



Australian
Competition &
Consumer
Commission

Your consumer rights

Indigenous art and craft

Thinking of buying Indigenous art?

Check the provenance (where it came from) and don't be misled. Whether it is a souvenir or collector's piece, knowing what to look for and asking the right questions can help ensure you get what you pay for.

There are a few simple steps you can take to help protect yourself and ensure that you are buying genuine Indigenous art.

Protect yourself—what to look for and what to ask

- Ask the seller:
 - the name of the artist and their language group or homelands
 - the title of the work and when and where it was created
 - the details of any story it tells or other cultural information.
- Read the labelling carefully. 'Aboriginal style' or 'Indigenous style' does not necessarily mean the item has been produced by an Indigenous person.
- A photo of an Indigenous person holding a painting, or even sitting beside a work in progress, does not guarantee provenance or that the artwork was created by that person.
- Ask whether the artwork was created by one artist or collaboratively by two or more artists. If it was collaborative, who were the other artists?
- Does the seller have a good reputation either in the art industry generally or in the Indigenous art industry?

- Consider whether the price seems fair and reasonable for the size and quality of the artwork and the reputation of the artist.
- Is the seller a member of a reputable industry association or a signatory to any industry code of practice?
- Be extra careful that you know what you are buying if you are shopping online or from a catalogue.

Although not a guarantee, certificates of authenticity do provide a written record of what you have been told you are buying, which may assist at a later stage in establishing whether you have been misled.

The Trade Practices Act

The Trade Practices Act prohibits conduct which is, or is likely to be, misleading or deceptive. The ACCC, businesses and individuals can take action where there has been a breach of the Act.

If you think you may have been misled or you have observed misleading conduct, you can contact the ACCC or the office of fair trading in the state or territory where you bought the artwork.

ACCC contacts

ACCC Infocentre: 1300 302 502

ACCC Indigenous Infoline: 1300 303 143

For information in languages other than English, call 131 450 and ask for 1300 302 502.

TTY service for people with hearing or speech difficulties: 1300 303 609.

www.accc.gov.au

Important notice: The information in this brochure is for general guidance only. It does not constitute legal advice and cannot be relied on as a statement of the law relating to the *Trade Practices Act 1974*.