

Response to Office for the Arts on stand-alone legislation to protect Indigenous Cultural and Intellectual Property

2 July 2024

We reiterate our support for the Government's commitment in the National Cultural Policy, *Revive*, to introduce stand-alone legislation to protect First Nations knowledge and cultural expressions, including to address the harm caused by fake art, merchandise and souvenirs.

We are very pleased to see that the process is First Nations-led, and involves broad consultation with First Nations people who are affected by the issues that the Government initiatives are intended to address.

We remain happy to assist in whichever ways we can with the next steps, including by spreading the word with First Nations people in our stakeholder network.

We are also acutely aware from our engagement on policy issues relating to Artificial Intelligence (AI), particularly Generative AI, that the interests of First Nations people in future developments must be respected and taken into account.

About us and our members

We are a not-for-profit organisation with 40,000 members, who are primarily writers (including journalists), artists (including photographers, illustrators and cartoonists) and publishers (including in the educational, academic and news media publishing sectors). They include First Nations writers, artists and publishers.

Among other things, we make payments to First Nations artists and writers from copyright licensing and the artists' resale royalty scheme.

We seek to ensure that our licensing activities are consistent with best practices for Indigenous Cultural and Intellectual Property.

We work closely with First Nations organisations like the Indigenous Art Code, art centre bodies and First Nations Australian Writers Network. We have a Reconciliation Action Plan and we follow and recommend the Protocols for using First Nations Cultural and Intellectual Property in the Arts developed by Creative Australia.