

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	156
Program:	5.1		
Division/Agency:	Arts Division		
Topic:	Resale Royalty – collecting agency – tenders		
Hansard Page ECA:	107 (8/2/10)		

Senator FISHER asked:

Senator FISHER—You talked about there being the repository of information which can be harvested, if you like, to enable this to work. How do you propose that the collecting agency will capture all art resales? How do you know that some will not be missed? What sort of process do you envisage?

Ms Bean—This is a bit tricky because we are in the middle of a tender process to select the collecting society.

...

Senator FISHER—I do not think you indicated to me how many tenders you had received, or maybe you do not know yet.

Ms Bean—No. I do know. But again, as part of a normal tender process, one tends to keep all of those sorts of things confidential to preserve the integrity of the process.

Senator FISHER—Will you be able to disclose that in due course?

Ms Bean—Quite possibly. I would have to check.

Ms Kruk—We can take the process in this regard on notice and then obviously with the time frame the process will have progressed as well.

Answer:

The tender process to engage a collecting society to administer the resale royalty scheme is still underway. To ensure the integrity of the process the Department is not able to provide information in relation to the number of tenders it has received until the tender process has been completed.

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	157
Program:	5.1		
Division/Agency:	Arts Division		
Topic:	Resale Royalty – UK		
Hansard Page ECA:	108 (8/2/10)		

Senator FISHER asked:

Senator FISHER—How long has the UK experience been? How long have they had it there?

Ms Bean—I do not actually know. I think it is about two or three years. It might be more. I can certainly take that on notice.

Answer:

The United Kingdom's resale royalty scheme commenced on 14 February 2006.

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	158
Program:	5.1		
Division/Agency:	Arts Division		
Topic:	Election commitments – Review of the current state of artists incomes		
Hansard Page ECA:	109 (8/2/10)		

Senator TROETH asked:

Senator TROETH—I would like to take you to Labor’s election commitment which said: Labor will develop a social security and the arts policy that harmonises current Australia Council, Centrelink and Australian Tax Office rules and determines the most equitable way to treat earnings and royalty payments for artists currently receiving welfare.

At the last estimates hearing the department said, on notice:

The department is undertaking joint research with the Australia Council to review the current state of artists’ incomes.

Has that review been completed?

Ms Bean—Yes, it has.

Senator TROETH—Would you be able to table a copy of the report?

Ms Bean—Can I take that on notice?

Answers:

A research project co-funded by the Department and the Australia Council, and undertaken by the Australia Council, to review the current state of artists’ incomes was carried out during the period January 2009 to October 2009. The Review examined patterns of employment and income levels for artists in Australia. The research project was undertaken in four parts:

- A Literature Review (Part 1; [Attachment A](#)) – at;
- Data Analysis (Part 2; [Attachment B](#));
- An Information Gathering exercise (Part 3; [Attachment C](#)); and
- Development of the Executive Summary (Part 4; [Attachment D](#)).

A copy of the findings of the Artists’ Income Review is attached (refer Attachments A to D). These findings are now being considered. It is envisaged that a fact sheet summarising the findings of the Review will be released in the first half of 2010.

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	159
Program:	5.1		
Division/Agency:	Arts Division		
Topic:	Election commitments – employment and social security matters		
Hansard Page ECA:	109 (8/2/10)		

Senator TROETH asked:

Senator TROETH—Yes. If you cannot provide it then I will ask for it on notice. An officer also said at the last estimates hearing:

The department is working in collaboration with other Australian government departments to implement the election commitments surrounding employment and social security matters.

What work has been done on that?

Ms Bean—We are continuing to work with those agencies. We do not have any government decisions in this area at this point in time.

Senator TROETH—Is that with other Australian government federal departments?

Ms Bean—That is correct. It is primarily FaHCSIA, DEEWR and, to a certain extent, Treasury.

Senator TROETH—Is there any sort of work plan on that?

