



BILL NO. 24

Government Bill

*1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006*

An Act to Amend Chapter 6 of the Revised Statutes, 1989, the Agriculture and Marketing Act

CHAPTER 8
ACTS OF 2006

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JULY 14, 2006**

The Honourable Brooke Taylor
Minister of Agriculture

*Halifax, Nova Scotia
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**An Act to Amend Chapter 6
of the Revised Statutes, 1989,
the Agriculture and Marketing Act**

Be it enacted by the Governor and Assembly as follows:

1 Chapter 6 of the Revised Statutes of Nova Scotia, 1989, the *Agriculture and Marketing Act*, is amended by adding immediately after Section 194 the following Part:

PART XXA

NOVA SCOTIA WINE, CIDERS AND FRUIT LIQUEURS
INDUSTRY DEVELOPMENT BOARD

194A In this Part,

(a) “Board” means the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board;

(b) “member” means a member of the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board;

(c) “wine” means an alcoholic beverage made from

(i) grapes, apples or other fruits, or

(ii) other agricultural products containing sugar,

and

(iii) includes ciders and fruit liqueurs, and

(iv) meets the requirement of the regulations to be designated as a Nova Scotia wine;

(d) “winery” means the production facilities and related growing area for the production of wine.

194B (1) There is hereby established a board to be known as the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board.

(2) The Minister may appoint such members of the Board the Minister determines advisable, and shall include a representative of each of

(a) the Department of Agriculture;

(b) the Department of Tourism, Culture and Heritage;

(c) the Office of Economic Development; and

(d) the Nova Scotia Liquor Corporation.

(3) The member that represents the Department of Agriculture is the Chair of the Board.

(4) Members shall be appointed for a term not exceeding three years and are eligible for re-appointment.

194C The Board shall

- (a) advise the Minister on
 - (i) standards for the quality and production of wine,
 - (ii) standards, guidelines, policy and the regulation of the wine industry,
 - (iii) standards, guidelines, policy and the regulation of the Nova Scotia grape-growing industry,
 - (iv) the production, processing, labelling, classification, composition, promotion and certification of wine; and
- (b) perform such other duties that the Minister assigns with respect to assisting the Minister with the proper administration of this Part.

194D The Minister may enter into an agreement with any person, the Government of Canada, a provincial government, a municipal government or any agency of those governments for any purpose under this Part or the regulations made pursuant to this Part.

194E Every owner or operator of a registered winery shall comply with the requirements of this Part and the regulations.

194F No person shall sell or offer for sale a product as a Nova Scotia wine unless it meets the requirements of the regulations.

194G No person shall sell or offer for sale a product as a category or class of wine unless it meets the requirements of the regulations.

194H The Minister may cause to be conducted an audit of a winery registered under the regulations.

194I Every person who contravenes this Part or the regulations is guilty of an offence and liable on summary conviction to the penalties provided for by the *Summary Proceedings Act*.

194J (1) The Minister may, with the approval of the Governor in Council, make regulations

- (a) respecting the registration and certification of wineries;
- (b) respecting the suspension and revocation of the registration and certification of wineries;
- (c) respecting categories of wineries;
- (d) establishing classifications and categories of wine;
- (e) prescribing acreage requirements for the registration of a winery;
- (f) respecting the certification of production facilities of agricultural inputs in the production of wine;
- (g) respecting the suspension and revocation of the certification of production facilities of agricultural inputs in the production of wine;

(h) respecting terms and conditions for the labelling and promotion of wine;

(i) respecting compliance with permit and contracting requirements of the Nova Scotia Liquor Corporation;

(j) respecting standards for the production and quality of wine;

(k) respecting standards for wine producing facilities;

(l) respecting the criteria for a product to be designated as a Nova Scotia wine;

(m) respecting the criteria for a wine to be designated as a particular classification or category of wine;

(n) prescribing geographic boundaries of wine production regions;

(o) respecting the keeping of records;

(p) respecting the auditing of wineries and the reporting of the results of an audit;

(q) prescribing fees;

(r) delegating any of the duties set out in these regulations to a third party;

(s) defining any word or expression used but not defined in this Part;

(t) further defining any word or expression defined in this Part;

(u) respecting any matter the Minister determines necessary or advisable to carry out effectively the intent and purpose of this Part.

(2) The exercise by the Minister of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*.

2 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
