

29 May 2009

Ms Bethwyn Serow Production Executive Screen Producers Association of Australia 34 Fitzroy Street SURRY HILLS NSW 2010

Dear Ms Serow

Re: Schedule 1 of the Workplace Relations Act 1996 (RAO Schedule) Financial report for year ended 30 June 2008 - FR2008/255

I note the following events with respect to the financial affairs of the Screen Producers Association of Australia for the year ended 30 June 2008:

24 Oct 2008	Financial documents excluding committee of management statement and operating report lodged in Registry
5 Feb 2008	Financial documents with the inclusion of a committee of management statement and operating report re-lodged in the Registry but not presented to general meeting of members
27 April 2008	Financial documents presented to the general meeting of members re-lodged in Registry

Based on the above information the financial documents for year ending 30 June 2008 have now been filed.

The organisation must ensure in future years that its financial reports comply fully with the RAO Schedule. Accordingly, please read carefully and put into practice the steps set out below in future financial years.

#### Seven steps to make a Financial Report

If you take the following 7 steps in strict chronological order you should be able to produce a financial report without much difficulty that complies with the RAO Schedule:

- 1. At your next committee meeting after the end of the financial year prepare:
  - (i) a General Purpose Financial Report that consists of :
    - Profit and Loss Statement,
    - Balance Sheet.
    - Statement of Cash Flows,
    - Notes to the Accounts as required by the Australian Accounting Standards (in addition, the Notes to the Accounts must quote verbatim s272(1) to (3) of the RAO Schedule).

- <u>Committee of Management Statement</u> (this requires a resolution by the committee see Items 24-26 of the Reporting Guidelines), and
- (ii) an Operating Report (see s254 of the RAO Schedule and RAO Reg 159).
- 2. Then provide the General Purpose Financial Report to your Auditor.
- 3. The Auditor then prepares the <u>Auditor's Report</u> in accordance with s257 of the RAO Schedule. The wording that should be used in this Report under s257(5) is:

In our/my opinion the general purpose financial report is **presented fairly** in accordance with applicable Australian Accounting Standards and the requirements imposed by Part 3 of Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996.

The Report must then be signed and dated by the Auditor and include their qualification(s) in accordance with regulation 4 of the RAO Regulations which defines an "approved auditor".

- 4. Then provide the full financial report to all members (this can be done by post, email, posting on the internet etc). The full financial report consists of:
  - (i) <u>General Purpose Financial Report</u> that consists of:
    - Profit and Loss Statement,
    - Balance Sheet,
    - Statement of Cash Flows,
    - Notes to the Accounts,
    - Committee of Management Statement,
  - (ii) Operating Report, and
  - (iii) Auditor's Report.
- 5. Then present the full financial report to a general meeting of members such as the AGM.
- 6. Then prepare a <u>Designated Officer's Certificate</u> under s268 that confirms that the full financial report has been provided to members and presented to the general meeting of members.
- 7. Then lodge a copy of the full financial report and the Designated Officer's Certificate in the Industrial Registry within 14 days of the general meeting of members.

The following documents are enclosed to assist you:

- a Timeline;
- the Reporting Guidelines; and
- a sample financial report as lodged by another organisation.

The sample financial report provides sample wording for the Operating Report, Committee of Management Statement and Designated Officer's Certificate. Please note that these three documents must be signed and dated by elected officers.

Please do not lodge documents that are not required under the RAO Schedule, for example, pages 1 – 52 of the SPAA Annual Report. Please ensure the documents you lodge have the correct title. It is advisable that you discard your pro forma documents you have used in the past and create new ones, particularly for the committee of management statement and the operating report.

For further information see - <a href="http://www.airc.gov.au/registered/files.htm">http://www.airc.gov.au/registered/files.htm</a> http://www.airc.gov.au/legislation/rao.htm

If you require further information contact me on (03) 8661 7989.

Yours faithfully

Cynthia Lo-Booth Statutory Services Branch



Ms Cynthia Lo-Booth Statutory Services Branch GPO Box 1944 Melbourne Vic 3001

23 April 2009

Dear Cynthia,



Further to your previous correspondence and our discussion by phone last week, please find enclosed both the SPAA 2007/08 Annual report and the 2006/07 annual report re-presented a general meeting for members held at the SPAA office on 15 April 2009.

I trust all is now in order and we can prepare our approach for 2008/09.

Yours sincerely,

Bethwyn Serow Production Executive

> 34 Fitzroy Street Surry Hills NSW 2010 Australia

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# **Designated Officer's Certificate** for the year ending 30 June 2008

#### Section 268 of Schedule 1 of the Workplace Relations Act 1996

I, Anthony Ginnane, being President of the Screen Producers Association of Australia (SPAA), certify:

- 1. that the documents lodged herewith are copies of the full report referred to in Section 268 of Schedule 1;
- 2. that the full report was provided to members on the website <a href="www.spaa.org.au">www.spaa.org.au</a> on 9<sup>th</sup> March 2009
- 3. that the full report was presented at a SPAA Annual General Meeting of Members on  $15^{th}$  April 2008

Anthony Sinnane

Date: 15 April 2009



# ANNUAL REPORT



SCREEN PRODUCERS ASSOCIATION OF AUSTRALIA

# Table of Contents

Content	Page Number
President's Report for 2007-08	2
Executive Director's Report for 2007-08	3
SPAA Areas of Operation	6
Policy and Government	7
Industrial Relations and Commercial Affairs	21
Membership and Governance	23
Conference and Events	29
SPAA Secretariat	52
Financial Report	53

# President's Report for 2007-08

In my three years as SPAA President we've see massive change in our industry.

And for the most part it has been change for good.

SPAA has been at the forefront of that change and though there are some exceptions, much of what we lobbied the Federal Government for to give our industry a stronger future, we have achieved.

But - we didn't get the enhanced 10BA to sit alongside the Producer Offset and we are still yet to be convinced that the Offset alone will drive the private sector finance back into the industry, which was the point of the previous Government's Film and Television package.

Let's look back at those three years.

It began with a declaration at the 2005 SPAA Conference by my predecessor Steven Smith that we were stuffed and that if we didn't move quickly we risked losing the entire industry.

There was a lot of soul searching and then some action, culminating in what was probably the turning point - the industry dinner in December 2005 with the then Prime Minister John Howard - strategically set up by one of our industry's greatest supporters, Senator Rod Kemp.

I will never forget that night at a board room in Parliament House – around the one very large table were independent producers, writers and directors, Federal Agency representatives and some familiar faces from the big and small screen including Bryan Brown and Claudia Karvan. Bryan explained that it was becoming almost impossible with the current financing arrangements to make another Breaker Morant or Muriel's Wedding. I was given the task of speaking on behalf of independent producers and like others there I asked the Prime Minister to personally intervene and do something about it.

There is no doubt that from that evening onwards, there was a definite shift in the way we were treated in Canberra. Our case for a second financing door and measures to build a more sustainable industry finally found some traction. 2007's May Budget 18 months later in the dying months of the Howard Government delivered the Film and Television Package that heralded a new era for our industry.

Of course since then we have engaged with the incoming Rudd Government to seek refinements to the Producer Offset scheme to ensure that access is limited to the entities it was originally intended to benefit -- Australian independent producers of film and television. An upcoming review of the first

twelve months will test the Government's true regard for the independent sector.

We have also stepped up our campaign for appropriate levels of Australian content on the ABC with matched funding linked to independent production of these programs.

We have asked Prime Minister Rudd for a review of the Australian Content Standard post the USAUSFTA with a view to extending local content within the

limitations of the agreement.

And we have also asked for the empowering of the Australian Communications and Media Authority (ACMA) to regulate terms of trade between independent producers of film and television and broadcasters and the introduction of an Australian Independent Production Quota.

There is still much work to be done but the past three years have been a hugely productive era for SPAA as an organisation.

I leave the SPAA Presidency knowing SPAA has a robust balance sheet, despite the dip in the past few years of screen production levels.

Since the move to Queensland's Gold Coast at the start of my Presidency, the

conference, under the strategic guidance of Geoff Brown, Gaylee Butler and her team, and through the partnerships with the PFTC and Queensland Events, has had a most successful four years at the Sheraton Mirage. We have built strategic ties with other industry events including the AIMC, the IF Awards and last year's

inaugural Asia Pacific Awards - all encouraging greater marketing opportunities for our products.

Conference attendances and SPAA membership have been at record levels and our Sector committees are strong for both industrial negotiations and for determining policy.

Our finances will be needed to fight the battles ahead and to continue to take our policy views to Canberra to ensure we achieve the changes to build our businesses with both diversity and sustainability driving the way forward.

On a personal note, it has been a rewarding three years during which time I have made some wonderful friends - I thank the SPAA secretariat, especially Geoff Brown, Bethwyn Serow, Owen Johnston and Julie Marlow, and I thank

the SPAA Councillors I have worked with over that time for their dedication and effort.

From personal experience I can say that to work as a volunteer in this industry

rewards you far more than you could ever give, so I urge others to get involved. Your industry will be the better for it, and so will you.

**Yours Sincerely** 

Trish Lake SPAA President

# **Executive Director's Report for 2007-08**

07/08 has been a year of outstanding achievement across all SPAA divisions. Highlights included an Emmy for "I Got a Rocket" (SLR Productions); huge audience response to the adult drama "Underbelly" (Screentime); Kath and Kim being sold as a format to NBC; a continuing renaissance for Australian documentary which included "Dr Bogle and Mrs Chandler" and "Border Security"; critical success for features "Black Balloon", "Unfinished Sky" and "Children of the Silk Road" with a prospect of Baz Luhman's epic "Australia" just around the corner; Australian TVC companies winning awards at Cannes and Animal Logic and Omnilab moving forward on major Australian animation projects.

These positive outcomes have resulted from the unstinting efforts of SPAA (its staff and members) in designing and implementing a successful framework of policies and objectives.

During the Federal Parliamentary sessions, SPAA Delegations in children's television, adult drama, documentary and PDV, represented the interests of these sectors directly to government and the opposition. Of particular note were the efforts of the TV division who successfully lobbied to have the Producer Offset legislation changed to include a review of the commercial TV Networks conduct in relation to the operation of the Producer Offset. It should also be noted that the first SPAA-led documentary delegation to represent the interests of independent documentary makers was successful in creating awareness and recognition of the value of independent documentary making.

SPAA TVC members were also active in reviewing new legislation to change the Trade Practices Act to ensure a more open and transparent industry particularly in relation to competition issues within the sector.

The new mechanism for raising private investment in film and television production, the Producer Offset, is still untested, mainly because of its newness and the launch in one of the most difficult financial markets seen in years. SPAA has supported the Producer Offset, however we have noted that most of the money raised thus far is debt financing of the Producer Offset with no investment/equity attachment. The Producer Offset still does not compensate investors for risk and remains a work in progress.

SPAA has been very active in the development of the guidelines for the administration of the Producer Offset. We have worked with the FFC and the new Screen Australia to get it right. In the process SPAA has structured its own Producer Offset advisory service for members to assist in applying for provisional and final certificates.

Another work in progress is the restructuring of the former Federal Screen Agencies into the new Screen Australia. SPAA will be taking all necessary measures to ensure that the new agency is producer friendly.

My special thanks to SPAA staff for their energy and commitment. This year the professional contributions of Bethwyn Serow and Julie Marlow to policy development deserve a special commendation.

Finally, my thanks to our President Trish Lake and SPAA Council for their contributions to the governance of the organisation and the successes of this financial year.

Yours sincerely

Geoff Brown
Executive Director

# **SPAA Areas of Operation**

The Screen Producers Association of Australia represents independent television, feature film, animation, documentary, TV commercial and interactive and digital media production companies as well as services and facilities companies, such as post-production, legal and finance institutions.

SPAA is governed by a Council, elected by the members in its various divisions. SPAA is a registered industrial relations body, and subject to rules and regulations of the Australian Electoral Commission.

SPAA provides the environment for its members to have an effective say in government decisions, industrial relations and commercial negotiations with broadcasters, distributors, financiers and funding agencies. It facilitates networking and the professional development of the industry through its operational areas, as follows:-

- 1. POLICY AND GOVERNMENT
- 2. INDUSTRIAL RELATIONS AND COMMERCIAL AFFAIRS
- 3. MEMBERSHIP AND GOVERNANCE
- 4. CONFERENCES AND EVENTS

#### 1. POLICY AND GOVERNMENT

SPAA's aims are to

- Identify key economic, legal and technical policy and cultural issues, and use them to plan positive outcomes for the screen production industry.
- Represent and advocate policy goals of the membership to government, funding agencies, other industry associations and the media.
- Consult with membership through Councillors, State Chapters, divisional forums and sub-committees on policy and government relations.

SPAA's effectiveness in these areas relies heavily on the expertise of its Councillors and members to assist in lobbying and consultation, particularly with Government. All reports and papers can be found on SPAA's website <a href="https://www.spaa.org.au">www.spaa.org.au</a>

#### **LOBBYING SUMMARY 2007-08**

#### **Government Relations and Canberra delegations.**

It was an eventful year for SPAA and the industry in general. A November 2007 election heralded a new ALP Government, a new Minister and a new Department. The proposed merger of the three Federal funding agencies, the AFC, the FFC and Film Australia, was passed in legislation and the new statutory authority named Screen Australia. An interim CEO was appointed to manage the agencies' merger. SPAA called for a swift appointment of a permanent CEO to lead the new organisation through the merger and to develop programs and initiatives for the future.

High on the SPAA policy agenda during the year was comment and analysis of the guidelines for the Producer Offset, a new indirect subsidy schemes for industry support initiated by the previous Government, which came into effect on July 1 2007. The intent of the Producer Offset is to empower independent producers to use Offset funds to sustain and grow their businesses, and to encourage private sector investment, thereby eventually reducing dependence on direct subsidy through the Federal Agency. SPAA contributed to changes in the draft legislation in a number of areas.

Executive Director Geoff Brown led a delegation of senior producers and writers to Canberra in August 2007, to determine levels of support for the independent production sector following the draft legislation for the Producer Offset. SPAA expressed serious concerns about elements of the draft legislation, in particular broadcaster access to the Offset and the implications for independent producers. SPAA flagged early that one of the potential dangers of the Offset was the possibility of legislation being wide enough to advantage larger vertically integrated companies and broadcasters at the expense of the independent sector which it purported to support. At present, any entity with an ABN is eligible for the Offset. Feature film producers have similar concerns about distributors and exhibitors potentially

forming their own production companies and claiming a 40% Offset on their own productions, cutting out the need to acquire films from independent producers.

SPAA contended that to allow commercial networks to benefit from the 20% television Offset would effectively mean that the taxpayer would be subsidising the networks existing obligations under the Australian Content Standard. SPAA maintained that legislation to provide public subsidy to meet public service obligations was misuse of public funding and bad public policy.

SPAA held a number of meetings with the delegation in Canberra to determine to what extent the broadcaster access issue was negotiable, and to what extent other issues of access and competition might be addressed.

The delegation addressed the Minister for the Arts, Senator the Hon. George Brandis and backbenchers at the Government's Committee for Tourism, Small Business, the Arts and Sport. The delegation also met with senior advisers in related portfolios and representatives from the Opposition. SPAA received a sympathetic hearing, but there was concern that exclusions from other sectors of the industry other than independent producers may be seen as discriminatory.

Member feedback was overwhelmingly against broadcaster access. There were real fears that this might result in more in-house production, a reduction in licence fees, and producers once again becoming fee-for-service providers.

SPAA put forward a compromise position that argued for an amendment to the Bill to ensure that broadcasters can only access the Offset once their quota requirements have been fulfilled. The pressure of the impending federal election was brought to bear on all industry submissions, with a clear intent to pass legislation prior to November.

The final outcome of SPAA's representations was an undertaking by Government to review broadcaster usage of the Producer Offset on an annual basis, with the first Review in November 2008, with appropriate scrutiny of licence fees and commercial relationships with the independent sector.

SPAA met with the Leader of the Opposition, Kevin Rudd, on 22<sup>nd</sup> October. The focus was on the industry as a business, and the need for continuing direct subsidy for cultural and social reasons.

SPAA had meetings in Canberra throughout the year after the election with Ministers and members of the new Government, including Ministers Garrett, Conroy, Carr, Tanner, and various senior advisers. Executive Director Geoff Brown, Vice-President Bob Campbell and Television Councillor Penny Chapman went to Canberra to meet with Senator Stephen Conroy to discuss SPAA's policy that the Australian Communications and Media Authority (ACMA) assume a much larger role in determining terms of trade with commercial broadcasters, as a result of the clear rise in imported New Zealand television programs that count for Australian Content Standard quota. SPAA also supported the ABC's triennial funding bid and emphasised the importance of an adequately resourced national public broadcaster.

SPAA led a delegation of senior documentary producers to Canberra in mid June 2007. There was a Parliamentary screening of SPAA Councillor Cathy Henkel's film *The Burning Season.* The purpose of this delegation was to raise awareness of the independent documentary sector; to advise Government on how it could see documentary in social, cultural, educational and commercial terms; to alert Government to the shortcomings of the commercial networks obligations to documentary under the content standard and how it can be fixed at no cost to Government.; to support ABC funding bids; to emphasise how Australian audiences love Australian documentaries, e.g. ratings for *Bondi Rescue, Who Killed Bogle and Chandler.* Minister Garrett opened the screening and there was an opportunity for the delegation to mix with the Minister, other Parliamentarians and senior advisers.

Government Relations Australia is to be appointed for an initial three months to lead SPAA's television strategy in Canberra. The outcome will be to establish what parts of SPAA's TV policy is likely to get traction in Canberra for the future.

#### **Producer Offset**

One of the most significant issues SPAA addressed during the year was the guidelines and issues arising from the Producer Offset legislation. SPAA Chapter meetings were held in Queensland, Western Australia, NSW and Victoria to discuss the Producer Offset. The FFC held national half-day seminars to clarify the Offset legislation and rules.

Greg Ricketson was appointed as a Consultant to SPAA to examine and analyse the legislation and guidelines. David Williams was appointed as legal consultant to comment on identified issues relating to the Australian Tax Office. As a result of their detailed analysis, many definitional issues were identified that were open to ambiguous interpretation. Central to these definitions were the inclusions and exclusions for the purposes of establishing Qualifying Australian Production Expenditure, timing of Offset remittance, definitions of employment, remuneration, implications of variation of corporate tax years, establishment of special purpose vehicles, clear understanding of what is a 'first copy' of a film. These issues were communicated in detail to the FFC's Offset Department. SPAA members had major input into position papers developed and submitted throughout the year. Members' views varied across genres. It was widely accepted that the documentary sector in particular was ill-served by the Offset provisions.

SPAA's major points for discussion with the FFC on the Offset were as follows:

• The formulation of the Significant Australian Content test that determines whether a project qualifies for an Offset Provisional Certificate. The legislation is broad on this issue, but for the purposes of FFC/Screen Australia co-investment, a much narrower definition was first mooted. There was a real risk of the lines being blurred between the Location Offset, at 15% designed to attract offshore productions, and the Producer Offset, at 40%, designed to stimulate growth in local production companies. SPAA's concerns were that foreign productions could be eligible to access Australian taxpayer funds at the 40% level. Months of negotiation and debate ensued on this issue, until a mutually satisfactory definition was formulated, now enshrined in Screen Australia's Producer Offset guidelines.

