



# STATEMENT

*Fair Work Act 2009*

s.157—FWC may vary etc. modern awards if necessary to achieve modern awards objective  
s.576(2)(aa)—Promoting cooperative and productive workplace relations and preventing disputes

## **Modern Awards Review 2023-24** (AM2023/21)

DEPUTY PRESIDENT MILLHOUSE

MELBOURNE, 6 NOVEMBER 2023

*Modern Awards Review 2023-24 – arts and culture sector – discussion paper published with industry profile data – next steps.*

[1] On 15 September 2023, the President issued a statement<sup>1</sup> initiating the Modern Awards Review 2023-24 (Review) following a request from the Minister for Employment and Workplace Relations.<sup>2</sup> The matter was initiated on the Commission’s own motion under ss 157(3)(a) and 576(2)(aa) of the *Fair Work Act 2009* (Cth) (Act).

[2] The President’s statement set out the key issues raised by the Minister to be considered in the Review.<sup>3</sup> Relevantly, this includes consideration of existing modern award coverage and minimum standards for the arts and culture sector, including potential coverage gaps, in line with the Government’s National Cultural Policy.<sup>4</sup> I am the Member responsible for conducting consultation in respect of this consideration.

[3] The President issued a statement on 26 September 2023<sup>5</sup> setting out a draft timetable for the Review and a further statement on 4 October<sup>6</sup> finalising the timetable. The timetable included the following dates for the arts and culture sector:

6 November 2023:	Discussion/research paper issued.
4 December 2023:	Submissions in response due.
11–22 December 2023,	Consultation with interested parties.
22 January – 2 February 2024:	

[4] As foreshadowed, a discussion paper for the arts and culture sector has been published alongside this statement. The discussion paper has been prepared by staff of the Commission to support the Full Bench’s consideration of the sector in the Review. An industry profile providing statistical representation of the sector is included at Annexure A of the discussion paper.

[5] The discussion paper poses a series of questions at the end of each chapter. The questions are designed to guide discussion during the consultation process and interested parties are invited to provide responses to these questions as part of their submissions, if they so wish.

### Next steps

#### *Submissions*

[6] Pursuant to the timetable for the Review, interested parties are invited to file submissions in response to the discussion paper by no later than **Monday, 4 December 2023**.

#### *Consultation*

[7] I have set aside the following dates for the consultation process: **12 to 15 December 2023, 23 to 26 January 2024** and **30 January to 2 February 2024**.

[8] Interested parties are invited to comment on the conduct of the consultation process, their intention to participate, and the desirability of any conference listings between 20 December and 22 December 2023, by no later than **Monday, 20 November 2023**.

[9] A mention to finalise arrangements for the consultation process will be held at **10am on Thursday, 23 November 2023**. A Notice of Listing will be issued in due course.



DEPUTY PRESIDENT

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<sup>1</sup> [\[2023\] FWCFB 179](#)

<sup>2</sup> [Letter](#) from the Hon Tony Burke, Minister for Employment and Workplace Relations and Minister for the Arts to Hatcher J, President of the Fair Work Commission, 12 September 2023

<sup>3</sup> [\[2023\] FWCFB 179](#) at [7]

<sup>4</sup> Commonwealth of Australia, [Revive: a place for every story, a story for every place](#), 30 January 2023, at p.54

<sup>5</sup> [\[2023\] FWC 2481](#)

<sup>6</sup> [\[2023\] FWCFB 179](#)