Ms Bean—The work is ongoing with those agencies. There is not a project-by-project work plan in that sense.

Senator TROETH—I would like to ask, on notice, for a summary of the work that has been done up until today.

Ms Bean—I will take it on notice.

Answers:

The Department has been working to implement the election commitments aimed at supporting Australian artists, in collaboration with relevant Australian Government Departments and the Australia Council. A summary of progress is provided below.

- In the 2009-10 budget, the Government announced that it would provide \$9.6 million over four years for the *ArtStart* Program, to be administered by the Australia Council. The *ArtStart* Program provides financial assistance to recent creative arts graduates who are committed to establishing a career as a professional artist. Grants of up to \$10,000 will be provided through competitive grant processes to fund services, resources, skills development and equipment that help graduate artists to build an income-generating career in the arts practice they have studied.

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

- In October 2009, a collaborative research project between the Department and the Australia Council to review the current state of artists' incomes was completed. The review examined patterns of employment and income levels for artists in Australia.
- Liaison with the Department of Education, Employment and Workplace Relations is occurring on the potential development of a pilot Arts Work for the Dole Program by mid-2010.
- An Inter-Agency Working Group (IAG) was convened in November 2009 to progress the election commitments surrounding employment and social security matters that require coordination across portfolio departments. Representation on the IAG includes the Department of Education, Employment and Workplace Relations (DEEWR); the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA); the Treasury; and the Australia Council.

The IAG is focusing primarily on the election commitment surrounding the development of a Social Security and the Arts policy, and the findings of the Review of Artists' Incomes undertaken by the Australia Council.

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	161
Program:	5.1		
Division/Agency:	Arts Division		
Topic:	Board Appointments – Australia Council		
Hansard Page ECA:	98-100 (8/2/10)		

Senator TROETH asked:

Senator TROETH—I would like to inquire about some of the board appointments that need to be made. I am talking about the vacancies from 29 September 2009 to 18 January 2010. For instance, I understand that on the Australia Council itself there are two existing vacancies. Have they been filled?

Ms Bean—The chair of the visual arts board has been filled. I am not entirely sure what list you are looking at because the appointments are a continuing changeover.

Ms Kruk—Which vacancies, if you would not mind telling us again?

Senator TROETH—I will go through the boards under the Australia Council one by one, but I understand that with the Australia Council itself there are two existing vacancies.

...

Senator TROETH—I will just go through the vacancies that I have sequentially. There is an existing vacancy on the Aboriginal and Torres Strait Islander arts board?

...

Senator TROETH—There is still one existing vacancy?

Ms Bean—Yes, there is currently. As to whether it is the same vacancy since September, I do not have that information with me, because the membership turns over.

Senator TROETH—Perhaps on notice you could provide me with the existing membership of that board as of today, and the efforts being made to fill that vacancy.

Ms Bean—Yes, certainly. I will take that on notice.

...

Senator TROETH—Yes, if you could let me know how many vacancies there are on the dance board that would be useful.

...

Mr Tucker—As Ms Bean said, people come and go and invariably that does lead to gaps at times.

Senator TROETH—Yes, I understand that, but I am interested in knowing what the progress is about filling existing vacancies. There are two with the literature board and I think you indicated just before that one of those had been filled.

...

Senator TROETH—Is there a selection committee for those boards to make the final recommendation to the minister?

Ms Keele—The council considers recommendations to be sent up to the minister.

Senator TROETH—The council acts as the selection committee. With regard to those vacancies currently exceeding three months, if there are any, what is the reason an appointment has not been made?

Ms Bean—I would have to take on notice whether there are any that have exceeded three months. Really it is a matter for consideration by the minister and at the minister's decision when he makes the appointment.

Senator TROETH—If there are any vacancies that have existed for beyond three months you might tell me, on notice, on which boards those vacancies are and whether they are currently with the minister.

Ms Bean—I can certainly take the entire board situation on notice

Answer:

A list of the Australia Council's membership and its boards, including pending appointments and vacancies as at 8 February 2010 is at **Attachment A**.

