

REMUNERATION POLICY FOR ARTISTS AND ARTS PRACTITIONERS 2022: PRINCIPLES AND PRACTICE GUIDELINES

KO TE MAHERE UTU MĀ NGĀ KAITOI, KAIWAIHANGA TOI:
MĀTĀPONO ME NGĀ ARATOHU TIKANGA

These principles and practice guidelines align with key elements of Te Waka Toi Pātaka (Creative New Zealand's Mātauranga Māori Framework), including: **Kawenga** (responsibility), **Whakarite** (balance), **Hapori** (community) and **Āwhina me te Ākina** (support and advocacy).

Policy Principles:



1. The value of arts, creative and cultural practice to the social, cultural, economic, and environmental wellbeing of Aotearoa New Zealand is recognised:

- (a) The value of arts and creative work is recognised and remunerated accordingly.
- (b) Like all forms of creative work, the value of cultural practice is recognised and, where appropriate, remunerated accordingly.¹



2. All creative work is, by default, paid work:

- (a) No artists and arts practitioners should be expected to work for little or no pay.
- (b) Where artists and arts practitioners agree to work unpaid, for low pay or 'in kind' compensation, agreement must be reached about the benefits and/or value for each party.²
- (c) Remuneration may take a range of forms, including exchange of goods or services or reciprocity acknowledging and respecting the artist, arts practitioner and their work.

Remuneration practice guidelines:



1. Remuneration practices must comply with relevant legislation and sector organisations' standards:

- (a) All employment must conform to relevant New Zealand employment legislation and other legal requirements.
- (b) Where sector organisations have established remuneration guidelines, these should be taken account of.



2. Remuneration practices must recognise artists' and arts practitioners' rights and interest in the work they create:

- (a) Artists' and arts practitioners' copyright and intellectual property should be protected as both a moral and an economic right.
- (b) Contractual arrangements should allow artists and arts practitioners to benefit from the future economic life of the work they create consistent with legislative requirements, including those under the Copyright Act.



3. Remuneration practices should reflect good practice rather than minimum standards:

- (a) 'Better than minimum' rates of remuneration are the goal for the arts sector, recognising the traditional low base at which they sit.



4. Remuneration practices should be equitable:

- (a) All artists and arts practitioners should receive equitable remuneration. Where appropriate, experience and expertise should be recognised in remuneration levels.
- (b) Equitable access to employment opportunities should be available for diverse communities irrespective of age, gender, ethnic affiliation, physical or other disability, sexual orientation, or religion.



5. Remuneration practices should be transparent:

- (a) Organisations engaging staff (including employees and contractors) have a remuneration policy agreed by its governing body and made publicly available.
- (b) All communications between an artist or arts practitioner and the party engaging their services should be open and transparent to both parties.
- (c) All work and roles in a project should be covered by a contract. The form of the contract should be proportionate to its value.
- (d) All contracts should be negotiated in good faith, setting out the nature and scope of a project, the status of an engagement, associated taxes and benefits, and obligations of the employer as well as the artist or arts practitioner, and any dispute resolution clause.
- (e) Artists and arts practitioners must be able to seek advice on any contract agreements they are party to.
- (f) Payments or fees for all roles involved in a project must be visible in funding application budgets and post-project reports.
- (g) All aspects of a project including research, development, cultural advice or promotional work such as media calls, must be visible and, where applicable, included in budgets.
- (h) Artists' and arts practitioners' fees should be ring-fenced to ensure they are protected against budget over-runs. Good faith negotiations should occur where cancellations result from events outside the control of the employer, with the principle that, where possible, contracts with artists and arts practitioners should be honoured.
- (i) Conditions of payment must be clear (eg, per word, per event, per season, or timing of payments).

¹ **Cultural practices** are customary activities that are recognised as fundamental to upholding the values and recognising specific people and culture.

For Māori as tangata whenua these activities include the appropriate application of te reo, tikanga and mātauranga Māori in pōwhiri and mihi whakatau; knowledge of whakapapa, forms of artistic expression, knowledge of natural materials and resource management, and connection with communities and place to support identity and belonging.

For Pasifika people as tagata o te Moana Nui a Kiwa, these activities include the appropriate application of language, customary practice, ways of knowing and being in culturally specific ways; knowledge of place, people, and environment which support and nurture identity.

² This may include situations where artists or arts practitioners are at the early stages of their career and the work provides an element of training or development.