

About VG Bild-Kunst

VG Bild-Kunst was founded in Frankfurt am Main in 1968 as an association of creators of visual art. It is charged with the administration of the rights and claims of its members and so does not pursue any commercial interests of its own. VG Bild-Kunst is financed solely from its own income; membership itself is free and you can become a member by concluding an administration agreement. All proceeds after deducting administrative costs are distributed to the beneficiaries in full.

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Who we are

VG Bild-Kunst is an association for the collective administration of copyrights. It currently has more than 60,000 members. They are artists who create visual works and have banded together so that they can administer jointly those copyright claims that cannot easily be administered individually. After administration costs have been deducted, the revenue arising from the exploitation of the rights of use and remuneration claims is distributed entirely to the members. In legal terms, therefore, Bild-Kunst is what is known as a collecting society (in German: Verwertungsgesellschaft), which is why it has the abbreviation "VG" in its name.

Bild-Kunst operates on a non-profit basis, but has the legal form of an economic association. Unlike a normal club or association, such as a tennis club, for instance, an economic association is focused on business operations. It cannot be founded by registration on a register of associations, but instead requires a state charter. Otherwise, however, association law applies. This brings certain benefits for the members, such as a right to vote. The members themselves thus decide on key issues concerning the association.

Membership

Authors of the three professional groups as well as their heirs may become members of VG Bild-Kunst. Membership is also open to publishers and picture agencies if they have been assigned the corresponding rights. If, for instance, a photographer works for a picture agency and assigns his or her image rights to it, these rights entitle the agency to become a member. For film producers, VG Bild-Kunst can administer the statutory neighbouring rights.

Membership is obtained by entering into an administration agreement in which the rightholder assigns some or all of their rights and their claims to VG Bild-Kunst. Since membership is free of charge, this is worthwhile even for beginners in the profession or artists who create works only occasionally.

General Meeting and professional groups

The General Meeting is the supreme institution of VG Bild-Kunst and decides on the most important questions, particularly the rules according to which the income is distributed. Since VG Bild-Kunst groups together a great many different artists, it is divided into three professional groups (visual arts, images, film).

Each professional group elects six members to the Administrative Council for a term of office of three years. The Administrative Council monitors the works of the Executive Board and decides in particular on the question of which copyright claims VG Bild-Kunst is to administer, and under what terms.

Executive Board and Administrative Council

Business is managed by a four-strong Executive Board. The Chief Executive Officer performs his duties on a full-time basis, while the other three are part-time and contribute their expertise to the three professional groups. In practice, the three chairpersons of the professional groups in the Administrative Council are also integrated in order to strengthen its influence.

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Our role

VG Bild-Kunst essentially administers the statutory remuneration claims of image and film authors in Germany. The law provides for statutory remuneration claims in cases where copyright is restricted. These claims thus constitute compensation. Statutory remuneration claims cannot be administered by individual authors - this is the task of the collecting societies.

Bild-Kunst also administers various exclusive rights for visual artists, ensuring the appropriate royalty for the different ways a work of this kind is used, such as when a work of art is portrayed in an art magazine. In this case Bild-Kunst concludes a licensing agreement with the publisher of the magazine.

It is also involved with national and international bodies with the aim of strengthening copyright.

VG Bild-Kunst performs the following tasks for its members:

Collecting and distributing statutory remuneration claims (e.g. private copying royalties, library royalties, etc.)

- › Licensing and enforcing individual rights of visual artists (e.g. resale rights, reproduction rights, broadcasting rights)
- › Strengthening copyright protection both politically and legally (e.g. political lobbying, campaigns to clarify copyright issues)
- › Providing cultural and social funding through its two independent foundations, Stiftung Kulturwerk and Stiftung Sozialwerk
- › Cooperating with all relevant foreign collecting societies involved in the visual sector

An overview of the most important rights that we administer for authors can be found [here](#).

Rules and regulations

The Articles of Association of Bild-Kunst set out the association's areas of activity described above and also regulate which body decides on which issues.

The administration agreement is concluded between the rightholder and Bild-Kunst. It regulates the assignment of rights and establishes membership of the association.

The distribution plan fleshes out how the revenue to be distributed to the members is calculated. This is a simple process if Bild-Kunst collects royalties for a particular artist. If, on the other hand, it receives lump sums in payment for certain events – such as the “borrowing of media from libraries” – then consideration must be given to how this money is to be distributed appropriately. Changes to the distribution plan are decided by the General Meeting.

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How we see ourselves

Currently more than 60,000 authors, publishers, agencies and film producers have banded together in Bild-Kunst in order to jointly distribute revenue that is generated by statute or contract in a democratically legitimate manner and thereby to support every single individual in their creative activity. In contrast to other collecting societies, Bild-Kunst does so on a non-profit basis and under its own management. That makes Bild-Kunst – quite apart from its core role – the appropriate point of contact for politicians and society when it comes to copyright.

The work of Bild-Kunst is managed from two offices, one in Bonn and the other in Berlin.

