

**Manatū
Taonga**

Ministry
for Culture
& Heritage

Released under the Official Information Act 1982

Briefing to the
Incoming Minister for
**Broadcasting
and Media**

November 2020

newzealand.govt.nz

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Introduction

E te Minita, nau mai haere mai ki te kohinga mō te pāpāho, mō te whakawhiti whakaaro, mō ngā pae pāpāho matihiko anō hoki.

Anei e whai ake nei ko ngā whakamōhiotanga e pā ana ki te ao pāpāho, me ngā pae pāpāho matihoki i tō kohinga hou. Ko te Manatū Taonga te manatū e ārahi ana i ēnei rāngai.

Minister, welcome to the Broadcasting and Media portfolio.

This briefing covers your Broadcasting and Media portfolio. Manatū Taonga, the Ministry for Culture and Heritage, is the lead agency for this sector.

The Ministry's Secretary and Chief Executive, Bernadette Cavanagh, and the Deputy Chief Executive for Policy and Sector Performance, Anna Butler, are your main points of contact with the Ministry.

Key contact	Position	Contact details
Bernadette Cavanagh	Tumu Whakarae Secretary for Culture and Heritage, and Chief Executive	9(2)(a) bernadette.cavanagh@mch.govt.nz
Anna Butler	Pou Mataaho o Te Aka Deputy Chief Executive Policy and Sector Performance	9(2)(a) anna.butler@mch.govt.nz

Portfolio overview

The broadcasting and media sector is large, diverse and integral to New Zealanders' everyday lives. It comprises a range of services, both local and global, that provide news, information, and entertainment content delivered across television, radio, digital platforms and print media.

The Crown supports public broadcasting services through funding public media content and platforms, through the ownership of broadcasters, and through regulation of the media sector. Broadcasting Crown entities and policy work are funded through Vote Arts, Culture and Heritage.

Support for the Broadcasting and Media portfolio complements the wider Arts, Culture and Heritage portfolio and is reflected in the Ministry's strategic priority:

- **Investing in News and Stories** – New Zealand's media system is strengthened to ensure an informed democracy

This priority supports and is supported by the Ministry's other strategic priorities:

- All New Zealanders can access and participate in cultural experiences
- The cultural sector is supported and growing sustainably
- New Zealanders share a distinct and inclusive identity and value our history and traditions

Changing audience behaviour and technological advances have rapidly transformed expectations of the media sector, creating a need for local media services to adapt and

innovate in order to stay relevant to audiences. Increased competition from global platforms and content providers, declining revenue shares, and the transition to digital delivery are driving changes in the media's operating environment. These factors are challenging the viability of traditional media models, particularly television and print media, and their ability to meet the diverse needs and interests of New Zealand audiences

The global media sector is rapidly transforming as technological advances give audiences more ways than ever before to watch, listen to, read and experience media. The local sector has been significantly affected by COVID-19 through falling advertising revenues and the impact on content production while also playing a critical role in informing New Zealanders about the pandemic and government's response. These factors are having an impact on the business models of commercial television, including Television New Zealand (TVNZ), and newspaper companies.

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Portfolio responsibilities

As Minister for Broadcasting and Media, you are responsible or share responsibility for five Crown entities or Crown-funded organisations¹. You, the Ministry and funded agencies each has a set of responsibilities laid out in key reference documents such as the Crown Entities Act 2004, the Public Service Act 2020, the *Cabinet Manual (2017)* and *Statutory Crown Entities: A Guide for Ministers (2014)*.

Ministerial responsibilities

This is a pivotal time for defining the future of media in New Zealand. As Minister, you can shape the government's role in supporting the media sector to recover from the immediate impacts of COVID-19 and to identify long-term solutions to the fundamental challenges facing the sector.

The transformative changes being experienced in the sector have created a need to consider ambitious policy reforms, including review of legislative settings and structural arrangements to ensure they are fit for purpose. You will have the opportunity to discuss the future of the sector with established broadcasters and media outlets as well as new entrants to the market.

A significant part of your new role will involve working with a range of Crown entities and Crown-funded organisations that will deliver much of your strategy and priorities. The Crown Entities Act 2004, along with enabling legislation, outlines your responsibilities for oversight and management of the Crown entities you are responsible for: the Broadcasting Commission (NZ On Air), Broadcasting Standards Authority (BSA), TVNZ and Radio New Zealand (RNZ). As TVNZ and RNZ are Crown entity companies they are monitored by the Treasury rather than the Ministry; you and the Minister of Finance are shareholding Ministers for them.

Your portfolio also covers the Advertising Standards Authority (ASA, which acts as a self-regulatory body for the advertising industry) and the National Pacific Radio Trust (NPRT), which runs radio stations aimed at Pacific people in New Zealand. You will work with the Minister for Pacific People in relation to the NPRT.

You will also work with the Minister for Māori Development who holds responsibility for funding and monitoring Te Mangai Paho and the Māori Television Service.

You have responsibility for the Code of Practice for New Zealand Music Content in Radio Broadcasting, an agreement between the Government and the Radio Broadcasters Association. The Code provides a voluntary commitment of 20 percent of contemporary popular New Zealand music on commercial radio and complements other interventions that support New Zealand music.

¹ Refer to Appendix 1: Monitoring of funded agencies and sector performance for a summary of the Crown entities within the portfolio.

