

## FREEDOM OF INFORMATION SECTION 8 STATEMENT

### PARTICULARS OF ORGANISATION

Information required to be published in the annual report by Section 8 of the *Freedom of Information Act 1982* (the FOI Act) is contained in the body of this report as well as in this appendix.

### POWERS

Under Section 6 of the *Australia Council Act 1975*, the Council has the power to do all things that are necessary or convenient to be done in connection with the performance of its functions and, in particular, has power:

- (a) to enter into contracts;
- (b) to erect buildings;
- (c) to occupy, use and control any land or building owned or held under lease by Australia and made available for the purposes of the Council;
- (d) to acquire, hold and dispose of real or personal property;
- (e) to accept gifts, devises and bequests made to the Council, whether on trust or otherwise, and to act as trustee of moneys or other property vested in the Council upon trust;
- (f) to make grants or loans of money, and to provide scholarships or other benefits, on such conditions as it thinks fit;
- (g) to cooperate with the States and local governing bodies and with other persons and organisations concerned with the arts; and
- (h) to do anything incidental to any of its powers.

### ARRANGEMENTS FOR OUTSIDE MEMBERSHIP OF COUNCIL, FUNDS/BOARD AND COMMITTEES

The Chair of Council is appointed by the Governor-General on recommendation of the Minister for Communications and the Arts. All other Councillors are appointed by the Minister. The Council consists of up to 14 part-time members, including the Chair and Deputy Chair, Chairs of each Board/Funds (except the New Media Arts Fund, which was established as a Committee of Council and its members are not appointed by the Minister), arts practitioners and community representatives. The General Manager is a member of the Council *ex officio*. Members of the Council meet four to five times per year. Meetings are also held by teleconference as the need arises. The Act allows for the appointment of either a full-time or part-time Chair.

There are eight seven-member Funds – Community Cultural Development, Dance, Literature, Major Organisations, Music, New Media Arts, Theatre and Visual Arts/Craft – and a nine-member Aboriginal and Torres Strait Islander Arts Board. Board/Fund members are appointed for periods of between one and four years, generally three. Board/Funds usually meet between two and four times per year.

Under Section 7 of the *Australia Council Act*, the Council has delegated the power to make grants to the relevant Board/Funds, within the framework of Council's priorities, policies and budget allocations. The majority of Board/Fund members are practising artists or have practised in the arts. They bring to the Board/Funds first-hand knowledge of the particular requirements of the artform or the specific discipline as well as a collective national overview. They participate in Fund or Board meetings by providing expert advice on the assessment of grant

applications and the development of artform policy. The expertise of Board/Fund members is augmented by advisers drawn from the Register of Peers. The concept of peer group assessment within the Board/Funds is a principle of Council.

Other procedures for public consultation are used at different times by the Board/Funds and Council. For example:

- public meetings held in various centres, both metropolitan and regional, generally in conjunction with Council and Board/Fund meetings;
- public meetings held by Board/Fund managers and other senior members of staff, either independently or in association with other arts organisations;
- discussion groups or seminars held with invited members of the public;
- draft discussion papers circulated for comment;
- 'open interviews' held where Board/Fund staff are interstate and available to meet current and prospective clients;
- regular meetings held between senior Australia Council officers and officers of State/Territory arts authorities;
- continuing liaison between government departments and authorities (Commonwealth, State/Territory and local) as well as overseas agencies;
- inviting views from the public when submissions are being prepared on topics of particular interest to the arts community.

### CATEGORIES OF DOCUMENTS

The Council used the following documents and manuals in making decisions and recommendations:

- *Australia Council Act 1975*;
- Relevant Commonwealth legislation;
- Australia Council policies
  - Corporate Plan 1996-1999

- Aboriginal and Torres Strait Islander Arts policy
- Arts for a Multicultural Australia policy
- Staff Operations Manual
- Manual for Members of the Australia Council
- Register of Peers Manual;
- Grants Handbooks 1996 and 1997;
- Grant application forms;
- research papers;
- terms and conditions of employment;
- minutes and agendas (Council and Funds/Board);
- program reviews.

### FREEDOM OF INFORMATION PROCEDURES

Applicants seeking access under the Freedom of Information Act to documents in the possession of the Council should forward a \$30 application fee and apply in writing to:

The General Manager  
Attention: FOI Coordinator  
Australia Council  
PO Box 788  
Strawberry Hills NSW 2012.