The *Australia Council Act 1975* (the Act) determines that 'the numbers of members of the Council shall be not less than 10 nor more than 14' and a 'Board, other than the co-ordinating Board, must consist of a Chairperson and not fewer than 4, nor more than 8, other members'. The Council and its Boards meet the requirements as prescribed by the legislation.

While the Act sets the minimum and maximum requirements, the Australia Council sets target numbers for membership to the Council and its Boards. The target membership to the Australia Council is 12 members; for the Aboriginal and Torres Strait Islander Arts Board it is 9 members; for the Major Performing Arts, Music and Visual Arts Boards it is 8 members; and for the Dance, Literature and Theatre Boards it is 7 members.

As at 11 March 2010, the following vacancies existed for more than three months and were under the target membership set by the Australia Council:

- one Aboriginal and Torres Strait Islander Arts Board member; and
- one Major Performing Arts Board member.

Action is currently underway to fill these two vacancies.

ATTACHMENT A

**AUSTRALIA COUNCIL AND ARTFORM BOARDS MEMBERSHIP
AS AT 8 FEBRUARY 2010**

AUSTRALIA COUNCIL

	Position	Date Appointed	End Current Term
STRONG AO, Mr James	Chair	01.7.09	30.06.12
DENTON, Mr John W.H.	Deputy Chair	01.07.09	30.06.12
KEELE, Ms Kathy	General Manager (ex-officio)	07.02.10	06.02.15
CLEMENTE, Ms Rosalba	Member (Chair, Theatre Board)	26.03.08	25.03.11
HASEMAN, Prof Brad	Member (Community Interest Rep.)	26.03.08	25.03.11
HINDSON AM, Dr Matthew	Member (Chair, Music Board)	27.03.09	26.03.12
ALLERT AM, Mr Rick	Member (Chair, MPAB)	27.03.09	26.03.12
BIN BAKAR, Mr Mark	Member (Chair, Aboriginal and Torres Strait Islander Arts Board)	30.04.09	29.04.12
HASKELL, Professor Dennis Haskell	Member (Chair, Literature Board)	07.09.09	06.09.12
SHARP, Ms Chrissy	Member (Chair, Dance Board)	19.10.09	18.10.12
SNELL AM, Prof Ted	Member (Chair, Visual Arts Board)	05.02.10	04.02.13
APPOINTMENT IN PROGRESS	Member (CIR)		
VACANT	Member		
VACANT	Member		

ABORIGINAL & TORRES STRAIT ISLANDER ARTS BOARD

	Position	Date Appointed	End Current Term
BIN BAKAR, Mr Mark	Chair	30.04.09	29.04.12
FRANKLAND, Mr Richard	Member	18.05.07	17.05.10
JAMES, Ms Jeanette	Member	18.05.07	17.05.10
WINCH, Ms Tara	Member	18.05.07	17.05.10
NARKLE, Ms Lynette	Member	12.02.08	11.02.11
AHKEE, Mr Leo	Member (Community Interest Rep)	10.12.09	27.08.12
RAYMOND, Mr Desmond	Member	28.08.09	27.08.12
BUCKSKIN, Ms Lee- Ann	Member	3.11.09	2.11.12
VACANT	Member		

DANCE BOARD

	Position	Date Appointed	End Current Term
SHARP, Ms Chrissy	Chair	19.10.09	18.10.12
WALSH, Ms Elizabeth	Member (Community Interest Rep)	22.04.08	21.04.11
LONG, Ms Julie Anne	Member	16.05.08	15.05.11
KHAN, Mr Jeff	Member	18.08.08	17.08.11
LUCAS, Mr Brian	Member	03.09.08	02.09.11
WELLMAN, Ms Carol	Member	28.08.09	27.08.12
VACANT	Member		
VACANT	Member		
VACANT	Member		

