

More is more ! It's about money.

What's new at VG-Bild Kunst?
How does the remuneration work?
How do I actually report?

Why is the transfer of voting rights at the professional group meeting important for us?

Concept and implementation: Martin Zellerhoff and Susanne Kutter
Moderator: Wibke Behrens



What is VG Bild-Kunst?

The association was founded in 1968 and has 65,000 members, 15,000 of whom are artists.

VG Bild-Kunst represents the copyrights for all authors, regardless of whether they are members of VG Bild-Kunst or not. The authors cannot reclaim the rights themselves and, for example, collect funds themselves directly from the users of the work.

On behalf of the authors, VG Bild-Kunst collects flat-rate fees from industrial companies that manufacture or operate devices with which copies can be made as compensation for the permitted use of works. (computers, mobile phones, hard drives, copiers...)

This income is compensation for so-called permitted uses of works.

The main permitted uses are:

- Private copies (legal copies of works for private, i.e. non-commercial and non-public use)
- Current reports
- Freedom of panorama (enables copyrighted works, for example on buildings, architectural art or art in public spaces, which can be seen from public transport routes, to be shown without the author's permission having to be sought.)

VG Bild-Kunst does not collect any flat-rate fees from museums or galleries.

Important: Only those who become members of VG Bild-Kunst can receive their share of these taxes.

VG Bild-Kunst represents additional rights for artists:

the reproduction right and the resale right, which, however, rarely bring anything for the majority of artists.

How to become a member?

The membership is free and is open to every artist.

What is there to do?

1. Request a contract at:
<https://www.bildkunst.de/en/service-for-users/becoming-a-member/request-contract>¹
2. Select professional group:
 - **Professional group I** (Berufsgruppe I)
Visual artists are, for example, painters and sculptors.
 - **Professional group II** (Berufsgruppe II)
Photographers, photo journalists, graphic designers, illustrators, designers, caricaturists, press artists, photo agencies. This also includes applied art.
 - **Professional group III** (Berufsgruppe III)
Television

You will receive two copies of the contract from VG Bild-Kunst, which you must fill out and sign. In addition, some documents will be requested to prove that you are the author. For example, invitation cards, catalogs and / or a KSK notice.

The documents are to be sent to VG Bild-Kunst and the contract will be returned after a while.

Then you are a member. If problems arise, the bbk berlin will be happy to help.

Why is it important to report image usage to VG Bild-Kunst?

VG Bild-Kunst can only distribute the funds and pay them out to its members with the help of reports from its members.

Important: You only get something if you are a member of VG Bild-Kunst and submit reports.

How can I report?

There is an online portal for the reports, which can be reached directly via www.bildkunst.de:
<https://www.bildkunst.de/en/service-for-users/online-messages> ²

To register, you need the copyright number, which you can find on every letter from VG Bild-Kunst, and a password, which you have to request and then receive by letter. You need the password for each new message.

What can I report?

Participation in work presentations:

- Exhibitions
- Performances
- Art in public space
- Artistic interventions of any kind
- Net Art

Important: You can register a maximum of 12 work presentations in Germany. (Unfortunately, exhibitions abroad cannot be registered.)

Tip: Report the solo exhibitions first and then the group exhibitions with few participants. Solo exhibitions are worth more.

You can find more about this in the VG Bild-Kunst leaflet: https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkblätter/2019_08_30_Kunstpräsentationen_Merkblatt_EN_01.pdf ³

What else can I report?

Art in architecture / art in public space

Important: You can only register each work of art once, namely in the year in which it is completed. This also only applies to Germany and only possible for works of art that were completed in 2021.

You can find more about this in the VG Bild-Kunst leaflet: https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkblätter/Web_Merkblatt_Kunst_am_Bau_VGBK_2112.pdf (in German only) ⁴

What else can I report?

Illustrations in books

Any illustration in a book with a print run of more than 250 copies can be reported, but numerous special rules apply. All books published in 2017 or later are eligible for registration.

The distinction between “art” and “photos” means that you are entitled to the rights as the author of the work shown and / or rights to the photo of the illustrated work. You can tick both if you are both a producer of the depicted work; as the work itself photographed.

