

LINES IN THE SAND

This month we feature a local organisation that assists Aboriginal art centres and Aboriginal artists with legal issues. Desart Inc is an ATSI funded organisation whose members are Aboriginal producer owned art and craft centres in central Australia. The member art centres support approximately 3000 Aboriginal artists in the central Australian region.

Desart's role is to provide advice and assistance to Aboriginal artists and art centres about a range of issues such as protecting artist's intellectual property rights, best practice in the Aboriginal art industry, and assisting Aboriginal artists with commercial agreements. Desart has played a major role as an advocate on behalf of artists and art centres talking to government departments and other industry associations.

A topical issue on which Desart has lobbied effectively has been the way that Aboriginal artists came within the GST system, obtaining a twelve month moratorium from the requirement for an ABN for artists and a comprehensive educational program by the Australian Tax Office for Aboriginal artists.

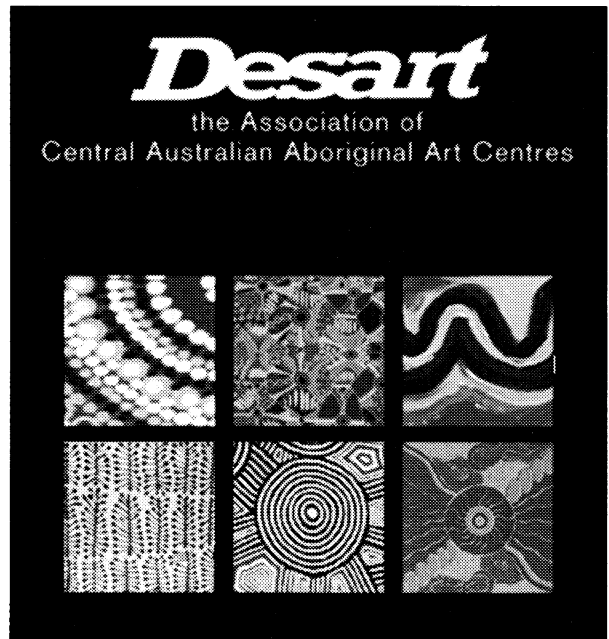
Desart has been a proponent of

establishing minimum standards for legal arrangements entered into with Aboriginal artists to ensure that artists' rights are protected as much as possible.

A major problem has often been the lack of documentation when dealers have purchased art works from Aboriginal artists, or arrangements have been made to copy art works. Desart is keen to promote the use of contracts at all times so that the industry is more open to scrutiny to ensure that artists receive an appropriate price for their art works and maintain ownership of their copyright.

In 1999 Desart received a grant from the Law Society Public Purposes Trust to produce a website with information about contracts, consignments, licensing agreements and other contracts that artists and art centres are increasingly faced with.

The idea behind the website is that artists



and art centres can best protect the interests of the artists when armed with such information. The site includes sample contracts and links to other legal sites and can be visited at www.desart.com.au.

Desart has been nominated to the World Intellectual Protection Organisation for a best practice study for its work on promoting the interests of artists by assisting them to enter into copyright and licensing agreements and promoting Aboriginal art through the use of trademarks.

To counter allegations of forgery and other questions about the authenticity of Aboriginal art works that have been raised in the media, Desart is promoting the establishment of a national Label of Authenticity and a NT Quality Assurance Label. The idea is that these labels would only be available to art dealers and those selling art and craft works when the conditions of production have met a set of best practice standards devised by Desart and other Aboriginal art advocacy organisations.

Lines in the sand is facilitated by Katrina Budrikis and Domenic Conidi, Alice Springs Law Society Council members.