Priority topics

9(2)(f)(iv)

Strong Public Media programme

The current mandates, objectives and funding arrangements of our public media entities – RNZ, TVNZ and NZ On Air – are not aligned and constrain their ability to respond collectively to digital disruption and changing audience expectations. In January 2020, Cabinet directed officials to undertake a detailed business case on the viability of establishing a new public media entity (combining the existing capacity and capability within RNZ and TVNZ into a single entity).

Creating a new entity is an opportunity to design an agile, future-focused organisation with greater scale and a clear public service mandate to deliver content across multiple platforms.

A draft of the strategic and economic cases had been prepared when the programme paused in April 2020 due to the impact of COVID-19. Cabinet agreed to resume work on the programme in August 2020. The Ministry is developing advice on next steps to progress this work.

Strategic Framework for a sustainable media sector

As noted above, Cabinet approved the draw-down of \$2m in 2020/21 to initiate work on a Strategic Framework for the media sector, to cover public and private media. This is a foundational piece of work that will support decision making to ensure the long-term sustainability of the media system in New Zealand. The framework will provide a way to assess the components of a well-functioning media system and how well our system measures up against those components. The overarching goal of the framework is to provide for a roadmap that ensures decisions on any further government intervention drive or underpin the components of a well-functioning system.

The Ministry is developing advice on next steps to progress this work, including the establishment of a sector reference group and the approach and timeframe for wider public engagement.

RNZ Charter

The Radio New Zealand Charter Te Tūhinga o Te Reo Irirangi o Aotearoa, which sets out RNZ's operating principles, is reviewed every five years. It has to be reviewed by the House of Representatives before April 2021. 9(2)(f)(iv)

Media Package One

COVID-19 exacerbated the existing challenges within the sector of increased overseas competition and rapidly changing audience behaviour amongst New Zealanders. The drop in advertising revenue through the lockdown periods also had an immediate and significant impact for many media organisations. In April 2020, the Ministry worked with the sector to rapidly develop a \$50 million suite of initiatives that focused on reducing cost and easing cashflow pressure and supporting a range of media organisations. The initiatives were chosen for their relatively quick implementation and impact.

Snapshot of funding as at 30 October 2020 – Media Support Package One					
The applications received and funding disbursed by Manatū Taonga to the media sector and to our partner agencies to support the media sector					
Initiative	Applications received	Paid	Total announced package value (\$m)	Total approved spend (\$m)	Amount paid to date (\$m)
RNZ transmission	16	16	0.6	0.92	0.92
Kordia transmission	38	38	20	17.06	17.06
Iwi radio transmission	13	13	0.5	0.14	0.14
Other providers transmission	63	54	0	1.70	0.95
Uptake of subscriptions	21	9	1.3	1.55	1.55
NZ On Air + platform providers*	10	5	16.5	16.5	6.24
Supplementary fund (Advertising)	44	31**	11.1	4.83	4.83
Supplementary fund (Magazines and Newspapers)	360	1	0	4.23	0.23***
Total	565	167	50.00	46.93	31.92
* First of 3 NZ On Air funding rounds was \$3.48M in July 2020, \$2.76M in September 2020					
** Advertising fund reduced as MediaWorks withdrew their application					
*** \$150k paid to the Advertising Standards Authority					

Cross-portfolio priorities

Content regulation and captioning

The Department of Internal Affairs (DIA) and the Ministry are carrying out scoping work on a potential review of New Zealand's media content regulation regime. The regime includes the Broadcasting Act 1989 (for which you are responsible) and the Films, Videos, and Publications Classification Act 1993 (responsibility of the Minister of Internal Affairs).

The current regime is around 30 years old, is based on the platforms that content is viewed on and is fragmented across five regulatory bodies. Some content (for example, YouTube) is not subject to any regulation, limitations on content, or complaints mechanisms. Across different platforms, the same content is subject to different classification and standards, creating confusion for consumers and different obligations for industry.

As part of the content regulation work, government is also committed to increasing levels of captioning and audio description for New Zealanders. 9(2)(f)(iv)

Māori Media Sector Shift

Te Puni Kōkiri (TPK) is leading the Māori Media Sector Shift review, which is focused on supporting Māori media entities to adapt to the changing operating environment, better serve audiences, and contribute to te reo revitalisation outcomes. The scope of this work includes Māori Television Service, Te Māngai Pāho, and the iwi radio network.

Media is a key means of revitalising Māori language and culture. The government is committed to supporting the advancement of the Maihi Karauna language strategy. The Ministry has a lead role in the strategy's Aotearoatanga outcome. The strategy includes creating the conditions for te reo Māori to be valued by Aotearoa whānui as a central part of national identity. Media will have a role in contributing to this outcome by supporting more New Zealanders to engage with quality Māori language and cultural content.

We are working with TPK to consider the alignment in outcomes between the Māori Media Sector Shift review and the Strong Public Media programme.

Upcoming decisions

These upcoming decisions are required within the first few months of your appointment. The Ministry will provide you with advice to support these decisions.

