

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Group: Corporate**

**Question No. 70**

**Senator Singh asked the following question at the hearing on 18 November 2013:**

Discretionary grants programs

1. How many discretionary grants programs are managed by this portfolio?
2. Provide a list of those programs, including:
  - a. on whose advice grants are made;
  - b. who the decision-maker is;
  - c. whether there has been a pause in the release of funding for grants under these programs.
3. In the event that programs have been paused:
  - a. What advice has been provided to stakeholders about the nature and purpose of the pause?
  - b. Does this include grants that had been advertised but not yet finalised?
  - c. Does this include grants where decisions had been finalised but recipients had not yet been notified?
  - d. Is there an indicative timeline as to when successful recipients of grants can expect to hear from Government?
  - e. Are all grants the subject of a pause?
  - f. Have any exceptions been made to the pause?

**The answer to the honourable senator's question is as follows:**

1. The Attorney-General's Department does not manage grants for portfolio agencies. The Department manages forty-seven discretionary grants programs.
2. See table below:

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
Payment for grants to Australian Organisations	Recommendations by the Attorney-General's Department	Attorney-General	Yes
Payments for the provision of legal aid - Legal Aid commissions	Recommendations by the Attorney-General's Department	Attorney-General	No
Payments for the provision of community legal services	Recommendations by the Attorney-General's Department	Attorney-General	Yes
Payments for the provision of community legal services - Legal Advice Service supporting the Royal Commission into Institutional Responses to Child Sexual Abuse	Recommendations by the Attorney-General's Department	Attorney-General	No
Indigenous Legal Aid and Policy Reform Programme (formerly payments for the provision of Indigenous Legal Aid)	Recommendations by the Attorney-General's Department	Attorney-General or the relevant AGD delegate depending on value of grant	Yes
Native Title System	An assessment panel convened for each funding round makes recommendations as to which grant applications should be funded. The Attorney-General's Department Native Title Unit acts as Secretariat for the panel.	The First Assistant Secretary with responsibility for the Attorney-General's Department Native Title Unit.	Yes
Family Relationship Services Program	Attorney-General	Attorney-General/delegate	Yes
Payments for grants to Australian Organisations	Recommendations by the Attorney-General's Department	The Minister for Justice	No
Safer Suburbs	Recommendations by the Attorney-General's Department	The Minister for Justice	Yes
Disaster Resilience Australia Package	Australia-New Zealand Emergency Management Committee	Attorney-General	Yes
Building Community Resilience (Countering Violent Extremism to Prevent Terrorism)	Recommendations by the Attorney-General's Department	The Attorney-General provides advice to the Minister for Finance for consideration	Yes

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
School Security Program	Recommendations by the Attorney-General's Department	The Minister for Justice	No
Proceeds of Crime Act 2002	Recommendations by the Attorney-General's Department	The Minister for Justice	Yes
National Crime Prevention Fund (NCPF) (s298 of Proceeds of Crime Act 2002)	Recommendations by the Attorney-General's Department	The Minister for Justice	Yes
National Collecting Institutions Touring and Outreach (NCITO) program	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Australian Government International Exhibition Insurance (AGIEI) program	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Prime Ministers Literary Awards (PMLA) - including Prime Minister's History Prize	Three judging panels, comprising 11 literary experts, make recommendations to the Prime Minister on shortlisted and winning Australian books across each of the categories	The Prime Minister	Yes
Indigenous Visual Arts Industry Support (IVAIS)	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Visual Arts and Crafts Strategy - Indigenous Art Centre Projects - administered as part of IVAIS	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Indigenous Culture Support (ICS)	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Indigenous Languages Support (ILS)	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Indigenous Employment Initiative (Nat'l/NT Jobs, TSI Jobs and Cape York Jobs)	Recommendations by the Attorney-General's Department	The Minister for the Arts	Yes
Australian Government contribution to departmental Cultural special account	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
Screen Australia	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Interactive Games Fund	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Resale Royalty Rights for Visual Artists scheme	In May 2010, after an open tender process, Copyright Agency was appointed by the Minister for the Arts as the collecting society to administer the scheme for a five-year period.	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Get Reading!	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes
Regional Arts Fund (RAF)	The Regional Arts Fund is delivered by the peak regional arts organisations (RAOs) in each state, and by arts departments in the territories. RAOs convene assessment panels, as approved by the Minister for the Arts.	The Minister for the Arts is responsible for agreeing to the program guidelines on a quadrennial basis, approving national strategic projects which are agreed on a quadrennial basis and authorising appointments to the assessment panels.	Yes
Support for Contemporary Music	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
Creative Partnerships Australia (formerly Australia Business Arts Foundation)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes
AusFilm	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
National Aboriginal and Islander Skills Development Association (NAISDA)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Indigenous Repatriation	This is not a competitive grants program. Funding is provided directly to participating museums through multi-year funding agreements. A Ministerial appointed advisory committee provides guidance on issues relating to Aboriginal and Torres Strait Islander repatriation from the collections of Australian and overseas cultural institutions.	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes
Arts Ready	This is not a competitive grants program. Funding of \$3.4 million has been committed over four years to establish the ArtsReady program from 2013-14 under contract to AFL Sportsready.	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
Distributed National Collection (DNC) program	This is not a competitive grants program. The DNC program provides funding for the Community Heritage Grant program (administered by the National Library of Australia); the Maritime Museums of Australia Project Support Scheme (administered by the Australian National Maritime Museum); and several bursaries for regional and remote delegates attending Museums Australia's annual national conference.	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes
Australian Ballet School (ABS)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Australian Children's Television Foundation (ACTF)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Australian National Academy of Music (ANAM)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Australian Youth Orchestra (AYO)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Bundanon Trust	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	Yes