- SPAA members discussed several ways of protection against these concerns. Some suggestions included: a maximum cap on Offset claims as a means to exclude offshore studio productions with merely 'shop front' Australian qualifications from accessing the Offset; raising the Offset level to accommodate the rounding down of remittances back to the producer; additional location incentives to encourage use of Australian crew as heads of department on offshore productions; a review of the definition of Significant Australian content to ensure that SPAA's definitions were adopted.
- With the abolition of 10B and 10BA, the previous indirect subsidy mechanisms intended to stimulate private investment to the industry, SPAA felt there was little incentive for private equity investment to be attracted to the industry.
- At a series of national Offset forums in October 2007, all financing models
  presented depended on some level of co-funding with the FFC. Concerns
  expressed that there will still be heavy dependence on Government funding
  for feature projects, despite the legislation limiting any co-funding
  arrangements to films of 'national cultural significance', defined at the
  discretion of the FFC.
- The Offset therefore may not provide another truly independent door for financing feature films, and will have to be used in conjunction with diminishing FFC funds to be spread over a larger number of socially and culturally relevant projects.
- A call to ensure that Screen Australia keeps a 'market door' open as a viable alternative to evaluation that is capped at a maximum of 50% of the total budget.
- The proposed co-investment models put forward by the FFC as interim measures until the formal establishment of Screen Australia on July 1 2008 raises questions about the need for complexity and additional costs for a tax-based scheme.
- The Offset threshold of \$1m for feature films may exclude new entrants to the industry, and is misdirected in the digital world, where it is possible to make and self-distribute films under \$1m. Several award winning low budget films under \$1m are able to attract bona fide 'angel' investors.
- Clear definitions to be sought from the Minister, the Department and the FFC with regard to many ambiguous areas of legislation, as outlined in Greg Ricketson and David Williams extensive commentary.
- Documentary members continue to have many issues with the Producer Offset legislation that are specific to the sector, which have been communicated in detail to the FFC and Film Australia. These are outlined in further detail in the documentary section below.

SPAA also wrote to the Minister for the Arts, Peter Garrett, outlining the top level concerns for members resulting from Offset legislation. Outside those matters which can be resolved with the FFC as guideline and procedural matters, three main points remained for action by the Government:

- Timing of the Offset remittances and the implications arising from the legislation provision that remittances will be made in the financial year following lodgement of a tax return for the year in which a program is completed. There are serious implications for cash flow and lending charges as a result, and SPAA made a separate and detailed submission to the ATO together with Moneypenny Services (see section below).
- SPAA is also keen to see a reduction in the feature film QAPE threshold from \$1m to \$500K, on the basis that low budget digital self-funded features should have a chance to use the Offset. This is particularly important when considering that many of the last two year's most commercially and critically successful films fell into this category (e.g. low budget features such as *Kenny*, and *The Jammed*).
- There is concern that the FFC maintain an arm's length relationship between their Investment Division that makes qualitative decisions, and the Offset division which is procedural. This feeds into general concern about the merger operating as a single funding door. On balance, SPAA feels that the administration of Offset certification should rest with the Department, as was the case with DoCITA, a system which worked in an efficient and timely manner and was the industry accepted custom and practice for many years.

It became apparent that during the year State agencies had differing views on how to treat the Offset. SPAA will monitor progress with State agency policy and comment where required.

#### **INDUSTRY POLICY DEVELOPMENT AND SUBMISSIONS**

SPAA's policy agenda this year has been dominated by the implications arising from Producer Offset and Screen Australia legislation. Papers and submissions can be found on SPAA's website.

#### **Producer Offset**

SPAA made an extensive submission to the FFC with regard to unclear areas in both legislation and rules of the Producer Offset, following the appointment of Greg Ricketson as Consultant to SPAA specifically on Offset issues. As a result of this forensic research, SPAA presented a detailed dossier to the FFC, seeking clarification and comment on unclear definitions and ambiguous guidelines. Meetings took place with the then CEO of the FFC and the appointed Producer Offset manager. This is an ongoing process and is to be carried over and continued with the Offset department at Screen Australia. The Offset papers outlining the areas of uncertainty are complex and detailed, and can be found at www.spaa.org.au/offset. Broadly speaking, the main issues focussed on:

- Timing of the remittance of Offset funds.
- The separation of Investment and Offset functions within the single agency.
- Above the line allowable expenditure.
- What constitutes 'reasonable expenditure' and who arbitrates on these matters?
- Allowable expenditure for overseas shoots.
- Allowable overheads.
- The definition of 'remuneration'.
- What constitutes completion of a film for offset purposes?
- Significant Australian Content test and foreign ownership.
- Definition of development and associated expenses.
- Co-investment with the Federal agency.

#### **Screen Australia submission**

Following extensive consultation with members, in January 2008, SPAA made a detailed submission on the future role and function of Screen Australia in advance of legislation to the Minister, the Department and the CEO's of FFC, AFC and Film Australia. The top level points of the submission were as follows which were expanded upon in the paper and included recommendations for how funding and development might be treated:-

- SPAA welcomed the decision to merge the existing Federal agencies into a single agency, which offers an opportunity to effect lasting structural change for the industry.
- Concern that delays in the implementation of the new agency will cause a
  policy and leadership vacuum during the coming year. SPAA called for the
  Government to introduce an advanced structure by the time Screen
  Australia is operational on 1 July 2008.
- SPAA put its views for the way ahead for a new direct funding agency: be bold and visionary; embrace both commercial and cultural sectors; encompass all current screen cultural and commercial activities; encompass the recommendations of the Digital Action Agenda; provide a well-resourced unified marketing focus to develop a strong Australian screen brand locally and offshore; institute consultation and advisory committees from the industry; facilitate the industry rather than competing with it i.e. the agency should not act as an Executive Producer or Producer nor should it compete with the services and facilities sector; provide good governance and a strong advocacy Board that combines high level private sector representation and solid practitioner representation.

In April 2008, the Government announced the appointment of an interim CEO to Screen Australia; Lyn Maddock, deputy Chair of ACMA was appointed to steer the organisation through the merger until such time as a permanent CEO was in place. Ms Maddock attended SPAA Chapter meetings in NSW and Victoria in April and May 2008 to listen to members views on the role and function of Screen Australia.

SPAA made several representations to Government during the year about the importance of swift action regarding the appointment of a CEO.

#### Terms of trade - ABC & SBS

Terms of trade negotiations with both the ABC and SBS are proceeding well. It is confidently anticipated that negotiations will be concluded in the second half of 2008 with both public broadcasters. SPAA has compiled a template of terms which is updated at the end of every negotiation meeting. Broadly, SPAA's has positions with both broadcasters on number of plays, holdback periods, secondary channel rights, catch-up provisions for rights such as 7 day new media rights, primary new media rights, additional usage rights attracting additional fees for commercial websites, download rights, new media rights, VOD rights, and promotional online rights. There are also ongoing discussions about code of conduct relationships between commissioners and independent producers.

#### **ABC**

During the year, SPAA liaised closely with the ABC on a number of issues, including the ABC's forthcoming triennial bid.

Kim Dalton and Michael Ward from the ABC attended SPAA's February Council meeting, and outlined the new policy context for the ABC, and gave a presentation on the new station idents for ABC 1 and ABC 2. Some key messages:

- The ABC is seeking SPAA support for its triennial bid
- The industry must embrace multi-platform content to reach out into new markets.
- If the ABC is to meet the Australian Content Standard in future, then it will need to be adequately resourced for increased drama output.
- The ABC will not access the Producer Offset and licence fees will not be discounted against the Offset.

#### **Independent Content for ABC**

SPAA submitted a paper to the ABC presenting its case for outsourcing content to the independent production sector. In this paper, SPAA commented on international practice, commenting that the arguments for public and commercial broadcasters sourcing programs from the independent sector are well developed; for example, all European broadcasters are required to meet a basic European Content Quota, and many European countries, (UK, Netherlands and France) have established National Independent Quotas that have significantly contributed to the overall increased cultural and commercial excellence of their broadcasting sectors. This paper will also inform the ongoing terms of trade negotiations with the ABC, and parts will be incorporated into a strategic plan for SPAA television policy.

The main conclusions drawn from this paper were as follows:-

- The model for ABC TV should reflect its main remit, that of being a user of rights rather than a creator or owner of rights.
- Public funds should be used to maximise services for audiences rather than supporting uncompetitive practices. The ABC, as a federally funded national broadcaster in a limited free-to-air market, inherits dominant market power in

the commissioning of content. Vertical integration increases that power and removes content competition and diversity.

- Australia's international production partners operate within a broadcasting environment that clearly recognises the need to encourage independent production. Independent producers are better placed to attract overseas partners if they are well supported by domestic broadcasters.
- To maximise the benefit of increased production funding to the ABC, program outsourcing to independent production companies is critical to ensure diversity, attract audiences and maximise value for money.

#### **NSW Payroll Tax paper**

SPAA was invited to comment on the New South Wales Department of Regional and State Development's (DSRD) Business and Professional Services Report, and specifically those provisions that related to payroll tax. Member feedback was positive about DSRD's desire to help resolve the payroll issues raised by the industry, but expressed a high degree of frustration at the lack of film and television industry specific guidelines, which has been argued against by the Office of State Revenue in NSW. The definition of employee status is one issue that remains contentious. The Business and Professional Services Report accepted this position without any further explanation as to why industry specific guidelines were unacceptable.

After SPAA's input, DSRD advocated two recommendations to the Office of State Revenue:

- Improve the information available on its website regarding payroll tax, including clearer and more detailed guidelines to assist small business in determining worker status and accessing private ruling services.
- To consult more extensively with the film and television industry to help production companies understand clearly the determination of worker status regarding payroll tax obligations.

#### **Extension of Legal Deposit**

A discussion paper on an extension period for mandatory legal deposit of materials that are funded part or wholly by the Federal agencies was released during the election period in late 2007 calling for submissions in mid-January 2008. The National Film and Sound Archive supported the extension of Legal Deposit for audio-visual and digital material, believing that there are ways to address storage and lodgement issues of film and digital material without imposing costs on producers. The NFSA requested SPAA's views on the sensitivities and issues and some suggestions for what extensions of lending policy might be acceptable to producers. SPAA made its own submission supportive of the proposition that legislation be introduced to extend legal deposit requirements to audio-visual and electronic materials. SPAA consulted with the Australian Film Commission and broadly endorsed their paper, but made its own recommendations, briefly outlined hereunder:-

- SPAA would not support the cost of compliance resting in all circumstances with the publisher (producer) and therefore would not agree that material deposited under an extended legal deposit scheme should continue to be provided at the publisher's expense
- SPAA recognises the relationship between cost and quality of material lodged and therefore acknowledges that the best possible archival result for feature film lodgement is a new print. However, SPAA could not support this without the issue of cost being readdressed and the burden removed for the producer.
- Legislation must allow flexibility for producers to be able to acquit their legal responsibilities through lodgement of an existing program master, sub-master or prints, in negotiation with the Archive.
- Multiple copy lodgements would be too onerous and costly to be supported in legislation.
- SPAA also recommends that timeframe for lodgement is also kept flexible, not legislated but specified in guidelines that allow for reasonable delay in lodgement based on individual project circumstances.

#### **Review of National Innovation System**

In February 2008, the Department of Innovation, Industry, Science and research called for a Review of the National Innovation System. SPAA was invited to submit a proposal by 30 April 2008, intended to tie in to the Prime Minister's national 2020 Summit, held in April. The terms of reference were intentionally broad for this review. Of particular interest to SPAA was the term of reference regarding the effectiveness and efficiency of existing tax concessions for research and development in promoting innovation. SPAA has long argued that the R & D concessions that apply to other industries (automotive, biotechnology, mining, etc) should also apply to film and television development and technological development in the Post Production and Digital Effects sector. The main points arising from the paper were that the National Innovation System should recognise and provide for the audio-visual sector for the following reasons:

- The audiovisual sector is an important contributor to the cultural growth of an innovative nation.
- Audiovisual industry skills can strengthen innovative infrastructure.
- A robust, innovative environment must recognise and reward success.
- Copyright and the issues of copyright ownership play a critical role in the growth of audiovisual industries.
- Development of marketing skills and maximising market participation is vital for the ongoing health of the audio-visual sector.

 R&D incentive schemes should not exclude audiovisual industries or silo any particular industry areas.

#### Sexualisation of Children in the Media

In April 2008, the Federal Senate announced an enquiry into the sexualisation of children in the contemporary media environment. SPAA canvassed its members and made a short submission. SPAA demonstrated the solid track record of Australian TV content, reiterated the use of P and C broadcast classification codes, and commented that SPAA view such codes seriously, and outlined SPAA member sensitivities to scheduling as expressed in SPAA's Children's TV submission in 2006. The main points arising from SPAA's submission were as follows:-

- SPAA does not believe that independently produced television programs are a material contributor to the sexualisation of children in the media. Children's programs are subject to the Broadcasting Services Act 1992 monitored by the regulator, the Australian Communications and Media Authority which is effective in addressing isolated incidents of non or inadequate compliance.
- ACMA's ability to deal with breaches has been enhanced by the Government's decision to extend its enforcement powers, effective from December 2007 and include monetary fines, enforceable undertakings and criminal penalties.
- Television classification is comprehensive and covers all forms of programming on broadcast television.
- The internet is proving difficult to regulate, but at present broadcast television remains the financial and cultural driver for internet programming and as such broadcast programs streamed on the internet are still subject to regulation. Codes are being developed between co-operating nations internationally.
- Providing viable media alternatives on new platforms created in accordance with the Children's Television Standard is an important way to support the availability and awareness of quality children's media content.
- With regard to television commercials, SPAA recommends that all commercials be assessed for their "C" classification suitability.
- There are inbuilt benchmarks in free-to-air business models. Commercial networks are responsive to advertisers and audiences and public opinion is a powerful force for change in network programming policy. Complaints are taken seriously and acted upon.

#### **Review of Copyright Act 1968**

In February 2008, the Attorney General's Department called for comment on the Review of Sections 47J and 110A of the Copyright Act 1968, in particular whether these sections that relate to personal use provisions should be relaxed. SPAA wrote to Minister Garrett expressing its endorsement of the Screenrights position. The amendments put forward in the Review would relax personal use provisions to the extent that they would undermine secondary revenue streams, and in turn the Australian audio-visual sector's viability.

#### **AFC**

In January 2008, the AFC issued changes to its terms of trade for filmmakers accessing development and production funding. These changes were welcomed by the industry as extremely positive for the future. The key changes included:

- Abolition of the 10% development premium for developed projects that go into production for all projects contracted from January 1 2008.
- The AFC share of Screenrights royalties will be retained wholly by producers from projects contracted from January 1 2008.
- AFC investments into short films, short animations, and digital media projects will be in the form of a grant, and while the AFC retains some copyright ownership, the AFC's share of revenue will return to the producer.
- The AFC can choose to rollover its development investment into an equity position for projects that go into production and are contracted between 1 January and 30 June 2008.

The AFC also made changes to its professional development programs, which were welcomed by the industry. The Screen Business Venture Program (SBVP) is an initiative replacing the former General Development Investment (GDI) Program, and is intended to assist practitioners to grow or maintain sustainable businesses by providing a combination of loan funds and grants. In conjunction with this program Screen Australia is able to provide a number of services such as the provision of advice, support, mentoring and training where appropriate to help maximise business outcomes.

#### **FFC**

SPAA's relationship this year with the FFC is characterised by Producer Offset and merger issues reported above.

#### **Trade and Co-Production**

SPAA is part of an Industry Trade and Co-Production Forum that brings together film agencies, guilds, associations and the Department to discuss industry trade and co-production issues and developments. The Forum took place in May 2008. Two discussion papers were tabled: a) Guidelines for entering film co-production agreements and b) Update on current co-production arrangements.

a) Guidelines for film co-production arrangements.

The new guidelines put forward a more holistic approach to assessing a particular country's value to Australia as a new co-production partner. Comment from the MEAA is pending. SPAA accepted the Department's revised guidelines to allow more flexibility in assessing treaty partners.

b) Update on current co-production arrangements.

The UK has tabled a request to Australia to allow third country directors and/or writers in exceptional circumstances for two way co-productions between UK and Australia. Australia awaits a definition of exceptional circumstances. SPAA in principle endorses the proposal pending definitions provided each case is assessed on its own merits. One of the factors to be considered is the additional benefits that such third party involvement would bring to the Australian industry.

China and Singapore treaties are expected to achieve full ratification in August 2008.

South African treaty negotiations are progressing slowly and the Department expect an announcement in August/September 2008.

There is an MOU being executed with Malaysia. Malaysia has expressed interest in furthering trade relations between the two countries. The Department is to prepare a paper for industry feedback.

An all-Government review of India as a priority trade partner took place earlier this year, where India was identified as high priority. The UK Indian treaty annexe has just been finalised. The UK authority believes that the issue of balance over time will be difficult, and an imbalance in India's direction is expected, but the UK will deal with issues as they arise. Strong interest was expressed from the Forum regarding the desire to strengthen trade and cultural links. An Indian treaty would need to allow for a 20% participation rate. The Department is to open talks.

Catherine Waters from the AFC reported that Brazil is interested in exploring treaty possibilities with Australia. Brazil currently has 12 treaties. Southern Star has recently had a non-official co-production with a Brazilian company, which was considered to be a good relationship, and a good entrée into the Latin American market. Members recommended a further follow-up meeting at MIPCOM in October 2008.

An MOU with Denmark is currently being set up.

Australia has requested that Canada reduce its minimum participation in the bi-lateral treaty from 30% to 20%. Telefilm Canada feels this is feasible. Canada is releasing new co-production guidelines later in 2008.

Ireland has a signed a new treaty with New Zealand that could be modified for Australian content.

Current trade priorities are as follows:

- Renegotiate Canadian and UK treaties.
- Address definitional issues for third country participation.
- Formalise Malaysian negotiation.
- Address India.
- Investigate Philippines, Taiwan and Korean industries.

The Forum felt that the turnaround time in the administration of the treaties could be made more effective by streamlining the procedures. It was felt there needs to be a

shift to more of a 'can-do' approach, as per the Canadians, where their basic default is to support producers.

#### **Children's Television Policy**

SPAA Children's Television Policy Forums were once again run in Sydney and Melbourne this year, in June 2008.

Emerging issues from both of these events:

 The administration of the Children's Content Standard is becoming unwieldy. Classification of scripts is taking too long. SPAA requested members advise of any problems experienced in the classification process and give concrete examples.

SPAA's general approach to children's terms of trade issues are as with broader terms of trade; to separate out rights and treat licence fee as payment for a number of plays over a specified period, with a catch-up window where technology can't be stored for an unspecified duration.

Industrial Relations issues in relation to children's production focussed this year on writers' agreements with the AWG and animation voice over agreement with the MEAA. Writers have asked that "P" scripts be included in the new series and serials agreement being negotiated between AWG and SPAA. "P" classification has hitherto never been included in agreements. The negotiating committee are to refer the matter to members for comment. The animation voice over agreement is to be reviewed within six weeks from June 2008 for progress.

Children's issues with Producer Offset guidelines were:

- No provision for animation in the Significant Australian Content test guidelines where scripts are often set in an imagined world, and infrequently in an identifiable Australia.
- Core origination, which addresses material developed or initiated offshore.
   Animation and children's producers often acquire material ex-Australia and should be allowed to for the purposes of offset qualification. This is still being addressed by Screen Australia.

Members would like to continue the Children's Forums, and sub-committees are being formed with the following members:-

Trade and Co-Production:

Michael Heffernon, Suzy Peters, Suzanne Ryan.

Writer's Agreement:

Suzy Peters/Michael Heffernon (alternating), Suzanne Ryan, Catherine Nebauer, Gian Christian, John Butt, Sandra Walters, Donna Andrews, Tim Phillips, Monica

O'Brien.

Voice over Agreement: Suzanne Ryan, John Butt, Jacqueline Chan, Sandra

Gross, Jenny Lalor.

Screen Australia:

Linda Klejus, Michael Heffernon.

Producer Offset:

Michael Heffernon, Suzanne Ryan.

ABC:

Michael Bourchier, Michael Boughen, Donna Andrews, David Gurney, Linda Klejus, Suzanne Ryan.

#### **Television Commercials**

There has been ongoing debate about practices within larger advertising agencies, which are setting up production companies as sub-divisions of their parent companies and awarding contracts accordingly. An industry lawyer specialising in trade practice and IP reviewed various documents relating to trading with the larger agency in question.

SPAA agreed to lobby for the introduction of amendments to the Trade Practices Act, (that are already planned) and mount an awareness campaign. If it proves that legislation is not tabled during 2008, then SPAA will engage a lawyer to prepare a brief and take the report to the Minister for Trade, Simon Crean.

#### **Encore**

Geoff Brown, Executive Director, writes a monthly column for the trade magazine Encore, in which topical industry issues are discussed.

