



Senator the Hon. Anne Ruston

Assistant Minister for Agriculture and Water Resources
Senator for South Australia

Ref: MS18-001078

20 JUN 2018

Senator John Williams
Chair
Senate Regulations and Ordinances Committee
Parliament House
CANBERRA ACT 2600


Dear Senator Williams

I refer to the matters raised in the Senate Standing Committee on Regulations and Ordinances' (the Committee) *Delegated legislation monitor 5 of 2018* regarding the *Wine Australia Regulations 2018* (the instrument).

The Committee requested advice as to the appropriateness of amending the instrument to address the broad delegation of administrative powers provided by section 115.

Response:

Wine Australia ('the Authority' in the instrument) delegates its administrative and decision-making powers according to the professional classification levels of its staff. In practice therefore, Wine Australia must already be satisfied that delegates have the relevant expertise to properly exercise the powers they are delegated.

On this basis I am supportive of amendments being made to section 115 of the instrument to address the Committee's comments next time further amendments are required. I understand the Department of Agriculture and Water Resources is consulting the Office of Parliamentary Counsel on how these amendments will be pursued.

I hope that this information will be of assistance to the Committee.

Yours sincerely

 Anne Ruston