Decision required	Timing for decision
Policy decisions	
9(2)(f)(iv)	
2021 Legislative Programme bid	
9(2)(f)(iv)	
Funding decisions	
Budget 2021 processes and decisions from early November	November 2020 – May 2021
Crown Entity Letters of Expectations	
Letters of Expectations for NZ On Air, RNZ and BSA	February 2021
Board appointments	
<i>National Pacific Radio Trust: Chair appointment</i> – the term of the Chair, Timalu Peter Fa’afiu, continues under roll-over provisions	February 2021
<i>Broadcasting Commission (NZ On Air): Chair appointment</i> – the term of the Chair, Ruth Hanley, expires on 30 April 2021; she has served one term as Chair and member	November-December 2020

Suggested meetings

The Ministry recommends the following Ministerial and stakeholder meetings as an initial introduction to the sector and the portfolio:

Strong Public Media – the Ministry suggests that you meet RNZ, TVNZ and NZ On Air Chairs and Chief Executives to discuss next steps and the Minister of Finance as shareholding Minister. You may also like to meet with the Minister for Māori Development to discuss alignment with the Māori Media Sector Shift.

Minister for Internal Affairs – you may like to meet the Minister and discuss your joint approach to content regulation.

NZ On Air Chair – you may like to meet with Dr Ruth Harley to understand her assessment of and vision for developing the board, sector developments and NZ On Air's COVID-related support packages.

BSA Chair and Chief Executive – the BSA has recently appointed a new Chief Executive, former head of news and digital at RNZ and editor of Stuff.co.nz, Glen Scanlon. The Ministry recommends you meet with the Chair and Mr Scanlon to discuss your expectations for the BSA.

Other meetings – the Ministry will support you to establish regular meetings throughout your term with Crown Entity Chairs and Chief Executives. Following initial meetings with Crown Entity representatives, the Ministry suggests you meet with major private media companies and independent production sector representatives. The Ministry will work with your office to prioritise these meetings.

Ministry support to the portfolio

The Ministry is here to support you in carrying out your Ministerial duties and realising your priorities for the broadcasting and media sector. The Ministry will provide you with free and frank advice on relevant portfolio issues and will develop and implement policies and strategy to deliver on your objectives and to support the Government's wider priorities and policies.

You will have a Private Secretary on secondment from the Ministry, who will support you with portfolio related matters and act as the interface between your office and the Ministry. The Ministry will provide you with regular status reports and will have regular officials meetings with you.

Further information about the work of the Ministry is provided in Appendix 1.

Appendix 1: Monitoring of funded agencies and sector performance

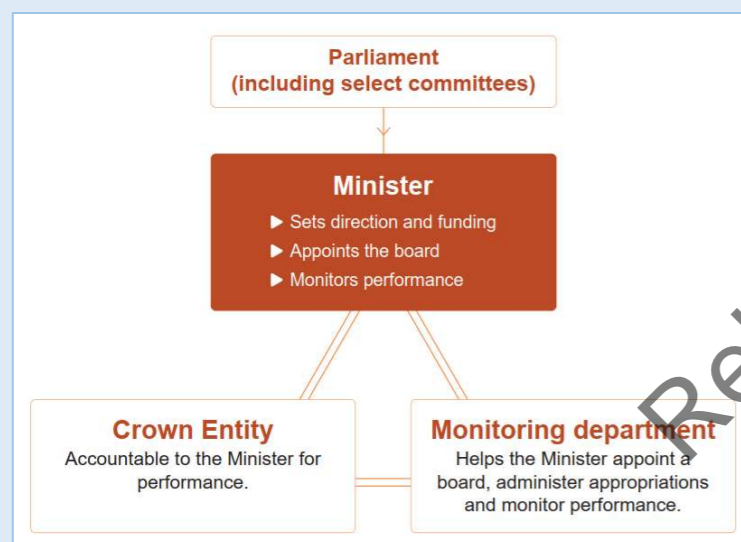
Ministry's role

As stewards of the arts, culture, heritage, media and sporting sectors, the Ministry has a duty to advise Ministers on the sustainability, health and capability of the sector and the challenges and opportunities the sector faces. Our overall aim is to drive sector performance for the benefit of all New Zealanders. The Ministry's role as a monitor is to assist you as responsible Minister to carry out your role in:

- **Ensuring an effective board is in place** by appointing members to, and removing members from boards and determining remuneration of some board members
- Giving directions to entities to **give effect to government** policy (Crown agents) or have regard to government policy (autonomous Crown entities)
- **Reviewing** the operations and performance of the entity
- Requesting **information** from an entity
- Participating in the process of setting the entity's **strategic direction** and performance expectations
- **Monitoring** the entity's performance
- **Managing risks** on behalf of the Crown
- **Answering to Parliament** for the performance of the entity.

As monitor the Ministry is also responsible for

- Administering **appropriations**
- Administering **legislation**
- Tendering independent **advice to Ministers**, including advice on entities' performance



