PARLIAMENT OF AUSTRALIA
DEPARTMENT OF THE PARLIAMENTARY LIBRARY

AUSTRALIAN FILM COMMISSION AMENDMENT BILL 1980

Date Introduced: 17 April 1980
House: House of Representatives
Presented by: Hon. R.J. Ellicott, Q.C., M.P.,
Minister for Home Affairs and
Minister for the Capital Territory

Short Digest of Bill

Purpose

To amend the Australian Film Commission Act 1975 to enable the Australian Film Commission to operate on a more flexible and commercial basis.

Background

The Australian Film Commission (AFC) was established in May 1975, subsuming the functions of Film Australia, the Australian Film Development Corporation and most of the functions of the Film and Television Board of the Australian Council for the Arts. Chief among the AFC's functions is the making, promotion, distribution, and exhibition of Australian films, and there is no doubt that the AFC has been a substantial force in the current revival of commercial feature film industry in Australia. The industry operates within unique parameters securing large capital sums for very risky film production, knowing that adequate returns on those funds almost inevitably depend upon successful overseas as well as local distribution and exhibition of the resultant film. The Bill gives effect to some recommendations made by management consultants (and widely supported by people in the film industry) that the structure and some of the powers of the AFC should be modified to allow it to operate more freely and responsively in what is essentially a high-risk, private enterprise international industry. In their Report of 13 October 1979, the management consultants, Peat, Marwick, Mitchell Services (Towards a More Effective Commission: the AFC in the 1980's) concluded:

The development years are now over. The Commission has taken risks, it has only partly achieved a stable industry, built on elements that already existed. For the next five years the Commission has a responsibility to the Government to justify its continued existence through a stable industry, a flow of product and the maintenance of standards.
This requires new orientation for the Commission. It must become more business-like, more realistic, more positive in its policies. It must reduce its own costs and concentrate effort on priority areas. This report suggests ways in which this can be achieved and the Commission made a more efficient statutory authority.

Some of the major recommendations of that report are incorporated in this Bill.

Provisions

Clause 3 extends the definition of "special activities" (s.3(1)) to add the "promotion or distribution" of programs to the AFC's existing power to make, or commission the making of programs under s.5. Clause 4 and 5 amends s.5 and s.8 so as to remove the existing requirement on the AFC to obtain Ministerial approval in connexion with the making, promotion, distribution, or exhibition of programs made for a Department of State or authority of the Commonwealth, which deal with matters of national interest or which generally illustrate Australian life.

Clause 6 provides for all or any members of the Commission to be appointed on either a full-time or part-time basis, and for not more than one member to be a member of the staff of the AFC.

Clause 16 repeals s.29 and provides for the Commission to appoint its employees on terms and conditions approved by the Public Service Board, and so removes the existing requirement that AFC employees be public servants employed under the Public Service Act 1922. Clause 17 amends s.35 so as to remove the existing requirements for the AFC to obtain Ministerial approval before undertaking transactions that exceed $250,000 in connexion with the making, promotion, distribution or broadcasting of programs. Clause 18 repeals s.36, thus requiring the AFC to make superannuation payment under s.159 of the Superannuation Act for all of its staff.

21 April 1980

Education and Welfare Group
LEGISLATIVE RESEARCH SERVICE