



**Australian Government**

**Department of Infrastructure, Transport, Regional Development and Communications**  
Office for the Arts

# Indigenous Visual Arts Industry Support (IVAIS) Program Open Competitive Grant Guidelines

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<b>Closing date and time:</b>	23:45 AEDT 20 December 2021
<b>Commonwealth policy entity:</b>	Department of Infrastructure, Transport, Regional Development and Communications
<b>Enquiries:</b>	If you have any questions, please contact the Indigenous Visual Arts Industry Support team via email at <a href="mailto:ivais@arts.gov.au">ivais@arts.gov.au</a> or via phone on 1800 006 992.
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## 1. Indigenous Visual Art Industry Support (IVAIS) program - Open competitive grant opportunity overview

**The IVAIS grant opportunity** is part of the Australian Government's Arts and Cultural Development Program that supports participation in, and access to, Australia's arts and culture through developing and supporting cultural expression and contributes to the Department of Infrastructure, Transport, Regional Development and Communications' (the Department) Outcome 6.1, Arts and Cultural Development. The Department works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines (CGRGs)*.



### **The grant opportunity opens**

We publish the grant guidelines on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au).



### **Open competitive grant application process**

Organisations, including any currently funded through the program, can apply for new or additional grant funds for up to two years through an annual open competitive process. Grant applications are submitted online through SmartyGrants. You follow the application link and fill out the online application form.



### **We assess the eligibility of all grant applications**

We assess applications against the eligibility criteria and notify you if you are not eligible.



### **All eligible applications are assessed against assessment criteria**

All eligible applications are assessed against the assessment criteria, on past performance where applicable, and against other applications, including an overall consideration of value for money.



### **We make grant recommendations**

We provide advice to the decision maker on the merits of each application.



### **Grant decisions are made**

The decision maker determines which applications are successful.



### **We notify you of the outcomes**

We will advise you in writing of the outcome.



### **We enter into a grant agreement**

We will enter into a grant agreement if you are successful.  
The type of agreement is based on the nature of the grant and is proportional to the risks involved.



### **Delivery of grant**

You will undertake the grant activity as set out in your grant agreement.  
We manage the grant by monitoring progress and making payments.



### **Evaluation of IVAIS**

We evaluate the specific grant activity and the IVAIS program as a whole.  
We base this on information you provide to us and that we collect through various sources.

## 1.1 Introduction

These guidelines contain information for the IVAIS open competitive grant opportunity. You must read these guidelines before applying for an IVAIS grant.

This document sets out:

- the purpose of the grant opportunity
- the eligibility and assessment criteria
- how applications are considered and selected
- how applicants are notified
- how we pay the grant
- how activities will be monitored and evaluated
- responsibilities and expectations in relation to the grant opportunity.

## 2. About the IVAIS Program

The IVAIS program is part of the Australian Government's Arts and Cultural Development Program that supports participation in, and access to, Australia's arts and culture through developing and supporting cultural expression and contributes to the Department of Infrastructure, Transport, Regional Development and Communications' (the Department) Outcome 6.1 Arts and Cultural Development. The Department works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines* (CGRGs).

### Policy Context

Australian Indigenous visual art is internationally recognised and sought after for its quality, innovation and cultural richness. The Australian Government is committed to supporting our Indigenous visual arts industry so that it is developed and strengthened for future generations.

The Government has supported Aboriginal and Torres Strait Islander visual artists in some form since 1971. This grant opportunity was established in 1992 as the Arts and Crafts Industry Support Strategy administered by the former Aboriginal and Torres Strait Islander Commission. It was renamed in 1995 as the National Arts and Crafts Industry Support program and transferred to the Arts Portfolio in 2004. In 2012, it was renamed the Indigenous Visual Arts Industry Support (IVAIS) program and, from 2015-16, includes funding for employment of Indigenous arts workers. The intended outcomes of the IVAIS program are:

- a professional, viable and ethical Indigenous visual arts industry that features strong participation and provides economic opportunities for Aboriginal and Torres Strait Islander people
- the continued production, exhibition, critique, purchase and collection of Indigenous visual art.

Some of Australia's most dynamic visual art is produced in remote Indigenous art centres, which provide the infrastructure and relationships that allow artists to create new art, generate income, develop professional skills and connect to the commercial art market through partnerships with dealers and galleries, online sales and marketing. As community organisations, Indigenous art centres also play an important role in enhancing social cohesion, respect for traditional knowledge and the transmission of culture.

