



**Australian Government**

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

## Live Music Australia Guidelines

### Opening date:

26 November 2021

### Closing date and time:

23:59 AEDT 20 December 2021

### Commonwealth policy entity:

Department of Infrastructure, Transport, Regional Development and Communications

Office for the Arts

### Enquiries:

If you have any questions please contact the Contemporary Music team in the Office for the Arts at:

[music@arts.gov.au](mailto:music@arts.gov.au)

### Date guidelines released:

26 November 2021

### Type of grant opportunity:

Open competitive

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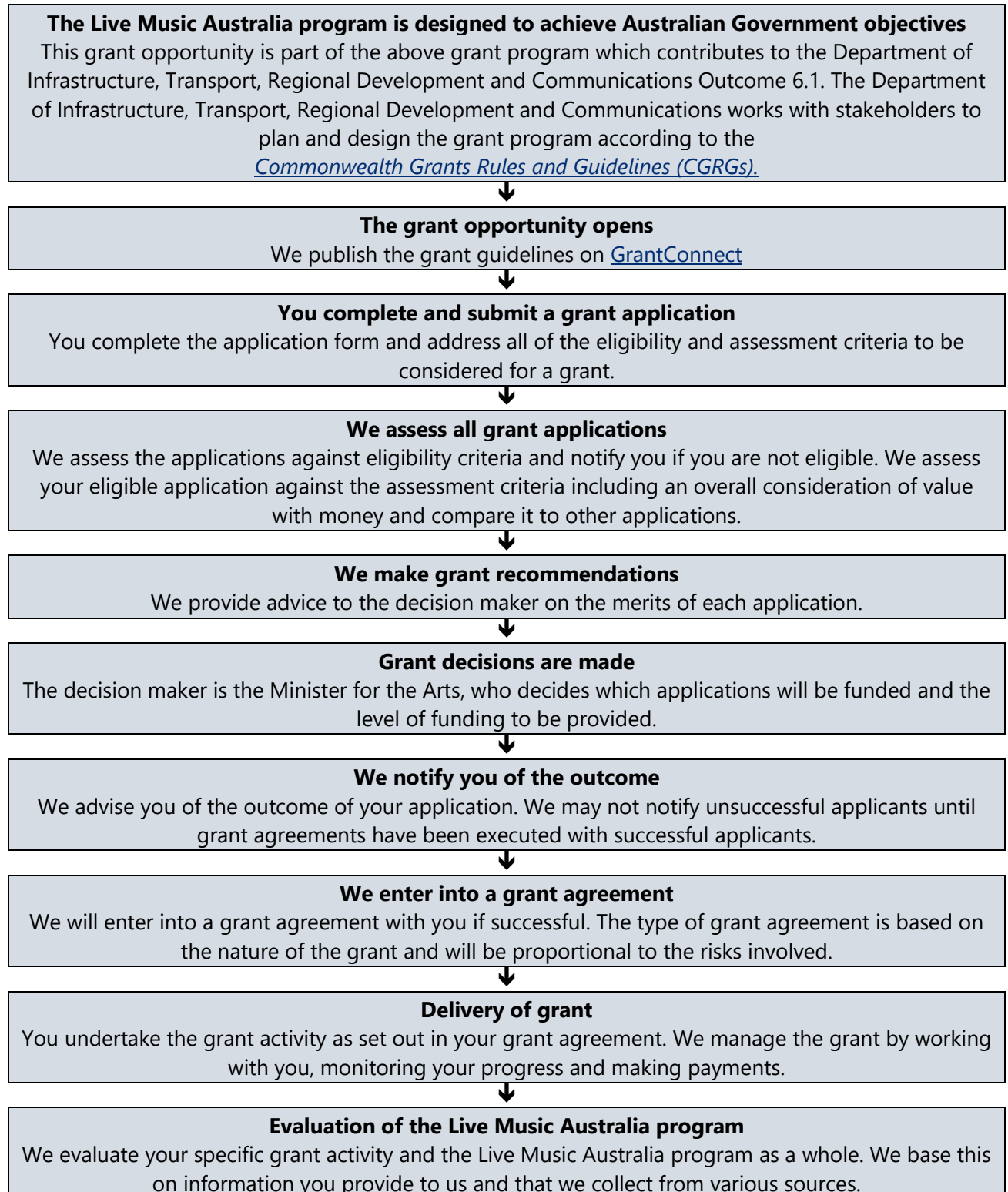
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## 1. Overview of grant opportunity process