LITERATURE BOARD

	Position	Date Appointed	End Current Term
HASKELL, Professor Dennis	Chair	07.09.09	06.09.12
ZWICKY, Ms Fay	Member	22.04.08	21.04.11
LANAGEN, Ms Margo	Member	18.08.08	17.08.11
JONES, Prof Gail	Member	18.08.08	17.08.11
ROMERIL, Mr John	Member	27.03.09	26.03.12
APPOINTMENT IN PROGRESS	Member		
APPOINTMENT IN PROGRESS	Member		
VACANT	Member		
VACANT	Member		

MAJOR PERFORMING ARTS BOARD

	Position	Date Appointed	End Current Term
ALLERT AM, Mr Rick	Chair	27.03.09	26.03.12
PROUST, Ms Elizabeth	Member	21.02.09	20.02.12
KRIEWALDT, Mr Martin	Member	17.08.07	16.08.10
KING, Ms Mary Ellen	Member (Community Interest Rep)	22.04.08	21.04.11
HUME, Ms Lindy	Member	18.11.08	17.11.11
COOPER, Mr Frank	Member	27.01.10	26.01.13
DARVALL, Mr Chum	Member	27.01.10	26.01.13
VACANT	Member		
VACANT	Member		

MUSIC BOARD

	Position	Date Appointed	End Current Term
HINDSON AM, Dr Matthew	Chair	27.03.09	26.03.12
THOMPSON, Mr Neil	Member	08.08.07	07.08.10
LYALL, Mr Graeme	Member	13.09.07	12.09.10
MOONEY, Mr Kim	Member (Community Interest Rep)	11.10.07	10.10.10
GILBY, Ms Anne	Member	03.9.08	02.9.11
TAYLOR, Ms Virginia Francis	Member	03.9.08	02.9.11
BUTRUM LIS, Mr George	Member	20.10.08	19.10.11
ARTHURS, Prof Andrew	Member	28.08.09	27.08.10
VACANT	Member		

THEATRE BOARD

	Position	Date Appointed	End Current Term
CLEMENTE, Ms Rosalba	Chair	26.03.08	25.03.11
WINNING, Ms Fiona	Member	21.02.09	19.01.12
PUP LICK, Prof Chris	Member (Community Interest Rep)	28.07.07	27.07.10
LUTTON, Mr Matthew	Member	22.04.08	21.04.11
CORFIELD, Mr Fraser	Member	18.08.08	17.08.11
BROADWAY, Ms Sue	Member	19.01.09	18.01.12
MAUNDER, Ms Suellen	Member	18.08.09	17.08.12
VACANT	Member		
VACANT	Member		

VISUAL ARTS BOARD

	Position	Date Appointed	End Current Term
SNELL AO, Prof Ted	Chair	05.02.10	04.02.13
ZAVROS, Mr Michael	Member	11.10.07	10.10.10
ALDERTON, Mr Steven	Member (Community Interest Rep)	11.10.07	10.10.10
JONES, Ms Lyndal	Member	22.04.08	21.04.11
WHITELY, Mr Richard	Member	05.01.09	04.01.12
DEL FAVERO, Mr Denis	Member	04.02.09	03.02.12
APPOINTMENT IN PROGRESS	Member		
APPOINTMENT IN PROGRESS	Member		
VACANT	Member		

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2010

Outcome:	5	Question No:	162
Program:	5.1		
Division/Agency:	Culture Division		
Topic:	NITV – funding		
Hansard Page ECA:	Written Question on Notice		

Senator LUDLAM asked:

1. Under the terms of its Funding Agreement with the Commonwealth, National Indigenous TV will be off air from 1 July this year unless the Government renews its funding. Can the Minister advise the Government's future intentions toward NITV?
2. When will an announcement be made on the future of NITV?

Answers:

1. The future of NITV is being considered in the 2010-11 Budget context.
2. The Government will make any announcement on the future of NITV in the 2010-11 Budget context.