The Australian Government recognises that Aboriginal and Torres Strait Islander artists play leading and impactful roles within the global arts sector. We further recognise that the visual arts sector is diverse and that there are distinct and varied priorities and needs across it.

The Australian Government is committed to supporting the Indigenous visual arts industry for its inherent artistic and cultural value; to deliver economic opportunities for Aboriginal and Torres Strait Islander peoples; to promote ethical dealing; and to ensure the sector is able to embrace opportunities for growth and increased stability.

## 2.1 The IVAIS grant opportunity

Grant funding under the IVAIS program is available on an annual basis through the following grant opportunity categories:

- IVAIS Open competitive grant opportunity

Funding for new applicants and/or existing organisations seeking additional grant funding to deliver activities that meet IVAIS program outcomes is available through the open competitive process. The amount of funding available for the open competitive grant opportunity varies from year to year depending on the amount of grant funding already committed through closed non-competitive grant agreements. In 2021-22 and 2022-23 approximately \$3.9 million will be available each year.

- IVAIS closed non-competitive grant opportunity

Approximately \$23.5 million per annum is committed to support ongoing multi-year funded activities or to organisations targeted to deliver activities that meet IVAIS program outcomes. There is no maximum amount for each grant. Funding levels vary depending on the scale and type of activities.

*These guidelines relate to the IVAIS open competitive grant opportunity. Please see separate guidelines for the closed non-competitive grant opportunity.*

## 2.2 The National Indigenous Visual Arts Action Plan

The [National Indigenous Visual Arts Action Plan: 2021-2025](#) (the action plan) sets the Australian Government's priorities to support the visual arts sector from 2021-22 to 2024-25 following a sector wide consultation process in 2020. The action plan aims to support Aboriginal and Torres Strait Islander artists, organisations and businesses in their ability to direct and decide on their cultural and economic interests, and the evolution of their industry.

From 2021 to 2025 the Australian Government is providing additional funding of \$5 million per annum through the IVAIS program to implement the action plan including to: improve the amenity and working conditions of Indigenous art centres; increase access for Aboriginal and Torres Strait Islander artists to national and international markets and expand those markets, including through art fairs; and build the capacity of Indigenous art centres to operate effectively in regional and remote locations. The additional support will also improve access to digital infrastructure and capacity for Indigenous visual art centres and support the national rollout of digital labelling for artworks and products. This additional funding commitment increases total IVAIS program support to the Indigenous visual art sector to around \$27 million each year from 2021-22.

## 2.3 Indigenous Art Centre Framework

The IVAIS program is underpinned by the Indigenous Art Centre Framework. The Indigenous Art Centre Framework outlines a cooperative structure for art centres, industry service organisations and the Australian Government to work together to build and maintain a professional, strong and ethical Indigenous visual arts industry, including encouraging strong participation and employment for Aboriginal and Torres Strait Islander people.

## 2.4 The Indigenous Art Code

The Indigenous Art Code (the Code) is a voluntary industry-led code of conduct that guides ethical trade in the industry. If you receive an IVAIS grant you are expected to abide by the Code's ethos, and are encouraged to become a signatory to the Code. Further information is available at:

[www.indigenousartcode.org](http://www.indigenousartcode.org).

# 3. Grant amount and grant period

## 3.1 Grants available

### IVAIS open competitive grant opportunity

There is approximately \$3.9 million per annum available through the open competitive grant opportunity. Grant amounts for new activities would generally range from \$5,000 to \$80,000 per annum depending on the scale and type of activity.

## 3.2 Grant period

### IVAIS open competitive grant opportunity

Grant periods range from one to two years.

# 4. Eligibility criteria

## 4.1 Who is eligible to apply for a grant?

We cannot consider your organisation for a grant if it does not satisfy all the eligibility criteria. To be eligible for an IVAIS grant, your organisation must:

- be one of the following entity types:
  - an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*<sup>1</sup>
  - an entity established through specific Commonwealth or State or Territory legislation
  - a company incorporated in Australia
  - a company limited by guarantee
  - an incorporated association

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<sup>1</sup> Grantees may seek more information about free business support and training available to Corporations registered under *Corporations (Aboriginal and Torres Strait Islander) Act 2006* by contacting the Office for the Registrar of Indigenous Corporations, or visit: [www.oric.gov.au](http://www.oric.gov.au)

- a publicly funded research organisation
- state, territory or local government body

and

- have an Australian Business Number (ABN)
- be registered for the Goods and Services Tax, if required by the Australian Taxation Office
- have no overdue acquittals or serious breaches relating to Australian Government funding. A serious breach is one that has resulted in, or warrants, the termination of a grant agreement.

