

L.N. 286 of 2011

**WINE ACT
(CAP. 436)**

Wine (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 3, 14 and 27 of the Wine Act, the Minister for Resources and Rural Affairs, on the advice of the Wine Regulation Board, has made the following regulations:-

- 1.** The title of these regulations is the Wine (Amendment) Regulations, 2011, and they shall be read and construed as one with the Wine Regulations, 1970, hereinafter referred to as “the principal regulations”.

Citation.
L.N. 93 of 1970.
- 2.** For subregulation (1) of regulation 3 of the principal regulations there shall be substituted the following:

Amends regulation 3 of the principal regulations.

“(1) No person may apply for a licence under article 3 of the Act, or for the renewal of any such licence, except on the form in the First Schedule to these regulations.”.
- 3.** For regulation 6 of the principal regulations there shall be substituted the following:

Substitutes regulation 6 of the principal regulations.

“Amount of licence fee.

6. The fee chargeable by the Director for the issue or the renewal of a licence under article 3 of the Act shall be of forty-six euro and fifty-nine cents (€46.59).”.
- 4.** In sub-regulation (1) of regulation 7 of the principal regulations, for the words “article 3” there shall be substituted the words “article 10”, and for the words “article 17(3)” there shall be substituted the words “article 19(4)”.

Amends regulation 7 of the principal regulations.
- 5.** For regulation 8 of the principal regulations there shall be substituted the following:

Substitutes regulation 8 of the principal regulations.

“Production Declaration.

8. Vintners shall submit a Production Declaration to the Director by the 31st October of each year on the form in the Second Schedule to these regulations.”
- 6.** Regulation 9 of the principal regulations shall be deleted.

Deletes regulation 9 of the principal regulations.

Renumbers regulations 10 to 13 of the principal regulations.

7. Regulations 10 to 13 of the principal regulations shall be renumbered as regulations 9 to 12, respectively.

Amends regulation 10 of the principal regulations.

8. For sub-regulation (4) of regulation 10 as renumbered, of the principal regulations there shall be substituted the following:

“(4) Any register or record kept by vintners in terms of their obligations under the Act or any regulations made thereunder shall be made on numbered pages in a register previously approved by the Director. Registers of the loose-leaf type shall not be approved.”.

Amends regulation 11 of the principal regulations.

9. In sub-regulation (2) of regulation 11 as renumbered, of the principal regulations, for the words “article 18” there shall be substituted the words “article 20”.

Adds new regulation 13 to the principal regulations.

10. Immediately after regulation 12 as renumbered, of the principal regulations, there shall be added the following new regulation:

“Offences and Penalties.

13. Any person who contravenes or fails to comply with any of these regulations shall be guilty of an offence and shall be liable to the penalties stipulated under article 26 of the Act.”

Substitutes the First Schedule to the principal regulations.

10. For the First Schedule to the principal regulations there shall be substituted the following:

“First Schedule

Regulation 3

Licence Application Form

Application for a Commercial Licence for the Production of Wine  MALTA	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">For Official Use</th> </tr> <tr> <td style="width: 50%;">No. of Commercial Licence</td> <td></td> </tr> <tr> <td>Date of receipt of application</td> <td></td> </tr> <tr> <td>Inserted by:</td> <td></td> </tr> </table>	For Official Use		No. of Commercial Licence		Date of receipt of application		Inserted by:	
For Official Use									
No. of Commercial Licence									
Date of receipt of application									
Inserted by:									
AGRICULTURAL DIRECTORATE - VITICULTURE AND OENOLOGY UNIT									

A	GENERAL INFORMATION								
01	Details of Applicant								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">I.D. Card no.</td> <td></td> <td style="width: 30%;">Surname</td> <td></td> </tr> <tr> <td></td> <td></td> <td>Name</td> <td></td> </tr> </table>	I.D. Card no.		Surname				Name	
I.D. Card no.		Surname							
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%; vertical-align: top; padding: 5px;">Address where correspondence is to be sent</td> <td style="height: 60px;"></td> </tr> </table>	Address where correspondence is to be sent							
Address where correspondence is to be sent									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Telephone no.:</td> <td style="width: 25%;"></td> <td style="width: 25%;">Mobile no.:</td> <td style="width: 25%;"></td> <td style="width: 25%;">Fax:</td> <td style="width: 25%;"></td> </tr> </table>	Telephone no.:		Mobile no.:		Fax:			
Telephone no.:		Mobile no.:		Fax:					
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E-mail address:									
02									

Name and Address of the Registered Company	
Website:	

03	
Winery Address	

B**DECLARATION**

- I, the undersigned, am applying for a Commercial Licence to produce wine for commercial purposes, in accordance with the Wine Act (2001);
- I declare that all the details in this application and the declarations I have made in this application are correct and I understand that legal action may be taken against me and the Company in case of false declaration from my part, or any other person who acts in my name in connection with this application;
- I understand that granting of the licence may be withheld if the Winery is certified, on more than one occasion, that it has not reached the level of technology or hygiene that is required by law;
- I declare that I will strictly abide to all the Regulations that are published by the Governmental Departments which pertain to this application and I understand that should I fail in doing so, I may be prosecuted;
- I declare that I will operate in the context of Maltese law, which pertains to the production of wine and the sale of these wines.

Signature of Applicant_____
Date

NAME (CAPITALS)	
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POSITION (e.g. member, agent, manager)	
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FOR OFFICIAL USE ONLY

C	PAYMENT OF LICENCE
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04	Right for Commercial Licence (€ 46.59)
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Affected payment	Yes		No	
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05	Mode of Payment
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Cash		
Cheque		

06	Receipt
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Issued by:	
Receipt no.:	

Date of receipt:	
Stamp:	

D	ISSUING OF LICENCE
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07	Production and Storage Declaration
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Year of Declaration		Declaration no.	
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08	Approval
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	Approved	Not Approved	Stamp	Signature	Date
Viticulture and Oenology Unit					
Health and Safety Department					

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09	Final Decision
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<i>Your application has been:</i>	Approved		Not Approved	
Remarks				

Substitutes the Second Schedule to the principal regulations.

11. For the Second Schedule to the principal regulations there shall be substituted the following:

“Second Schedule

Regulation 8

Production Declaration

A. Information concerning the declarant ¹

B. Place where the products are held

.....	
.....	
.....	
.....	

Category of product used ²	Name and address of the suppliers and reference of delivery document (accompanying or other documents)	Area of vineyards in production in which the products used originate	Quantity (quintals or hL) ³	Wines obtained since the beginning of the wine year and products other than wine held at the date of the declaration (hL)										Other wines and products					
				Table wines						Quality wines psr				Other wines				Other products ⁶	
				Must ⁴	Wines ⁵				Must ⁴	Wines ⁵		Must ⁴	Wines ⁵		Must ⁴	Wines ⁵			
					Without a geographic indication		With a geographical indication												
					r	w	r	w		r	w		r	w		r	w		r

1. For cooperatives, the list of members who deliver the entire harvest should be separate from that of other members.
2. Grapes, grape must (concentrated must, rectified concentrated must partially fermented must), new wines still in fermentation.
3. Quantity refers to the amount of grapes, measured in quintals or must, measured in hL.
4. Including partially fermented must but excluding concentrated must and rectified concentrated must.
5. Including new wines still in fermentation
6. All products of the wine year other than those declared in other columns and concentrated must and rectified concentrated must held at the time of the declaration. The quantities should be entered by product category.

Signature of Declarant

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