## 1.1 Introduction

These guidelines contain information for grants under the Live Music Australia program (the program).

The Australian live music industry forms a vibrant part of Australia's arts and culture landscape. Original contemporary Australian music provides a window into the soul of our great country and Australian music is one of the untold success stories of the nation.

This document sets out:

- the purpose of the Live Music Australia program
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the by the Office for the Arts in the Department of Infrastructure, Transport, Regional Development and Communications using the online grants management system SmartyGrants at <https://arts.smartygrants.com.au/>.

You must read these guidelines before filling out an application.

## 2. About the grant program

The Live Music Australia program (the 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. The program was announced as part of the *Support for the Australian music industry* measure in the 2019-20 Budget and will run over four years from 2020-21 to 2023-24.

The program is delivered as an open competitive grant opportunity.

Venue-based live music is a central part of the music sector and is critical to the development of both artist and audience. Australian musicians and small to medium venues underpin the success of a healthy live music economy. Venue operators have an enthusiasm for live music, but often struggle with the associated start-up costs or ongoing economic vulnerability of staging gigs. It is acknowledged that the music industry is facing increased pressures in light of the severe impacts of COVID-19, and that venues may require assistance as they begin to reopen and rebuild.

The Live Music Australia program is designed to boost this vital part of the music industry. It aims to revive business ventures in local suburbs, towns and regions across the country, building capacity for a sustainable live music scene with strong community roots, in all parts of Australia. The focus of the program is on small to medium venues that support high quality original Australian live music that is professionally staged.

The objectives of the program are:

- to support the development, growth and innovation of Australian contemporary live music by increasing performance opportunities for original contemporary music by Australian artists

- to support a sustainable venue-based live music industry by building professional capacity within venues
- to support partnerships, collaboration and networks across the Australian live music industry.

The intended outcomes of Live Music Australia are:

- assist live music venues as they reopen and begin to redevelop their capacity for hosting live music following the impacts of COVID-19
- increased Australian live music performances of original Australian music that create a stronger and growing Australian music industry, well positioned for the future
- more live music venues, that are agile and sustainable, and employ skilled venue professionals
- stronger touring circuits across Australia, creating new domestic markets for Australian music.

To receive funding under the Live Music Australia program you will need to demonstrate your commitment to hosting original Australian live music.

We administer the program according to the [Commonwealth Grants Rules and Guidelines](#) (CGRGs).

## 3. Grant amount and grant period

### 3.1 Grants available

The Australian Government will provide a total of \$20 million over four years for the Live Music Australia program.

The grant program will run from 1 July 2020 to 30 June 2024 with two funding rounds per year (see Section 7.3). There will be \$2.5 million in funds available per round.

- The maximum grant amount is \$100,000.
- Grants for equipment and or infrastructure will generally be no more than \$25,000.

You are required to contribute towards the grant activities. There is no minimum or maximum amount of co-contribution, but the level of contribution is expected to be relative to the nature and scale of the supported activity.

If other Commonwealth, state, territory or local government sources are contributing to your overall project, this grant cannot be used to fund activities already supported by those sources. If you are in receipt of funding from other government sources, you will need to clearly distinguish how the activity in this application is different to the activity or activities funded by other government sources.

### 3.2 Grant period

The maximum grant period for your activity is one year.

If successful, you must complete your activity by the date specified in your grant agreement.