## 4.2 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- an individual or sole trader
- an unincorporated association
- an overseas resident/organisation
- an organisation that is at risk of insolvency
- an organisation not included in section 4.1

## 5. What the grant money can be used for

### 5.1 Eligible grant activities

It is expected that activities will meet one or more of the following objectives:

- provides professional support to Aboriginal and Torres Strait Islander artists in the production, promotion and marketing of their art
- provides opportunities for Aboriginal and Torres Strait Islander artists to develop, extend, market and generate income from their professional visual art practice
- provides employment and economic opportunities in the visual arts industry for Aboriginal and Torres Strait Islander peoples, particularly in remote communities
- provides opportunities for art centre staff, artists and board members to develop professional skills and gain experience
- contributes to strengthening the Indigenous visual art industry, including the delivery of professional services and support by industry service organisations
- supports the upgrade or refurbishment of art centre facilities
- increases access for Aboriginal and Torres Strait Islander artists to national and international markets
- increases digital literacy and/or infrastructure.

### 5.2 Eligible locations

Grant activities are generally expected to be based in Australia. Activities that provide access for Aboriginal and Torres Strait Islander artists to national and international markets may be eligible.



### 5.3 Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on the grant activities, as per the project budget you will be required to provide to us. Expenditure on your grant activities must occur between the start date and end date of your grant agreement for it to be eligible.

### 5.4 What the grant money cannot be used for

You cannot use the grant for activities that:

- are primarily focussed on community development or cultural maintenance
- have already occurred
- are the primary responsibility of other Australian, state or territory government programs. <sup>2</sup>

## 6. The assessment criteria

### 6.1 Criteria

To receive IVAIS grant funds, you must demonstrate that your organisation, and the artists associated with it, have the expertise to deliver a professional visual art program, as well as appropriate governance, cultural competency, financial management and business planning skills.

You will need to address the following assessment criteria in your application. We will judge the application based on the weighting given to each criterion. The amount of detail and supporting evidence provided in the application should be relative to the project size, complexity and grant amount requested. The application form includes word limits.

	Criterion	Indicators	Weighting %
1	<p><b>The degree to which the activity will contribute to achieving IVAIS outcomes:</b></p> <ul style="list-style-type: none"> <li>• a professional, viable and ethical Indigenous visual arts industry that features strong participation and provides economic opportunities for Aboriginal and Torres Strait Islander people</li> <li>• the continued production, exhibition, critique, purchase and collection of Indigenous visual art.</li> </ul> <p>As this is a national grant opportunity, consideration will also be given to the overall balance of activities funded across remote regions.</p>	<p>Number of Aboriginal and Torres Strait Islander:</p> <ul style="list-style-type: none"> <li>• artists expected to participate in or benefit from the activity</li> <li>• employees working in the organisation</li> </ul> <p>Number of events and exhibitions</p> <p>Value and/or number of art sales</p> <p>Not duplicating other visual art services in the community or region</p> <p>Demonstrates opportunity for market expansion, innovation and/or improving capacity and sustainability</p>	40

<sup>2</sup> refer to [www.business.gov.au/](http://www.business.gov.au/) for information about other government grants.

2	<p><b>The degree to which the activity aligns with the strategies and actions outlined in the Indigenous Art Centre Framework.</b> The Indigenous Art Centre Framework outlines a cooperative framework for art centres, industry service organisations and the Australian Government to work together to build and maintain a professional, strong and ethical Indigenous visual arts industry. The framework outlines strategies and actions for the Indigenous visual arts industry across these key result areas: artists and industry, culture and community, marketing and promotion, business management, employment, professional development and training, resources and infrastructure. See: <a href="#">Indigenous Art Centre Framework  Office for the Arts</a></p>	<ul style="list-style-type: none"> <li>• Provision of professional opportunities for artists</li> <li>• Provision of professional training and development for artists, board directors and staff</li> <li>• Community Support</li> </ul>	30
3	<p><b>The demonstrated expertise and capacity of the organisation to undertake the grant activity.</b> This includes demonstrated prior experience in managing and acquitting funding, and appropriate governance structures being in place.</p>	<ul style="list-style-type: none"> <li>• Demonstrated history of managing government or other grant funding, including no serious breaches</li> <li>• Demonstrated financial stability</li> <li>• Evidence of suitably qualified personnel delivering the activity</li> </ul>	20
4	<p><b>The demonstrated need for the grant.</b> This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity. In all cases, assessment includes an overall consideration of value for money (See section 6.2).</p>	<ul style="list-style-type: none"> <li>• Provision of a balanced and realistic budget showing requested grant amount and projected expenses</li> <li>• Scale and level of other funding and/or in-kind support proposed to support activity</li> </ul>	10

## 6.2 Value for money

In order to ensure that the grant opportunity achieves value for money, activities must:

- respond to a demonstrated need for grant funds
- represent efficient, equitable, effective, economical and ethical use of public resources
- not duplicate activities that are, or could be, provided by other funded organisations
- provide overall public benefit.

