

Cultural Ministers Council Communique

The 22nd meeting of the Cultural Ministers Council (CMC) was held in Adelaide today, Friday 9 October 2009.

South Australia hosting and co-chairing the meeting: The Hon Mike Rann MP, Premier and Minister for the Arts, The Hon John Hill MP, Minister Assisting the Premier in the Arts

Australian Government: The Hon Peter Garrett AM MP, Minister for the Environment, Heritage and the Arts

NSW: The Hon Virginia Judge MP, Minister Assisting the Premier on the Arts

Victoria: The Hon Lynne Kosky MP, Minister for the Arts

Queensland: The Hon Annastacia Palaszczuk MP, Minister for Disability Services and Multicultural Affairs representing the Hon Anna Bligh MP, Premier and Minister for the Arts

Western Australia: The Hon John Day MLA, Minister for Culture and the Arts

Tasmania: The Hon Michelle O'Byrne MP, Minister for Tourism and the Arts

Northern Territory: Ms Marion Scrymgour MLA, Member for Arafura, representing the Hon Gerald McCarthy MLA, Minister for Arts and Museums

Mr Jon Stanhope MLA, ACT Chief Minister and Minister for the Arts and The Hon Christopher Finlayson, New Zealand Minister for Arts, Culture and Heritage, were unable to attend and were represented by officials.

Councillor Bruce Miller represented Councillor Geoff Lake, President, Australian Local Government Association.

Mr Julius Violaris represented the Hon Charles Abel MP, Papua New Guinea Minister for Tourism, Arts and Culture.

Meeting Summary

At this meeting the Ministers:

- Discussed a **Cultural Ministers Council Strategy** which sets out opportunities for collaboration across jurisdictions over the next five to ten years.
- Approved a **National Arts and Disability Strategy** to support, encourage and promote access and participation in the arts by people with a disability.
- Endorsed an Indigenous **Australian Art Commercial Code of Conduct** for the industry and agreed to an **Indigenous Australian Art Charter of Principles for Publicly Funded Collecting Institutions**. The code and charter fulfil recommendations of the Senate Inquiry into Indigenous Visual Arts.
- Discussed progress in the implementation of the **Indigenous Contemporary Music Action Plan** and agreed to the extension of the successful Breakthrough initiative to support emerging Indigenous musicians.
- Considered outcomes of **reviews** conducted in 2009 of the Cultural Ministers Council, the Statistics Working Group and the Collections Australia Network.
- Discussed the findings of the **Third Review of the Major Performing Arts Funding Model**.
- Considered delivery options for an **Indigenous Intellectual Property Toolkit**.

Ministers discussed a range of issues including arts education initiatives, contemporary music development and work being done in all jurisdictions to promote international exchange.

Further details of the Ministers' discussions are attached.

Cultural Ministers Council Strategy

Ministers agreed to adopt a collaborative, inclusive approach to future challenges and opportunities through the Cultural Ministers Council (CMC) Strategy, which identifies five key goals for collaborative action:

- enriching our citizens' lives;
- supporting our vibrant cultural communities;
- projecting Australia to the world;
- nurturing our creativity;
- creating dynamic cultural places.

Within the framework of the strategy Ministers agreed on three priority areas for joint action over the next two to three years:

1. Arts and Education

Building on the joint ministerial National Statement on Arts and Education, and the inclusion of the arts in the National Curriculum, CMC will work with the Ministerial Council for Education, Early Childhood Development and Youth Affairs (MCEECDYA) to promote arts learning in schools and beyond for all Australians.

2. Indigenous Arts and Cultures

Following significant progress in supporting the return of Indigenous cultural property, protecting Indigenous cultural intellectual property, establishing a set of principles and ethical practices in dealing with Indigenous art and crafts, and launching the Indigenous Contemporary Music Action Plan, CMC will continue to work to support Indigenous peoples to maintain their heritage, languages and cultures.

3. A Healthy and Viable Arts Sector

Recognising the centrality of the creativity of our artists and arts organisations, and past CMC success in increasing investment and support for major performing arts companies, orchestras and the visual art and crafts sector, CMC will pursue further co-operative initiatives to ensure the maintenance and growth of a dynamic arts sector.

Arts and Disability

Ministers approved the National Arts and Disability Strategy, which provides a framework to support, encourage and promote access and participation in the arts by people with disability. The strategy has been designed to operate in line with the Australian Government's National Disability Strategy and Social Inclusion Agenda.

The strategy is available on the [Meeting of Cultural Ministers website](#), and copies will be made available shortly in various formats including plain English with visuals, Braille, Auslan and audio versions.

CMC will monitor progress annually and issue a communique providing information about the progress of the strategy. In addition, CMC will review the strategy every three years, in consultation with the arts and disability sector, to ensure that it is meeting its objectives. Ministers also agree to establish a steering committee to oversee implementation of the strategy.

Indigenous Visual Arts

Ministers welcomed the Australian Government's update on the implementation of the Australian Government response to the Senate Inquiry into Indigenous visual arts.

Ministers agreed on a workplan for collaborative action in relation to infrastructure, authenticity and provenance, and education and training issues faced by the Indigenous visual arts sector.