## 4. Eligibility criteria

We cannot consider your application if you do not satisfy all the eligibility criteria.

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

To be eligible you must:

- have an Australian Business Number (ABN)
- be registered for the purposes of GST (if applicable)
- be a permanent resident of Australia
- have an account with an Australian financial institution
- comply with all regulatory, industry and legal requirements in relation to copyright, licensing and employment

and be one of the following entity types:

- a company incorporated in Australia
- a company incorporated by guarantee
- a sole trader with employees
- an incorporated trustee on behalf of a trust
- an incorporated association
- a partnership
- an incorporated not-for-profit organisation
- an Australian local government body
- an Aboriginal and or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and /or Torres Strait Islander\) Act 2006](#).

We can only accept applications from:

- venues that host original live performance of original Australian music by Australian artists
- an organisation that supports live Australian music.

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

You are not eligible to apply if you are:

- an individual (unless you are a sole trader with employees)
- unincorporated association
- overseas resident or organisation
- any organisation not included in section 4.1.

## 4.3 What qualifications, skills or checks are required?

### National Principles for Child Safe Organisations

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the [National Principles for Child Safe Organisations](#). The Australian Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for – the [Commonwealth Child Safe Framework](#) (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children; or
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

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

### 5.1 Eligible grant activities

Funding is available for activities that support venues to host more original Australian live music. This includes increasing the venue's capacity and capability to present more shows, deliver to larger and or more diverse audiences, and effectively promote the venue and its program. Activities should be designed to build a venue's professionalism and enhance the quality of audience experience.

Funding is also available for new modes of practice and new approaches to the delivery of contemporary live music. This includes developing live music venues, or networks of venues, to achieve long-term success. Activities should be designed to bring dynamism to the contemporary live music sector, increase employment opportunities for artists and venue professionals, and build cultural capital.

Grants may support activities including, but not limited to:

- purchasing essential equipment for staging performances (such as PA, lighting)
- carrying out small building alteration work to enable live music performance (such as sound attenuation, disability access)
- live music programming and promotion, including artist fees
- professional development, including upskilling venue staff
- capacity building that supports venues to host more live music and improve regional touring circuits.

If your proposal delivers to multiple venues, you should provide evidence of the number of venues that will benefit. All proposals should indicate the number of original live music events that will be enabled.

Original live music is defined as live music performed by a band that identifies as an 'originals band' that plays predominantly 'original' music - that which is composed and written by the band (or written for the band by a songwriter as the first or exclusive artists). The band may include some 'covers' songs, written or previously performed or recorded by other artists, in their live performance.

Proposals should demonstrate that activities will provide ongoing benefits to the Australian music sector.

### 5.2 Eligible locations

Your grant activity must take place in Australia. To support the program's delivery across a range of venues, musical genres and geographic locations across Australia priority may be given to areas of need, including regional and remote locations.



### 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 included in your grant agreement if successful for funding. 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 the following activities:

- tours by individual bands <sup>1</sup>
- incoming tours by international bands or performers
- performances by covers, tribute bands or DJs (except for DJs that predominately perform their own compositions and productions and/or official remixes)
- purchase of land
- major capital expenditure such as extensions to buildings
- the covering of retrospective costs
- costs incurred in the preparation of a grant application or related documentation
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent
- overseas travel
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.

## 6. The assessment criteria

The online application form available on SmartyGrants will ask you a series of questions that require you to address the following assessment criteria. We will assess your application based on the relevance each criterion has to your proposal.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested. The application form includes text limits for each question, which can be previewed online at SmartyGrants <https://arts.smartygrants.com.au/>. A sample application form is also available on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au).

We will only award funding to applications that score highly against the assessment criteria.

The following criteria are equally weighted.