#### International Federation of Film Producers' Associations (FIAPF)

This year FIAPF focussed on a radical restructure of the organisation, as a result of an extensive consultation with members conducted by external Danish consultants over the first six months of the 2007-08 financial year. It was agreed that the core business of the FIAPF secretariat, given resourcing issues, should concentrate on membership services, anti-piracy, copyright and film festival activities. WIPO activities could be directed by the secretariat but outsourced to legal experts in Geneva. Lobbying in Brussels is seen as a priority for the organisation. The European office of member MPAA is in Brussels.

Policy development is vital for the organisation and there was strong consensus from the Executive Committee that members should have consistent input and lead policy discussions and development.

During several intensive meetings during the Cannes Film Festival in 2008, Geoff Brown, Executive Director and member of FIAPF's Executive Committee was instrumental in formulating a new organisational stucture0 for FIAPF, and for leading the discussion on member input to policy. It was agreed that new Working Groups be formed to concentrate on specific areas of industry policy: Financing, Co-productions and Trade; Distribution; Digital Rights Management; Unions and Employment Conditions; Production Methodology. SPAA is to lead the Distribution group.

SPAA hosted the FIAPF Asia Pacific Committee meeting once again as co-Chair in Cannes 2008.

#### **Asia Pacific Screen Awards**

Once again, FIAPF is to support the Asia Pacific Awards for 2008. The inaugural Awards in November 2007 to coincide with the Annual SPAA Conference at the Sheraton Mirage on the Gold Coast, Queensland were a great success, with a prestigious gathering of international filmmakers that attracted much media

coverage. The films competing in the Awards were universally recognised to be of extremely high calibre. CNN broadcast highlights of the Awards, together with APSA's Scene by Scene package of interviews and short documentaries, for two weeks leading up to and beyond the Awards. In attendance from FIAPF were Benoît Ginisty, Acting Director General; Mr P.V.Gangadharan, First Vice-President; and John Barrack from Canada's CFTPA and a member of FIAPF's Executive Committee.

SPAA is once again a consultant to the Asia Pacific Screen Awards, and facilitated a launch event for the 2008 Awards in Cannes this year, held at the Australian Film Commission's offices.

#### 2. INDUSTRIAL RELATIONS AND COMMERCIAL AFFAIRS

SPAA aims to:

Provide membership with advice and research on the commercial and industrial framework relevant to their businesses, and the obligations they have under industrial law.

Maintain, negotiate and service agreements on behalf of membership.

Maintain, negotiate and service Industrial Awards handed down by State and Federal Industrial Relations Commissions

Represent and advocate the individual industrial interests of members.

Negotiate with relevant unions and associations on industrial issues.

Assist members in the conduct of commercial affairs.

Consult with Governments over the implementation of Occupational Health and Safety and Workers' Compensation laws.

Consult with relevant training bodies about the relevant training package for our industry;

Lobby Governments on copyright issues, payroll tax issues and child employment

The main areas of industrial relations activity during 2007-08 were:

#### **AWG Series and Serials Agreement**

SPAA and AWG entered into negotiations on a new series and serials agreement. Constructive early meetings led to confidence that agreement could be reached between the parties. A heads of agreement was drawn up in December 2008. The two main points of the new agreement are:

 A 31% increase in the MBUF effective from 1 January 2008 with annual increases tied to CPI.  Agreement to merge Australian ancillary and new media market rights, with the producer having the option to either buy out for a single 30% MBUF payment or with an initial payment of 15% and then incremental payments up to 31%.

The agreement was formally signed on 25 February 2008.

SPAA and the AWG agreed to enter into good faith negotiations in the first quarter of 2008 to implement an industry-wide agreement governing writing for children's programs, and telemovie and mini-series.

The AWG will draw up an initial log of claims for both these agreements.

#### **Workcover Assist**

A new WorkCover Assist program for 2007-08 began this year with Peter Wasson leading the program. SPAA is to develop an OHS program that contributes to department heads knowledge and understanding of the OHS legislation, and safe work practices being developed and implemented by employers. SPAA is reworking the SPAA OHS Starter Kit to incorporate specific departmental information, tools and guidance to address potentially high-risk work activities not included in the starter kit.

Film Victoria has developed and produced an on-line generic safety management system to address the needs of the Victorian productions under the requirements of the new Victorian OHS Act 2004. There are some excellent components and system management aspects of the Film Victoria's system that could be reworked with the SPAA OHS Starter Kit. Film Victoria has generously agreed to sign over copyright to SPAA for this purpose. SPAA proposes that the upgraded system be made available via the SPAA website.

#### **SPAA/MEAA Actors' Animation Voice-over Agreement**

This agreement has been in negotiation for over two years. The main points are:

- Co-production loadings. SPAA contends that where programs are revoiced for overseas broadcast, loading should not apply. There has also been discussion about the 90% loading being reduced to 45%.
- Minimum call out times versus episodic payments
- Rights buy-outs. All rights in perpetuity for a 200% payment have been discussed.
- Loading for artists who can portray more than one character.

Negotiations will be carried over into the next financial year.

# Actors' Television Programs Agreement 2004/ Australian Television Repeats and Residuals Agreement 2004. (ATPA and ATTRA)

Two issues remained in SPAA's negotiation with the union over a new Actors Television Programs Agreement; rates of pay for actors under both ATPA and ATTRA, and the options clause. SPAA amended both agreements and sent to the MEAA. New drafts have been exchanged and the agreement will be concluded in the new financial year.

#### **MEAA Webisodes Agreement**

Some members were negotiating separately with the MEAA and signing off on individual webisode agreements. These agreements are for short entertainment programs that are intended for exhibition on the internet, made available free to the public. These agreements are not sanctioned by SPAA. SPAA formed a Committee to establish a position on webisodes and other ancillary rights as might be contained in the Australian Feature Film Agreement.

#### **NSW Working Party**

The NSW State Government is promoting NSW as a film friendly destination, and a Working Party consisting of NSW producers and crew across all genres and the Film and Television Office is liaising with representatives of the State Government to discuss difficulties arising with location filming permits. There are a range of perceived problems. SPAA has engaged Hawker Britton to lobby the NSW Government on behalf of the film and television industry. On 6 June 2008, the Filming Related Legislation Amendment Bill 2008 was tabled in the NSW State Parliament.

#### 3. MEMBERSHIP AND GOVERNANCE

SPAA is formally constituted as an industrial association registered under the Workplace Relations Act. SPAA represents independent producers and production companies working in film, television, television commercials, video and studio facilities, entertainment lawyers and accountants, completion guarantors, equipment and material suppliers, financiers, distributors, agents, insurers, agents, film sales agents and emerging producers.

Membership is open to individuals and companies in Australia who are engaged in film and television production or in the provision of production services and facilities. All members pay an annual subscription fee for membership that varies for producer, associate, facilities and corporate members. In addition producer members pay a levy on their productions.

SPAA provides its members with the means to have an effective say in government decisions, industrial relations and commercial negotiations with broadcasters and distributors. It facilitates networking and the professional development of the industry.

#### **Membership Benefits**

SPAA provides members with a range of services that assist them in their daily business, in addition to the longer term industry benefits that accrue from SPAA's policy, lobbying and industrial relations activities. New benefits are added from time to time as they are negotiated.

Current benefits include:

INDUSTRY AGREEMENTS. SPAA negotiates and maintains various industrial agreements on behalf of its members across all divisions. They prescribe terms and conditions for actors, crew and writers and are either registered with the Australian Industrial Relations Commission or are common law agreements.

OZTAM AUDIENCE RATINGS. SPAA members can access OZTAM data via the SPAA website. OZTAM is the official source for Australian metropolitan and regional television audience ratings data.

MOTION PICTURES DISTRIBUTOR ASSOCIATION OF AUSTRALIA. Access to Australian box office results and the top films in limited release.

ENCORE DISCOUNT. SPAA Members can take advantage of the following offers from Encore: 1 year subscription to Encore Magazine: \$89; Discount price for Encore Directory: \$119; Encore Combo Offer: 1 year subscription to Encore Magazine and a copy of the Encore Directory for \$179.

AFI MEMBERSHIP DISCOUNT. SPAA members can access an exclusive industry-only AFI membership for \$25.

TVC MEMBER INSURANCE BENEFITS PACKAGE. SPAA Television Commercial Division members are entitled to access a special discounted insurance package, on offer via Mooneys Insurance.

AUSTRALIAN COPYRIGHT COUNCIL PUBLICATION DISCOUNT. The Australian Copyright Council is offering SPAA members 25% off one publication for every course they enrol in.

OPEN CHANNEL SHORT-COURSE DISCOUNT. SPAA members will automatically receive a 10% discount off the full cost of all OPEN CHANNEL short courses in Victoria.

NEWSLETTERS. SPAA publishes regular email newsletters for members; ABOVE THE LINE contains industry news, events and essential information. BELOW THE LINE reports on specific industrial and legal issues as well as production information.

EVENTS. SPAA hosts a series of special events during the year, including SPAA Business Seminars, regular State Chapter meetings and networking events.

URBAN CINEFILE is an Australian online film magazine that offers SPAA members a complimentary gold subscription.

CONFERENCE DISCOUNTS. SPAA members receive 30% discounts to the major annual conferences, SPAA Conference and SPAA Fringe.

FILM FESTIVALS. SPAA members receive industry concession rates to the Adelaide, Sydney and Melbourne Film Festivals.

QANTAS CLUB CORPORATE MEMBERSHIP. SPAA members receive a corporate rate of \$325 to the Qantas Club which is a significant saving on individual membership.

#### **SPAA COUNCIL**

SPAA is governed by a Council elected on an annual basis by the membership in each of the Feature Film, Television, Animation and New Media, Documentary, Television Commercials, Services and Facilities. All members vote for President and Vice-President and if necessary the membership in each category votes for divisional Councillors.

SPAA thanks the 2007-08 Council for their commitment and dedication during this past year of enormous change for the industry.

#### **COUNCIL 2006-07**

PRESIDENT Trish Lake

VICE-PRESIDENT Bob Campbell

DOCUMENTARY Cathy Henkel

Brian Beaton

SERVICE & FACILITIES Anni Browning

Jason Moody

FEATURE FILM Vincent Sheehan

Melanie Coombs

TELEVISION Jenny Lalor

Penny Chapman

TELEVISION COMMERCIALS Carolyn Starkey

ANIMATION & NEW MEDIA Suzanne Ryan

#### **COUNCIL MEETING DATES 2007-08**

22 August 2007

25 October 2007

12 December 2007

13 February 2008

16 April 2008

11 June 2008

06 August 2008

The Annual General Meeting was held on 28 September 2007.

#### **SPAA CHAPTERS**

State Chapters hold regular meetings that provide a valuable opportunity to network and keep up to date with current issues locally and nationally and hear latest industry developments from invited guests.

#### **State Chapter Heads**

NSW Marcus Gillezeau/Kingston Anderson

VIC/TAS Roslyn Walker

QLD Vacant

SA Kristian Moliere

WA Ryan Hodgson

This year Chapter activity concentrated on the Producer Offset and Screen Australia. Several forums were held, with guests from FFC, and in April and May, the Acting CEO of Screen Australia, Lyn Maddock, attended meetings in Sydney and Melbourne.

SPAA extends its grateful thanks to its hard-working Chapter heads for their excellent voluntary contribution and to all guest speakers throughout the year.

#### SPAA ASDA DOCUMENTARY COUNCIL (SADC)

As a result of its review of the activities and financial viability of SADC, and following a series of discussions with SPAA members and Councillors about future requirements to service the documentary sector, the SPAA ASDA Documentary Council was dissolved.

In future, SPAA will manage documentary policy exclusively on behalf of its members, and will institute a series of whole of industry forums that focus on issues particular to the documentary sector. SPAA is recommending that four forums a year be held at strategic points during the year; the SPAA Conference, the Australian International Documentary Conference, and one forum in Sydney and Melbourne. Documentary Councillors Brian Beaton and Cathy Henkel will work with the Secretariat to develop the forums in the new financial year.

It has been a busy year for the documentary sector, as it came to grips with a number of issues arising from the Producer Offset, together with uncertainty about how Film Australia funding would be treated following the merger of Screen Australia.

There are significant issues about aspects of the Offset that disadvantage the documentary sector. The parameters for documentary funding have not changed for 30 years. Documentary is shoehorned into general development and investment guidelines for television, yet there are many specific considerations that need to be taken into account for this sector. SPAA's documentary members felt that consideration should be given to widening the criteria for philanthropic and charitable tax status to enable private investment in the documentary sector. Consideration should also be given to how the agency interacts with co-investment with public broadcasters, traditionally served until recently through a system of 'accords' with ABC and SBS. SPAA feels that the introduction of the Offset and the merger of Federal agencies provide an opportunity to completely reassess the way documentary funding is treated.

Discussions have already begun between the FFC and the industry with regard to documentary funding, and certainly concessions have been made on the Producer Offset for documentary that takes into account the particular nature of many productions, for example, the level of offshore components into many films, and the level and treatment of co-investment with the agency.

SPAA has made numerous representations to Government and the Federal agencies on behalf of its members about Film Australia, its future role and function, and the future of the National Interest Program (NIP). SPAA feels strongly that the Government should no longer act as a producer, and that the NIP funding should remain within the agency and be based on a commissioning model in the future. This is seen as the single most pressing issue for the documentary community.

There was a major documentary delegation to Canberra in June 2008 which has been reported elsewhere in this document.

#### SPAA REPRESENTATION

SPAA encourages input from members in formulating policy and making representation to government, media and the wider industry. The pro bono work of SPAA members on Committees and industrial negotiating teams is vital to the core business of the organisation. SPAA thanks its dedicated members for their involvement in the following Committees:

#### **Finance**

Trish Lake, Bob Campbell, Anni Browning, Sue Anderson, Geoff Brown.

#### ATPA and ATRRA Negotiating Committee

Nick Murray, Matt Carroll, Steve Rosser.

#### **TV Policy**

Nick Murray, Bob Campbell, Mikael Borglund, Hugh Marks, Steve Rosser, Mark Fennessy, Penny Chapman, Jenny Lalor, Nick McMahon.

#### **Intellectual Property**

Peter Tehan, Marie Foyle, Peter Karcher, Anthony Mrsnik, Robert Reeve.

#### **Documentary**

Cathy Henkel, Brian Beaton, Geoff Brown, Julie Marlow.

#### **TVC Forums**

Michael Hilliard, Karen Bryson, Carolyn Starkey, Ryan Hodgson

#### **TVC Incentive Options**

Michael Hilliard, Colm Phelan, Carolyn Starkey.

#### STATE, NATIONAL AND INTERNATIONAL COMMITTEES

SPAA participates on national, state and international committees covering a range of issues across all areas of its membership

- Film and Television Policy Interest Group.
- Australian Federation of Film and Television Associations.
- Trade and Co-Production Forum Advisory Panel.
- WorkCover Consumer Services Industry Reference Group.
- Industry Trades Co-Production Forum
- National Copyright Industry Alliance.
- Women in Film and Television (WIFT)
- Screenrights Visual Arts Working Party
- Trading the Arts
- Australian Film Industry Research Forum
- National Archives Consultation Committee
- Just Super Board
- The Australian Coalition for Cultural Diversity (ACCD)
- Australian Screen Council (ASC)
- Federation of International Producers Association Executive Committee (FIAPF)
- Asia Pacific Committee of FIAPF
- Independent Features Producers Alliance of Australia (IFPAA)

#### **4.CONFERENCE AND EVENTS**

The aims of SPAA's Conference and Events are to:

- Inform the membership on industry changes and relevant business skills via state chapter meetings, seminars and master classes.
- Create business and social networks for members
- Stage events with strong linkages to key industry players financing bodies, broadcasters, distributors, sales agents, advertising agencies, service providers, international industry, writers, directors, actors and production personnel.

#### **SPAA BUSINESS SEMINARS 2007-08**

SPAA continued its relationship with Holding Redlich with an in-depth seminar on the Producer Offset in both Sydney and Melbourne.

# SPAA / Holding Redlich Master Class: Dealing with the Investment Community – How to Leverage the Producer Offset

Melbourne Tuesday 26 March 2008 at 10am ACMI

Moderator: Dan Pearce, Partner, Holding Redlich

Sydney Monday 2 April, 2008 at 10am

Museum of Sydney

Moderator: Ian Robertson, Partner, Holding Redlich

SPAA and Holding Redlich held a master class to assist producers in dealing with investors in the current environment using the Producer Offset.

Topics covered included:

- Who are the investors in the current environment?
- What are they looking for in your productions?
- What do they expect, including by way of recoupment corridors, approvals and security?
- How might the producer offset affect your deals with investors; how can you make the producer offset work?
- Cash flowing the producer offset who and how?

#### Speakers included:

**Geoff Brown** Executive Director, SPAA

Graham Buckeridge Director, BG Capital Corporation Ltd Sam Gullotta Director, Goldstream Capital Group

Matt CarrollManaging Director, Matt Carroll Films (Sydney Only)David RedmanProducer, Instinct Entertainment (Melbourne Only)

#### **SPAA CONFERENCE 2007**

SPAA07 was the flagship event in a week of industry proceedings that included the inaugural Asia Pacific Awards, DigiSPAA, SPAAmart and the Inside Film Awards.

The 2007 programme offered a valuable mix of presentations, panel discussions, screenings, initiatives and social events, designed to provide optimum opportunity to network, access industry players, create relationships and discuss ideas.

2007 saw record attendance at the conference, confirming its place as the biggest screen industry gathering in the country. SPAA 07 provided additional access for delegates to professional development opportunities, including Roundtables, Ready Steady Pitch, Nickelodeon Land a Pilot, Comedy Gold and Seven Big Ideas.

#### Program highlights included:

- A comprehensive update on the outcomes of the Federal Review and its likely impact on the industry's future
- A focus on Asia Pacific with sessions on doing business with this important territory. The region was celebrated on the opening night at the Asia Pacific Screen Awards.
- Nickelodeon's Land a Pilot, \$25,000 towards the making of an animation pilot.
- 7 Big Ideas, \$5,000 development from Seven Network for ideas for their 7:30pm slot.
- The Comedy Channel offered \$25,000 towards the development of a TV comedy concept.
- Kids Day, devoted to all aspects of children's programming, including a chance to hear what the kids themselves think of the shows on TV.
- The Canadian Film and Television Production Association (CFTPA) hosted a delegation of senior executives from Canada who met with their Australian counterparts in a series of meetings to discuss co-production opportunities.

