

Dispute Resolution

The Code offers a timely and cost-effective way to resolve disagreements between the winegrape purchaser and the winegrape grower to preserve the ongoing commercial relationship. There are two different processes to follow depending on whether the dispute is over price or quality assessments.

These processes have been agreed to by the WFA and WGA.

Disputes over Winegrape Price

Step 1: Within 7 business days of the dispute arising, the grower sends a Notice of Dispute to the other party and forwards a copy to the Code Secretariat.

Step 2: Within 7 business days of receiving the Notice of Dispute, the winegrape purchaser replies in writing and informs the Code Secretariat in writing that a response has been provided.

Step 3: The Code Secretariat will endeavour to contact the parties to try to help them resolve the dispute informally.

Step 4: If, within 14 business days from the issue of the Notice of Dispute, the parties cannot negotiate a settlement to the dispute, they must jointly endeavour to appoint an Independent Expert.

Step 5: If, after 21 business days from the issue of the Notice of Dispute, the parties cannot agree on the selection of an Independent Expert, they can, within 28 business days of the issue of the Notice of Dispute, apply to the Code Committee for the appointment of an Independent Expert from the panel.

Step 6: The Code Secretariat will coordinate the appointment of an Independent Expert.

Step 7: Within 14 business days of his or her appointment, the Independent Expert will deliver a determination.

Disputes over Downgrades and Rejections in the Vineyard

Step 1: When a dispute arises, the disputing party sends a written Notice of Dispute to the winegrape purchaser and sends a copy to the Code Secretariat.

Step 2: Within 48 hours from the time of issue of the Notice of Dispute, the winegrape purchaser will respond in writing and inform the Code Secretariat in writing that a response has been provided.

Step 3: The Code Secretariat will endeavour to contact the parties to try to help them resolve the dispute informally.

Step 4: If, after 72 hours from the time of issue of the Notice of Dispute, the dispute is ongoing, the parties will jointly endeavour to appoint an Independent Expert.

Step 5: If, within 96 hours from the time of issue of the Notice of Dispute, the parties are unable to agree on the selection of an Independent Expert, either party can apply to the Code Committee for the appointment of an Independent Expert from the panel within 120 hours of the time of issue of the Notice of Dispute.

Step 6: The Code Secretariat will coordinate the appointment of an Independent Expert.

Step 7: Within 48 hours of his or her appointment, the Independent Expert will deliver a determination.

Further Information

If you require further information, please see Part 3 of the Code which details the dispute resolution provisions of the Code. If you have any questions about these procedures or would like a template for the Notice of Dispute document please contact the Code Secretariat at The Accord Group (telephone 02 9264 9506 or email secretariat@wineindustrycode.org).