#### Criterion 1

#### **The degree to which the grant will contribute to achieving the objectives and outcomes of Live Music Australia:**

Please refer to the objectives and outcomes of the program, which are on page 6 of these Guidelines. To demonstrate how your activity supports the development, growth and innovation in the venue-based live music industry, you should show how your proposal will increase or diversify the number of original Australian live music performances in your venue/s, additional or different to your regular yearly programming. This may include how your activity will:

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<sup>1</sup> The [Contemporary Music Touring Program](#), through the Australia Council, provides funding for touring.

- address barriers to hosting original artists that you and your local community face
- improve a live music venue's capacity to professionally present original Australian live music performances, such as improvements to equipment or facilities to attached original Australian live music performers and audiences
- improve the ability of the venue/s to attract high calibre visiting artists (assisting to build regional touring circuits)
- build the capacity of venue staff to present live music, by providing training and employment opportunities
- create venues that are inclusive and create safe spaces for performers and audiences, including youth, Aboriginal and Torres Strait Islander peoples, women, gender diverse artists and artists with disability.

Applications should demonstrate:

- how the activity will support predominantly original live Australian music (this may include support for diverse contemporary music genres, including but not limited to, blues, country, electronic, dance, experimental, folk, funk, hip hop, indie, jazz, metal, pop, rock and world music; and performances by both local and visiting Australian musicians)
- how many performances of original Australian music artists will be supported by the activity and how this differs or expands on normal activity
- how many venues will be supported by your activity and if multiple venues are involved a letter of commitment for each
- how the activity, or the venue/s, create and maintain support for diverse artists and bands and safe spaces for performers and audiences.

Where possible provide evidence to support your claims, such as past programming of original Australian music and future planned programming (or detail on how the activity will support future performances).

## **Criterion 2**

### **The demonstrated expertise and capacity of the organisation to undertake the grant activity.**

You should demonstrate this through the following:

- prior experience in managing funds (for example, your business) and/or acquitting government funding
- appropriate business or governance structures in place
- experience of personnel undertaking the activity.

## **Criterion 3**

### **The demonstrated need for the grant.**

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.

You must demonstrate this through the following:

- provision of a balanced and realistic budget showing requested grant amount and projected expenses
- provide evidence of co-contributions to the activity, this may include:

- cash or in kind support, and could be your own contribution (for example, ticket sales), and/or support from any partners in your project
- co-investment from other sources including Commonwealth, state, territory or local government
- providing documentation showing the need for the activity such as an audit by a qualified engineer (sound, disability access etc.), quotes or other comparisons which demonstrate value of money
- value for money, as outlined in section 8.1.

## 7. How to apply

Before applying, you must read and understand these guidelines.

The Guidelines can be found at [GrantConnect](#). Any alterations and addenda<sup>2</sup> will be published on GrantConnect and by registering on this website, you will be automatically notified of any changes. GrantConnect is the authoritative source for grants information.

The grant application requires evidence of eligibility, a description of the activity, how it addresses the criteria and a budget showing proposed grant expenditure.

To apply you must:

- complete the online Live Music Australia application form on SmartyGrants at <https://arts.smartygrants.com.au/>
- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application by 11:59pm (23:59 AEDT) 20 December 2021.

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 Act 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 Office for the Arts when preparing your application. Please contact the music team at: [music@arts.gov.au](mailto:music@arts.gov.au).

Submit your application to the Office for the Arts via SmartyGrants by 11:59pm (23:59 AEST) on 20 December 2021. The Australian Government will only accept a late application where an applicant has contacted the Office for the Arts 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, 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 [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6271 1711.

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.

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<sup>2</sup> Alterations and addenda include but are not limited to: corrections to currently published documents, changes to closing times for applications, and Frequently Asked Questions (FAQ) documents.

If you need further guidance around the application process or if you are unable to submit an application online, contact us at [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6271 1711.

We will assess your application against the Live Music Australia eligibility and assessment criteria, on the past performance of your organisation, on a value for money basis, and within the available Live Music Australia budget (see sections 8.1 and 8.2).