Over 20 breakout sessions were held during the conference and with four Keynote speakers:

- Noni Hazlehurst, Actor
- Wayne Garvie, Director of Content & Production, BBC Worldwide, UK
- Rex Wong, CEO of Dave TV™, US
- Mark Herbert, Producer, Warp X, UK

#### SESSION PRODUCERS, CHAIRS AND SPEAKERS

#### Committee

Deirdre Brennan, Programming Director, Nickelodeon Brendan Harkin, Director, X|Media|Lab John Lee, CEO, Cutting Edge John Odgers, Industry Specialist Arts Culture Entertainment, Austrade Johnny Park, EP, VIM Film Cathy Payne, CEO, Southern Star Joel Pearlman, MD, Roadshow Films

Noel Price, EP, Southern Star

Suzanne Ryan, EP, SLR Productions

Daniel Scharf, Producer, Daniel Scharf Productions

**Anupam Sharma**, Producer/Director, Chairman Australia India Film Council, Advisor Indian Cinema & Media Sectors

#### **International Speakers**

Douglas Abrams, Managing Director, Parallax Capital Management, SG

**John Barrack**, National Executive Vice-President and Counsel, Canadian Film and Television Production Association, CA

Ben Batstone-Cunningham, Alt-Zoom Studios, US

Stephen Cleary, Founder, Arista, UK

Steve Comeau, President, Collideascope Digital, CA

Dea Connick Perez, VP of Programming & Operations, Discovery Kids Network, US

Matt Costello, President, Polar Productions, US

**Sebastian Debertin**, Head of Fiction/Acquisition & Co Production, Kl.KA Der Kinderkanal ARD ZDF, DE

**Scott Dyer**, Executive Vice President, General Manager, Corus Kids, Corus Entertainment, CA

Wayne Garvie, Director of Content & Production, BBC Worldwide, UK

Mark Herbert, Head of Warp Films, UK

Julia Keatley, President, Keatley Entertainment, CA

Graham Leader, Producer Granite Films, US

Jonathan Olsberg, Chairman, Olsberg SPI Limited, UK

Bill Schultz, Co-CEO of Entertainment, Mike Young Productions & Kabillion - Kids, US

**Robert Soucy**, Director, Canadian Audio-Visual Certification Office (CAVCO), CA **William Weil**, Chief Operating Officer, Entertainment Group, National Geographic Ventures, US

Rex Wong, CEO, Dave Networks, US

#### **National Speakers**

Phillip Avalon, Producer, Avalon Films

Mathew Alderson, Managing Partner, Gray & Perkins

Sandra Alexander , Producer, Sandstar Films

Joanne Azzopardi, Sales Executive of Asia & South Africa, Southern Star

Mario Andreaccio, Director and Senior Executive Producer, AMPCo Films

Jason Ballantine, Editor

Antonia Barnard, Executive Producer

Maureen Barron, Chair, AFC

Cherrie Bottger, Head of Children's TV, Network Ten

Rodney Bolt, Post Production Supervisor

Mikael Borglund, CEO, Beyond International

Deirdre Brennan, Programming Director, Nickelodeon Australia

Tim Brooke-Hunt, Head of Kids Television, ABC

Geoff Brown, Executive Director, SPAA

Jenny Buckland, CEO, Australian Children's Television Network

Pip Bulbeck, Editor, Media Day and Aust. Correspondent, The Hollywood Reporter

Graham Burrells, Head of Entertainment, Foxtel

Damian Callinan, Comedian

Bob Campbell, Executive Director, Screentime

Tania Chambers, CEO, NSWFTO

Jennifer Collins, Executive Producer, ABC

Melanie Coombs, Producer, Melodrama Pictures

**Greg Denning**, General Manager Theatrical, Icon Film Distribution

Amanda Duthie, Executive Producer, ABC

Janeen Faithfull, Head of Network Production, Seven Network

Dan Fill, Head of Multiplatform Production, ABC TV

Alan Finney, Managing Director, Buena Vista International

Keren Flavell, Managing Director, omg.tv

Justine Flynn, Producer, Buster Productions

**Sandy George**, Film writer, The Australian, Aust.Correspondent, Screen International.

Antony Ginnane, President, IFM World Releasing

Pamela Hammond, Head of Post Production, Digital Pictures

Gary Hayes, Director, LAMP and Head of MUVE at The Project Factory

Noni Hazlehurst, Actor

Michael Hefferon, Managing Director, Flying Bark

Jo Horsburgh, Head of Drama, Nine Network Australia

Owen Johnston, Producer, Crow Films Pty Ltd

Stella Kinsella, Producer, Stellavision

Steve Knapman, Producer, Knapman Wyld Television

Trish Lake, President, SPAA

Ned Lander, General Manager, SBS Independent

Jenny Lalor, Entertainment Lawyer

Susanne Larson, Managing Director, Montage Productions

Brad Lyons, Head of Program Development, Seven Network

Lyn Maddock, Deputy Chair, ACMA

Julie Marlow, Producer, Deep Rock Pty Ltd

Beverley McGarvey, Network Head of Programming, Network Ten

Cate McQuillan, Producer, Mememe Productions

Stuart Menzies, Head of Documentaries, ABC

Natalie Miller, Director, Sharmill Films

Joel Pearlman, Managing Director, Roadshow Films

Mark Pesce, Founder of FutureSt, Sydney Media & Technology Consultancy

lan Robertson, Managing Partner, Sydney, Holding Redlich

Phillip Roope

Brian Rosen, CEO, FFC Australia

Suzanne Ryan, Producer, SLR Productions

Julie Ryan, Producer, Cyan Films

Mike Selwyn, Managing Director, Paramount Pictures Australia
Ron Saunders, Executive Producer, Pacific & Beyond
Carole Sklan, Commissioning Editor Event Drama, SBS Independent
John L Simpson, Chief Executive, Titan View
Michael Smellie, Bertelsmann's President of Media Development, Asia Pacific
Simon Spalding, Director of Operations – Asia, Fremantle Media
James Vernon, Managing Director, Screen Corporation
Mike Vile, General Manager, Rialto
Brian Walsh, Head of Television, Foxtel
Catherine Waters, Manager, Legal Affairs and Co-production, AFC
Gary Wisniewski, CEO, Second Life Cable Network (SLCN.TV)
Michael Wrenn, Firesign
Kris Wyld, Producer/Writer, Knapman Wyld Television
Tim Worner, Director of Programming and Production, Seven Network

#### **Selected Program Feedback**

I would never have considered attending a SPAA conference had I not been selected as a finalist for the Comedy Gold pitching session, but I have now vowed never to miss another one. I compare the experience to the ugly duckling finding his place amongst the swans. Everyone is there to learn and share their knowledge with fellow practitioners and as a networking opportunity it is unsurpassed in my experience....... Four thumbs up! Jason Gann

I thought it was an excellent program. Susanne Larson

'What Kids Want' was one of the best sessions I have been to at SPAA in Years. **Tom Kennedy** 

The quality of the speakers was fantastic. Cate McQuillen

Great organized event with good programme, serving both national and international needs. Found many good new contacts plus new project to possibly join in.

#### **Sebastian Debertin**

Thanks so much for giving me the opportunity to go to SPAA as an emerging producer. I can emphatically state that my experience would not have been anywhere near as amazing had I not been part of the scheme. Alex Radovic

#### **SPECIAL EVENTS**

#### **SPAA**mart

SPAAmart 2007, the Australasian feature film market preceded SPAA07 from 13 to 15 November.

SPAAmart is a competitive entry event placing Australia's and New Zealand's top feature film projects with invited film-financing executives. Project teams meet with local and international investors (co-producers, financiers, sales agents, distributors) appropriate to their financing needs in pre-arranged meetings with the aim of establishing relationships, building upon past relationships and attracting finance to their projects. SPAA gratefully acknowledges the financial assistance of the Australian Film Commission.

Now in its 5th year, SPAAmart continues to build on its growing reputation as the Australasian link for bringing quality feature film projects to the international market place. Films that have previously participated in SPAAmart as a launching pad include Clubland, Noise, The Home Song Stories and Lucky Miles.

Projects selected in 2007 were:

An Imaginary Life: p: Penny Chapman; d: Fred Schepisi; w: John Alsop

Box: p/w: James Greville ; d: Tori Garrett,

Cut Snake: p/d:Tony Ayres; w: Blake Ayshford Home: p: Kristian Moliere; d: Kriv Stenders; w: Andy Cox

How Now Brown Cow: p: Fiona Copland; w:William Brandt

Newcomer: p: Robert Galinsky & Elizabeth Howatt; d: George Miller w.

Christopher Link-Pearce

Thanksgiving: p: Michael Robertson; d: Rudolf Buitendam; w: Clive Hopkins

The Last Days of the Space Age: p: Beth Frey; w/d: David Chidlow

The Last Ride: p: Nicholas Cole & Antonia Barnard; d: Glendyn Ivin; w: Mac

Gudgeon

The Most Fun You Can Have Dying: p: Alex Cole-Baker; w/d: Kirstin Marcon

The Straggler: p: Michael Wrenn; w/d: Jonathan Ogilvie

#### **International Executives**

#### Paul Hardart

Co-Founder, Adirondack Pictures, USA

#### **Tom Hardart**

Co-Founder, Adirondack Pictures, USA

#### **Phil Hunt**

Co-Managing Director, Bankside Films, UK

#### Krysanne Katoolis

Co-Founder, Cactus Three, USA

#### Luna H.Y.Kim

Senior Manager/Financing & Co-production, Cineclick Asia (Fantom Co.ltd), KOREA

#### **Andy Spaulding**

President of Production, Echo Lake Entertainment LLC, USA

Ashley Luke

SVP Acquisitions & Development, Fortissimo Films, AUS

#### **Graham Leader**

Producer, Granite Films, USA

#### William S. Weil

Chief Operating Officer, National Geographic Entertainment, USA

#### Lee Beasley

Director Media & Entertainment, Standard Chartered Bank, Hong Kong

#### Mark Herbert

Head of Warp Films, UK

#### **Local Executives**

#### **Gordon MacPhail**

Post Production Manager, Atlab

#### **Anthos Simon**

NSW General Manager, Atlab /Efilm

#### **Corrie Soeterboek**

CEO, FACB Pty Ltd

#### **Antonia Batsakis**

Head of Legal & Business Affairs, FACB Pty Ltd

#### **Richard Soames**

President, Film Finance Inc

#### Sue Milliken

Producer and Australian Representative, Film Finance Inc.

#### **Anni Browning**

Completion Guarantor, Film Finance Inc

#### Sandie Don

Marketing & Acquisitions Director, Hopscotch Films

#### Rachel Okine

Production & Acquisitions Executive, Hopscotch Films

#### Richard Sheffield

Head of Acquisitions, Hoyts Distribution

#### **Greg Denning**

General Manager Theatrical, Icon Film Dist.

#### Jennie Hughes

Chief Executive Officer, International Film Group Pty Ltd

#### **Catherine Nebauer**

Executive Producer, International Film Group Pty Ltd

#### **Paul Wiegard**

Licensing Manager, Madman Entertainment

#### **Nick Batzias**

Business Development Manager, Madman Entertainment

#### Anna McLeish

Theatrical Distribution Manager, Madman Entertainment

#### **Luke Wheatley**

Head of Theatrical Acquisitions/Distribution, Magna Pacific

#### **Casey Marshall Siemer**

Head of Theatrical Acquisitions/Distribution, Magna Pacific

#### Antonio Zeccola

Managing Director, Palace Films/Palace Cinemas

#### **Antony Zeccola**

DVD Production Manager, Palace Films

#### Michael Selwyn

Managing Director, Paramount Pictures Australia Pty Ltd

#### Mike Vile

General Manager, Rialto Distribution Ltd

#### Seph McKenna

Australian Acquisitions & Distribution Mgr, Roadshow Films

#### **Alan Finney**

Vice President/Managing Director, Walt Disney Studios Motion Pictures Aus

#### Roundtables

Roundtables were an opportunity for delegates to meet informally with speakers, industry decision makers and financiers in a relaxed environment amongst a small group of their peers.

The purpose of the Roundtables is to facilitate a broader understanding of the guest's company or organization and how it operates, the host's role in the company, the types of projects the company is interested in, and the format in which the company will accept projects. Some Roundtables are simply Q & A sessions, where delegates have the opportunity to have a personal chat with the guest.

There were 45 tables in 2007 and a total of 350 delegate seats available for bookings.

#### **Ready Steady Pitch!**

Ready Steady Pitch is where delegates pitch their project to a network executive in 5 minutes. A fantastic networking opportunity providing delegates for face-to-face time with executives to share an idea and receive feedback on either a pitch or project. The objective of this event is to provide a non-competitive forum where producers/writers can pitch the freshest of ideas and receive feedback from industry professionals.

SPAA aims to build and refine this event in an effort to encourage Network participation and create market opportunities for the television sector.

Delegates pitched their projects to 15 executives including:

Joanne Azzopardi, Sales Executive, Southern Star International

Cherrie Bottger, Network Head of Children's Programming

Tim Brooke-Hunt, Head of Kid's Television, ABC

Graham Burrells, Head of Entertainment, Foxtel

**Jennifer Collins**, Executive Producer for ABC Television's Arts, Entertainment & Comedy department, ABC TV

Dea Connick Perez, VP of Programming & Operations, Discovery Kids US

**Sebastian Debertin**, Head of Fiction/Acquisitions & Co-Productions, KI.KA Der Kinderkanal ARD ZDF, DE

Amanda Duthie, Head of ABC Arts, Entertainment & Comedy, ABC TV

**Scott Dyer**, Executive Vice President, General Manger, Corus Kids, Corus Entertainment, CAN

Dan Fill, Head of Multiplatform Production, ABC TV
Jo Horsburgh, Head of Drama, Channel Nine
Beverley McGarvey, Head of Programming, Network Ten
Stuart Menzies, Head of Documentaries, ABC Television
Brad Lyons, Head of Programming Development
Carole Sklan, Commissioning Editor of Drama, SBS

#### **Comedy Gold**

The Comedy Channel invited writers, performers and producers to submit program ideas for a 13 part half hour comedy series. The judging panel, consisting of comedian Julia Morris, Graham Burrells, Head of Entertainment Foxtel, and Brian Walsh, Head of Television Foxtel, awarded the \$25,000 development prize to Sean Condon and Rob Hibbert for their pitch, *I Can't Believe It's Not Better.* 

Jason Gann impressed the judging panel to such an extent that he was also awarded development funding for his pitch.

#### **Nickelodeon Land A Pilot**

Nickelodeon celebrated Australia's animation talent by offering \$20,000 towards the production of an animated pilot which was judged and awarded at SPAA.

The judging panel comprised of:

**Katrina Southon**, GM, Nickelodeon Australia **Kristie Phelan**, Creative Director, Nickelodeon Australia **Suzanne Ryan**, Producer, SLR Productions

Congratulations to producer Justin Wight and SA animation company Moneystacks, for winning the Nickelodeon Land a Pilot with the animation pitch, *Bridget Goddess*.

Justin, in conjunction with co creator Moneystack - a SA animation company, offered diverse, contemporary and aspirational content with attitude.

#### 7 Big Ideas

The Seven Network opened its doors to anyone who had ideas that fit their criteria. 7 Big Ideas were selected to pitch their television concepts directly to Seven's programming team, lead by Director of Programming and Production, Tim Worner. Seven was looking for ideas for a 7.30pm weeknight time slot from Monday to Thursday.

The judging panel included:

Janeen Faithful, Head of Network Production Seven Network
Brad Lyons, Head of Program Development, Seven Network
Tim Worner, Director of Programming and Production, Seven Network

The winner was awarded a \$5,000 development contract with the Network. Congratulations to Daryl Sparkes, Mianjin Entertainment for their winning pitch, *Climate Change Rapid Response Team.* 

#### **Emerging Producers Scheme**

The scheme is designed to assist newer members of the industry attend the Conference at a subsidised rate and provides the tools needed to best 'work' the conference and the opportunity to meet one-on-one with senior industry figures.

AFC Project Managers made contact with the Emerging Producers prior to the conference to discuss how to get the most from the conference. Melanie Coombs, Producer Melodrama Pictures and SPAA Board Member also briefed the Emerging Producers on the opening morning of the conference.

#### 2007 Emerging Producers were:

Daniela Kraus, NSW
Eddi Goodfellow, NSW
Kate Beverley, WA
Toni-Maree Savage, QLD
Essi Haukkamaa, QLD
Renee Kennedy, NSW
Peter Lesley, VIC
Rachel Way, WA
Aleks Radovic, VIC
Greg Hall, NSW
Sean Lynch, NSW

### Holding Redlich Pitching Competition in association with AFTRS & Getty Images

SPAA partnered with AFTRS in an effort to seek out the freshest ideas from around Australia. AFTRS held pitching workshops in QLD, NSW, VIC, SA and WA. 8 semi-finalists were chosen from over 200 participants to take their pitches to the Australian Writers Guild National Screenwriting Conference in Victoria. From this 4 finalists were chosen to make it through to the Holding Redlich Pitching Competition. The Holding Redlich Pitching Competition was held at lunch on Wednesday 14<sup>th</sup> November and was hosted by David Parker.

The winner of the SPAA Holding Redlich Pitching competition won:

- A return airfare to the Cannes Film Festival or a Major television market in the UK/ US
- \$1,000 spending money
- \$2,000 worth of legal advice from Holding Redlich
- Full registration to the 2008 SPAA Conference
- A publicity opportunity with Encore Magazine

2007 Holding Redlich Pitching Competition Finalists were:

Angela Walsh with a TV Series, *Trace*Sandra Pires with a documentary *Roof Over Our Heads*Georgia Clark with a TV Series *The Supper Club*Andrew Hannan with an Animated Feature, *Small Brown Dirty Hope* 

#### Judges were:

Dan Pearce, Holding Redlich
Brad Lyons, Head of Program Development, Seven Network
Helen Bowden, AFTRS – Workshop Director
Wayne Garvie, Director of Content & Production, BBC Worldwide UK
Paul Hardart, Adirondack Pictures, USA
Tom Hardart, Adirondack Pictures, USA 2007

As the judges retired to reach their decision, the audience were treated to a success story from a SPAA pitch by Meredith Garlick and Monica Penders from four years ago. Secret of Moonacre is currently being filmed in Hungary, starring loan Gruffudd and Tim Curry as well as newcomer Dakota Blue Richards.

Holding Redlich Pitching Competition winner was **Georgia Clark** for **The Supper Club** 

#### **SHOWTIME Talent Assist Scheme**

The SHOWTIME Talent Assist Scheme gave a short film producer the opportunity to screen their film to the SPAA conference delegation. James Valentine, Showtime presenter, hosted the screening over lunch on Friday 16 November. The winning producer was selected by SHOWTIME and SPAA representatives, and presented with a Sony digital camera.

The 2007 Showtime Talent Assist Scheme Winner was **Kristina Ceyton** for **Small Boxes** 

#### **SPAA Independent Producer Awards**

Awarded to SPAA members who have produced an outstanding project or body of work which has contributed to the advancement of the independent production industry. The projects must have been broadcast on Australian television (FTA or Pay) or screened in Australian cinemas in the previous financial year (06/07).

2007 winners were:

Documentary: Sally Regan, Liberty Productions for Forbidden Lie\$

Television Entertainment: Laura Waters, Princess Pictures, Summer Heights High Children's Television: Phillip Bowman & Bernadette O'Mahoney – ACTF & Enjoy Entertainment for Mortified

Television Drama: Nick Murray, Jigsaw Entertainment for Blackjack - Ace point

High, Dead Memory & At the Gates

Feature Film: Trevor Blainey, Retro Active Films for Noise

Services and Facilities: Omnilab

Maura Fay Award for Services to the Industry: Roger Le Mesurier

Independent Producer of the Year: Michael Bourchier

#### **Women Working in Television Breakfast**

Senior women currently working in the development and production of original programming here and overseas discuss their experiences from a business and creative point of view. Over 80 delegates attended the breakfast that featured **Noni Hazlehurst** interviewed by **Stella Kinsella**.

The 2007 Women Working In Television Breakfast was held at the Versace Palazzo on Thursday 15 November.

#### STRATEGIC ALLIANCES AND PARTNERSHIPS

The following organizations, industry associations or community groups and guests were involved with the 2007 SPAA Conference.

#### **Principal Sponsors**

Pacific Film & Television Commission Queensland Government

#### **Major Sponsor**

Australian Film Commission Film Finance Corporation

#### **Key Industry Sponsor**

The Comedy Channel

Australian Broadcasting Corporation Network Seven Foxtel Network Ten Just Super

#### **Honourable Partners**

Australian Film Television Radio School
BBC Worldwide
Digital Pictures
Gold Coast City Council
Holding Redlich Solicitors
Nine Network
NSW Film & Television Office
Nickelodeon

### Supporters

Screenrights

SHOWTIME Australia

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Australian Children's Television Foundation

Ausfilm

Azure

**Cutting Edge** 

Film Victoria

Fintage House

**Foxtel** 

Flying Bark Productions

Frame Set and Match

**Getty Images** 

Inside Film Awards

Magna Pacific

Matilda Bay Brewery

Movie Network Channels

ScreenWest

South Australian Film Corporation

SBS Independent

Staging Connections

International Film Group

Thought Equity Motion

Titan View

Tracks Post Production

Tropinc

**WIN Television** 

#### **Media Partners**

Encore
IF Media
Metro
Screen Hub
Screen International
The Hollywood Reporter

#### **Travel Partner**

Stage & Screen Travel

### **Beverage Partners**

Bohemian Pilsner Mad Fish

### **SPAAmart Sponsors**

Australian Film Commission New Zealand Film Commission Atlab Film Finances NSW FTO FACB SAFC

#### **SPAA FRINGE 2007**

SPAA Fringe continues to lead emerging film, television and new media producers who will significantly contribute to the Australian industry's future.