From 'It Takes Three' – Te Kawa Mataaho, Public Service Commission

Organisation and purpose	Funding	Key personnel	Monitor	Minister's responsibilities and government expectations
RNZ – Crown Entity Company <ul style="list-style-type: none"> • New Zealand's independent public service broadcaster • Established under the Radio New Zealand Act 1995 • Receives some contestable funding from NZ On Air. 	\$42.606m from NZ On Air and \$1.900m from Vote Arts Culture and Heritage for RNZ International In addition, RNZ received \$3.5m in capital funding over 3 years in Budget 2018	Chair: Dr Jim Mather CE: Paul Thompson	Treasury and MCH MCH lead on policy	<ul style="list-style-type: none"> • Shareholding Ministers (you and Minister of Finance) determine appointments and (with discretion) removal of Board members • Minister has no power to direct (unless specifically provided for in another Act) but sets direction and annual expectations • Agency must 'give effect to' Whole-of-Government approach if directed by Ministers of Finance and Public Service
TVNZ – Crown Entity Company To share the moments that matter to New Zealanders through commercial broadcasting	N/A (TVNZ receives no direct Crown funding but receives contestable funding from NZ On Air) In addition, \$30m uncalled capital facility is available as necessary during 2020/21 as per the share subscription agreement	Chair: Andy Coupe CE: Kevin Kenrick	Treasury MCH lead on policy	<ul style="list-style-type: none"> • Similar responsibilities to that for RNZ but through Treasury; MCH provides wider policy advice
NZ On Air – Autonomous Crown Entity <ul style="list-style-type: none"> • Independent government funding agency • Provides funding for scripted and factual content as well as platforms and music • Established under the Broadcasting Act 1989 	\$180.572m from Vote Arts Culture and Heritage in 2020/21 (includes \$42.606m for RNZ and \$29.556m COVID response)	Chair: Dr Ruth Harley CE: Cameron Harland	MCH	<ul style="list-style-type: none"> • Minister determines appointments and (with discretion) removal of Board members • Agency must 'have regard to' policy that relates to the entity's functions and objectives if directed by Minister • Minister sets direction and annual expectations but no direction can be given on cultural matters • Agency must 'give effect to' Whole-of-Government approach if directed by Ministers of Finance and Public Service
BSA - Independent Crown Entity <ul style="list-style-type: none"> • Oversees New Zealand's broadcasting standards regime; decides complaints about broadcasters • Publishes and conducts research on broadcasting standards. • Quasi-judicial tribunal established by the Broadcasting Act 1989 	Jointly funded by government and through broadcaster levies. \$0.609m from Vote Arts Culture and Heritage in 2020/21	Chair: Judge Bill Hastings CE: Glen Scanlon	MCH	<ul style="list-style-type: none"> • Advise Governor-General on appointments and removing Board members • Minister has no power to direct (unless specifically provided for in another Act) but sets direction and annual expectations • Agency must 'give effect to' Whole-of-Government approach if directed by Ministers of Finance and Public Service
NPRT – Private trust (listed in Schedule 4 of the Public Finance Act 1989) To serve New Zealand's Pacific community through maintaining the national Pacific radio network (Radio 531pi and Niu FM)	\$3.250m via NZ On Air	Chair: Peter Fa'afiu CE: Don Mann	MCH	<ul style="list-style-type: none"> • In consultation with Minister for Pacific Peoples, Minister determines appointments and (with discretion) removal of Board members



Appendix 2: Issues in the broadcasting and media sector

New Zealand's public media system is fragmented

Issue: New Zealand has comparatively low levels of public media investment and a fragmented public media system. The current mandates, objectives and funding arrangements for TVNZ, RNZ and NZ On Air are not aligned and constrain their ability to respond collectively to digital disruption.

Impact: Change is required to ensure that our public media entities are multi-platform and agile to preserve the value of public media for future generations of New Zealanders.

Related Ministry work stream: Strong Public Media

Stakeholders: RNZ, NZ on Air, TVNZ

Cross-portfolio work: Māori Media Sector Shift with TPK



Traditional media business models are failing

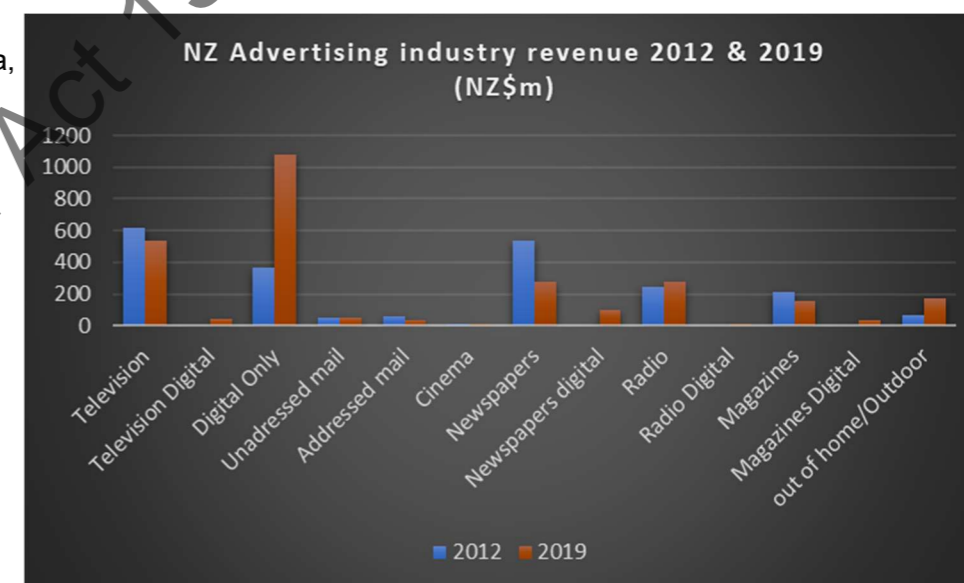
Issue: Advertising revenue on traditional media platforms is declining (particularly for television and print), and local media need to adapt to monetise digital content and find new revenue streams. At the same time, global digital giants are increasingly competing for digital advertising revenue (Facebook, Google) and audiences (Netflix, YouTube, Disney) while making a limited contribution to local jobs and content.

