



18 September 2020

Ms Sophie Dunstone
Committee Secretary
Select Committee into the Aboriginal Flag
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ms Dunstone,

Submission by the Australian Football League to the Senate Select Committee on the Aboriginal Flag

The Australian Football League (AFL) has been invited by the Senate Select Committee into the Aboriginal Flag (**Committee**) to make a submission in respect of the current and former copyright and licensing arrangements for the Aboriginal flag design.

In response the AFL provides the **attached** submission.

Further, in the course of providing evidence to the Committee on Monday, 14 September 2020, Senators asked the AFL's representatives (myself and Stephen Meade, AFL Head of Legal & Regulatory) a number of questions that were taken on notice. Those questions, and the AFL's answers, are set out below:

1. As part of the agreements with the Indigenous artists that design the jumpers worn by AFL Clubs for the Sir Doug Nicholls Round, are they paid a royalty in respect of any merchandising?

AFL Clubs engage the Indigenous artists directly to design the jumpers used in the Sir Doug Nicholls Round. We understand that the terms of those agreements vary but generally those artists receive a lump sum payment and/or in-kind benefits such as signed/framed guernseys and tickets to AFL matches rather than royalties on sales. All royalties received by the AFL from the sale of Indigenous design jumpers are directed to Indigenous programs, as described in the AFL's submission to the Committee.

2. Since the introduction of the Indigenous round of matches, has there been a year when Clubs had jumpers that did not include the Aboriginal Flag, other than in 2020?

There has been no uniform position by which the Aboriginal Flag has appeared, or not appeared, on a Club's Indigenous Round guernsey, noting that most Clubs have worn a different Indigenous guernsey design annually from 2014 onwards (although some Clubs have worn the same guernsey across multiple years). As noted, in 2019 there were 6 Clubs that had the Aboriginal and Torres Strait Islander Flags featured and in the previous year a similar number of clubs featured those flags. In short, until 2020, there were always some, but not necessarily all, Club jumpers that featured the flags.

Australian Football League

AFL House 140 Harbour Esplanade Docklands Victoria 3008 Telephone 613 9643 1999 Facsimile 613 96431871
All correspondence to GPO Box 1449 Melbourne Victoria 3001 Australia www.afl.com.au ABN 97 489 912 318



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3. What sort of loss is the AFL expecting in broad terms in 2020 as a result of COVID-19?

The AFL is expecting to incur a loss of revenue of approximately \$200M in 2020 as a result of COVID-19.

4. Who are the members of the AFL Aboriginal & Torres Strait Islander Advisory Council?

The current members of the AFL Aboriginal & Torres Strait Islander Advisory Council are:

Paul Briggs (Chair);
Kim Williams;
Jason Glanville;
Tanya Hosch;
Walter Lee;
Gabrielle Trainor; and
Xavier Clarke.

Please note, Council Deputy Chair, Peter Yu resigned on 4 September 2020.

Please contact me if you have any queries in relation to this matter.

Yours sincerely

Tanya Hosch
General Manager – Inclusion & Social Policy

Stephen Meade
Head of Legal & Regulatory

Attachment