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>
Flying Fruit Fly Circus (FFFC)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
National Institute of Circus Art (NICA)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
National Institute of Dramatic Art (NIDA)	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
Captain Nemo: Disney Films	This is not a competitive grants program. Amount and recipient is set by previous decision of Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department.	No
International Films Incentive Payments	Recommendations of the Attorney-General's Department following public guidelines	The Minister for the Arts	Yes
National Cultural Heritage Account (NCHA) administered special account	The National Cultural Heritage Committee	The Minister for the Arts	Yes
Adelaide Festival Centre - support for Asian cultural activities	This is not a competitive grant program. Amount and recipient is set by Government	Financial approval to make payments is sought from an appropriate delegate within the Attorney-General's Department	Yes

3. Answers (a) to (d) see table below. Answers to (e) and (f) see answers to question 2 above.

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>	<b>d.</b>
Payment for grants to Australian Organisations	Nil (only one grant affected, agreement to be executed early 2014)	No	Yes	Feb-March 2014
Payments for the provision of community legal services	Verbal notification to stakeholders that grants are subject to consideration through the whole-of-government discretionary grants process and re-consideration by the Attorney-General.	No	No	Four providers have been notified that grants are able to proceed. The remaining providers will be advised as soon as possible.
Indigenous Legal Aid and Policy Reform Programme (formerly payments for the provision of Indigenous Legal Aid)	None. No funding rounds available. Funding agreements are in place to 2015	Not Applicable	Not Applicable	Not Applicable
Native Title System	Successful recipients with whom the Department is negotiating funding agreements were advised by email that: <ul style="list-style-type: none"> <li>• the Government is assessing all proposed grant spending for consistency with current Government priorities and commitments, and</li> <li>• there is a requirement for additional approval by the Minister for Finance before outstanding funding agreements can be finalised, and any relevant grant spending can proceed.</li> </ul>	No	No	Successful recipients have been notified that the Minister for Finance has now confirmed funding availability.
Family Relationship Services Program	None	No	No	No



Grant Program	a.	b.	c.	d.
Safer Suburbs	<p>Stakeholders advised that: The Department is currently awaiting advice from the Government regarding all grant programs. The Government is assessing all grant spending for consistency with its priorities and commitments. It is normal practice when a new government is elected to assess current spending and ensure there is no waste or duplication and that spending aligns with its policy priorities and commitments. This process may take a little time and in the interim we would remind you that you should not make any commitments on the basis of advice from the previous Government about proposed grants.</p>	No	No	Not Applicable
Building Community Resilience (Countering Violent Extremism to Prevent Terrorism)	<p>The 2013-14 round of this grant program was subject to the pause. Stakeholders advised that:</p> <ul style="list-style-type: none"> <li>• 21 October - Successful grant applicants advised by email that the Australian Government would be assessing all grant spending for consistency with the Government's priorities and commitments, before that spending can proceed.</li> <li>• 29 October - Successful applicants advised by email that the Government had decided to proceed with the 2013-14 grant round</li> <li>• 30 October – Successful applicants sent their Funding Agreements for their signature</li> </ul>	No	No	As per program guidelines