Impact: The longer-term viability of New Zealand commercial media, and the local content and perspectives they provide, is at risk.

Related Ministry work streams: Strategic Framework, COVID Recovery Programme, Digital Platforms

Stakeholders: local commercial media in New Zealand

Graph data provided by:
ASA's Advertising Turnover Report
(data current to 31 December 2019)



Regulatory systems for media are outdated and inequitable

Issue: The current regime is over 30 years old.

- Some content, including YouTube (NZ's most watched channel), is not subject to any regulation and so there are no limitations on this content or complaints mechanism.
- Content is subject to inconsistent classification and standards depending on the platform it is viewed on, which is confusing for consumers and unequal for industry, particularly local content providers.
- Content regulation is also fragmented across five regulatory bodies, which causes confusion for audiences.

Recent issues with content in NZ:

- The *Children's Media Use Report 2020* found that most 10- to 14-year-old children have been exposed to content that has bothered or upset them.
- Misinformation has been spread about COVID-19, eg, the origins of community transmission.
- The March 2019 terrorist attack was livestreamed and viewed unintentionally by many.

Related Ministry work streams: Content regulation (joint with DIA) and increasing captioning and audio descriptions.



Co-regulation of broadcasters



Regulation of films, films, books, publications, video games and specified commercial video on demand



Self-regulation of newspapers, magazines, and their online content



Self-regulation of advertising



Netsafe deals with harmful digital communication but online and user-generated content is generally not regulated

New Zealand audiences are changing

Trends

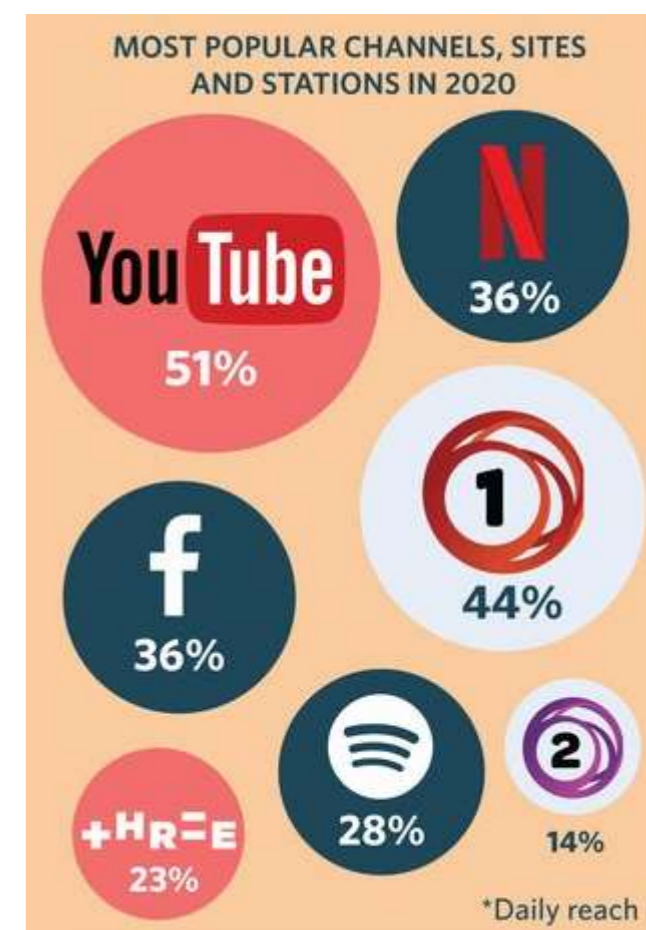
- Online media now overtakes traditional media.
- YouTube is the most popular 'channel' in New Zealand.
- Almost two-thirds of New Zealanders have Netflix.
- Age is the strongest predictor of which media you consume.
- New Zealanders have a relatively high level of trust in news.
- Our public broadcasters are the most trusted sources of news.

Related Ministry work streams: this will inform and is a key driver across the broadcasting and media work plan

Implications: this may need to be considered when funding public media entities

Stakeholders: public in Aotearoa New Zealand

Source for graphic:
NZ On Air, *Where are the Audiences?* (July 2020)

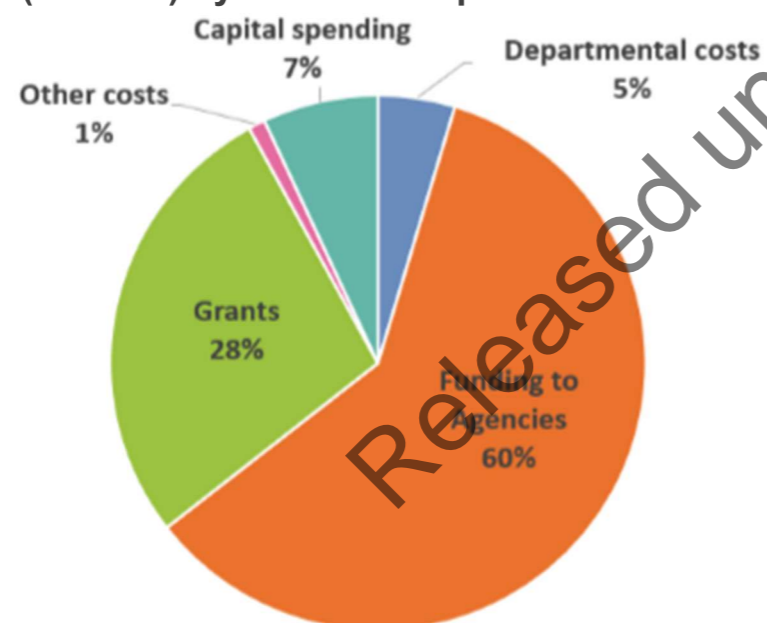


Appendix 3: Funds and appropriations

Overview of Vote Arts, Culture and Heritage (as at Pre-Election Fiscal Update)