## 7. How to apply

To apply you must:

- complete the online IVAIS application form on SmartyGrants at <https://arts.smartygrants.com.au/>.
- provide all the information requested

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- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application via SmartyGrants by the published closing date and time.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If your organisation plans to submit an application, you are encouraged to seek advice from the Department of Infrastructure, Transport, Regional Development and Communications when preparing your application. Please contact the IVAIS team at: [ivais@arts.gov.au](mailto:ivais@arts.gov.au).

You should keep a copy of your application and any supporting documents.

Application receipt will be acknowledged via a SmartyGrants confirmation email along with an application reference number.

If you need further guidance around the application process or if you are unable to submit an application online, contact us at [ivais@arts.gov.au](mailto:ivais@arts.gov.au) or by calling 1800 006 992.

## 7.1 Supporting documentation

To strengthen your application, you are encouraged to provide additional supporting information including evidence of community or industry support and/or evidence of other financial support.

## 7.2 Timing of grant opportunity process

You must submit an application between the published opening and closing dates. The opening and closing dates are advertised on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au) and the department's website at [www.arts.gov.au](http://www.arts.gov.au).

The Australian Government will only accept a late application where an applicant has contacted the Department to request late submission, and we have agreed in writing to this. Agreement can be made on the basis that the organisation is experiencing internet connectivity issues, community sorry business, extreme weather events, or other temporary extenuating administrative or governance issues. If you find an error in your application after submitting it, you should contact us immediately by emailing [ivais@arts.gov.au](mailto:ivais@arts.gov.au) or by calling 1800 006 992.

## 7.3 Questions

If you have any questions, please contact [ivais@arts.gov.au](mailto:ivais@arts.gov.au). We aim to respond to emails within three working days.

# 8. The grant selection process

## 8.1 Assessment of grant applications

We will review your application against the eligibility criteria. Only eligible applications will move to the next stage.

If eligible, we will then assess your application against the assessment criteria and where applicable past performance. We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value for money

To support activities that provide social and economic opportunities for Aboriginal and Torres Strait Islander peoples, where a number of applications are found suitable for funding for the same activity, and/or have equal ranking, preference will be given to Indigenous organisations, followed by organisations with a demonstrated commitment to increasing Indigenous employment, supplier use and/or engagement.

## 8.2 Who will assess applications

Applications will be assessed by a departmental officer based on their merits. Anyone involved in the assessment process, including external bodies, will be required to perform their duties in accordance with the CGRGs and declare any conflict of interest (as per section 13.2).

A funding moderation process will then be undertaken to ensure consistency in the evaluation and to finalise grant recommendations within the available IVAIS budget. Grant recommendations will then be made to the decision maker.

## 8.3 Who will approve grants

The Minister for Communications, Urban Infrastructure, Cities and the Arts will make the decision to approve a grant. The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant amount to be provided.

# 9. Notification of open competitive grant round outcomes

We will advise you of the Minister's decision in writing. If successful, you will also be advised about any specific terms and conditions attached to the grant.

## 9.1 Feedback

If you are unsuccessful, you may ask for feedback within two weeks of being advised of the outcome, by emailing [ivais@arts.gov.au](mailto:ivais@arts.gov.au).

You can submit a new application for the same activity (or a similar activity) in any future grant opportunities under the IVAIS program. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

## 10. Successful grant applications

### 10.1 The grant agreement

Successful applicants will be required to enter into a legally binding grant agreement with the Commonwealth represented by the Office for the Arts, using the Commonwealth Simple Grant Agreement available at <https://www.finance.gov.au/government/commonwealth-grants/tools-and-templates>.

Standard terms and conditions for the grant agreement will apply and cannot be changed. A schedule may be used to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

We aim to negotiate agreements with you within 30 days of the grants announcement. If there are unreasonable delays by you in finalising a grant agreement, the grant offer may be withdrawn and the grant may be awarded to a different applicant.

