

**Senate Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Department of Regional Australia, Local Government, Arts and Sport**

**Additional Estimates 13 – 16 February 2012**

**Question: 33**

**Topic: Australian Indigenous Art Trade Association**

**Asked By: Senator HUMPHRIES**

**Type of Question: RRA&T 128**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

**Senator HUMPHRIES:** You say that two-thirds of the beneficiaries have been Indigenous. Why do you think it is, then, that the president of the Australian Indigenous Art Trade Association, Ian Plunkett, has said that Aboriginal artists are being disadvantaged under the scheme because of the way it has been set up.....

**Senator HUMPHRIES:** Can I suggest that you might like to talk to that organisation and understand their concerns?

**Mr Eccles:** We have been talking to Indigenous arts organisations, I think, to take it on notice as to whether or not this particular individual has been party to discussions.

**Answer:**

Mr Plunkett was involved in stakeholder discussions with the Department prior to the resale royalty scheme's introduction and with the Collecting Agency, Copyright Agency Limited (CAL) during the scheme's establishment. CAL reports that it has regular ongoing contact with Mr Plunkett by phone, in person and by email.

CAL also reports that feedback from Indigenous artists about the scheme has been positive. For example, Jane Young, Indigenous artist and Chairperson of DesArt, the association of central Australian Aboriginal art centres, has said 'some Aboriginal artists don't have much money, and for some people in communities the money they make from art is the only money they get, so this resale royalty is really good. It is good that the money is coming back to the artist because they made the work. It's their story that they are telling'.

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**Question: 34**

**Topic: Administrative Efficiencies**

**Asked By: Senator HUMPHRIES**

**Type of Question: RRA&T 128**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 7**

**Senator HUMPHRIES:** Can we have the details of the changes that the minister announced in December to the scheme?

**Mr Eccles:** The administrative efficiencies?

**Senator HUMPHRIES:** Yes.

**Mr Eccles:** Would you like us to talk about those now?

**Senator HUMPHRIES:** No, I do not have time. But if you could table the document that describes it, that would be useful.

**Mr Eccles:** Okay—we will take that on notice.

**Answer:**

In December 2011, the Government made three changes to the resale royalty scheme.

In summary, the changes:

- make resales valued at less than \$1,000 an excluded class of transfer and therefore no longer required to be reported under the scheme;
- give the Minister the capacity to prescribe a format of a notice of a commercial resale; and
- define ‘sufficient detail’ for the purposes of reporting by art market professionals.

The 2011 Regulations and Explanatory Statement is attached and is publicly available on the Com Law website at:

<http://www.comlaw.gov.au/Details/F2011L02635/Download>

The 2011 Regulations and Explanatory Statement are also attached.

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**Question: 35**

**Topic: National Cultural Policy Launch**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

Will the Office for the Arts be responsible for launching the National Cultural Policy?

**Answer:**

Release of the National Cultural Policy will be a decision for Government.

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**Department of Regional Australia, Local Government, Arts and Sport**

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**Question: 36**

**Topic: Review of the Australia Council - Timeline**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

On what date:

- a) did the review commence?
- b) will the review be completed?
- c) will the review be delivered to Government?
- d) will the review be published?
- e) was the Australia Council informed of the review?
- f) was the Australia Council invited to make a written submission?

**Answer:**

- a) 9 January 2012.
- b- c ) The review is expected to be completed and delivered to Government in the first half of 2012.
- d) This will be a matter for consideration by the Government
- e) Yes.
- f) Yes

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**Question: 37**

**Topic: Review of the Australia Council - Terms of Reference**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 2**

Please provide a copy of the Terms of Reference of the review of the Australia Council.

**Answer:**

The Terms of Reference are available at: [www.culture.arts.gov.au/news/australia-council-tor](http://www.culture.arts.gov.au/news/australia-council-tor) and are below.

**Review of the Australia Council**

**Terms of reference**

The National Cultural Policy will set the framework for Australian Government support for arts, culture and the creative industries for the next ten years. The objective of the policy is to increase the social and economic dividend from the arts, culture and the creative industries. A strong artistic sector producing the highest quality work results in positive social and economic impacts for the nation. The funding delivered to the arts through the Australia Council ensures that high calibre artistic product is made for Australian audiences.