Fringe provides an opportunity to network, meet like-minded people, pitch ideas and gain development assistance from industry professionals and peers. The program included workshops, one-on-one sessions, roundtables, interactive activities and unique access to the industry's top Producers.

2007 was the inaugural streaming of SPAA Fringe, via a multi-cam shoot and broadcast over the internet.

Advisory Committee included:

Tim Brooke-Hunt Melanie Coombs Alison Kelly Jenny Lalor Cate McQuillan Melissa Beauford Marcus Gillezeau Dan Lake

Networking festivities included the Opening Night Cocktails and the Closing Night Booze and Schmooze.

#### **Keynotes**

**Amy Hobby**, producer of *Secretary, Severed Ways; The Norse Discovery of America* and currently Steven Soderbergh's new documentary film *Spalding Gray: The Last Monolog* about the life of monologist Spalding Gray.

**Ben Batstone-Cunningham**, co-author of *Second Life: The Official Guide*, and a former Linden Lab programmer and scripting expert.

Andrea Buck (Producer) and Dee McLachlan (Director) of *The Jammed*Todd Abbott, Producer, Rove, The Dream with Roy and HG, David Tench Tonight,

Micallef Tonight.

Andrea Buck, Producer, The Picture Tank.

**Brendan Cook**, pictureDRIFT, Music videos for Cops , Paul Mac, Smog, and Gotye track *Hearts a Mess* 

Grant Freckelton, Animal Logic

Ben Gunsberger, CG Supervisor, Animal Logic

**Rachael Lucas**, Bondi Tsunami, Malcolm Hill: Last of the Wild Bohemians, Electra: The Music of Penny Ikinger

Aidan O'Bryan and Janelle Landers, WBMC

Michael Robertson, Producer, Prodigy Movies, Black Water

Andy Walker, Producer, Lonehand, Satisfaction, Answered By Fire, and Big Reef

Peter Broderick, Paradigm Consulting, USA and SPAA Fringe Patron.

#### Workshops

Workshops included essential legal skills, raising money and budgeting for both television and feature films, pitching and presentation skills, marketing your films through festivals, the digital pipe - from acquisition to delivery, sustainable career paths through affiliate production e.g. TVC, animation, music videos and working inside and outside the system in Australia.

Cutting edge cross-platform workshops included:

- Nathan Mayfield and Tracey Robertson Hoodlum Active, a digital entertainment company renowned for consistently breaking new ground with multiplatform drama such as Fat Cow Motel and PS Trixi.
- Emerging media opportunities and Experiences exploring some of Australia's most dynamic cross media concepts from LAMP (Laboratory of Advanced Media Production).

#### Other workshops included:

- HELP US HELP YOU The Art Of Pitching & Presenting by Jackie Turnure & Stacev Testro
- LAW AND ORDER by Jenny Lalor and Shaun Miller
- Raising Money And Budgeting For Low Budget Features by Heather Oxenham
- HOW TO SET UP AND BUILD A PROFITABLE SCREEN BUSINESS by Marcus Gillezeau
- THE DIGITAL PIPE by John Lee and Peter Laird
- WHERE THE MONEY GOES feature distribution by Vincent Sheehan
- FILM FESTIVALS: What to expect, prepare and achieve your goals by Ruth Saunders
- RAISING MONEY FOR TV by John Gregory

#### **Special Events**

Special Events held during Fringe such as the Roundtables, Fast Flicks Competition and One on One's added an interactive level to the conference and unique access to the industry's top Producers which in turn increased business and funding opportunities for participating delegates.

#### **Advisory Committee and Speakers**

#### **Advisory Committee**

Tim Brooke-Hunt Melanie Coombs Aliison Kelly Jenny Lalor Cate McQuillan Melissa Beauford Marcus Gillezeau Dan Lake

#### **National Speakers**

**Todd Abbott**, Producer, Rove, The Dream with Roy and HG, David Tench Tonight, **Justin Brow**, Creator of 60Sox

Andrea Buck, Producer, The Picture Tank

Jennifer Collins, Executive Producer, Arts Entertainment and Comedy, ABC TV

Brendan Cook, pictureDRIFT

Melanie Coombs, Melodrama Pictures

Ellenor Cox, Firelight Productions

Kylie Eddy, This Kiss and Coming Out At Work is Hard To Do

John Edwards, Producer, Southern Star

Stacey Edmonds and Doug Turner, Media42

Angie Fielder, Producer

Grant Freckelton, Animal Logic.

Peter Giles, Director of Digital Media at AFTRS

Marcus Gillezeau, Producer, Firelight Productions

John Gregory, CEO of Freehand TV

Ben Gunsberger, CG Supervisor, Animal Logic

Megan Harding, Executive Producer, Arts Entertainment and Comedy, ABC TV

Gary Hayes, Director of LAMP, Head of Virtual Worlds at The Project Factory

Cathy Henkel, Producer, Hatchling Productions

David Jowsey, Commissioning Editor ABC

Jenny Lalor, Entertainment Lawyer

John Lee and Peter Laird, Cutting Edge

David Lightfoot, Producer, Ultrafilms

Rachael Lucas, Bondi Tsunami, Malcolm Hill: Last of the Wild Bohemians

Tina Lymberis, Head of Production, iPRIME

Shaun Miller, Partner, Marshalls and Dent

**Dee McLachlan**, Producer, The Picture Tank

Nick McMahon, Producer, Crawford Productions

Nathan Mayfield and Tracey Robertson, Producers, Hoodlum Active

Nerida Moore, Project Officer, Development and Investment Unit, FTO

Aidan O'Bryan and Janelle Landers, WBMC

Julia Overton, FFC Documentary Investment Manager

Heather Oxenham, Project Manager, Film Finance Corporation Australia

Michael Robertson, Producer, Prodigy Movies, Black Water

Dasha Ross, Commissioning Editor ABC

Ruth Saunders, Sales & Distribution, AFTRS

Vincent Sheehan, Producer, Porchlight Films, Little Fish, Mullet

Stacey Testro, CEO, Stacey Testro International

Linda Tizard, Head, Development and Investment Unit, FTO

Phil Tripp, IMMEDIA!,

Rachael Turk, Producer

Jackie Turnure, Director of Rockpool Productions

Edwina Waddy, Commissioning Editor ABC

Andy Walker, Producer, Lonehand

Martin Williams, Senior Project Officer, Development and Investment Unit, FTO

#### **International Speakers**

Peter Broderick, Paradigm Consulting, USA

Ben Batstone-Cunningham, Alt-Zoom Studios, Second Life: The Official Guide USA

**Amy Hobby**, Secretary; Severed Ways; The Norse Discovery of America; Thirteen Conversations About One Thing; Hamlet, USA

**Joe McGinty**, Malcolm In The Middle, The Joy Of Vacuuming, The Daily Show, music composer/producer, USA

#### The program sessions were kindly sponsored by:

**AFTRS** 

ABC

**AVID** 

**Azure Productions** 

Fringe Bar

Getty Images

JVC

Lemac

**NSW FTO** 

Screenrights

Ztudio

#### **Selected Program Feedback**

I think the diversity of the programme meant that it appealed to producers, writers and directors alike, which is fantastic. **Jeremy Macey** 

Insightful, funny keynotes.....Top that off with any number of great foyer/ lounge/ pub conversations with passionate emerging writers, producers and directors, all keen to swap war stories and contacts, and we have another awesome SPAA Fringe! **Georgia Clarke** 

SPAA Fringe was like the best drug I have had for a long time. I am elevated by the experience and thankful to have attended. Lei-Lani Terrell

I enjoyed myself immensely as there was a lot more 'community' in this event than I usually find in Sydney film events. **Kylie Connell** 

I'd been told this conference was worth coming to... and it was. I really think that in information alone I got my money's worth...It's the only conference I've found in Australia or New Zealand at the right level for me. Not for beginners who've done nothing, but also not assuming that you already have massive turnover. For people who've done one or two projects and want to do more. Perfect. Benedict Reid

SPAA Fringe totally outweighed my expectations – thanks for organising a wonderful event that is a must do on any filmmakers calendar. **Meg Shields** 

#### **SPECIAL EVENTS**

#### Fast Flicks

Constructive relationships between delegates are a vital part of the program and to assist this objective, Fringe 2007 saw the introduction of Fast Flicks, a very fast film competition.

Four scripts were selected through a competitive entry process. Small teams shot and edited the 3 - 5 minute short films on site, with industry professionals on hand to give advice. On the first day of Fringe each production team was allocated a production office and industry professionals, including a technical advisor, a production manager and a dedicated editing instructor. Delegates were able to watch the teams edit their films live at the Avid Editing Stations throughout the venue.

The winner of the inaugural Fast Flicks Competition was Sean Lynch

The winning team took home prizes totalling in excess of \$10,000, including Avid Media Composer Software for MAC or PC valued at \$7430, a JVC HD Everio Camera (GZ HD7) valued at \$2749 and a return airfare to QLD plus SPAA conference registration valued at \$1800.

#### **Meet Your Maker**

A new initiative in 2007, Meet your Maker allows selected emerging producers access quality time and advice from an established producer. The objective of the scheme is to:

- 1. Build networking skills in the professional arena
- 2. Gain insight into the career path of a successful producer
- 3. Receive practical advice for your project(s) and career

Selected emerging filmmakers were matched with established SPAA members who agreed to provide a set amount of time outside of Fringe to read their project and meet to discuss their project and/or career path. The selected project could be at any stage of development and applications were assessed based on the quality and marketability of the project and the applicant's track record.

Producers involved in Meet Your Maker included:

- TV Drama: John Edwards, Southern Star
- Light Entertainment: John Gregory, Freehand
- Documentary: Cathy Henkel, Hatchling Productions
- Kids TV: Nick McMahon, Crawfords
- Feature Film: Vincent Sheehan, Porchlight Films
- Feature Film: David Hannay, Vitascope Filmed Entertainment

#### Roundtables

Roundtables were an opportunity for delegates to meet informally with speakers, industry decision makers and financiers in a relaxed environment amongst a small group of their peers. The purpose of the Roundtables is to facilitate a broader understanding of the guest's company or organization and how it operates, the host's role in the company, the types of projects the company is interested in, and the format in which the company will accept projects. Some Roundtables are simply Q & A sessions, where delegates have the opportunity to have a personal chat with the guest.

There were 42 tables this year, or a total of 344 delegate seats available for bookings.

The roundtable meetings offered delegates networking opportunities, relationship building, and guaranteed meetings with guests and executives with limited available time,

Hosts included: Debbie Lee (SBSi), Andrew Walker, Peter Broderick, Joe McGinty, Shaun Miller, Margaret Murphy, Screenrights, Julia Overton, David Jowsey, Jackie Turnure, Jenny Lalor, Peter Laird, David Hannay, Heather Oxenham, John Lee, Phil Tripp, Melanie Coombs, Kylie Eddy, Doug Turner and Stacey Edmonds, Angie Fielder, Rachael Turk, Aidan O'Bryan, Ruth Saunders, Ben Batstone Cunningham, Rachael Lucas, Andrea Buck and Dee McLachlan, John Gregory, Ellenor Cox, Nathan Mayfield, John L Simpson, Justin Brow, Tina Lymberis, Michael Robertson, Brendan Cook, Marcus Gillezeau, Titan View, Tracey Robertson.

#### **One On Ones**

The One on Ones provide delegates with the opportunity to meet industry professionals for 30 minutes to learn more about the industry, talk about their project, develop an idea, and/or obtain career advice. There were a total of 56 meetings scheduled.

Personally I get the most out of the one-on-ones & three minute opportunities - what better way to sell yourself and your project than 30 uninterrupted minutes with the target of vour choice? (Georgia Clark)

Guests & Speakers that participated in the One on Ones were: Megan Harding, Jennifer Collins, Stacey Testro, Heather Oxenham, Aidan O'Bryan, Rachael Lucas, Ben Batstone-Cunningham, Anna Miralis, Jennifer Crone, Nathan Mayfield, Brendan Cook, Amy Hobby

David Hannay, John Gregory, Peter Broderick, Marcus Gillezeau, Tina Lymberis, John Lee

Julia Overton, Tracey Robertson, Ruth Saunders, Peter Laird, Joe McGinty, Ellenor Cox, Jackie Turnure, Michael Robertson, John L Simpson, Linda Tizard, Martin Williams, Nerida Moore, David Jowsey, Edwina Waddy

ZTudio is the production arm of Stacey Testro International, which represents writers, directors, cinematographers, composers, producers and actors. Stacey Testro is an Executive Producer of the Saw horror film franchise, and manager of the filmmaker team behind it. This was a unique opportunity to meet and get advice about a project or career from a company that has an ongoing commitment to the development and support of Australian artists in film, television and theatre for the global market.

Delegates were able to register for a 3 (actually 10) Minute Opportunity to pitch their project and/or themselves – with the opportunity to be invited to extend to a 30 min meeting.

#### **DigiSPAA**

Now in its third year, DigiSPAA provides a forum for Australian and New Zealand filmmakers to showcase their digital features in a competitive environment.

The four DigiSPAA finalists were screened at Fringe with the two grand finalists announced during the closing session on Saturday. The DigiSPAA winner, was announced at the SPAA Conference in November on the Gold Coast during the Gala dinner. The winner was made available at the SPAA Conference to prominent international and local delegates.

#### 2007 DigiSPAA Finalists were:

- Kristian Moliere for Boxing Day
- Jason Byrne for Rats and Cats
- Shaun Newcombe for Beautiful
- John L Simpson for Men's Group

Congratulations to the winner of the inaugural SPAArtan award, John L Simpson

#### Judges were:

- \*Melanie Coombs, producer of the Oscar winning Harvie Krumpet,
- \*Antony I. Ginnane, President of IFM World Releasing Inc.
- Geoff Brown, Executive Director SPAA.
- \*Daniel Scharf, Producer of Geoffrey Wright's AFI Award-winning Romper Stomper.
- \*Colleen Meldrum, Program Director, Movie Network Channels.

The inaugural winner of the SPAArtan Award John Simpson was presented with a \$15,000 cash prize and \$20,000 worth of post production. *Men's Group* will also be screened on the MOVIE EXTRA channel. On top of this, Simpson also receives a subscription to Movie Network and return airfare and free registration to the prestigious Rotterdam Cinemart international feature film market.

It's a great honour to be announced the winner of DigiSPAA and to win the inaugural SPAARTAN Award. Men's Group was created purely on good will, from the cast and crew to suppliers, who all became investors. So this Award is for the entire team, they will also be participating in the cash prize money. **John L Simpson** 

#### Peer to Peer

Feedback from Fringe 2006 indicated that delegates want more networking opportunities with each other, so this year SPAA introduced 'Peer to Peer'.

#### **Peer to Peer Roundtables**

An opportunity for delegates with similar interests to meet. Science fiction, horror, doco, kids, animation - meet the people who share your passion.

#### Peer to Peer One on Ones

The Peer to Peer One on One 30 minute meeting provides delegates with the opportunity to find a potential partner, find someone to assist with a project and to provide a springboard to develop new ideas. This is a networking opportunity for any film buff looking to expand their circle of contacts.

#### STRATEGIC ALLIANCES AND PARTNERSHIPS

The following organizations, industry associations or community groups and guests were involved with the SPAA Fringe 2007

#### **Principal Sponsors**

NSW Film and Television Office

#### **Major Sponsor**

Avid Australia

#### Honourable Partner

The Australian Film Commission

#### **Supporting Sponsors**

**AFTRS** 

Showtime

Screenwest

SAFC

Screenrights

Tropinc

Getty Images

Sixty40

#### **Inside Film Awards**

JVC Australia

Firelight

Lemac

SBS Independent

#### **Azure Productions**

Cutting Edge SDA

#### **Venue and Facilities Partner**

Lisha's Catering City of Sydney Skills One Metro Screen Viocorp Staging Connection

#### **Hospitality Partner**

The Fringe bar Media Partner Encore Inside Film

#### **DigiSPAA**

### Major Sponsor

Movie Network Channels

#### **Supporting Sponsor**

**Digital Pictures** 

#### In association with

Rotterdam Cinemart

3 Minute Opportunity sponsored by Ztudio

#### **SPAA STAFF AS AT JUNE 30 2008**

Executive Director:

Policy Manager:

Industrial Commercial Officer:

Production Executive:

SPAA Conference & Fringe Director:

SPAA Fringe Manager, Events Manager:

Finance Manager:

Administration:

Geoff Brown

Bethwyn Serow

Stephen Marriott (part)

Ann Folland (part)

Gaylee Butler

Emma Beaumont

Tatyana Tinetti

Jen Hilton

Cynthia Cano

Lucas Pozzey

#### **CONSULTANTS**

Accounting:

Auditor:

Policy:

Producer Offset:

Design:

Lobbying:

Sue Anderson

Stephen Swain

Julie Marlow

Owen Johnston

Greg Ricketson

Virginia Stapleton

Government Relations Australia

Hawker Britton

Gavin Anderson

Legal/Industrial Relations:

Paul Brown

Stephen Marriott left the organisation in 2007. The role was restructured and Ann Folland filled the role, under contract, in the renamed position of Production Executive. Lucas Pozzey joined in 2008.

#### COMMITTEE'S REPORT

Your committee members submit the financial statement of Screen Producers Association of Australia for the year ended 30 June 2008.

#### COMMITTEE MEMBERS

The names of committee members throughout the year and at the date of this report are:

Cathy Henkel
Anni Browning
Jenny Lalor
Trish Lake
Caroline Starkey
Melanie Coombs

Bob Campbell
Penny Chapman
Suzanne Ryan
Vincent Sheehan
Brian Beaton
Jason Moody

#### PRINCIPAL ACTIVITIES

The principal activities of the association during the financial year were to provide a representative forum for members involved in the Australian Film and Television industry.

#### SIGNIFICANT CHANGES

No significant change in the nature of these activities occurred during the year.

#### **OPERATING RESULTS**

The profit from ordinary activities for the year amounted to \$126,647.

Signed in accordance with a resolution of the Members of the Committee.