You can find more about this in the VG Bild-Kunst leaflet: https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkblätter/2019_08_30_Buch_Merkblatt_EN.pdf ⁵

Other reporting options

Single frames

1. Single frames in newspapers / magazines (max. 200 images per year. Numerous restrictions and special regulations apply, please read the leaflet.)
2. Single frames, digital publishing products (press articles online) (max. 200 images per year. There are numerous restrictions and special regulations, please read the leaflet.)
3. Single frames on websites (max. 200 illustrations per year, but no current reporting on already reported work presentations in Germany, e.g. exhibitions)
4. Single frames TV

A „single frame“ is considered to be each work depicted. Unlimited number of images per year, again you can report „art“ and / or „photo“.

You can find more about this in the VG Bild-Kunst leaflet: https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkblätter/2019_08_30_Einzelbild_Merkblatt_EN.pdf ⁶

What else can I report?

Fees

All fees for rights of use for pictorial works or design, all applied services such as layout, web design, applied illustrations, commissioned photography (e.g. portrait, factual, documentary and journalistic photography)

You can find more about this in the VG Bild-Kunst leaflet: https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/2019_08_30_Honorar_Merkblatt_EN.pdf ⁷

Important: If you submit these reports, no client will receive an invoice or be contacted by VG Bild-Kunst. These reports only calculate your share, so it's definitely important to report all image usage.

Where does the income of VG Bild-Kunst come from and what is it collected for?

The income comes from library royalties, device fees, operator fees (copy shops), cable retransmission, intranet use schools / universities, electronic reading places, copy dispatch, photocopying at schools, reading circle remuneration, press review remuneration, remuneration for renting and lending....

Important: This money is compensation for permitted uses.

Permitted uses are, see above:

- private copies
(legal copies of works for private, i.e. non-commercial and non-public use)
- Current reports
- Freedom of panorama
(enabling copyright-protected works, such as buildings, architectural art or art in public spaces, which can be seen from public transport routes, to be reproduced visually without having to ask the author of the work for permission.)

Additional income for works of visual art

In a second business area, VG Bild-Kunst can exercise the following rights for works of art if the artists want it (option model):

Resale right

If works of art are sold again on the art market in Germany (e.g. in auction houses or by collectors via

galleries), members of VG Bild-Kunst are entitled to a share of the sales proceeds.

Right of reproduction

VG Bild-Kunst offers a billing service for image users who want to reproduce works of art:

This means that if someone wants to publish a work of art, they do not have to buy the right directly from the author, but can buy it from VG Bild-Kunst. Authors then receive a fee from VG Bild-Kunst.

Note: Since the budgets of many exhibition institutions for the publications do not include money for reproduction rights, the institutions repeatedly ask artists to be exempted from paying the fee for the reproduction rights of works of art. With such an exemption, artists waive money to which they are entitled by law. This is not recommended.

So what's the point of being a member of VG-Bild Kunst?

Only those who are members of VG Bild-Kunst can receive the funds that are distributed by law through collecting societies.

In addition, VG Bild-Kunst has its own grants, for which you can only apply as a member. There is also a social fund from which authors in need can benefit.

And how much do I get from VG Bild-Kunst?

That depends on many factors, for example:

- Amount of income of VG Bild-Kunst,
- number of reports,
- Type of exhibitions / work presentations...

In 2020, VG Bild-Kunst transferred an average of around 300 euros to each member.

Alle Weblinks auf einen Blick:

1. <https://www.bildkunst.de/en/service-for-users/becoming-a-member/request-contract>
2. <https://www.bildkunst.de/en/service-for-users/online-messages>
3. https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/2019_08_30_Kunstpr%C3%A4sentationen_Merkblatt_EN_01.pdf
4. https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/Web_Merkblatt_Kunst_am_Bau_VGBK_2112.pdf
5. https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/2019_08_30_Buch_Merkblatt_EN.pdf
6. https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/2019_08_30_Einzelbild_Merkblatt_EN.pdf
7. https://www.bildkunst.de/fileadmin/user_upload/downloads/Merkbl%C3%A4tter/2019_08_30_Honorar_Merkblatt_EN.pdf