Type of appropriation	Funding	Estimated cost 2020/21 (\$m)
Departmental Output Expenses	Departmental outputs	\$27.692
	Departmental capital expenditure	\$0.430
Non-Departmental Output Expenses	Museum Services	\$69.027
	Management of Historic Places	\$20.896
	Protection of Taonga Tūturu	\$0.800
	Public Broadcasting Services	\$182.081
	Performing Arts Services	\$32.305
	Support of Arts and Film	\$57.790
Other Expenses	Treaty of Waitangi Commemorations	\$0.288
	Maintenance of Graves and Monuments	\$5.032
	Cultural Recovery Package initiatives (other expense components)	\$101.700
	Screen Production Grants	\$45.000
	Regional Culture and Heritage Fund	\$14.837
	Heritage Earthquake Upgrade Incentive Programme Grants	\$5.250
Non-Departmental Capital Expenditure	Purchase of assets and equity to support funded agencies	\$42.171
Total Vote		\$605.299

Overview of Vote (2020/21) by nature of expense



Cultural Response and Recovery Initiatives – Broadcasting and Media packages highlighted

Initiative	Appropriation within Vote ACH 2021 as at PREFU (\$m)	Total Initiative (\$m)
Responsibility of the Minister of Broadcasting and Media		
COVID-19 Media Support Package 1:		
• Platform contributions	\$16.500	\$16.500
• Transmission fees	\$13.400	\$21.100
• Sector Support Supplementary Fund	\$7.446	\$11.100
• Uptake of Media Subscriptions	\$1.000	\$1.300
Building a Sustainable and Viable Media Sector	\$2.000	\$2.000
Responsibility of the Minister for Arts, Culture and Heritage		
Mātauranga Māori Te Awe Kotuku Fund	\$10.000	\$20.000
Cultural Sector Regeneration Fund (CARE Fund, Capability Fund and Innovation Fund)	\$60.000	\$150.000
Pasifika Festivals Initiative	\$4.000	\$12.000
Museum Hardship Fund	\$1.000	\$2.000
Creative New Zealand – Retain Core Arts Infrastructure and Deliver Arts	\$25.000	\$25.000
Support to funded agencies (Te Matatini, Royal New Zealand Ballet, Antarctic Heritage Trust, Heritage New Zealand, Te Papa)	\$24.926	\$29.225
New Zealand Music Recovery	\$8.806	\$16.578
Screen Production Fund	\$18.700	\$23.400
Establishing a New Zealand Fale Malae	\$1.000	\$10.000
Waitangi National Trust – Surviving the Effects of the COVID-19 Pandemic	\$4.000	\$4.000
Premium Films for New Zealand Audiences	\$25.000	\$50.000

Other New Initiatives

Initiative	Funding 2020/21 (\$m)	Total Initiative (\$m)
Acquisition of Seddon House	\$22.000	\$22.000

Appendix 4: About Manatū Taonga

The Ministry has direct responsibilities for three portfolios:

Ministry portfolio responsibilities		
Arts, Culture and Heritage	Broadcasting and Media	Sport and Recreation
<ul style="list-style-type: none"> Provides policy advice to support arts, culture and heritage objectives Delivers cultural programmes and initiatives, produces resources, and administers legislation Funds and provides advice on Crown-funded agencies performance, including advice on setting entities' strategic direction and priorities Provides advice on board appointments and governance issues Provides advice on draft agency planning documents 	<ul style="list-style-type: none"> Provides policy advice to support broadcasting and media objectives Provides advice on board appointments and governance issues Provides advice on draft agency planning documents and performance issues 	<ul style="list-style-type: none"> Monitoring agency of Sport NZ Provides advice on board appointments and governance issues Provides advice on draft agency planning documents and performance issues
<p>Funding for Arts, Culture and Heritage and Broadcasting and Media is provided via Vote Arts, Culture and Heritage and is the responsibility of the Minister for Arts, Culture and Heritage. It is administered by the Ministry.</p>		<p>Funding for Sport and Recreation is provided via Vote Sport and Recreation and is the responsibility of the Minister for Sport and Recreation. It is administered by Sport New Zealand.</p>