The FOI Coordinator is available at the Council offices, located at 181 Lawson Street, Redfern NSW, or by telephone on (02) 9950 9000 or (1800) 226 912 toll free, during normal business hours. The offices are wheelchair accessible.

In accordance with Section 54 of the FOI Act, an applicant may, within 30 days of receiving notification of a decision to refuse a request under the Act, apply to the General Manager seeking an internal review of that decision. This application should be accompanied by a \$40 application fee as provided for in the FOI Act. An officer of Council, who is at least one level above that of the initial decision-maker will conduct the review.

## **FACILITIES FOR ACCESS**

If it approves access, and after it has received payment of any charges which apply, the Council will provide copies of the documents concerned.

Alternatively, applicants may arrange to inspect documents at the Council offices, at the above address. For applicants living outside of New South Wales, arrangements may be made to view the documents at the nearest regional office of the Australian Archives (in Melbourne, Brisbane, Townsville, Perth, Adelaide, Hobart, Darwin or Canberra).

The application fees and charges applying to FOI are as determined in Schedules to the FOI (Fees and Charges) Regulations. The General Manager may remit the charges upon request. A decision not to remit the charges needs to be made within 30 days of a request being made.

## **FREEDOM OF INFORMATION 1997-98**

There were no requests for information under the *Freedom of Information Act 1982* during 1997-98.

## PUBLICATIONS 1997–98

The Australia Council produces a number of publications and audiovisual resources each year to meet the increasing demand for information on the arts industry from researchers, students, artworkers, politicians, the media and members of the public.

### PUBLICATIONS

Reports, research papers, newsletters, grants, handbook, brochures and special interest titles on the arts generated by Council are generally available from its Library.

Several Council publications are distributed commercially by DW Thorpe Pty Ltd, Melbourne (03) 9245 7370, while others, including older titles now out of print, can be borrowed on inter-library loan. A series of books on *The Art of Self Promotion*, commissioned by the Australia Council, are published by Allen & Unwin.

A bibliography of all Australia Council publications is held in the Council's Library, and a list of publications in print is available on request, telephone (02) 9950 9000 or toll-free (1800) 226 912.

Publications issued by the Australia Council during 1997–98 include:

*Australia Council Annual Report 1996-97*

*Australia Council Grants Handbook 1998*

*Calendar of Closing Dates of Australia Council Grants Categories 1998*

*Artforce*: newsletter of the Australia Council No 95 Winter 1997, No 96 Spring 1997, No 97 Summer 1997, No 98 Autumn 1998

*Arts Marketing: The Pocket Guide*, a joint project of the Australia Council and the Centre for Professional Development, written by Dr Sharron Dickman

*Artwork: a Report on Australians Working in the Arts*, research report

*Arts Yarn-Up* Aboriginal and Torres Strait Islander Arts Board newsletter, No 5 December 1997

*Arts for a Multicultural Australia*, Australia Council policy on Australian arts and cultural diversity

*Better Places, Richer Communities: Cultural Planning and Local Development, a Practical Guide*, revised edition

*Cultivating our culture*, new Australia Council brochure

*Craftwise: a guide to VACF support for the crafts*

*Embodying the Information Age*, brochure

*Marketing Strategies for Arts Organisations*

*Not a Puppet: Stories from the Frontier of Community Cultural Development*, commissioned by the Community Cultural Development Fund

*The Corporations Law: a Practical Guide for the Arts*, revised edition of *The Arts in the Australian Corporate Environment*

*The Creative Edge*, a brochure promoting the Australia Council's Partnerships and Commissions grant categories

*The World is Your Audience: Case Studies in Audience Development and Cultural Diversity*

*What's Art Without an Audience*, brochure for the Audience Development and Advocacy Division

## ARCHIVAL FILMS

The Australia Council's archival film program continued this year with the approval for the funding of four productions – two with major figures in the formation of the Australia Council and two with significant writers.

Three new series of archival films have been released in partnership with the Australian Film Institute (AFI), bringing the total number of series in distribution to seven. They are: Writers I, II and III; Painters and Sculptors; Dance; On Stage; and On Music.

The archive series is experiencing an increased interest from the educational audiovisual market for the arts and Australian studies, through schools, universities, local libraries and independent researchers.

The masters of the films and tapes continue to be lodged with the National Film and Sound Archive (NFSA) in Canberra and to date there have been 166 interviews recorded.

For further information about the Australia Council's archival film program, telephone the Library on (02) 9950 9183 or toll-free on (1800) 226 912.

For distribution enquiries, telephone the Australian Film Institute on (03) 9696 1844.