You must not make any financial commitments related to the grant activity until a grant agreement has been executed by the Commonwealth.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

### 10.2 How we pay the grant

The grant agreement will state the maximum grant amount to be paid. We will make payments according to an agreed schedule set out in the grant agreement. Payment, either partial or in full, will be made on execution of the agreement, with any subsequent payments subject to satisfactory progress on the grant activity or project. Unless otherwise agreed by us, we must receive and accept documents including but not limited to periodic reports, before subsequent milestone payments will be made. Payments will not be made where the grantee has a breach.

### 10.3 Grants payments and GST

Payments will be made as set out in the grant agreement. Payments will be GST inclusive, where applicable. Payments to state, territory and local government bodies do not attract GST.

Additional information regarding Goods and Services Tax can be found on the Australian Taxation Office website at [www.ato.gov.au](http://www.ato.gov.au)

## 11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 days after the date of effect as required by Section 5.3 of the [Commonwealth Grants Rules and Guidelines | Department of Finance](#). All successful grants will also be published on the Office for the Arts' website at [www.arts.gov.au](http://www.arts.gov.au).

Your grant may be announced by the Minister for Communications, Urban Infrastructure, Cities and the Arts and/or by your local Member of the Australia Parliament.

## 12. How we monitor your grant activity

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant activity, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately. You must also advise us in advance of an inability to meet timeframes for your grant activity or reporting, as agreed in your grant agreement.

You must notify us of events relating to your grant and provide an opportunity for the Minister or their representative to attend.

### 12.2 Reporting

You must submit reports in line with the grant agreement. You are required to submit your reports through SmartyGrants.

#### Progress reports

Progress reports must:

- include evidence of your progress towards completion of agreed activities and outcomes
- show the total eligible expenditure incurred to date
- be submitted by the report due date.

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any reporting delays with us as soon as you become aware of them.

#### Ad-hoc reports

We may ask you for ad-hoc reports on your grant. This may be to provide an update on progress, or any significant delays or difficulties in completing the grant activity.

### 12.3 Audited financial acquittal report

You are required to provide an independently audited financial acquittal report. A financial acquittal report will verify that you spent the grant in accordance with the grant agreement.

## 12.4 Grant agreement variations

We recognise that unexpected events may affect progress. In these circumstances, you can request a variation to your agreement, including:

- adjusting activity milestones
- extending the timeframe, for a reasonable period of time, to allow completion of the activity
- changing allocations across budget items.

You can request a variation by advising [ivais@arts.gov.au](mailto:ivais@arts.gov.au) before the grant agreement end date.

You should not assume that a variation request will be successful. We will consider the request based on factors such as:

- how it affects the activity outcome
- whether it is consistent with IVAIS outcomes, and any relevant Australian Government policies
- changes to the timing of grant payments
- availability of IVAIS budget.

## 12.5 Evaluation

We will evaluate the grant to measure how well the outcomes have been achieved. IVAIS grant agreements require you to provide information to assist us with this evaluation including, but not limited to:

- number of Aboriginal and Torres Strait Islander:
  - artists provided with professional visual art services
  - people employed
- value of art sales
- demonstrated participation in exhibitions and other industry events
- demonstrated provision of professional development and training opportunities for artists, staff and board directors
- demonstrated financial viability and administrative stability.

## 12.6 Acknowledgement

The IVAIS logo must be used on all published materials related to funded activities under the grant opportunity. Whenever the logo is used, the IVAIS grant must be acknowledged as follows:

***(Name of organisation or event) receives funding through the Australian Government's Indigenous Visual Arts Industry Support Program.***

The IVAIS grant opportunity must also be acknowledged in speeches at any public events, such as exhibition openings and symposiums, as follows:

***(Name of organisation or event) receives funding through the Australian Government's Indigenous Visual Arts Industry Support Program.***

## 13. Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

These guidelines may be changed from time-to-time by the Australian Government. When this happens the revised guidelines will be published on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au).

### 13.1 Enquiries and feedback

All complaints about a grant process must be provided in writing.

Any questions you have about grant decisions for this grant opportunity should be sent to [ivais@arts.gov.au](mailto:ivais@arts.gov.au).

If you do not agree with the way the Department of Infrastructure, Transport, Regional Development and Communications has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department of Infrastructure, Transport, Regional Development and Communications.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### 13.2 Conflict of interest

Any conflicts of interest could affect the performance of the grant. There may be a conflict of interest, or perceived conflict of interest, if department staff and/or you, or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer
- has a relationship with, or in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant opportunity.