The Australia Council's original purpose was:

to ensure "the best is encouraged and those who produce it are given the greatest opportunity to achieve the highest quality of which they are capable"  
(*Nugget Coombs*).

The review should assess whether the original purpose remains relevant today. The review will determine the appropriate governance and administrative model to ensure the Australia Council is able to:

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- act on funding decisions guided by the overall principle of excellence and artistic merit;
- have a strong and robust arms length peer assessment process for all funding decisions and that the decision making process meets the community's expectations of fairness and transparency;
- be guided by enabling legislation that reflects the diversity of the Australian arts and cultural sector today and, with consideration of emerging creative areas, into the future.

#### **It will do this by examining:**

- the benefits and limitations of the current model of the Australia Council for supporting innovation as well as Australia's cultural heritage;
- the *Australia Council Act 1975* and ensuring it articulates a clear role for the Council that reflects the contemporary Australian arts and culture sector;
- the structure of the Council and considering ways to improve internal budget demarcation, grant eligibility criteria and peer assessor diversity to ensure that funding opportunities offered by the Council reflect the contemporary arts and culture sector;
- the respective roles and possible duplication of the Australia Council, Screen Australia, the Office for the Arts and other government funding agencies; and
- appropriate international models and considering what can be learned from them.

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**Question: 38**

**Topic: Review of the Australia Council - Submissions**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

What organisations and agencies were invited to make submissions into the review of the Australia Council?

**Answer:**

The Review is being undertaken in response to matters raised in written submissions to the National Cultural Policy discussion paper, and organisations and agencies have not been invited to provide further submissions

The public was made aware of the survey through the website, twitter and the Minister's press release and their views were sought via an online survey.

The Australia Council, as subject of the Review, was invited to make a written submission.

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**Question: 39**

**Topic: Review of the Australia Council - Public Submissions**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

Who took the decision, and when was it taken, not to permit public submissions into the review?

**Answer:**

See question 38.

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**Question: 40**

**Topic: Review of the Australia Council - Interviews**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

Has, or will, the review of the Australia Council conduct interviews or seek information or submissions from artists and Australia Council grant recipients?

**Answer:**

Yes.

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**Question: 41**

**Topic: Review of the Australia Council - OFTA Staff**

**Asked By: Senator BRANDIS**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

How many staff of the Office for the Arts are participating, assisting, or have been involved in the review of the Australia Council?

**Answer:**

A Secretariat of 4.4 Full Time Equivalent staff in the Office for the Arts is supporting the Chairs to undertake the Review.

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**Question: 42**

**Topic: Approved Grant - Darlinghurst Theatre Company**

**Asked By: Senator RYAN**

**Type of Question: Written**

**Date set by the committee for the return of answer: 30 March 2012**

**Number of pages: 1**

The following grant was approved on 7 March 2011 under the Playing Australia Program by PM&C and published on their website:

Darlinghurst Theatre Company Limited	Round 36 of PA Often I Find that I am Naked by Critical Stages and Jo&Co	\$199,853.41 (includes GST)	Mar 7, 2011	Jan 21, 2012	KINGS CROSS NSW	2011
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<http://www.dpmc.gov.au/accountability/grants/view-grants.cfm?cid=1&id=8>

“Often I Find that I am Naked”, is described as:

“...reflecting stories from popular culture and wedged within the romantic comedy genre of hits such as Sex and the City and Bridget Jones Diary. Speed dating, Facebook, text sex, RSVP, a private detective, STD clinics, rehab... so many tools available for the modern single woman looking to meet Mr Right! The problem is just how many Mr Wrongs make a Right?”

[http://www.criticalstages.com.au/page/often\\_i\\_find\\_that\\_i\\_am\\_naked.html](http://www.criticalstages.com.au/page/often_i_find_that_i_am_naked.html)

What, if any, role did the Department PM&C have in approving this grant?

**Answer:**

A panel of peers assess applications to all regional touring programs and make recommendations to the Minister.