

## Information on VG Bild-Kunst reporting formats

Bild-Kunst distributes its proceeds for collective rights and claims for visual authors to its sister societies in two ways:

- Automatic percentage participation (breakdown according to country keys) for publications originating in the recipient societies country
- Claim-based distribution for publications originating in Germany

No further action is need for the country-share. This share is forwarded automatically.

For uses in German publications or on German websites, Sister societies need to submit claims of their members if they wish to receive shares in the claim-based distributions for German publications on behalf of their beneficiaries. The reporting deadline for a certain year of use is always 30<sup>th</sup> June of the following year.

Details on the distribution can be found in the information brochure "Collective Distribution to Sister Societies. Plastic, Graphic and Photographic Works" and the Bild-Kunst distribution plan:

<https://www.bildkunst.de/service/information-for-sister-societies>

This information provides an overview of the reporting formats of Bild-Kunst, their special features and required proofs. In case of doubt or contradiction, the regulations of the distribution plan alone are binding.

**The closing date for reporting for the year 2023 is 30<sup>th</sup> June 2024.**

### Which claims can be submitted to Bild-Kunst?

Based on claims, Bild-Kunst distributes the shares for the following distribution lines: German books, German periodicals, German websites and German television stations (inclusive of retransmission).

We offer reporting forms (Excel tables) for the reports of the affiliated societies. The data requested in these forms is required for the distribution of the proceeds to the correct beneficiaries. Under certain conditions, additional documents or evidence are required (for details, see the details of the respective reporting format below).

**Note: Incomplete declarations or declarations lacking the required supporting documents cannot be taken into account for distributions.**

## 1. Reporting format: Books

- This reporting format is only for books (hardcover or softcover).
- As of the year of use 2023, e-books can also be reported if the corresponding publication was published **exclusively** as an e-book.
- Newspapers and magazines print and online are reported with the reporting format “royalty fees” or “individual images” (in German newspapers or magazines).

### **The following publications cannot be claimed as books:**

activity books, blank books, brochures, operating instructions, voucher booklets, colouring books, music books, programme booklets, diaries/pocket calendars, wall calendars, directories, and catalogues

- Books must meet the following requirements:
  - Minimum print run of 250 pieces
  - ISBN
  - Books without an ISBN can only be reported if a specimen copy and proof of the minimum print run are submitted with the registration.
  - Books are considered in the distribution in the year of their first publication and the following 4 years. It is sufficient to report the book once within this period; there will be no retroactive distribution.
  - New editions can only be reported if they have relevant changes in content compared to the first edition. New editions of books with ISBN can only be reported if the new edition has a new ISBN.
  - Books must have been published in German language. English scientific books may also be reported. Textbooks may be published in any language if they have been approved for German public schools (proof needed).
- Indication of the book type:
  - Children's and youth book
  - Non-fiction and reference book
  - Fiction and other books
  - Picture and art book, exhibition catalogue (=catalogues of galleries or other exhibition houses)
  - Textbook
  - Scientific book
  - Museum catalogue
- Note for museum catalogues: If a work is reproduced in a museum catalogue that was also on display in the exhibition, the beneficiary can participate in a special distribution for museum proceeds. The number of works exhibited must be indicated.
- Designers indicate whether they are responsible for the title design and/or the overall design of the book.
- Text authors who illustrate their books with their own illustrations or works cannot register non-fiction and specialist books or scientific books with Bild-Kunst. These rights holders must register their books with VG Wort, which administers the rights and claims for these types of books in Germany.

## 2. Reporting format: Royalty Fees

- With this reporting form, authors can report the fees they received for publications in
  - German newspapers and magazines (print and digital),
  - German television stations or
  - on German websitesin the respective year.
- The fees must be allocated to the following client categories:
  - Press publisher
  - Television stations (also film production companies)
  - Picture agencies (only for uses in Germany)
  - Other companies
- The total amount of net fees per client category is indicated.
- Fees from book publishers cannot be reported. Entitled persons submit book reports for this purpose.