You must declare any perceived or existing conflicts of interests to us, and we will handle them as set out in Australian Government policies and procedures. If you later identify that there is an actual, apparent, or potential conflict of interest, or that one might arise in relation to a grant, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#).



### 13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the department would breach an Australian Privacy Principle as defined in the Act.

### 13.4 Confidential Information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the three conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- the [committee] and other Commonwealth employees and contractors to help us manage the program effectively

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- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, State, Territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary, and
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### 13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

Freedom of Information requests must be referred to the FOI Coordinator in writing.

By mail: Freedom of Information Coordinator  
Department of Infrastructure, Transport, Regional Development and Communications  
GPO Box 2154  
CANBERRA ACT 2601

By email: [FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)

### 13.6 Commonwealth Child Safe Framework

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices. The Australian Government is working together with its grant recipients to do all it can to ensure the safety of children that staff may come in contact with in the context of their work and activities.

If you are successful in receiving funding through the Program, your grant agreement will include a provision regarding compliance with applicable state, territory and Commonwealth laws relating to employment or engagement of any project personnel who work with children. The grant agreement also includes a provision regarding complying with applicable state, territory and Commonwealth laws before any project personnel commences an activity that involves vulnerable people.

## 14. Consultation

Indigenous Australians, as the principle beneficiaries of IVAIS, have been consulted in the grant opportunity design process.

## 15. Glossary

Term	Definition
Aboriginal or Torres Strait Islander person (or Indigenous person)	Someone who : a) is of Aboriginal or Torres Strait Islander descent b) identifies as an Aboriginal or Torres Strait Islander person; and c) is accepted as an Aboriginal or Torres Strait Islander person by the community in which she or he lives
assessment criteria	The specified principles or standards against which applications will be judged. These criteria are used to assess the merits of proposals and, in the case of a competitive granting activity, to determine applicant rankings. (as defined in the CGRGs)
CGRGS	<i>Commonwealth Grants Rules and Guidelines</i>
date of effect	Depending on the particular grant, this can be the date in which a grant agreement is signed or a specified starting date. (as defined in the CGRGs)
eligibility criteria	The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria.
grant	A grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> <li>• under which relevant money or other Consolidated Revenue Fund money, is paid to a recipient other than the Commonwealth; and</li> <li>• which is intended to assist the recipient achieve its goals; and</li> <li>• which is intended to help address one or more of the Australian Government's policy objectives; and</li> </ul> under which the recipient may be required to act in accordance with specified terms or conditions. (CGRGs section 2.3)
grant activity or activity	Is the activity /tasks /services that the Grantee is required to undertake with the grant funds. It is described in the Grant Agreement.
Grant agreement	Grant agreement means the contract template used by Australian Government entities to set out the mutual obligations relating to the provision of the grant.

GrantConnect	GrantConnect is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
Grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants. Previously known as a grant program or a program.
Grant program	The Australian Government's Arts and Cultural Development Program which contributes to the Department of Infrastructure, Transport, Regional Development and Communications Outcome 6 in the Portfolio Budget Statements.
Grantee	An individual/organisation that has been awarded a grant.
Indigenous business	Any business that is more than 50 per cent owned by Aboriginal or Torres Strait Islander people.
Indigenous organisation	<p>An organisation is Indigenous if it satisfies the Indigeneity requirement under Section 29-5 of the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI)</i>:</p> <ul style="list-style-type: none"> <li>▪ If the corporation has five (5) or more members – at least 51 per cent of the members are Indigenous Australians.</li> <li>▪ If the corporation has fewer than five (5) members but more than one (1) member – all of the members, or all but one of the members are Indigenous Australians.</li> <li>▪ If the corporation has only one (1) member – that member is an Indigenous Australian.</li> </ul> <p>While not all organisations will be incorporated under the CATSI Act, the above membership ratios need to be met for an organisation to be deemed to be an Indigenous organisation.</p>
Member	<p>A member of an Aboriginal and Torres Strait Islander corporation is someone who:</p> <ul style="list-style-type: none"> <li>▪ is a member of the corporation on its registration; or</li> <li>▪ after registration, agrees to become a member and their name is entered on the register of members. They are not a member until this is done.</li> </ul>
Portfolio Budget Statement Program (PBS)	Described within the entity's Portfolio Budget Statement, PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program

	associated with it, and each of these may have one or more grant opportunities.
Selection criteria	Comprise eligibility criteria and assessment criteria (CGRGs)
Selection process	The method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria. (CGRGs)