CMC welcomed and endorsed two important measures which aim to strengthen and promote ethical best practice in the Indigenous visual arts industry – the Indigenous Australian Art Commercial Code of Conduct, and Charter of Principles for Publicly Funded Collecting Institutions.

Indigenous Australian Art Commercial Code of Conduct

Recognising the importance of strengthening fair and ethical trade in the indigenous visual art industry, and ensuring transparency in the promotion and sale of artwork, Ministers endorsed an Indigenous Australian Art Commercial Code of Conduct. The code specifies a set of minimum standards for dealers, agents and artists, and defines terms of trade and rights and responsibilities for the sale and management of artworks.

The code has been developed following extensive consultation with the Indigenous visual art sector which has shown widespread support for industry's implementation of the code. Administration of the code will be undertaken by a Code Administration Committee comprised of industry representatives. Ministers were keen to see all industry members work together to ensure that the Code is implemented quickly and smoothly, so that it is operational by the end of 2009.

Further information on the code, and how to become a signatory or lodge a complaint, is available online at the [Indigenous Art Code website](#).

CMC has agreed to provide \$60,000 in 2009-10 to support a code of conduct awareness campaign.

Indigenous Australian Art Charter of Principles

In recognition of the leadership role played by publicly funded collecting institutions in Australia's collections sector, Ministers also agreed to an Indigenous Australian Art Charter of Principles for Publicly Funded Collecting Institutions (Charter). Ministers encourage major collecting institutions in each jurisdiction to adopt the charter.

The voluntary charter complements the commercial code of conduct by affirming the commitment of publicly funded collecting institutions to ethical best practice when dealing with Indigenous artists and their works and art, representative and communities. It does so by setting out 15 principles of the best practice which inform the acquisition, commissioning, display, loan and deaccession of Indigenous works of art.

The charter was developed by the Australian Government in consultation with state and territory governments and collecting institutions.

Indigenous Contemporary Music Action Plan

Breakthrough: the Emerging Indigenous Contemporary Musicians Initiative has been successfully implemented by CMC with three applicants being awarded grants funding of \$25,000 in 2009 to record and produce a commercial CD suitable for broadcast. A further two applicants were supported by Australian Government funding of \$25,000 each. The first CD is expected to be launched by late 2009.

Breakthrough has demonstrated the high level of talent and interest in the sector. CMC has agreed to continue to support *Breakthrough* for a further 12 months in 2010.

CMC recognises the importance of the action plan and initiatives such as *Breakthrough* in strengthening the opportunities for Indigenous music to achieve a more sustainable future through greater public awareness, appreciation, and value of Indigenous performing arts.

Indigenous Intellectual Property (iip) Toolkit

Ministers considered options for delivering an Indigenous Intellectual Property (IIP) Toolkit in order to meet CMC's commitments under the COAG Reconciliation Framework.

Ministers acknowledged the need to effectively increase awareness of IIP and promote best practice among Indigenous communities, consumers and commercial operators.

Ministers supported the recommendation of the IIP Implementation Working Group to engage Arts Law to implement the IIP Toolkit in consultation with key stakeholders in each state and territory – noting that Arts Law's existing programs and expertise could be utilised to maximise outcomes.

The toolkit will promote greater links between business and Indigenous communities on intellectual property issues. It will also raise greater awareness in Indigenous communities and with consumers and commercial operators of the need to protect intellectual property.

Given the importance of this proposal in the intellectual property area, Ministers agreed to implement a number of communication activities including delivery of a new web portal, a range of audio-visual and print information resources for dissemination to communities, commercial operators and media, and a training workshop program.

Contemporary Music Development

Ministers approved the content of the *Supporting Australia's Live Music Industry: Suggested Principles for Best Practice* guide. The document looks at issues to do with live performance which are affected by regulation and highlights a number of best practice principles which could be considered by jurisdictions in their own regulatory environments. The document will be publicly released in the near future.

Ministers also agreed to provide \$15,000 for the production of a brochure on Australia's contemporary music markets aimed at international buyers. It will be the second iteration of a highly successful brochure produced under the *Sounds Australia* brand, a joint initiative of the Australasian Performing Right Association, the Australia Council and Austrade.

Third Review of the Major Performing Arts Inquiry (MPAI) Funding Model

Ministers discussed the report of the third review of the Major Performing Arts Inquiry (MPAI) Funding Model undertaken by the Australia Council.

Ministers noted that whilst the current model had delivered significant benefits to the sector over the last ten years, some issues had emerged around the sustainability of the model. Ministers emphasised the importance of providing a sustainable way of delivering government funding to major performing arts companies in the longer terms and agreed that it was critical that the model of delivering government funding to major performing arts companies in the longer term and agreed that it was critical that the model of delivering this funding achieve the objective of ensuring a vibrant and financially secure major performing arts sector.

Ministers agreed to work together over the next twelve months to develop a revised model which focuses on ensuring artistic vibrancy and rewarding success, financial stability and good governance. The current model will remain in place until 2012.

The Australia Council will continue to liaise with the major performing arts companies on these issues.

Future Directions

CMC considered the need to further set strategic priorities to achieve greater efficiencies in the operation of the Council. A roundtable of Ministers will be convened by teleconference in the near future to identify priorities that can be progressed most effectively with formal Commonwealth, state and territory cooperation. The Chair of CMC will convey this approach to the COAG Review of Ministerial Councils.