Dated this 25 tax of

~ 0000

# INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

	Note	<u>2008</u> \$	<u>2007</u> \$
Revenues from ordinary activities	2	2,120,822	2,254,630
Depreciation expense		(6,861)	(7,172)
Operating lease expense		-	(763)
Seminars expenses		(11,641)	(18,285)
Other expenses from ordinary activities		(1,975,673)	(2,007,034)
Profit from Operations		126,647	221,376

## BALANCE SHEET AS AT 30 JUNE 2008

CURRENT ASSETS         4         880,628         907,743           Receivables         5         177,177         91,872           Other         6         147,234         104,295           TOTAL CURRENT ASSETS         1,205,039         1,103,910           NON-CURRENT ASSETS         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         11,723         -           Provisions         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         836,656         710,009           EQUITY         836,656         710,009		Note	2008 \$	2007 \$
Receivables         5         177,177         91,872           Other         6         147,234         104,295           TOTAL CURRENT ASSETS         1,205,039         1,103,910           NON-CURRENT ASSETS         7         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         11,723         -           Provisions         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         2836,656         710,009	CURRENT ASSETS		•	•
Other         6         147,234         104,295           TOTAL CURRENT ASSETS         1,205,039         1,103,910           NON-CURRENT ASSETS         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         836,656         710,009			•	•
TOTAL CURRENT ASSETS         1,205,039         1,103,910           NON-CURRENT ASSETS         7         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         11,723         -           Provisions         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009			-	•
NON-CURRENT ASSETS         7         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	Other	6	147,234	104,295
Property, Plant and Equipment         7         17,878         21,650           TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY Retained Profits         12         836,656         710,009	TOTAL CURRENT ASSETS		1,205,039	1,103,910
TOTAL NON-CURRENT ASSETS         17,878         21,650           TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	NON-CURRENT ASSETS			
TOTAL ASSETS         1,222,917         1,125,560           CURRENT LIABILITIES           Payables         8         91,247         101,244           Current Tax Liabilities         9         44,356         43,371           Provisions         10         126,445         195,829           Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	Property, Plant and Equipment	7	17,878	21,650
CURRENT LIABILITIES         Payables       8       91,247       101,244         Current Tax Liabilities       9       44,356       43,371         Provisions       10       126,445       195,829         Other       11       112,490       75,107         TOTAL CURRENT LIABILITIES       374,538       415,551         NON-CURRENT LIABILITIES       10       11,723       -         TOTAL NON-CURRENT LIABILITIES       11,723       -         TOTAL LIABILITIES       386,261       415,551         NET ASSETS       836,656       710,009         EQUITY         Retained Profits       12       836,656       710,009	TOTAL NON-CURRENT ASSETS		17,878	21,650
Payables       8       91,247       101,244         Current Tax Liabilities       9       44,356       43,371         Provisions       10       126,445       195,829         Other       11       112,490       75,107         TOTAL CURRENT LIABILITIES       374,538       415,551         NON-CURRENT LIABILITIES       10       11,723       -         TOTAL NON-CURRENT LIABILITIES       11,723       -         TOTAL LIABILITIES       386,261       415,551         NET ASSETS       836,656       710,009         EQUITY         Retained Profits       12       836,656       710,009	TOTAL ASSETS		1,222,917	1,125,560
Current Tax Liabilities       9       44,356       43,371         Provisions       10       126,445       195,829         Other       11       112,490       75,107         TOTAL CURRENT LIABILITIES       374,538       415,551         NON-CURRENT LIABILITIES       10       11,723       -         TOTAL NON-CURRENT LIABILITIES       11,723       -         TOTAL LIABILITIES       386,261       415,551         NET ASSETS       836,656       710,009         EQUITY         Retained Profits       12       836,656       710,009	CURRENT LIABILITIES			
Current Tax Liabilities       9       44,356       43,371         Provisions       10       126,445       195,829         Other       11       112,490       75,107         TOTAL CURRENT LIABILITIES       374,538       415,551         NON-CURRENT LIABILITIES       10       11,723       -         TOTAL NON-CURRENT LIABILITIES       11,723       -         TOTAL LIABILITIES       386,261       415,551         NET ASSETS       836,656       710,009         EQUITY         Retained Profits       12       836,656       710,009		8	91,247	101,244
Other         11         112,490         75,107           TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009		9	44,356	•
TOTAL CURRENT LIABILITIES         374,538         415,551           NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	Provisions		*	-
NON-CURRENT LIABILITIES         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	Other	11	112,490_	75,107
Provisions         10         11,723         -           TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Retained Profits         12         836,656         710,009	TOTAL CURRENT LIABILITIES		374,538	415,551
TOTAL NON-CURRENT LIABILITIES         11,723         -           TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         Total Liabilities         12         836,656         710,009           Equity         Total Liabilities         12         836,656         710,009	NON-CURRENT LIABILITIES			
TOTAL LIABILITIES         386,261         415,551           NET ASSETS         836,656         710,009           EQUITY         12         836,656         710,009	Provisions	10	11,723	-
NET ASSETS         836,656         710,009           EQUITY         The stained Profits         12         836,656         710,009	TOTAL NON-CURRENT LIABILITIES		11,723	
EQUITY  Retained Profits 12 836,656 710,009	TOTAL LIABILITIES		386,261	415,551
Retained Profits 12 836,656 710,009	NET ASSETS		836,656	710,009
	EQUITY			
TOTAL EQUITY 836,656 710,009	Retained Profits	12	836,656	710,009
	TOTAL EQUITY		836,656	710,009

### <u>CASH FLOW STATEMENT</u> FOR THE YEAR ENDED 30 JUNE 2008

	Note	<u>2008</u> \$	<u>2007</u> \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from customers		1,853,098	2,278,102
Operating grants received		94,413	132,546
Payments to suppliers and employees		(2,016,605)	(2,185,573)
Interest Received		45,067	24,681
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	13	(24,027)	249,756
CASH FLOWS FROM INVESTING ACTIVITIES Proceeds from sale of plant and equipment Purchases of plant and equipment		(3,088)	- (4,699)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		(3,088)	(4,699)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts from borrowings		-	
Repayment of borrowings		_	-
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES			
NET INCREASE (DECREASE) IN CASH HELD		(27,115)	245,057
Cash at the beginning of the financial year		907,743	662,686
Cash at the end of the financial year	4	880,628	907,743

The statement of cash flows is to be read in conjunction with the attached notes to the accounts.

#### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Urgent Issues Group Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the requirements of the Associations Incorporations Act NSW.

The financial report covers Screen Producers Association of Australia as an individual entity. Screen Producers Association of Australia is an association incorporated in New South Wales under the Association Incorporations Act 1984.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on fair value of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by Screen Producers Association of Australia in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

#### (a) Income Tax

The association is exempt from income tax.

#### (b) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost, or fair value less, where applicable, any accumulated depreciation.

The carrying amount of plant and equipment is reviewed annually by the Association to ensure it is not in excess of the recoverable amount of those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets' employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

#### Depreciation

The depreciable amount of all fixed assets are depreciated on a straight line basis over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

The depreciation rates used for each class of assets are:

Class of Fixed Assets
Office Equipment

Depreciation Rate 8% - 25%

#### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES - CONT.

#### (c) Leases

Lease payments under operating leases, where substantially all the risk and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

#### (d) Employee Benefits

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

#### (e) Cash

Cash and cash equivalents include cash on hand, at banks and deposits held at call.

#### (f) Revenue

Income from providing a service is recognized when the customer receives the service.

Interest income is recognised on a proportional basis taking into account the interest rates relevant to the financial assets.

#### (g) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of Goods and Services Tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expenses. Receivables and Payables in the Balance Sheet are shown inclusive of GST.

	2008 \$	2007 \$
2. REVENUE FROM ORDINARY ACTIVITIES	Ψ	Ψ
Operating Revenue Advertising Income	588	
Grants	94,413	132,546
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars/Workshops	29,306	24,226
Conference	1,024,871	1,178,935
Conference 2006	(75,903)	1,170,233
Fringe Conference	168,137	134,033
Timgo contolonos	2,010,927	2,157,434
Non-operating revenue		
SADC	<u>-</u>	33,061
Interest received	45,067	24,681
Sundry Income	64,828	39,454
<b>y</b>	109,895	97,196
	2,120,822	2,254,630
3. PROFIT FROM ORDINARY ACTIVITIES		
Profit from ordinary activites has been determined after:		
(a) Expenses		
Depreciation expenses	6,861	7,172
Remuneration of auditor	·,	.,
- SPAA audit	6,180	5,870
- Conference audit	2,000	-
(b) Significant Revenue and Expenses  The following revenue and expense items are relevant in explaining the financial performance		
Conference Income	1,024,871	1,178,935
Conference Expenses	(738,811)	(815,863)
	286,060	363,072
Fringe Conference Income	168,137	134,033
Fringe Conference Expenses	(126,648)	(143,792)
3.220 3.22222 =F	41,489	(9,759)

	2008 \$	2007 \$
4. <u>CASH ASSETS</u>		
Petty Cash	6	166
AMEX Account	190	-
SPAA Cheque Account	65,243	200,618
SPAA Conference Cheque Account	93,925	•
SPAA Maxi Direct	720,440	382,513
SPAA Conference Cheque Account	824	324,446
	880,628	907,743
5. <u>RECEIVABLES</u>	009 169	06.000
Receivables	207,467	86,292
Receivables - Conference	6,710	12,080
Less: Provision for Doubtful Debts	(37,000)	(6,500)
	177,177	91,872
6. <u>OTHER</u>		
Prepaid Conference Expenses	90 <b>,</b> 014	80,855
Prepaid Fringe Expenses	30,439	-
Prepayments	9,342	8,946
Refundable Deposits	15,474	13,424
Other	1,965	1,070
	147,234	104,295
7. PROPERTY, PLANT AND EQUIPMENT		
Office Equipment - at cost	164,828	161,740
Less: Accumulated Depreciation	146,950	140,090
	<u>17,878</u>	21,650

	<u>2008</u> \$	<u>2007</u> \$
8. <u>PAYABLES</u>	·	•
Trade Creditors	57,550	45,772
Other Creditors and Accruals	33,697	55,472
	91,247	101,244
9. CURRENT TAX LIABILITIES	11.256	42 271
GST Payable	44,356	43,371
10. PROVISIONS		
Current		
Provision for Extra Industrial Relations Costs	59,354	59,354
Provision for Holiday Pay	34,350	26,734
Provision for 10BB Implementation	-	9,741
Provision for Terms of Trade	32,741	100,000
	126,445	195,829
Non-Current		
Provision for Long Service Leave	11,723	_
Provision for Long Service Leave	11,725	
11. <u>OTHER</u>		
Sponsorships in Advance	~	8,000
Fees in advance	17,420	32,727
Conference in advance	81,070	10,800
Fringe in advance	14,000	4,000
Grants in Advance	-	19,580
	112,490	75,107
12. RETAINED <u>PROFITS</u>		
Retained profits at the beginning of the financial year	710,009	488,633
Net profit attributable to the association	126,647	221,376
1 (or profit and bandoto to site accountance)	836,656	710,009
	=======================================	

13. <u>CASH FLOW INFORMATION</u>	<u>2008</u> \$	<u>2007</u> \$
Reconciliation of cash flow from operations with operating profit		
Operating profit	126,647	221,376
Non cash flows in operating profit		
Profit on sale of plant and equipment Depreciation Provision for Holiday Pay Provision for Long Service Leave Provision for Doubtful Debts  Changes in assets and liabilities, net of the effects of purchase and disposal of subsidiaries	6,861 7,616 11,723 30,500	7,172 580 -
Decrease (increase) in trade debtors Increase (decrease) in trade creditors Increase (decrease) in other creditors Increase (decrease) in provisions Decrease (increase) in other debtors Cash Flows from Operations	(115,805) 11,778 16,592 (77,000) (42,939) (24,027)	125,576 11,801 (151,872) (20,000) 55,123 249,756

#### STATEMENT BY MEMBERS OF THE COMMITTEE

In the opinion of the Committee the Financial Report as set out on pages 1 to 10:

- 1. Presents a true and fair view of the financial position of Screen Producers Association of Australia as at 30 June 2008 and its performance for the year ended on that date in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board.
- 2. At the date of this statement, there are reasonable grounds to believe that Screen Producers Association of Australia will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Dranidant

Vice Precident

Dated this 254R day of September 2008.

#### INDEPENDENT AUDIT REPORT TO THE MEMBERS

#### Scope

We have audited the financial report of Screen Producers Association of Australia for the year ended 30 June 2008 as set out on pages 1 to 11. The Committee is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with our understanding of the Association's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis, subject to the separate audit of Annual Conference Income and Expenditure.

#### **Audit Opinion**

In our opinion, the financial report of Screen Producers Association of Australia presents a true and fair view, in accordance with applicable Accounting Standards, the requirements imposed by Part 3 Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996 and other mandatory professional reporting requirements in Australia, of the financial position of Screen Producers Association of Australia as at 30 June 2008, and the results of its operations and its cash flows for the year then ended.

Dated this 25 W. day of September 2008.

Stephen B. Swaine Swaine & Associates

#### INDEPENDENT AUDIT REPORT TO THE MEMBERS

#### Scope

We have audited the financial report of Screen Producers Association of Australia for the year ended 30 June 2008 as set out on pages 1 to 11. The Committee is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with our understanding of the Association's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis, subject to the separate audit of Annual Conference Income and Expenditure.

#### **Audit Opinion**

In our opinion, the financial report of Screen Producers Association of Australia presents a true and fair view, in accordance with applicable Accounting Standards, the requirements imposed by Part 3 Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996 and other mandatory professional reporting requirements in Australia, of the financial position of Screen Producers Association of Australia as at 30 June 2008, and the results of its operations and its cash flows for the year then ended.

Dated this 25th day of September 2008.

Stephen B. Swaine

Swaine & Associates

A member of the Institute of Chartered Accountants

in Australia and a current Public Practice Certificate holder.

#### FOR THE YEAR ENDING JUNE, 2008

#### CERTIFICATE BY MEMBERS OF THE COMMITTEE

[		Anlhony	6.unare	
and				
[,	BOB	CAMPBIELL		
certify that:				

- a. We are members of the Committee of Screen Producers Association of Australia
- b. We attended the Annual General Meeting of the association held on 15<sup>th</sup> April,
- c. We are authorised by the attached resolution of the committee to sign this certificate.
- d. This annual statement was submitted to the members of the association at its annual general meeting.

Dated this 15<sup>th</sup> April, 2009.

### ADDITIONAL INFORMATION

The Detailed Income and Expenditure Statement for the year ended 30 June 2008, shown on pages 15 to 17, has been prepared from accounting and other records and has subject to the tests and other auditing procedures applied in our examinations of the financial statements for the year ended 30 June 2008.

This Detailed Income and Expenditure Statement does not form part of the Balance Sheet and Income Statement in respect of the year ended 30 June 2008 referred to in our report to members, and we do not express an audit opinion thereon.

Dated this 25th day of September 2008.

Stephen B. Swaine

Swaine & Associates

A member of the Institute of Chartered Accountants

in Australia and a current Public Practice Certificate holder.

	2008 \$	<u>2007</u> \$
INCOME		
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars	29,306	24,226
SPAA Conference	1,024,871	1,178,935
SPAA Conference - 2006	(75,903)	
SPAA Fringe Conference	168,137	134,033
Grants	94,413	132,546
SADC	-	33,061
Interest Received	45,067	24,681
Sundry Income	64,828	39,454
Advertising Income	588	-
	2,120,822	2,254,630
Less: Expenditure (pages 16 and 17)	1,994,175	2,033,254
OPERATING PROFIT	126,647	221,376

	2008	2007
	\$	\$
EXPENDITURE		
Accounting Fees	4,729	6,052
Annual Report Expenses	650	-
Advertising	377	887
Audit Fees - SPAA	6,180	5,870
Donations	•	1,250
Interest Paid	3,892	-
Bank Charges	3,525	3,176
Merchant Fees	3,699	3,439
Cleaning	5,296	5,978
Computer Expenses	8,525	6,801
Consultancy Fees	26,541	64,196
Council Management Meetings	33,823	39,867
Fringe Benefits Tax	2,065	-
Governance	45,791	102,889
Grant Expenses	65,185	116,986
Policy and Government	118,810	131,484
Commercial Affairs	88,127	75,799
SPAA Chapter	4,750	2,033
SPAA Conference	738,811	815,863
Directors Fees	10,000	20,500
TVC Policy	31,355	46,427
Depreciation	6,861	7,172
Electricity	2,703	2,602
Freight and Couriers	1,755	2,662
Annual General Meeting	730	1,876
SPAA Fringe Conference	126,648	143,792
General Office Expenses	5,480	6,112
Provision for Holiday Pay	7,616	580
Provision for Doubtful Debts	30,500	
Insurance	12,607	10,629
Provision for Long Service Leave	11,723	-
Website Expenses	34,472	15,613
Leasing Expenses	*******	763
Legal Expenses	10,789	4,000
Magazines, Journals and Periodicals	19,667	14,258
Postage	2,261	3,821
Balance carried forward	1,475,943	1,663,377

	<u>2008</u>	<u>2007</u>
EXPENDITURE - CONT.	\$	\$
Balance brought forward	1,475,943	1,663,377
Printing and Stationery	9,796	8,892
Documentary	68,625	
Rent	62,813	59,794
Repairs and Maintenance	168	1,353
SADC	м	28,952
Security Costs	416	416
Seminar Expenses	11,641	18,285
Sponsorship	500	28,971
Staff Amenities	4,231	3,878
Staff Training and Welfare	2,917	9,324
Storage Expenses	3,224	3,016
Newsletter	11,334	12,400
Superannuation Contributions	24,052	19,262
Telephone	22,293	24,617
Travelling Expenses	13,759	9,361
Wages	269,547	141,086
SPAA Conference - 2005	4,592	**
Motor Vehicle Expenses	8,324	_
	1,994,175	2,033,254

### LO-BOOTH, Cynthia

From:

LO-BOOTH, Cynthia

Sent:

Friday, 6 February 2009 12:48 PM

To: Subject: 'Bethwyn@spaa.org.au' Financial reporting timeline

Attachments:

fin rep timeline spaa.pdf

Hi Bethwyn,

Further to our telephone conversation today, I have attached a Financial Reporting Timeline specifically modified for SPAA.

Estimates of dates are written by hand as a guide to assist your organisation to comply with the SPAA rules as well as the Registration and Accountability of Organisations Schedule (also known as the RAO Schedule or Schedule 1) of the Workplace Relations Act 1996.

I have crossed out the steps that are irrelevant to SPAA as your organisation rules do not allow the full report to be presented to a second meeting of the committee of management (SPAA Council).



fin rep timeline spaa.pdf (210...

Please note the reference to the 3 reports in the oval shape refers to:

- 1. general purpose financial report (GPFR) this is made up of the profit and loss statement, balance sheet, statement of cash flows, notes to the financial statements and the committee of management statement;
- signed and dated auditor's report; and
- an operating report signed and dated by a SPAA office holder (ie President).

All these documents make up the full report.

In future, it is **not** necessary to lodge the following documents:

- Committee's Report (page 1), this resembles a part operating report and is confusing. In future just lodge an
  Operating Report in the same format as the one lodged on 5 February 2009.
- Statement by Members of the Committee (page 11), this resembles part of a committee of management statement and is again confusing. Please just lodge a Committee of Management Statement in the same format as the one lodged on 5 February.

Contact me on Wednesdays to Fridays if you have any questions. I look forward to receiving the financial report for year ended 30 June 2007 next week.

Regards,

CYNTHIA LO-BOOTH Statutory Services Branch

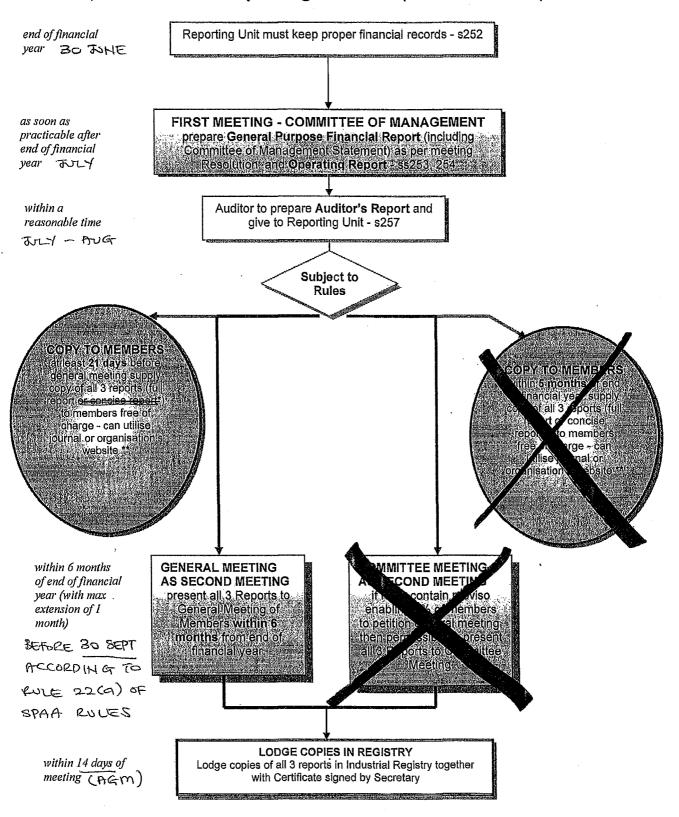
Australian Industrial Relations Commission 11 Exhibition St, Melbourne Victoria 3000 GPO Box 1994, Melbourne Victoria 3001

Telephone: (03) 8661 7989 International: (613) 8661 7989 Facsimile: (03) 6955 0410

Email: cynthia.lobooth@airc.gov.au

### SPAA REPORTING TIMELINE

### Financial Reporting Timeline (RAO Schedule)



<sup>\*</sup> concise report may be provided if s265(1)-(4) complied with. \*\* report may be supplied through organisation's journal or on organisation's website subject to particular specifications as per RAO regulation 18.