On the basis of these assessments, the assessment committee will make grant recommendations to the Minister for the Arts who will make the final grant decision based on this advice and in the context of the total available program budget.

## 7.1 Attachments to the application

We require the following documents with your application (as part of the SmartyGrants application form):

- a project budget
- a work plan
- evidence of funding need (e.g. quotes if relevant).
- evidence of support from the community or industry (as relevant).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. We will not consider information in attachments that we do not request.

## 7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a grant activity or project.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The application must identify all other members of the proposed group and include a letter of support from each of the partners.

Each letter of support should include:

- details of the partner organisation
- an overview of how the partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the grant activity or project
- an outline of the relevant experience and or expertise the partner organisation will bring to the group
- the roles or responsibilities of the partner organisation and the resources they will contribute (if any)
- details of a nominated management level contact officer.

If successful, you must have a formal arrangement in place with all parties prior to execution of the agreement.

## 7.3 Timing of grant opportunity processes

There are two grant opportunities each year. The timing of grant opportunities each year may be subject to change.

Table 1: Timing of the grant opportunity each financial year

Grant opportunity occurrence	Opens or Closes	Month	Commencement date of grant activity
1st opportunity	Opens	July	For activities that commence after November in the same calendar year
1st opportunity	Closes	August	For activities that commence after November in the same calendar year
2nd opportunity	Opens	November	For activities that commence after April in the following calendar year
2nd opportunity	Closes	December	For activities that commence after April in the following calendar year

You must submit an application between the published opening and closing dates. The opening and closing dates for each round will be advertised on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au) and the Office for the Arts website at [www.arts.gov.au/funding-and-support/live-music-australia](http://www.arts.gov.au/funding-and-support/live-music-australia).

Please note that late applications will only be accepted where there are exceptional and unanticipated circumstances and where the Office for the Arts has agreed in writing prior to the closing date (see section 7).

Table 2: Expected timing for this grant opportunity

Stage	Timeframe
Application period	Open: 26 November 2021 Close: 23:59 AEDT 20 December 2021
Assessment of applications	4-6 weeks
Approval of outcomes of selection process	2 weeks
Notification to applicants of funding outcome	within 3 months of closing time
Negotiations and award of grant agreements	2-4 weeks

## 7.4 Questions during the application process

If you have any questions during the application period, contact the Contemporary Music team at [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6271 1711.

The Contemporary Music team will aim to respond to emailed questions within three working days.

## 8. The grant selection process

### 8.1 Assessment of grant applications

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

We consider eligible applications through an open competitive grant process. We assess applications against the assessment criteria (see section 6) and against other applications. We consider each application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications

- whether it provides value with relevant money.<sup>3</sup>

When assessing the extent to which the application represents value with relevant money, we will have regard to:

- the overall objective or objectives to be achieved in providing the grant
- the relative value of the grant sought
- extent to which the geographic location of the application ensures that there is a spread of successful applications from across Australia including urban, regional and remote locations
- extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes and objectives.

## 8.2 Who will assess applications?

An assessment committee will assess each application on its merit and compare it to other eligible applications. The assessment committee will be made up of officials from the Office for the Arts.

The assessment committee may seek additional information about you or your application. They may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The assessment committee may also consider information about you or your application that is available through the normal course of business.

The assessment committee will seek input and advice from music industry representatives. Industry representatives will be selected through an expression of interest process and called upon to assist in the assessment process.

Any industry representative will be required to perform their duties in accordance with the CGRGs and declare any conflict of interest (as per section 13.2).

The assessment committee will provide the Minister with recommendations on applications to approve for a grant.

## 8.3 Who will approve grants?

The Minister for the Arts decides which grants to approve taking into account the recommendations of the assessment committee and advice from music industry representatives and the availability of grant funds for the purposes of the grant program.

The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded.

There is no appeal mechanism for decisions to approve or not approve a grant (see section 13.1 for enquiries or complaints processes).

