

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The undersigned declares that the data given above is correct and is aware of the sanctions set down by the law.

…… ……..
Date Signature of Declarant

Viticulture and Oenology Unit
Production Potential Management
National Agricultural Research and Development Centre
Ghammieri
Marsa

…… .....
Signature of receiving officer Date received

Data Protection Policy

The ***Department of Agriculture*** collects this information for the yearly compiling of Malta's stocks situation with regards to wine as per National and EU legislation.

We may check information provided by you, or information about you provided by a third party, with other information held by us.

We may also get information about you from certain third parties, or give information to them, to check the accuracy of information to prevent or detect crime or to protect public funds in other ways as permitted by law. These third parties include other government departments and local authorities.

We will not disclose information about you to anyone outside the ***Ministry for Rural Affairs and the Environment*** unless the law permits us to.

If you want to know more about what information we have about you, or the way we use your information, you may ask for a copy of our **Privacy Policy** or ask at any ***Department of Agriculture*** office.

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