### **Designated Officer's Certificate**

### Section 268 of Schedule 1 of the Workplace Relations Act 1996

I, Trish Lake, being President of the Screen Producers Association of Australia (SPAA), certify:

- 1. that the documents lodged herewith are copies of the full report referred to in Section 268 of Schedule 1;
- 2. that the full report was provided to members on the website <a href="www.spaa.org.au">www.spaa.org.au</a> on 4th September 2008

3. that the full report was presented to a meeting of SPAA Council on 25<sup>th</sup> September 2008

Trish Lake

Date X 341 Deploy 2008



### **Committee of Management Statement**

On 25<sup>th</sup> September 2008 SPAA Council being the Committee of Management of the Screen Producers Association of Australia passed the following resolution in relation to the general purpose financial report (GPFR) of the organization for the financial year ended 30 June 2008.

The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards:
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the organization for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the organization will be able to pay its debts as and when they become due and payable
- (e) during the financial year to which the GPFR relates and since the end of that year:
  - (i) meetings of the committee of management were held in accordance with the rules of the organization; and
  - (ii) the financial affairs of the organization have been managed in accordance with the rules of the organization; and
  - (iii) the financial records of the organisation have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations;
  - (iv) no information has been sought in any request of a member of the organisation or a Registrar under section 272 of the RAO Schedule; and
  - (v) no order have been made by the Commission under section 273 of the RAO Schedule.

Signed on behalf of the SPAA Council:

Trish Lake

President

Date

#### SCREEN PRODUCERS ASSOCIATION OF AUSTRALIA

#### **OPERATING REPORT**

SPAA Council being the Committee of Management of SPAA for the purposes of the Workplace Relations Act 1996, presents its operating report for the Screen Producers Association of Australia for the financial year ended 30 June 2008.

- 1. The principal activities of SPAA were industrial, professional, commercial and policy representation of screen producers. No significant change in these activities has occurred in the last year.
- 2. The operating profit of SPAA was \$ 126,647. This operating profit from operations was down on the 2007 result of \$ 221,376.
- 3. There were no significant changes to the organization's financial affairs during the year.
- 4. Members retain the right to resign from the Screen Producers Association of Australia in accordance with section 10 of the Rules of the Screen Producers Association of Australia and section 174 of the RAO schedule. In accordance with section 174(1) of the RAO Schedule, a member of an organization may resign from membership by written notice addressed and delivered to a person designated for the purpose in the rules of the organization;
- 5. Mr Geoff Brown is a Director of Media Super. He holds this position as a nominee of the Screen Producers Association of Australia;
- 6. The number of members of the Association at the end of the financial year amounted to 264 excluding associate and student members who do not vote;
- 7. The Association had 12 staff throughout the year. They were:
  - 1. Geoff Brown Executive Director
  - 2. Ann Folland (until 31/07/08) Production Executive
  - 3. Bethwyn Serow Production Executive (replacing Ann Folland from 01/08/08)
  - 4. Jo Smith Policy Manager (replacing Bethwyn Serow from 30/07/08)
  - 5. Owen Johnston Policy Officer
  - 6. Julie Marlow Documentary Policy Officer
  - 7. Gaylee Butler Conference Director
  - 8. Emma Beaumont Member Services and Events Manager
  - 9. Jen Hilton Administrative Officer
  - 10. Lucas Pozzey (from 25/02/08) Administrative Officer
  - 11. Cynthia Cano Administrative Officer
  - 12. Tatyana Tinetti Accounts
  - 8. The following are the names of those who were members of SPAA Council, being the Committee of Management for SPAA. These persons held office during the full financial year:
    - a. Trish Lake
    - b. Bob Campbell

- c. Brian Beaton
- d. Cathy Henkel
- e. Anni Browning
- f. Jason Moody
- g. Vincent Sheehan
- h. Melanie Coombs
- i. Penny Chapman
- j. Jenny Lalor
- k. Carolyn Starkey
- 1. Suzanne Ryan

Signed in accordance with resolution of the SPAA Council.

Trish Lake President

### COMMITTEE'S REPORT

Your committee members submit the financial statement of Screen Producers Association of Australia for the year ended 30 June 2008.

### **COMMITTEE MEMBERS**

The names of committee members throughout the year and at the date of this report are:

Cathy Henkel Bob Campbell
Anni Browning Penny Chapman
Jenny Lalor Suzanne Ryan
Trish Lake Vincent Sheehan
Caroline Starkey Brian Beaton
Melanie Coombs Jason Moody

### PRINCIPAL ACTIVITIES

The principal activities of the association during the financial year were to provide a representative forum for members involved in the Australian Film and Television industry.

### SIGNIFICANT CHANGES

No significant change in the nature of these activities occurred during the year.

### **OPERATING RESULTS**

The profit from ordinary activities for the year amounted to \$126,647.

Signed in accordance with a resolution of the Members of the Committee.

Dated this 23 day of Square 2008.

# INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

	<u>Note</u>	<u>2008</u> \$	<u>2007</u> \$
Revenues from ordinary activities	2	2,120,822	2,254,630
Depreciation expense		(6,861)	(7,172)
Operating lease expense		-	(763)
Seminars expenses		(11,641)	(18,285)
Other expenses from ordinary activities		(1,975,673)	(2,007,034)
Profit from Operations		126,647	221,376

# BALANCE SHEET AS AT 30 JUNE 2008

	Note	2008 \$	2007 \$
CURRENT ASSETS		4	Ψ
Cash	4	880,628	907,743
Receivables	5	177,177	91,872
Other	6	147,234	104,295
TOTAL CURRENT ASSETS		1,205,039	1,103,910
NON-CURRENT ASSETS			
Property, Plant and Equipment	7	17,878	21,650
TOTAL NON-CURRENT ASSETS		17,878	21,650
TOTAL ASSETS		1,222,917	1,125,560
CURRENT LIABILITIES			
Payables	8	91,247	101,244
Current Tax Liabilities	9	44,356	43,371
Provisions	10	126,445	195,829
Other	11	112,490	75,107
TOTAL CURRENT LIABILITIES		374,538	415,551
NON-CURRENT LIABILITIES			
Provisions	10	11,723	_
TOTAL NON-CURRENT LIABILITIES		11,723_	
TOTAL LIABILITIES		386,261	415,551
<u>NET ASSETS</u>		836,656	710,009
EQUITY			
Retained Profits	12	836,656	710,009
TOTAL EQUITY		836,656	710,009

### <u>CASH FLOW STATEMENT</u> FOR THE YEAR ENDED 30 JUNE 2008

	Note	<u>2008</u> \$	2007 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from customers		1,853,098	2,278,102
Operating grants received		94,413	132,546
Payments to suppliers and employees		(2,016,605)	(2,185,573)
Interest Received		45,067	24,681
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	13	(24,027)	249,756
CASH FLOWS FROM INVESTING ACTIVITIES Proceeds from sale of plant and equipment Purchases of plant and equipment		(3,088)	(4,699)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		(3,088)	(4,699)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts from borrowings		-	-
Repayment of borrowings			
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES		-	<u> </u>
NET INCREASE (DECREASE) IN CASH HELD		(27,115)	245,057
Cash at the beginning of the financial year		907,743	662,686
Cash at the end of the financial year	4	880,628	907,743

The statement of cash flows is to be read in conjunction with the attached notes to the accounts.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Urgent Issues Group Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the requirements of the Associations Incorporations Act NSW.

The financial report covers Screen Producers Association of Australia as an individual entity. Screen Producers Association of Australia is an association incorporated in New South Wales under the Association Incorporations Act 1984.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on fair value of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by Screen Producers Association of Australia in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

### (a) Income Tax

The association is exempt from income tax.

### (b) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost, or fair value less, where applicable, any accumulated depreciation.

The carrying amount of plant and equipment is reviewed annually by the Association to ensure it is not in excess of the recoverable amount of those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets' employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

### Depreciation

The depreciable amount of all fixed assets are depreciated on a straight line basis over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

The depreciation rates used for each class of assets are:

Class of Fixed Assets
Office Equipment

Depreciation Rate 8% - 25%

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES - CONT.

### (c) Leases

Lease payments under operating leases, where substantially all the risk and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

### (d) Employee Benefits

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

### (e) Cash

Cash and cash equivalents include cash on hand, at banks and deposits held at call.

### (f) Revenue

Income from providing a service is recognized when the customer receives the service.

Interest income is recognised on a proportional basis taking into account the interest rates relevant to the financial assets.

### (g) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of Goods and Services Tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expenses. Receivables and Payables in the Balance Sheet are shown inclusive of GST.

2. REVENUE FROM ORDINARY ACTIVITIES	<u>2008</u> \$	<u>2007</u> \$
Operating Povenue		
Operating Revenue Advertising Income	588	
Grants	94,413	132,546
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars/Workshops	29,306	24,226
Conference	1,024,871	1,178,935
Conference 2006	(75,903)	-,
Fringe Conference	168,137	134,033
	2,010,927	2,157,434
Non-operating revenue		
SADC	-	33,061
Interest received	45,067	24,681
Sundry Income	64,828	39,454
	109,895_	97,196
	2,120,822	2,254,630
3. PROFIT FROM ORDINARY ACTIVITIES		
Profit from ordinary activites has been determined after:		
(a) Expenses		
Depreciation expenses	6,861	7,172
Remuneration of auditor		•
- SPAA audit	6,180	5,870
- Conference audit	2,000	-
(b) Significant Revenue and Expenses		
The following revenue and expense items are		
relevant in explaining the financial performance		
Conference Income	1,024,871	1,178,935
Conference Expenses	(738,811)	(815,863)
O CALLEST THE CALL OF THE CALL	286,060	363,072
Fringe Conference Income	168,137	134,033
Fringe Conference Expenses	(126,648)	(143,792)
	41,489	(9,759)

4. CASH ASSETS	<u>2008</u> \$	2007 \$
Petty Cash	6	166
AMEX Account	190	-
SPAA Cheque Account	65,243	200,618
SPAA Conference Cheque Account	93,925	-
SPAA Maxi Direct	720,440	382,513
SPAA Conference Cheque Account	824_	324,446
	880,628	907,743
5. <u>RECEIVABLES</u>	207.467	96 202
Receivables Receivables - Conference	207,467 6,710	86,292 12,080
Less: Provision for Doubtful Debts	(37,000)	(6,500)
Less. Provision for Dodottur Devis	177,177	91,872
		51,012
6. <u>OTHER</u>		
Prepaid Conference Expenses	90,014	80,855
Prepaid Fringe Expenses	30,439	-
Prepayments	9,342	8,946
Refundable Deposits	15,474	13,424
Other	1,965	1,070
	147,234	104,295
7. PROPERTY, PLANT AND EQUIPMENT		
Office Equipment - at cost	164,828	161,740
Less: Accumulated Depreciation	146,950	140,090
	17,878	21,650

	2008	<u>2007</u>
8. <u>PAYABLES</u>	\$	\$
	57.550	45 550
Trade Creditors Other Creditors and Accruals	57,550	45,772 55,472
Other Creditors and Accidans	33,697	101,244
	91,247	101,244
9. CURRENT TAX LIABILITIES		
GST Payable	44,356	43,371
•		
10. PROVISIONS		
Current		
Provision for Extra Industrial Relations Costs	59,354	59,354
Provision for Holiday Pay	34,350	26,734
Provision for 10BB Implementation	•	9,741
Provision for Terms of Trade	32,741	100,000
	126,445	195,829
Non-Current		
Provision for Long Service Leave	11,723	-
11. <u>OTHER</u>		
Sponsorships in Advance	-	8,000
Fees in advance	17,420	32,727
Conference in advance	81,070	10,800
Fringe in advance	14,000	4,000
Grants in Advance		19,580
	112,490	75,107
12. <u>RETAINED PROFITS</u>		
Retained profits at the beginning of the financial year	710,009	488,633
Net profit attributable to the association	126,647	221,376
-	836,656	710,009
		<del></del>

13. <u>CASH FLOW INFORMATION</u>	<u>2008</u> \$	<u>2007</u> \$
Reconciliation of cash flow from operations with operating profit		
Operating profit	126,647	221,376
Non cash flows in operating profit		
Profit on sale of plant and equipment	-	-
Depreciation	6,861	7,172
Provision for Holiday Pay	7,616	580
Provision for Long Service Leave	11,723	na
Provision for Doubtful Debts	30,500	-
Changes in assets and liabilities, net of the effects of purchase and disposal of subsidiaries		
Decrease (increase) in trade debtors	(115,805)	125,576
Increase (decrease) in trade creditors	11,778	11,801
Increase (decrease) in other creditors	16,592	(151,872)
Increase (decrease) in provisions	(77,000)	(20,000)
Decrease (increase) in other debtors	(42,939)	55,123
Cash Flows from Operations	(24,027)	249,756

### STATEMENT BY MEMBERS OF THE COMMITTEE

In the opinion of the Committee the Financial Report as set out on pages 1 to 10:

- 1. Presents a true and fair view of the financial position of Screen Producers Association of Australia as at 30 June 2008 and its performance for the year ended on that date in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board.
- 2. At the date of this statement, there are reasonable grounds to believe that Screen Producers Association of Australia will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Dated this 254R day of Scotal \$2008.

### INDEPENDENT AUDIT REPORT TO THE MEMBERS

### Scope

We have audited the financial report of Screen Producers Association of Australia for the year ended 30 June 2008 as set out on pages 1 to 11. The Committee is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with our understanding of the Association's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis, subject to the separate audit of Annual Conference Income and Expenditure.

### **Audit Opinion**

In our opinion, the financial report of Screen Producers Association of Australia presents a true and fair view, in accordance with applicable Accounting Standards, the requirements imposed by Part 3 Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996 and other mandatory professional reporting requirements in Australia, of the financial position of Screen Producers Association of Australia as at 30 June 2008, and the results of its operations and its cash flows for the year then ended.

Dated this 25 We day of Soption 5 2008.

Stephen B. Swaine Swaine & Associates Amerded see over leaf.

### INDEPENDENT AUDIT REPORT TO THE MEMBERS

### Scope

We have audited the financial report of Screen Producers Association of Australia for the year ended 30 June 2008 as set out on pages 1 to 11. The Committee is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with our understanding of the Association's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis, subject to the separate audit of Annual Conference Income and Expenditure.

### **Audit Opinion**

In our opinion, the financial report of Screen Producers Association of Australia presents a true and fair view, in accordance with applicable Accounting Standards, the requirements imposed by Part 3 Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996 and other mandatory professional reporting requirements in Australia, of the financial position of Screen Producers Association of Australia as at 30 June 2008, and the results of its operations and its cash flows for the year then ended.

Dated this 25th day of September 2008.

Stephen B. Swaine Swaine & Associates

A member of the Institute of Chartered Accountants in Australia and a current Public Practice Certificate holder.

### CERTIFICATE BY MEMBERS OF THE COMMITTEE

I, PATMUA ANN (TUETI) LAICE
and
I, BOB CAMPBUL
certify that:
<ul> <li>a. We are members of the Committee of Screen Producers Association of Australia.</li> <li>b. We attended the Annual General Meeting of the association held on</li></ul>
c. We are authorised by the attached resolution of the committee to sign this certificate.
d. This annual statement was submitted to the members of the association at its annual general meeting.
Dated this 25 Kday of Special Sol. 2008.
Rhde
Remu

### ADDITIONAL INFORMATION

The Detailed Income and Expenditure Statement for the year ended 30 June 2008, shown on pages 15 to 17, has been prepared from accounting and other records and has subject to the tests and other auditing procedures applied in our examinations of the financial statements for the year ended 30 June 2008.

This Detailed Income and Expenditure Statement does not form part of the Balance Sheet and Income Statement in respect of the year ended 30 June 2008 referred to in our report to members, and we do not express an audit opinion thereon.

Dated this 25dQ day of September 2008.

Stephen B. Swaine

Swaine & Associates

### **ADDITIONAL INFORMATION**

The Detailed Income and Expenditure Statement for the year ended 30 June 2008, shown on pages 15 to 17, has been prepared from accounting and other records and has subject to the tests and other auditing procedures applied in our examinations of the financial statements for the year ended 30 June 2008.

This Detailed Income and Expenditure Statement does not form part of the Balance Sheet and Income Statement in respect of the year ended 30 June 2008 referred to in our report to members, and we do not express an audit opinion thereon.

Dated this 25th day of September 2008.

Stephen B. Swaine

Swaine & Associates

A member of the Institute of Chartered Accountants

in Australia and a current Public Practice Certificate holder.

	2008	2007
	\$	\$
INCOME		
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars	29,306	24,226
SPAA Conference	1,024,871	1,178,935
SPAA Conference - 2006	(75,903)	-
SPAA Fringe Conference	168,137	134,033
Grants	94,413	132,546
SADC	_	33,061
Interest Received	45,067	24,681
Sundry Income	64,828	39,454
Advertising Income	588_	-
	2,120,822	2,254,630
Less: Expenditure (pages 16 and 17)	1,994,175	2,033,254
OPERATING PROFIT	126,647	221,376

	2008	2007
	\$	\$
EXPENDITURE	•	
Accounting Fees	4,729	6,052
Annual Report Expenses	650	-
Advertising	377	887
Audit Fees - SPAA	6,180	5,870
Donations	-	1,250
Interest Paid	3,892	_
Bank Charges	3,525	3,176
Merchant Fees	3,699	3,439
Cleaning	5,296	5,978
Computer Expenses	8,525	6,801
Consultancy Fees	26,541	64,196
Council Management Meetings	33,823	39,867
Fringe Benefits Tax	2,065	-
Governance	45,791	102,889
Grant Expenses	65,185	116,986
Policy and Government	118,810	131,484
Commercial Affairs	88,127	75,799
SPAA Chapter	4,750	2,033
SPAA Conference	738,811	815,863
Directors Fees	10,000	20,500
TVC Policy	31,355	46,427
Depreciation	6,861	7,172
Electricity	2,703	2,602
Freight and Couriers	1,755	2,662
Annual General Meeting	730	1,876
SPAA Fringe Conference	126,648	143,792
General Office Expenses	5,480	6,112
Provision for Holiday Pay	7,616	580
Provision for Doubtful Debts	30,500	-
Insurance	12,607	10,629
Provision for Long Service Leave	11,723	-
Website Expenses	34,472	15,613
Leasing Expenses	-	763
Legal Expenses	10,789	4,000
Magazines, Journals and Periodicals	19,667	14,258
Postage	2,261	3,821
Balance carried forward	1,475,943	1,663,377

	<u>2008</u>	<u>2007</u>
EXPENDITURE - CONT.	\$	\$
Balance brought forward	1,475,943	1,663,377
Printing and Stationery	9,796	8,892
Documentary	68,625	~
Rent	62,813	59,794
Repairs and Maintenance	168	1,353
SADC	-	28,952
Security Costs	416	416
Seminar Expenses	11,641	18,285
Sponsorship	500	28,971
Staff Amenities	4,231	3,878
Staff Training and Welfare	2,917	9,324
Storage Expenses	3,224	3,016
Newsletter	11,334	12,400
Superannuation Contributions	24,052	19,262
Telephone	22,293	24,617
Travelling Expenses	13,759	9,361
Wages	269,547	141,086
SPAA Conference - 2005	4,592	-
Motor Vehicle Expenses	8,324	-
	1,994,175	2,033,254



Level 5 11 Exhibition Street Melbourne, VIC 3000 GPO Box 1994, Melbourne, VIC 3001 Telephone: (03) 8661 7989 Fax: (03) 9655 0410

Email: cynthia.lobooth@airc.gov.au

Ms Bethwyn Serow Production Executive Screen Producers Association of Australia 34 Fitzroy Street SURRY HILLS NSW 2010

By e-mail: spa@spaa.org.au

Dear Ms Serow

Re: Schedule 1 of the Workplace Relations Act 1996 (RAO Schedule) Financial reports for year ended 30 June 2008 – FR2008/255

I refer to our telephone conversation earlier today and I acknowledge receipt of the financial reports for the Screen Producers Association of Australia for the year ended 30 June 2008. The report was lodged in the Industrial Registry on 24 October 2008.

The financial report has not been filed.