## 9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of the amount of grant funding approved and of any specific conditions attached to the grant.

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<sup>3</sup> See Glossary for an explanation of 'value with money'.

If you are unsuccessful, we will give you an opportunity to request feedback on the outcome.

Successful and unsuccessful applicants can submit a new application for the same grant (or a similar grant) in any future grant opportunities under the program. If you were previously unsuccessful, you should include new or more information to address any weaknesses that may have prevented your previous application from being funded.

## 9.1 Feedback on your application

If unsuccessful, you may ask for written feedback within three months of being advised of the outcome.

# 10. Successful grant applications

## 10.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth.

We generally use two types of grant agreements in this program, the Simple Grant Agreement or the Standard Grant Agreement. In some cases we may use a Letter of Agreement. Our selection will depend on the size and complexity of your grant activities (see descriptions below).

Each agreement has general terms and conditions that cannot be changed. Sample grant agreements are available from the [Department of Finance](#) and on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au). We will use a schedule 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.

We must execute a grant agreement with you before we can make any payments. You must not make financial commitments 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.

### **Letter of Agreement**

If we send you a letter of agreement, you will be advised that your application has been successful and we are providing you with an offer. You accept the offer by signing and returning the letter of agreement to us. We consider the agreement to be executed (take effect) from the date the Commonwealth representative executes/signs the agreement.

### **Simple Grant Agreement or Standard Grant Agreement**

If we use a simple or standard grant agreement there will be 30 days from the date of a written offer to execute this grant agreement with the Commonwealth ('execute' means both you and the Commonwealth have signed the agreement). During this time, we will work with you to finalise details. The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period.

We base the approval of your grant and the funding agreement on the information you provide in your application. You may request changes to the grant agreement. However, we will review any required changes to ensure they do not impact the grant as approved by the Minister.

## 10.2 How we pay the grant

The grant agreement will state the:

- maximum grant amount to be paid
- eligible expenditure covered by the grant.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the grant activity or project.

You will be required to report how you spent the grant funds at the completion of the grant activity or project.

Unless otherwise agreed by us, we must receive and accept documents including but not limited to periodic reports and a budget before subsequent milestone payments will be made. Payments will not be made where the grantee has a breach or overdue acquittal relating to previous grant funding.

## 10.3 Grants Payments and GST

Payments will be made as set out in the grant agreement. If you are registered for the [Goods and Services Tax \(GST\)](#), where applicable, we will add GST to your grant payment.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on your particular taxation circumstances.

## 11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect as required by Section 5.3 of the [Commonwealth Grants Rules and Guidelines](#) (CGRGs).

Your grant may also be announced by the Minister for the Arts and by your local Member of 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.

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 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. We will provide sample templates for these reports with the grant agreement or on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au).

We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed milestones and outcomes
- contributions of participants directly related to the grant activity
- expenditure of the grant.

The amount of detail you provide in your reports should be relative to the size, complexity and grant amount. Where the activity is simple such as the purchase of equipment and the grant amount is small (e.g. under \$10,000) you will only be required to provide a final report at the completion of the activity to demonstrate you have expended the funds in line with the grant agreement. Where the activity is more complex such as delivering professional development to multiple venues over a 12 month period the grant agreement will specify when progress and final reports are required – this may be three or six monthly reporting.

### **Progress reports [if applicable]**

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 (you can submit reports ahead of time if you have completed relevant activities).

We will only make grant progress 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.

### **Final report**

When you complete the grant activity, you must submit a final report.

Final reports must:

- be submitted in the format stipulated in the grant agreement
- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the grant agreement

- identify the total eligible expenditure incurred
- be submitted within the timeframe stipulated in the grant agreement.

### 12.3 Audited financial acquittal report

Depending on the value of the grant, and or the risk level of your activity, we may ask you to provide:

- a declaration that the grant money was spent in accordance with the grant agreement, and if applicable, a report on any underspends of the grant money
- an independently audited financial acquittal report that verifies that you spent the grant in accordance with the grant agreement.