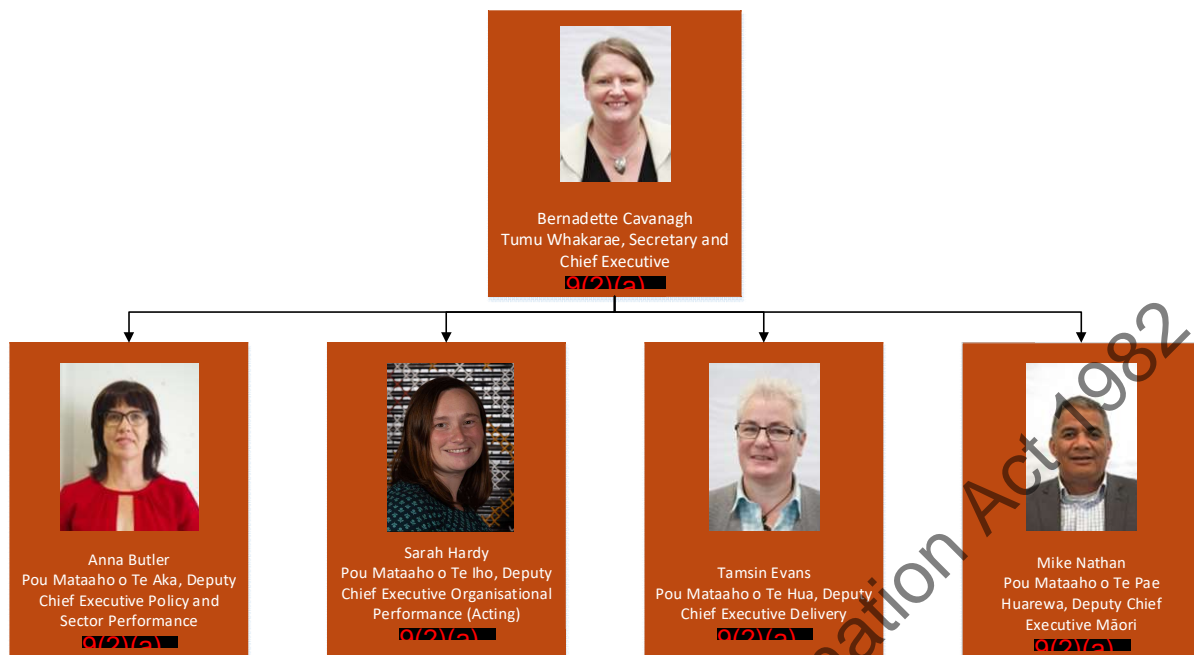
The Ministry's strategic priorities

The arts, culture and heritage portfolio connects with and supports the Government's priorities and objectives across many portfolios. The Ministry works closely with many government agencies on policies and initiatives to leverage the wider benefits of cultural engagement, and to support the Ministry's strategic priorities.

The broadcasting and media work at the Ministry sits in the Investing in News and Stories strategic priority but close alignment exists with all other priorities (for example, media contributes to participation and a sense of identity, and needs to be sustainable). Broadcasting and media also contribute to other outcomes such as a strong and robust democracy that warrants a specific priority and focus.

Ministry arts, culture and heritage and broadcasting strategic priorities			
Access and Participation	Sustainable Growth	National Identity	Investing in News and Stories
<p>New Zealanders can access and participate in cultural experiences</p> <ul style="list-style-type: none"> Creative spaces, with the Ministry of Social Development Repatriation of human remains, with Te Papa 	<p>The cultural sector is supported and growing sustainably</p> <ul style="list-style-type: none"> Creatives in Schools, with the Ministry of Education Creative Career Service with Ministry of Social Development Cultural Diplomacy International Programme and other international initiatives, with MBIE, the Ministry of Foreign Affairs and Trade (MFAT), and New Zealand Trade and Enterprise (NZTE) 	<p>New Zealanders share a distinct and inclusive identity and value our history and traditions</p> <ul style="list-style-type: none"> Strengthening Heritage Protection, with the Ministry for the Environment Mātauranga Māori Te Awe Kotuku, with TPK and DIA Commemorative and memorial events, with the New Zealand Defence Force and DIA Commemorating Waitangi Day, with Te Arawhiti and TPK Maihi Karauna, co-leading the Aotearoa outcome with TPK and Te Māngai Paho 	<p>New Zealand's media system is strengthened to ensure an informed democracy</p> <ul style="list-style-type: none"> Building a Sustainable Media Sector, with sector consultation and engagement Wider Content Regulation Review, including with DIA Strong Public Media, including RNZ, TVNZ and NZ On Air

The Ministry's people



The Ministry is led by Bernadette Cavanagh, Tumu Whakarae Chief Executive, and comprises four groups:

- *Te Toi, Office of the Chief Executive* advises on the strategic direction of the Ministry, ensures the Ministry is fulfilling its Treaty obligations in meeting the aspirations of iwi, and supports priority issues across the Ministry.
- *Te Aka, Policy and Sector Performance* provides policy advice to the Government on arts, media and heritage issues, and monitors the Government's interest in Crown-funded cultural sector agencies.
- *Te Hua, Delivery* connects people with New Zealand's culture and heritage by caring for and sharing the nation's taonga and stories. Te Hua oversees the national commemoration programme, manages important national memorials, and administers legislation and capital funding programmes.
- *Te Iho, Organisational Performance* supports the Ministry by providing finance, human resources, information management, legal and Ministerial servicing and communications services.

The Ministry has a total of 149 headcount or 141.3 full-time-equivalent employees as at 31 August 2020. This includes permanent and fixed term staff but excludes casual staff and vacancies. In addition, the Ministry currently has a number of contractors working on initiatives that are part of the government response to Covid-19.

