

THE LAW

STATUTORY AUTHORITIES

National Portrait Gallery becomes independent

New laws recognise gallery's significance.

The National Portrait Gallery has now taken its place alongside other Commonwealth institutions as an independent statutory authority.

Bills to make the gallery a stand-alone institution have passed through federal parliament.

The National Portrait Gallery was previously part of a branch within the Department of Regional Australia, Local Government, Arts and Sport.

Its independent status will begin from 1 July 2013 and will allow it to have its own board of governance and director.

Member for Canberra (ACT), Gai Brodtmann said the new laws give the National Portrait Gallery proper acknowledgement of its success and significance.

"The functions of the gallery as established by the bill are to develop, preserve, maintain, promote and provide access to a national collection of portraits, other works of art and related material, including portraits that reflect the identity, history, diversity and culture of Australia," she said.

"It will also develop and engage a national audience in relation to that collection and other works of art and related material that will be in the possession of the gallery including through exhibitions, education, research, publications and public and online programs."

The laws set out the powers that enable the National Portrait Gallery to perform those functions and handle its own budget and accounts.

"For the first time, as a result of this legislation, the functions of the Portrait Gallery will be enshrined, giving it a clear and coherent purpose reflecting its cultural role and its cultural importance," Ms Brodtmann said.

"As a result of this particular bill, the National Portrait Gallery will continue its role as a source of great pride to all Australians and to all those who visit the national capital. This bill represents a fitting tribute to Canberra and a very important change to one of my electorate's most significant cultural institutions." ●



OUT OF THE CROWD: Portrait gallery to stand alone

CUSTOMS

Butting out illegal tobacco

Jail terms and large fines for smugglers.

Tobacco smugglers face up to 10 years in jail and large fines under new laws passed by federal parliament.

The Customs Amendment (Smuggled Tobacco) Bill 2012 creates specific offences for smuggling tobacco products and for conveying or processing smuggled tobacco products.

Previously people who illegally imported tobacco products could only be prosecuted under general anti-smuggling provisions, which only carry financial penalties between two and five times the customs duty that would have been payable on the tobacco if it had been declared.

Attorney-General Nicola Roxon said while tobacco smuggling has not been a major problem in Australia in recent years, the government was keen to ensure appropriate penalties are in place to deter potential smugglers and to deal with those who do try to circumvent Australia's high tobacco duties.

"A term of imprisonment is not currently available as a penalty for tobacco smuggling under the Customs Act and these new penalties will send a clear message to smugglers that they risk spending significant time in jail by bringing illegal tobacco into this country," she said.

However the opposition accused the government of underplaying the prevalence of tobacco smuggling and illegal tobacco products in Australia.

Shadow Customs Minister Michael Keenan pointed to a report from industry research giant Deloitte which estimated the illicit tobacco market in Australia to be 2.26 million kilograms in 2011, equivalent to 13.4 per cent of the legal tobacco market.

"While figures on the illegal tobacco market will vary and, clearly, it is difficult to find the appropriate methodology to assess how large this