**Note: If the total sum of royalty fees amounts to EUR 24,000 or more, confirmation from a tax advisor or auditor must be submitted as proof with the reporting.**

## 3. Reporting format: Work presentation

- Authors can report the presentation (exhibition) of their visual artistic works.
- The presentation must be organised and promoted by a third party and must have taken place in Germany or on German territory. Examples:
  - Exhibitions in museums, art associations, galleries, municipal institutions
  - Festive unveiling of a work of art in public space or of art on buildings
  - Performances, participatory projects and video art
  - Artistic interventions, artistic walks, street art and spontaneous performances – when they have taken place in front of an exceptionally large public
- A maximum of 12 work presentations (exhibitions) per year can be reported.

**Note: For Art in Architecture (Kunst am Bau), the author has another reporting option – see reporting format “Art in Architecture”.**

## 4. Reporting format: Individual images

- Individual images of works may be reported if no fee was paid for the use of the images and if the images were not published in connection with a presentation of the work.
- The category of visual works must be indicated: fine art, photography or other works. We need this information for statistical purposes.
- Reported uses are
  - in German newspapers or magazines (print or e-paper),
  - in German digital publishing products (publishers' websites),
  - on German websites or
  - on German television stations.

### **Special features for reporting individual images in German newspapers or magazines**

- Newspapers or magazines must be published in German in Germany.
- The ISSN must be specified. If no ISSN exists, the ZDB ID of the German National Library can be used. It can be found via the German National Library's catalogue of the periodicals, using the following link: [www.zdb-katalog.de](http://www.zdb-katalog.de).
- Uses in Scientific journals and special interest periodicals can be claimed only if the author of the visual work is not the author of the text for which the work was used. These rights holders may receive remuneration from VG Wort, which administers rights for authors in Germany.

**Note: Without ISSN or ZDB-ID the report will not be admitted.**

### **Special features for reporting individual images in digital publishing products**

- Digital publishing products are online media with journalistic-editorial content (e.g. [www.spiegel.de](http://www.spiegel.de), [www.sueddeutsche.de](http://www.sueddeutsche.de), [www.faz.net](http://www.faz.net)).
  - The web pages must have the top level domain "de" or
  - may have a generic top level domain "EU", "ORG", "INFO", "COM", "NET", "BIZ", "EDU", "INT" if the content of the website is in German and is addressed to a German audience.
- The digital publishing products must have an ISSN or ZDB-ID (see above).
- If there is no ISSN or ZDB-ID for these publishing products, a report can be submitted to single-image websites.
- A maximum of 200 individual images in digital publishing products can be reported.

### **Special features for reporting individual images in television**

- Images of works that were shown in a programme on a German television station can be reported. The television station must have had a market share of at least 1% in Germany in the respective year. No later than March of each year, a list of television stations that can be considered for claims is published on the Bild-Kunst website.

### **Special features for reporting individual images on web pages**

- Images of works published on a German website for at least 6 months can be reported.
  - The web pages must have the top level domain "de" or
  - may have a generic top level domain "EU", "ORG", "INFO", "COM", "NET", "BIZ", "EDU", "INT" if the content of the website is in German and is addressed to a German audience.
- The reproduction of a work can only be reported once per website.
- A maximum of 200 individual images can be reported on web pages.

**Note: Individual images on social media cannot be reported at this time.**

## 5. Reporting format: Commissioned Art-in-Architecture

- Definition: Art-in-architecture is a work of art (any creation class) that is specially commissioned for a building or its premises and permanently installed there.
- Art-in-architecture must be installed in Germany or on German territory (also in German embassies abroad).
- The public or private commissioner, developer or property owner must not have any personal or family relationship with the author.

**Note: The purchase of already existing artworks cannot be reported.**

**Note: Art-in-architecture can also be reported as a work presentation if there has been a ceremonial unveiling or presentation to the public (reporting format: work presentation).**