

South Australia

Arts, Culture and Creative Industries Bill 2025

A BILL FOR

An Act to recognise the importance of the arts, culture and creative industries in South Australia, to provide for a State Arts, Culture and Creative Industries Policy, to ensure that all South Australians benefit from and can participate in the arts, culture and creativity of South Australia, and for other purposes.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Principles, objects and guidelines

- 4 Principles
- 5 Objects
- 6 Guidelines

Part 3—Administration

- 7 Functions of Minister

Part 4—State Arts, Culture and Creative Industries Policy

- 8 State Arts, Culture and Creative Industries Policy
- 9 Consultation for State Arts Culture and Creative Industries Policy
- 10 Publication of State Arts Culture and Creative Industries Policy

Part 5—Miscellaneous

- 11 Interaction with other Acts and laws
 - 12 Regulations
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Arts, Culture and Creative Industries Act 2025*.

2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

3—Interpretation

In this Act—

public sector agency has the same meaning as in the *Public Sector Act 2009*;

State Arts, Culture and Creative Industries Policy or *State Policy* means the State Arts, Culture and Creative Industries Policy prepared under Part 4, as in force from time to time.

Part 2—Principles, objects and guidelines

4—Principles

The Government of South Australia recognises and acknowledges the following principles:

- (a) Aboriginal people are South Australia's first peoples and nations, and the traditional owners and occupants of land and waters of South Australia, and that their culture, arts and creativity represents the longest continuous cultural tradition in the World, which continues to inspire and lead the communities of South Australia;
- (b) all South Australians have the right to participate in the cultural life of the community, and to experience, participate in and benefit from artistic, cultural and creative expression;
- (c) fostering the creativity and talent of our children and young people is critical to the future strength of our State and therefore every child and young person should have the opportunity to develop their creative talent with the support of the artists, creatives and cultural organisations of South Australia, in their schools and communities;
- (d) all artists, makers and creatives in South Australia have the right to freedom of artistic expression and creativity;
- (e) the innovation of the State's arts, culture and creative industries is vital to ensuring that our cultural sectors continue to engage locally, nationally and internationally;
- (f) a vibrant arts, culture and creative industries sector brings important wellbeing, social and economic benefits to the State.

5—Objects

The objects of this Act are as follows:

- (a) to put in place strategic planning processes to ensure that South Australia can continue to be a place where the arts, culture and creative industries can flourish for the benefit of all South Australians;
- (b) to ensure community input into those strategic planning processes;
- (c) to ensure that appropriate research and data gathering occurs in relation to the arts, culture and creative industries in the State;

- (d) to promote involvement in the arts, culture and creative industries and the freedom of artistic expression and creativity;
- (e) to develop strategies that will help to make South Australia one of the best places in the world for artists and creatives to live and work at every stage in their career;
- (f) to develop strategies to ensure continued innovation in, and growth and development of, the arts, culture and creative industries sector in South Australia;
- (g) to receive feedback from cultural organisations, creative industries, artists and creatives on matters affecting arts, culture and creative industries in the State;
- (h) to foster and support the commitment of our cultural organisations, creative industries, artists and creatives to sustainable environmental practices.

6—Guidelines

- (1) The Minister may publish such guidelines as the Minister thinks appropriate for the purposes of this Act.
- (2) The Minister may substitute, vary or revoke guidelines under this section.
- (3) The Minister must cause guidelines under this section to be published.

Part 3—Administration

7—Functions of Minister

The functions of the Minister under this Act are—

- (a) to prepare and maintain the State Arts, Culture and Creative Industries Policy; and
- (b) to promote and support the arts, culture and creative industries in South Australia; and
- (c) to foster community engagement in the arts, culture and creative industries in South Australia; and
- (d) to work with public sector agencies to develop programs, consistent with the principles and objects of this Act with, and for, everybody in South Australia; and
- (e) such other functions as may be conferred on the Minister by or under this Act.

Part 4—State Arts, Culture and Creative Industries Policy

8—State Arts, Culture and Creative Industries Policy

- (1) The Minister must prepare and maintain a *State Arts, Culture and Creative Industries Policy*.
- (2) The State Policy must—
 - (a) set out whole-of-government policies and measures for achieving the principles and objects of this Act; and

- (b) include any other matters required by the regulations.

9—Consultation for State Arts Culture and Creative Industries Policy

5 In preparing the State Policy, the Minister must (in such manner as the Minister thinks fit) consult with communities, cultural organisations, creative industries, artists and creatives in South Australia to ensure that the State Policy and the delivery plan is informed by the needs and views of communities and the artists, cultural and creative industries.

10—Publication of State Arts Culture and Creative Industries Policy

10 The Minister must cause the State Policy, as in force from time to time, to be published.

Part 5—Miscellaneous**11—Interaction with other Acts and laws**

- 15 (1) This Act is in addition to, and does not derogate from, any other Act or law.
(2) Nothing in this Act renders lawful any act or omission that is unlawful under another Act or law.

12—Regulations

The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this Act.