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Vaughan, Sharyn

From: Macfarlan, Meg
Sent: Thursday, 15 March 2018 12:05 PM
To: Davidson, Elise
Subject: FW: Indigenous art MR [DLM=For-Official-Use-Only]
Attachments: DORIS - D18-33210 Enf - Admin Other - Birubi DRAFT Media release.DOCX; DORIS - D18-33210 Enf - Admin Other - Birubi DRAFT Media release.tr5

Security Classification:
For Official Use Only

From: Anderson, Michael
Sent: Thursday, 15 March 2018 9:53 AM
To: Macfarlan, Meg <meg.macfarlan@acc.gov.au>
Subject: Indigenous art MR [DLM=For-Official-Use-Only]

Meg, here's the Birubi institution MR for review when you have some time. Am working on getting some higher res pics.

Cheers,

Michael Anderson

Assistant Director, Media and Internal Communications | Strategic Communications Branch
Australian Competition & Consumer Commission
23 Marcus Clarke Street Canberra ACT 2601 | www.accc.gov.au
T 02 6243 1081 | M 0409 120 830 | F 02 6243 1110

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

MEDIA RELEASE



XX March 2018

ACCC TAKES ACTION AGAINST BIRUBI IN COURT FOR ALLEGED MISLEADING INDIGENOUS ART CLAIMS

The ACCC has ~~instituted proceedings in the~~ Federal Court ~~action~~ against ~~national Aboriginal art products and Australiana souvenirs wholesaler~~ Birubi Art Pty Ltd (Birubi), ~~alleging it misled people about some of its products including where they were made, and their nature and history.~~

~~a national wholesaler of Aboriginal art products and Australiana souvenirs. The ACCC alleges Birubi breached the Australian Consumer Law (ACL) by misrepresenting the country of origin, and the nature and history of some of its products.~~

~~The ACCC alleges that, between July 2014 and November 2017, the ACCC alleges Birubi contravened the Australian Consumer Law by made claims claiming on certain these products that they were made in Australia, and that an Aboriginal persons had hand painted or made the product them.~~

~~The products were instead made in Indonesia.~~

~~However, these products were made in Indonesia. The products include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork that gave rise to the allegations, including 'hand painted', 'handcrafted', 'Aboriginal Art' and 'Australia'.~~

~~"The Birubi's alleged conduct is of serious concern, is damaging as it misleads people who think they are buying genuine Aboriginal art. It also as it not only harms consumers who may be misled, but it also has the potential to undermine the integrity of Aboriginal art, and negatively impact Indigenous artists and their artwork who deserve to be paid for their works," ACCC Deputy Chair Delia Rickard Chairman Red Sims said.~~

~~The products at the centre of the ACCC's allegations include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork including 'hand painted', 'handcrafted', 'Aboriginal Art', and 'Australia'.~~

~~"We allege that over 18,000 of these products were sold to shops in key tourist spots throughout Australia. In the lead up to the Commonwealth Games in Australia next month, it's particularly important to ensure products purporting to be Indigenous cultural objects or art are authentic," Ms Rickard said, ACCC Chairman Red Sims said.~~

The ACCC is seeking declarations, pecuniary penalties, injunctions, corrective notices, compliance program orders, and costs.

~~These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.~~

Notes to editors

~~These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.~~

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Email: media@acc.gov.au
acc.gov.au/media

Field Code Changed



MEDIA RELEASE

22 March 2018

ACTION OVER ALLEGED MISLEADING INDIGENOUS ART CLAIMS

The ACCC has taken Federal Court action against Aboriginal art products and Australian souvenirs wholesaler Birubi Art Pty Ltd (Birubi), alleging it made misleading Indigenous art claims.

The ACCC alleges that between July 2014 and November 2017, Birubi contravened the Australian Consumer Law by making false or misleading representations that some of its products were made in Australia and/or that Aboriginal people had made or hand painted them, when in fact they were made in Indonesia.

The products include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork including 'hand painted', 'handcrafted', 'Aboriginal Art', and 'Australia'.

"We allege that Birubi's conduct is damaging as it is likely to mislead consumers into thinking they are buying genuine handmade Aboriginal art when they are not. This has the potential to undermine the integrity of Aboriginal art and negatively impact Indigenous artists, including by undervaluing their authentic works," ACCC Commissioner Sarah Court said.

"We allege that over 18,000 of these Birubi products were sold to retail shops in key tourist spots around the country. In the lead up to the Commonwealth Games in Australia next month, with tens of thousands of tourists visiting Australia, this action by the ACCC is a timely reminder to traders to ensure that products they are selling as Indigenous cultural objects or art are authentic."

The ACCC is seeking declarations, pecuniary penalties, injunctions, corrective notices, compliance program orders, and costs.

Notes to editors

These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.

Media enquiries: 1300 138 917

Email: media@accg.gov.au

accg.gov.au/media