I confirm that before the financial report can be filed the following is required to be done:

- 1. Hold a committee of management meeting to consider the contents contained in the committee of management statement (see page 5 of FR2006/364 on AIRC website as referred to in our telephone conversation). Prepare and sign a committee of management statement in accordance to the resolutions passed at the committee of management meeting. This is referred to as the first meeting. Ensure the date of the resolution is provided in the statement and that the statement is signed and dated by an officer (elected committee member with voting rights such as the president or vice president).
- 2. Prepare an operating report for year ended 30 June 2008 (see pages 6–7 of FR2006/364 on AIRC website). Ensure the report is signed and dated by an officer. You may choose to do this at the same committee of management meeting in point 1.
- 3. Provide the general purpose financial report (which consists of the committee of management statement, the profit and loss statement, balance sheet, statement of cash flows and notes to the financial statements) to your auditor for a **new** auditor's opinion. Subsection 257(5) of the RAO Schedule requires the auditor to express his opinion in relation to the general purpose financial report therefore the committee of management statement must be taken into account.

The auditor is also required under s.257(5) to state whether in his opinion the general purpose financial report is *presented fairly*. The words 'true and fair view' were requirements of the previous legislation and are no longer relevant. Furthermore, the auditor must provide details of his qualifications to confirm he is an approved auditor as defined by s.256 of the RAO Schedule and Regulation 4 of the *Workplace Relations* (*Registration and Accountability of Organisations*) *Regulations 2003*. Regulation 4 defines an approved auditor as a *person* who is a member of CPA Australia, The Institute of Chartered Accountants in Australia or the National Institute of Accountants *and* holds a current Public Practice Certificate. This information should be provided in the signature block of the auditor's report.

4. The full report which consists of the general purpose financial report (the committee of management statement is part of this), operating report and the auditor's report must be provided to the members free of charge. This is often done by making the full report

available on the organisation website and advising all members that the documents are there.

- 5. At least 21 days after the full report has been provided to the members present the full reports to a general meeting of members. Unless the organisation rules allow for the full report to be presented to the committee of management in accordance with s266(3) of the RAO Schedule, the full report must be presented to a general meeting of members within 6 months starting at the end of the financial year as required in s266(1). In accordance with rule 22(b) of your organisation rules, it appears the full report must be presented to a general meeting of members.
- 6. Prepare, sign and date the designated officer's certificate (see page 4 of FR2006/364 on AIRC website) and lodge the full report and designated officer's certificate with the Industrial Registry within 14 days of the general meeting of members. Ensure the certificate is signed by an officer.

I understand from our conversation that some of these documents and meetings may have taken place and that the documents were inadvertently not filed. However, if you find that the abovementioned steps need to be taken and some of these meetings may be scheduled in the distant future it is advisable that you keep us informed through written communication so that our records are updated.

I have enclosed a document entitled "Financial Reporting Timeline (RAO Schedule)". This is a flow chart to assist you in understanding the sequence of events of the reporting process set out in the RAO Schedule.

I wish to also confirm that the Industrial Registry has no record of receiving the financial report for the year ended 30 June 2007 [FR2007/486]. Can you please advise us as to the status of this financial report as soon as possible?

If you have any questions or you wish to discuss the matters contained in this letter please do not hesitate to contact me on (03) 8661 7989 (Wednesdays to Fridays) or by email at cynthia.lobooth@airc.gov.au.

Yours sincerely,

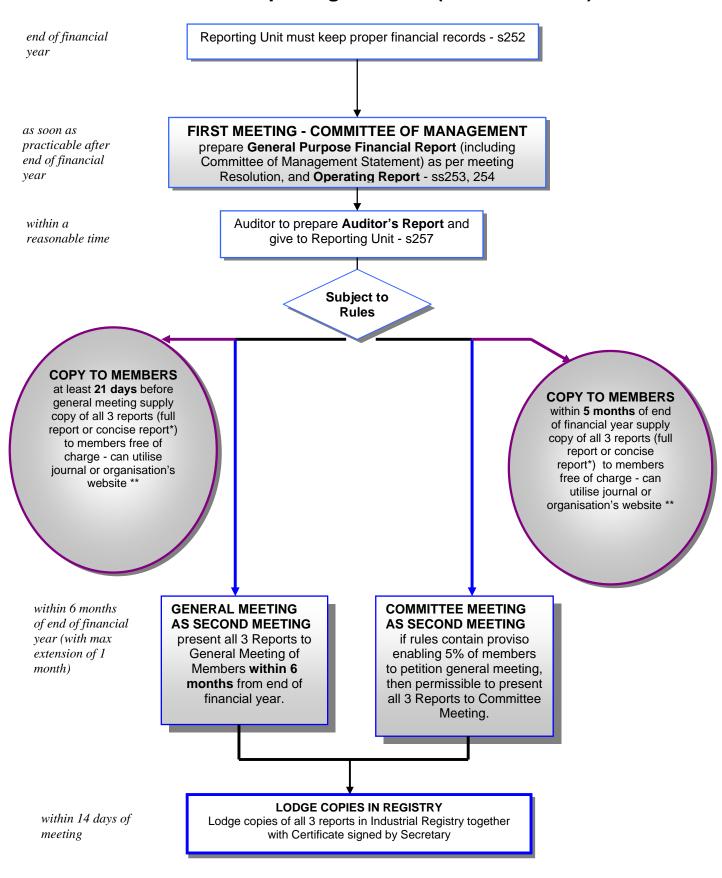
Cynthia Lo-Booth Statutory Services Branch

egel Briel

4 December 2008

Enc.

### **Financial Reporting Timeline (RAO Schedule)**



<sup>\*</sup> concise report may be provided if s265(1)-(4) complied with. \*\* report may be supplied through organisation's journal or on organisation's website subject to particular specifications as per RAO regulation 18.



20 October 2008

Lyn Markovski Australian Industrial Registry 11 Exhibition Street Melbourne VIC 3000

Fax: 039655 0410

### Dear Lyn

Please find enclosed a copy of the SPAA financial results for 2008, provided to the AIR in accordance with the SPAA obligation under the Workplace Relation Act 1996.

A copy fas been faxed to 03 965504109 and an original signed version sent in the post.

Please contact me via phone or email (Bethwyn@spaa.org.au) if you have any queries or require additional information.

Yours sincerely,

Bethwyn Serow

**Production Executive** 

34 Fitzroy Street Surry Hills NSW 2010 Australia

Telephone +61 2 9360 8988

Facsimile +61 2 9360 8977 email spaa@spaa.org.au www.spaa.org.au ABN 46 091 470 324

### **COMMITTEE'S REPORT**

Your committee members submit the financial statement of Screen Producers Association of Australia for the year ended 30 June 2008.

### **COMMITTEE MEMBERS**

The names of committee members throughout the year and at the date of this report are:

Cathy Henkel
Anni Browning
Jenny Lalor
Trish Lake
Caroline Starkey
Melanie Coombs

Bob Campbell
Penny Chapman
Suzanne Ryan
Vincent Sheehan
Brian Beaton
Jason Moody

### **PRINCIPAL ACTIVITIES**

The principal activities of the association during the financial year were to provide a representative forum for members involved in the Australian Film and Television industry.

### **SIGNIFICANT CHANGES**

No significant change in the nature of these activities occurred during the year.

### **OPERATING RESULTS**

The profit from ordinary activities for the year amounted to \$126,647.

Signed in accordance with a resolution of the Members of the Committee.

Dated this 25 day of Carlo or 2008

## **INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2008**

	Note	<u>2008</u> \$	<u>2007</u> \$
Revenues from ordinary activities	2	2,120,822	2,254,630
Depreciation expense		(6,861)	(7,172)
Operating lease expense		-	(763)
Seminars expenses		(11,641)	(18,285)
Other expenses from ordinary activities		(1,975,673)	(2,007,034)
Profit from Operations		126,647	221,376

## BALANCE SHEET AS AT 30 JUNE 2008

	Note	2008 \$	2007 \$
CURRENT ASSETS		4	*
Cash	4	880,628	907,743
Receivables	5	177,177	91,872
Other	6	147,234	104,295
TOTAL CURRENT ASSETS		1,205,039	1,103,910
NON-CURRENT ASSETS			
Property, Plant and Equipment	7	17,878	21,650
TOTAL NON-CURRENT ASSETS		17,878	21,650
TOTAL ASSETS		1,222,917	1,125,560
CURRENT LIABILITIES			
Payables	8	91,247	101,244
Current Tax Liabilities	9	44,356	43,371
Provisions	10	126,445	195,829
Other	11	112,490	75,107
TOTAL CURRENT LIABILITIES		374,538	415,551
NON-CURRENT LIABILITIES			
Provisions	10	11,723	
TOTAL NON-CURRENT LIABILITIES		11,723	-
TOTAL LIABILITIES		386,261	415,551
<u>NET ASSETS</u>		836,656	710,009
<u>EQUITY</u>			
Retained Profits	12	836,656	710,009
TOTAL EQUITY		836,656	710,009
·			

## <u>CASH FLOW STATEMENT</u> FOR THE YEAR ENDED 30 JUNE 2008

	<u>Note</u>	2 <u>008</u> \$	<u>2007</u> \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from customers		1,853,098	2,278,102
Operating grants received		94,413	132,546
Payments to suppliers and employees		(2,016,605)	(2,185,573)
Interest Received		45,067	24,681
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	13	(24,027)	249,756
CASH FLOWS FROM INVESTING ACTIVITIES Proceeds from sale of plant and equipment Purchases of plant and equipment		(3,088)	(4,699)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		(3,088)	(4,699)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts from borrowings		-	-
Repayment of borrowings			
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES			
NET INCREASE (DECREASE) IN CASH HELD		(27,115)	245,057
Cash at the beginning of the financial year		907,743	662,686
Cash at the end of the financial year	4	880,628	907,743

The statement of cash flows is to be read in conjunction with the attached notes to the accounts.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Urgent Issues Group Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the requirements of the Associations Incorporations Act NSW.

The financial report covers Screen Producers Association of Australia as an individual entity. Screen Producers Association of Australia is an association incorporated in New South Wales under the Association Incorporations Act 1984.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on fair value of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by Screen Producers Association of Australia in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

#### (a) Income Tax

The association is exempt from income tax.

### (b) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost, or fair value less, where applicable, any accumulated depreciation.

The carrying amount of plant and equipment is reviewed annually by the Association to ensure it is not in excess of the recoverable amount of those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets' employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

#### Depreciation

The depreciable amount of all fixed assets are depreciated on a straight line basis over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

The depreciation rates used for each class of assets are:

<u>Class of Fixed Assets</u> Office Equipment Depreciation Rate 8% - 25%

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

#### STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES - CONT.

### (c) Leases

Lease payments under operating leases, where substantially all the risk and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

### (d) Employee Benefits

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

### (e) Cash

Cash and cash equivalents include cash on hand, at banks and deposits held at call.

### (f) Revenue

Income from providing a service is recognized when the customer receives the service.

Interest income is recognised on a proportional basis taking into account the interest rates relevant to the financial assets.

### (g) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of Goods and Services Tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expenses. Receivables and Payables in the Balance Sheet are shown inclusive of GST.

	2008 \$	2007 \$
2. <u>REVENUE FROM ORDINARY ACTIVITIES</u>		
Operating Revenue		
Advertising Income	588	-
Grants	94,413	132,546
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars/Workshops	29,306	24,226
Conference	1,024,871	1,178,935
Conference 2006	(75,903)	
Fringe Conference	168,137	134,033
	2,010,927	2,157,434
Non-operating revenue		
SADC	<b></b>	33,061
Interest received	45,067	24,681
Sundry Income	64,828	39,454
	109,895	97,196
	2,120,822	2,254,630
3. PROFIT FROM ORDINARY ACTIVITIES		-
Profit from ordinary activites has been determined after:		
(a) Expenses		
Depreciation expenses	6,861	7,172
Remuneration of auditor	,	,
- SPAA audit	6,180	5,870
- Conference audit	2,000	, ne
(b) Significant Revenue and Expenses		
The following revenue and expense items are		
relevant in explaining the financial performance		
Conference Income	1,024,871	1,178,935
Conference Expenses	(738,811)	(815,863)
	286,060	363,072
Fringe Conference Income	168,137	134,033
Fringe Conference Expenses	(126,648)	(143,792)
	41,489	(9,759)
	11,107	(2,737)

4. CASH ASSETS	<u>2008</u> \$	<u>2007</u> \$
Petty Cash	6	166
AMEX Account	190	_
SPAA Cheque Account	65,243	200,618
SPAA Conference Cheque Account	93,925	-
SPAA Maxi Direct	720,440	382,513
SPAA Conference Cheque Account	824	324,446_
	880,628	907,743
5. <u>RECEIVABLES</u> Receivables	207,467	86,292
Receivables - Conference	6,710	12,080
Less: Provision for Doubtful Debts	(37,000)	(6,500)
	177,177	91,872
6. <u>OTHER</u>		
Prepaid Conference Expenses	90,014	80,855
Prepaid Fringe Expenses	30,439	-
Prepayments	9,342	8,946
Refundable Deposits	15,474	13,424
Other	1,965	1,070_
	147,234	104,295
7. PROPERTY, PLANT AND EQUIPMENT		
Office Equipment - at cost	164,828	161,740
Less: Accumulated Depreciation	146,950	140,090
	17,878	21,650

	<u>2008</u>	<u>2007</u>
	\$	\$
8. <u>PAYABLES</u>		
Trade Creditors	57,550	45,772
Other Creditors and Accruals	33,697	55,472
	91,247	101,244
9. CURRENT TAX LIABILITIES		
GST Payable	44,356	43,371
Go11 ayaoto		13,371
10. <u>PROVISIONS</u>		
Current		
Provision for Extra Industrial Relations Costs	59,354	59,354
Provision for Holiday Pay	34,350	26,734
Provision for 10BB Implementation	_	9,741
Provision for Terms of Trade	32,741	100,000
	126,445	195,829
Non-Current		
Provision for Long Service Leave	11,723	_
11. OTHER		
Sponsorships in Advance	_	8,000
Fees in advance	17,420	32,727
Conference in advance	81,070	10,800
Fringe in advance	14,000	4,000
Grants in Advance	EN	19,580
	112,490	75,107
12. RETAINED PROFITS		
Retained profits at the beginning of the financial year	710,009	488,633
Net profit attributable to the association	126,647	221,376
1	836,656	710,009

13. CASH FLOW INFORMATION	2008 \$	2007 \$
Reconciliation of cash flow from operations with operating profit		
Operating profit	126,647	221,376
Non cash flows in operating profit		
Profit on sale of plant and equipment Depreciation Provision for Holiday Pay Provision for Long Service Leave Provision for Doubtful Debts  Changes in assets and liabilities, net of the effects of purchase and disposal of subsidiaries	6,861 7,616 11,723 30,500	7,172 580 -
Decrease (increase) in trade debtors Increase (decrease) in trade creditors Increase (decrease) in other creditors Increase (decrease) in provisions Decrease (increase) in other debtors Cash Flows from Operations	(115,805) 11,778 16,592 (77,000) (42,939) (24,027)	125,576 11,801 (151,872) (20,000) 55,123 249,756

### STATEMENT BY MEMBERS OF THE COMMITTEE

In the opinion of the Committee the Financial Report as set out on pages 1 to 10:

- 1. Presents a true and fair view of the financial position of Screen Producers Association of Australia as at 30 June 2008 and its performance for the year ended on that date in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board.
- 2. At the date of this statement, there are reasonable grounds to believe that Screen Producers Association of Australia will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Dated this 254R day of Soptals 2008.

### **INDEPENDENT AUDIT REPORT TO THE MEMBERS**

### Scope

We have audited the financial report of Screen Producers Association of Australia for the year ended 30 June 2008 as set out on pages 1 to 11. The Committee is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with our understanding of the Association's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis, subject to the separate audit of Annual Conference Income and Expenditure.

### **Audit Opinion**

In our opinion, the financial report of Screen Producers Association of Australia presents a true and fair view, in accordance with applicable Accounting Standards, the requirements imposed by Part 3 Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996 and other mandatory professional reporting requirements in Australia, of the financial position of Screen Producers Association of Australia as at 30 June 2008, and the results of its operations and its cash flows for the year then ended.

Dated this 25 We day of September 2008.

Stephen B. Swaine Swaine & Associates

## **CERTIFICATE BY MEMBERS OF THE COMMITTEE**

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and		• • • • • • • • • • • • • • • • • • • •		•••••••••••	•••••
I,Bot	S CAMPIBULL	•••••			
certify that	t:				
a. b.	We are members of the We attended the An	nual General			
c.	We are authorised by certificate.		resolution of	the committee to	sign this
d.	This annual statement annual general meeting.	was submitted	to the memb	pers of the association.	tion at its
Dated this	25 Kday of So	Reak:		2008.	
	PKhele				
Rei					

### **ADDITIONAL INFORMATION**

The Detailed Income and Expenditure Statement for the year ended 30 June 2008, shown on pages 15 to 17, has been prepared from accounting and other records and has subject to the tests and other auditing procedures applied in our examinations of the financial statements for the year ended 30 June 2008.

This Detailed Income and Expenditure Statement does not form part of the Balance Sheet and Income Statement in respect of the year ended 30 June 2008 referred to in our report to members, and we do not express an audit opinion thereon.

Dated this 25dQ day of Suprember 2008.

Stephen B. Swaine Swaine & Associates

## INCOME & EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

	2008	<u>2007</u>
	\$	\$
INCOME		
Subscriptions	127,290	123,867
Levies	642,225	563,827
Seminars	29,306	24,226
SPAA Conference	1,024,871	1,178,935
SPAA Conference - 2006	(75,903)	-
SPAA Fringe Conference	168,137	134,033
Grants	94,413	132,546
SADC	_	33,061
Interest Received	45,067	24,681
Sundry Income	64,828	39,454
Advertising Income	588	-
	2,120,822	2,254,630
Less: Expenditure (pages 16 and 17)	1,994,175	2,033,254
OPERATING PROFIT	126,647	221,376

## INCOME & EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

	<u>2008</u>	2007
EXPENDITURE	\$	\$
EATENDITURE		
Accounting Fees	4,729	6,052
Annual Report Expenses	650	
Advertising	377	887
Audit Fees - SPAA	6,180	5,870
Donations	-	1,250
Interest Paid	3,892	<b>a</b> a
Bank Charges	3,525	3,176
Merchant Fees	3,699	3,439
Cleaning	5,296	5,978
Computer Expenses	8,525	6,801
Consultancy Fees	26,541	64,196
Council Management Meetings	33,823	39,867
Fringe Benefits Tax	2,065	-
Governance	45,791	102,889
Grant Expenses	65,185	116,986
Policy and Government	118,810	131,484
Commercial Affairs	88,127	75,799
SPAA Chapter	4,750	2,033
SPAA Conference	738,811	815,863
Directors Fees	10,000	20,500
TVC Policy	31,355	46,427
Depreciation	6,861	7,172
Electricity	2,703	2,602
Freight and Couriers	1,755	2,662
Annual General Meeting	730	1,876
SPAA Fringe Conference	126,648	143,792
General Office Expenses	5,480	6,112
Provision for Holiday Pay	7,616	580
Provision for Doubtful Debts	30,500	-
Insurance	12,607	10,629
Provision for Long Service Leave	11,723	-
Website Expenses	34,472	15,613
Leasing Expenses	-	763
Legal Expenses	10,789	4,000
Magazines, Journals and Periodicals	19,667	14,258
Postage	2,261_	3,821
Balance carried forward	1,475,943	1,663,377

## INCOME & EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

	2008	<u>2007</u>
EXPENDITURE - CONT.	\$	\$
EAFENDITURE - CONT.		
Balance brought forward	1,475,943	1,663,377
Printing and Stationery	9,796	8,892
Documentary	68,625	
Rent	62,813	59,794
Repairs and Maintenance	168	1,353
SADC	-	28,952
Security Costs	416	416
Seminar Expenses	11,641	18,285
Sponsorship	500	28,971
Staff Amenities	4,231	3,878
Staff Training and Welfare	2,917	9,324
Storage Expenses	3,224	3,016
Newsletter	11,334	12,400
Superannuation Contributions	24,052	19,262
Telephone	22,293	24,617
Travelling Expenses	13,759	9,361
Wages	269,547	141,086
SPAA Conference - 2005	4,592	-
Motor Vehicle Expenses	8,324	ta .
	1,994,175	2,033,254