



# BRITISH COLUMBIA WINE GRAPE COUNCIL REGULATION

## Definitions

- 1 In this regulation:
- “**Act**” means the *Farming and Fishing Industries Development Act*;
  - “**council**” means the British Columbia Wine Grape Council established by the minister under section 2 of the Act;
  - “**first receiver**” means a person who receives wine grapes directly or indirectly from a wine grape grower for processing into wine;
  - “**levy**” means the levy referred to in section 2;
  - “**wine grape grower**” means a person who operates a vineyard that produces wine grapes;
  - “**wine grapes**” means grapes grown in mainland British Columbia for the purpose of being processed into wine by a winery;
  - “**winery**” means a winery licensed under the *Liquor Control and Licensing Act*.

## Payment of levy

- 2 (1) Each wine grape grower must pay to the council the levy established by the council under section 4 (1) of the Act.
- (2) The levy is payable as follows:
- (a) in the case of wine grapes delivered to a first receiver, on the delivery date;
  - (b) in the case of wine grapes produced on the vineyard of a first receiver and processed by the receiver in that receiver’s winery, on the date the wine grapes are moved into that winery.

## Collection and remittance of levy on wine grapes delivered to first receiver

- 3 (1) Each first receiver, on behalf of the council, must collect the levy payable under section 2 (2) (a) by deducting it from the proceeds otherwise due to the wine grape grower for the wine grapes delivered to the first receiver.
- (2) On or before December 31 of each year, each first receiver must remit to the council the amount collected by the receiver under subsection (1) during the period December 1 of the previous year to November 30 of the current year.

## Remittance of levy on wine grapes grown and processed by first receiver

- 4 On or before December 31 of each year, each first receiver must remit to the council the total amount that became payable by the grower under section 2 (2) (b) during the period December 1 of the previous year to November 30 of the current year.

## Records

- 5 (1) Each person required under this regulation to remit a levy must retain all records relating to the collection and remittance of the levy for a period of 2 years after the deadline for remitting the levy.

- (2) Records for the purpose of subsection (1) must include the name and address of each wine grape grower who paid the levy.
- (3) A person required under subsection (1) to retain records must make the records available to the council on its request.