**NOTICE OF AMENDMENT TO AGREEMENT TO INCOPORATE THE CODE OF CONDUCT FOR AUSTRALIAN WINEGRAPE PURCHASES SEPTEMBER 2021**

**Background**

Subsequent to entering into the Agreement(s) below, the Winery has become a Signatory to the [Code of Conduct for Australian Winegrape Purchases](https://www.agw.org.au/industry-resources/the-code-of-conduct-for-australian-winegrape-purchases/) (hereinafter referred to as “the Code”). This requires that an offer be made to all Growers to amend existing Grape Supply Agreements to make them consistent with the Code.

By accepting this notice of amendment, it is agreed between the parties that the Code is incorporated into the Agreement(s) described below as of the Date of Effect:

**DATE OF EFFECT:** ........................................................................................

**DATE OF ORIGINAL AGREEMENT(S):** ........................................................................................

**AGREEMENT(S) REFERENCE (if applicable):** ........................................................................................

**BETWEEN:**

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

(hereinafter referred to as the “Winery”)

**AND**

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

(hereinafter referred to as the “Grower”)

**THE PARTIES HEREBY AGREE THAT:**

**CLAUSE I: Incorporation of the Code**

From the Date of Effect, subject to clause II, the provisions of the Code in force at the Date of Effect will prevail over any provisions contained within the Grape Supply Agreement(s) to the extent of the inconsistency between the Agreement and the Code.

**CLAUSE II: Negotiated Alternative Arrangements**

*\*Delete which is inapplicable*

There are no negotiated alternative arrangements.

*Or*

The following alternative arrangements have been negotiated in good faith and mutually agreed to in accordance with Provision 3.4 of the Code.

|  |  |
| --- | --- |
| **Code Clause** | **Agreed Alternative** |
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**IN WITNESS WHEREOF** the parties hereto have executed this Agreement on the day and year first hereinbefore written.

|  |  |
| --- | --- |
| **SIGNED by** authorised officer on behalf of the Winery:  ............................................................................  Signature  ………………………………………………………….  Print full name  in the presence of:  ............................................................................  Signature of Witness  ………………………………………………………….  Print full name  ............................................................................ | **SIGNED by** authorised officer on behalf of the Grower:  ............................................................................  Signature  ………………………………………………………….  Print full name  in the presence of:  ............................................................................  Signature of Witness  ………………………………………………………….  Print full name  ............................................................................ |

**Australian Grape and Wine Incorporated makes no representation as to the validity or adequacy of the attached template and recommends that growers and wineries seek their own legal advice concerning the same.**