### 12.4 Grant agreement variations

We recognise that unexpected events may affect your progress. In these circumstances, you can request a variation to your grant agreement. You can request a variation by contacting [music@arts.gov.au](mailto:music@arts.gov.au) before the grant agreement end date.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes. The Office for the Arts will confirm decisions on grant variations in writing.

### 12.5 Evaluation

We will evaluate the grant program to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose.

We may contact you up to one year after you finish your grant for more information to assist with this evaluation.

### 12.6 Acknowledgement

An Australian Government logo, as specified in the grant agreement, should be used on materials related to grants under the program. Whenever the logo is used, the publication must also include the following acknowledgement:

**Live Music Australia – an Australian Government initiative.**

The Live Music Australia grant opportunity must also be acknowledged at any publicly launched events associated with the grant activity.

## 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 Office for the Arts. 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

Any complaints, feedback or questions you have about grant decisions for this program should be sent to [music@arts.gov.au](mailto:music@arts.gov.au).

If you do not agree with the way the Office for the Arts 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 Office for the Arts.

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 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if the Office for the Arts staff, any member of a committee or advisor 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
- has a relationship with, or interest in, an organisation that is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently
- 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 will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform the Office for the Arts 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](#). Music industry representatives engaged to provide advice on applications and other officials, including the decision maker, must also declare any conflicts of interest.

## 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 Office for the Arts 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:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- 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 Commonwealth employees and contractors to help us manage the program effectively
- 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
- 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.

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

By mail:

Freedom of Information Coordinator

Department of Infrastructure, Transport, Regional Development and Communications

GPO Box 594 Canberra ACT 2601

By email:

[foi@communications.gov.au](mailto:foi@communications.gov.au)

## 14. Consultation

The Australian music industry has been consulted in the grant opportunity design process. This advice has been incorporated into the guidelines.

## 15. Glossary

Table 3: Definitions of standard terms used in these Guidelines

Term	Definition
assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
date of effect	The date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	The person who makes a decision to award a grant.
eligibility criteria	The mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
<a href="#"><u>Commonwealth Grants Rules and Guidelines</u></a> (CGRGs)	The overarching Commonwealth grants policy framework that articulates the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
grant	For the purposes of the CGRGs, 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<sup>4</sup> or other <a href="#"><u>Consolidated Revenue Fund</u></a> (CRF) money<sup>5</sup> is to be paid to a grantee other than the Commonwealth; and</li> <li>• which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.</li> </ul>
grant activity or activities	The project or tasks or services that the grantee is required to undertake.
grant agreement	A grant agreement sets out the relationship between the parties to the agreement, and specifies the details of the grant.

<sup>4</sup> Relevant money is defined in the [Public Governance, Performance and Accountability Act 2013](#) (PGPA Act). See section 8, Dictionary.

<sup>5</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
<a href="#">GrantConnect</a>	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	The specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single Portfolio Budget Statement Program.
grantee	The individual or organisation which has been selected to receive a grant.
original Australian live music	Live music performed by a band that identifies as an 'originals band' that plays predominantly 'original' music - that which is composed and written by the band (or written for the band by a songwriter as the first or exclusive artists). The band may include some 'covers' songs, written or previously performed or recorded by other artists, in their live performance.
regional or remote	Regional and remote areas of Australia are defined according to the <a href="#">Australian Statistical Geography Standard (ASGS) Remoteness Structure</a> .
selection criteria	Eligibility criteria and assessment criteria.
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.

Term	Definition
value with money	<p>Value with money in this document refers to 'value with relevant money' which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> <li>• the quality of the project proposal and activities;</li> <li>• fitness for purpose of the proposal in contributing to government objectives;</li> <li>• that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved; and</li> <li>• the potential grantee's relevant experience and performance history.</li> </ul>