Our primary offices are located in the Public Trust Building on Lambton Quay, and we also have staff based at the Education Centre at the Pukeahu National War Memorial.

Legislation administered by the Ministry

The Ministry administers three Acts that are central to the broadcasting sector.

Legislation	Overview	Entities
Broadcasting Act 1989 (Parts 1 to 4 and section 81)	<p>The Broadcasting Act 1989 establishes New Zealand's broadcasting standards regime and complaints process and regulates advertising hours and electoral broadcasting.</p> <p>The Broadcasting Act 1989 is administered by the Ministry, with the exception of Part 4A, which establishes Te Māngai Pāho and is administered by TPK, and Part 6, which relates to electoral broadcasting and is administered by the Ministry of Justice.</p>	<p>The Act establishes three Crown entities:</p> <ul style="list-style-type: none"> • BSA, to oversee the standards regime • NZ On Air (Broadcasting Commission), to fund programmes that reflect and develop New Zealand culture and identity • Te Māngai Pāho (Te Reo Whakapūaki Irirangi), to fund programmes that promote Māori language and Māori culture.
Radio New Zealand Act 1995	The Ministry administers the Act but as a Crown Entity company, RNZ is monitored by Treasury	RNZ
Television New Zealand Act 2003	The Ministry administers the Act but as a Crown Entity company, TVNZ is monitored by Treasury	TVNZ

Other legislation administered by the Ministry

The Ministry also administers the following Acts as part of the Arts, Culture and Heritage portfolio:

- Anzac Day Act 1966
- Arts Council of New Zealand Toi Aotearoa Act 2014
- Cultural Property (Protection in Armed Conflict) Act 2012
- Flags, Emblems, and Names Protection Act 1981 (section 20 is administered by the Ministry of Justice)
- Heritage New Zealand Pouhere Taonga Act 2014
- Massey Burial-Ground Act 1925
- Museum of New Zealand Te Papa Tongarewa Act 1992
- National War Memorial Act 1992
- National War Memorial Park (Pukeahu) Empowering Act 2012
- New Zealand Film Commission Act 1978
- New Zealand Symphony Orchestra Act 2004
- Protected Objects Act 1975
- Seddon Family Burial Ground Act 1924
- Sovereign's Birthday Observance Act 1952
- Waitangi Day Act 1976

Appendix 5: Working across portfolios

Broadcasting responsibilities across government

The Ministry works closely with a number of departments that have a role in supporting Government's involvement in the broadcasting and digital media sector.

The funding and monitoring of Māori content through Te Māngai Pāho and the Māori Television service is the responsibility of the Minister for Māori Development and supported by TPK. Content for Pacific audiences or on Pacific topics is funded through NZ On Air, which also funds the national Pacific radio network run by the NPRT. RNZ International, which broadcasts content in the Pacific, is funded directly by the Ministry.

RNZ and TVNZ are Crown entity companies. You and the Minister of Finance are the shareholding Ministers for these companies, responsible for overseeing and managing the Crown's interest in them.

MBIE also has responsibility for spectrum management, commercial broadcasting licencing, and allocating frequencies for radio. The Ministry works closely with MBIE and advises on the allocation of frequencies for non-commercial purposes.

Current cross-portfolio priorities

As noted in 'Priority topics', there are a number of key priorities with cross-over with other departments. In particular:

- The Ministry keeps in regular contact with TPK, which monitors Te Māngai Pāho and the Māori Television Service. A key priority in this area is the Māori Media Shift review.
- The Ministry is also working with the DIA on content regulation reforms.

In other work, the Ministry is working with MBIE on its review of the Copyright Act 1994 by supporting MBIE to engage with creative sector stakeholders.

Connections with the Arts, Culture and Heritage portfolio

Government funding for broadcasting entities such as NZ On Air, RNZ, NPRT and the BSA is allocated through Vote Arts, Culture and Heritage. The Arts, Culture and Heritage portfolio holds responsibility for policy areas that align with broadcasting objectives.

In the Arts, Culture and Heritage portfolio, the Ministry advises on film policy and funds and monitors the New Zealand Film Commission. MBIE and the Ministry jointly fund the New Zealand Screen Production Grant (NZSPG), which is administered by the Film Commission. It funds larger-scale international and domestic screen productions. The Ministry is lead agency in negotiating film and television co-production agreements with other countries.

The film and television sectors make up a single screen industry. Collaboration between these sectors is vital to ensure Government policy is leveraging the wider benefits of its investment in the screen industry. The industry has prepared a 10-year screen sector strategy and has sought a response from government.

Music policy sits within the Arts, Culture and Heritage portfolio as well. Arts agencies such as NZ On Air, Creative New Zealand and New Zealand Music Commission all

fund aspects of the popular music ecosystem. RNZ in turn supports performing arts organisations like the New Zealand Symphony Orchestra.

Ngā Taonga Sound & Vision is a charitable trust that serves as New Zealand's national audiovisual archives. It holds key broadcasting archival collections, including the RNZ and TVNZ Archives. Ngā Taonga is working increasingly closely with the National Library of New Zealand and Archives New Zealand (both part of the DIA) as part of the documentary heritage sector, a sector the Ministry contributes to through its websites, *Te Ara (The Encyclopedia of New Zealand)*, *NZHistory* and others.

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