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>	<b>d.</b>
Disaster Resilience Australia Package	No advice generally provided but verbal acknowledgement of the pause provided to one Grantee organisation that was actively seeking to progress a Funding Agreement to execution at the time.	No	No	Not Applicable
Proceeds of Crime Act 2002	None	No	No	Not Applicable
National Crime Prevention Fund (NCPF) (s298 of Proceeds of Crime Act 2002)	Stakeholders advised that: The Department is currently awaiting advice from the Government regarding all grant programs. The Government is assessing all grant spending for consistency with its priorities and commitments. It is normal practice when a new government is elected to assess current spending and ensure there is no waste or duplication and that spending aligns with its policy priorities and commitments. This process may take a little time and in the interim we would remind you that you should not make any commitments on the basis of advice from the previous Government about proposed grants.	No	No	Not Applicable
National Collecting Institutions Touring and Outreach (NCITO) program	None	No	No	As per program guidelines
Australian Government International Exhibition Insurance (AGIEI) program	None	Yes	No	Subject to receipt of final application and approval.

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>	<b>d.</b>
Prime Ministers Literary Awards (PMLA) - including Prime Minister's History Prize	Stakeholders have been advised that the Government is currently considering its approach for the PMLAs and that it will make an announcement regarding its decision in the near future.	No	No	Between 14-28 May 2014 - announcement of shortlisted books.  Between 1-15 July 2014 - announcement of winning books.
Indigenous Visual Arts Industry Support (IVAIS)	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	All 2013-14 grant recipients have been notified.
Visual Arts and Crafts Strategy - Indigenous Art Centre Projects - administered as part of IVAIS	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	All 2013-14 grant recipients have been notified.
Indigenous Culture Support (ICS)	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	All 2013-14 grant recipients have been notified.
Indigenous Languages Support (ILS)	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	Timing to advise applicants for the remaining \$3m grant funding is subject to the Minister's approval.
Indigenous Employment Initiative (Nat'l/NT Jobs, TSI Jobs and Cape York Jobs)	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	All 2013-14 grant recipients have been notified.

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>	<b>d.</b>
Australian Government contribution to departmental Cultural special account	None	No	No	Not Applicable
Get Reading!	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	Recipients will be notified in time to ensure funding is administered in 2013-14.
Regional Arts Fund (RAF)	None	No	No	Not applicable as existing quadrennial agreements are in place until 2015-16.
Support for Contemporary Music	Stakeholders advised that the new Government is assessing all grant spending for consistency with Government priorities and commitments and to ensure there is no duplication.	No	No	Recipients will be notified in time to ensure funding is administered in 2013-14.
Creative Partnerships Australia (formerly Australia Business Arts Foundation)	None	No	No	Not applicable as a funding agreement is in place with the recipient until 30 June 2014.
Indigenous Repatriation	None	No	No	Not applicable as existing 4 year funding agreements (2012-16) in place.
Distributed National Collection (DNC) program	None	No	No	Not applicable as existing funding agreements are in place covering the period 2012-13 to 2015-16.

<b>Grant Program</b>	<b>a.</b>	<b>b.</b>	<b>c.</b>	<b>d.</b>
Bundanon Trust	None	No	No	Not applicable as existing 4 year funding agreement (2011-12 to 2014-15) is in place.
International Films Incentive Payments	None	No	No	Not applicable as a funding agreement is in place with the recipient until 30 June 2014.
National Cultural Heritage Account (NCHA) administered special account	None	No	No	As per program guidelines.
Adelaide Festival Centre - support for Asian cultural activities	Stakeholders have been advised that the Government is assessing all grant spending for consistency with Government priorities and commitments and that it will announce its decision on this measure in the near future.	No	No	Recipients will be notified in time to ensure funding is administered in 2013-14.