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History of Bild-Kunst

VG Bild-Kunst (Collecting Society for the Visual Arts) is a relatively new collecting society, which was founded in March of 1968 by visual artists in Frankfurt am Main as a commercial association. Following the example of musical and literary authors, visual artists also wanted to protect their copyright interests. Their starting point was the so-called *droit de suite* (resale right). The Copyright Act of 1965 required gallery owners and auctioneers to pay a percentage of their revenues from the resale of works of art to the authors or their heirs. This allowed artists who could sell their works only once to share in the appreciation of the art market. The new “Visual Art Society for the Administration and Exploitation of the Rights and Claims of Visual Artists” set itself the goal of enforcing and improving this regulation. Many fellow artists responded positively to a circular letter to this effect and affirmed their interest at the Conference of the Federal Association of Visual Artists held in Frankfurt in June 1971.

Resistance and Protest

Those in the art trade resisted these changes, and their resistance intensified further when the Copyright Law Amendment of 1972 increased the levy payable to 5% and imposed additional stricter disclosure requirements on dealers. A few gallery owners threatened to no longer represent artists who had joined the new collecting society. Such threats persuaded some prominent members to leave. Artists such as Gerhard Richter protested against the new law for other reasons. Richter had wanted lump-sum royalties, which could have been used to promote younger colleagues as well. He was blocked by the German Copyright Act, under which only individual remunerations were allowed. The first years were lean. VG Bild-Kunst was headquartered in the apartment of Frankfurt painter and graphic artist Paul Rötger and grew but slowly. At the end of 1969, the association had just 26 members. It still had no income whatsoever, and, at the same time, there were expenses that had to be covered by credit.

Growing Membership since 1974

Membership grew to around 2,000 in 1974 as other creators of visual art such as illustrators, photographers, graphic designers, and photo agencies also joined the society. Within VG Bild-Kunst, they founded their own professional group focused primarily on library royalties, which had been introduced two years earlier. A cooperation agreement on this issue was signed with VG Wort in 1975, and, thanks to income from library royalties, the collecting society's strained financial situation finally improved. It was able to open offices in Munich and Frankfurt and set about representing the rights of its members vis-à-vis publishers as well.

Development

Opponents of VG Bild-Kunst frequently accused it of inefficiency. In actual fact, of the society's total income of DM 838,000 in 1978, most of which came from library royalties, more than DM 590,000 was spent on administrative expenses. Negative press reports resulted in slow membership growth for some time (to 2,700 by 1978 and 3,400 by 1980). At the time, the notion that collective rights management could be worthwhile was still foreign to most visual artists. They tended to view distribution of copies of their works as a form of advertising. Similar to the founding years of music collecting societies when composers feared that new fees could result in lower attendance at performances, many creators of visual art also believed that new demands for money would hinder the distribution of their works. The publishers were just as opposed to VG Bild-Kunst as the gallery owners. Nonetheless, the first cooperative agreement with the German Publishers and Booksellers Association was established in 1977. It was soon recognized that the collective management of pictorial and image rights was beneficial for both parties.

Film Authors Join - Consolidated Management - Move to Bonn

Starting in 1982, film writers and film producers were also admitted to VG Bild-Kunst, forming a third professional group within the society. Their interest arose from the rapid growth in the private use of audiocassettes and video equipment. However, new reproduction and presentation technologies expanded the exploitation spectrum of other groups of visual artists as well. Despite the broadening scope of its responsibilities, VG Bild-Kunst endeavoured to achieve a leaner organisational structure in order to reduce expenses, which were still very high. Management was consolidated and streamlined, and the majority of the society's offices were relocated from Munich to Bonn. Gerhard Pfennig, Federal Managing Director of the Federal Association of Visual Artists (BBK), was a driving force behind this reform. He led VG Bild-Kunst with great skill and expertise as its Chief Executive Officer until the end of 2011.

Bonn Headquarters today

The headquarters in Bonn with its staff of approximately 40 people has been located in the city's "Haus der Kulturen" (House of Cultures) since 1995. Additionally, the collecting society has an office in Berlin located in the former premises of the GDR's "Bureau for Copyright." VG Bild-Kunst works closely with the other German collecting societies. For example, it manages library royalties through a central organisation founded jointly with VG WORT and GEMA (Society for Musical Performing and Mechanical Reproduction Rights). Today, over forty years after its foundation, VG Bild-Kunst has grown to around 52,000 members. Since 1985, its members have also included set designers, costume designers and film architects.

©Author: [Dr. Albrecht Dümling](#)

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Honorary Members of Bild-Kunst

In this section we are introducing you to all our honorary members. They have always stood up for a strong copyright with particular dedication and commitment and ensured that VG Bild-Kunst is recognised worldwide as a collecting society. Read on to find out who we are privileged to have as our honorary members.

Overview of Honorary Members

Year of nomination	Name	Personal details
2000	Anatol Buchholtz	Sculptor, involved in art politics since the 1970s. Member of the Administrative Council of VG Bild-Kunst from 1972 to 1998. Died in 2011
2000	Dr. Roland Klemig	Publicist and director of the Bildarchiv Preußischer Kulturbesitz (Prussian Heritage Image Archive), played a significant role in building up Professional Groups II & III. Member of the Administrative Council of VG Bild-Kunst from 1974 to 1998. Died in 2000
2000	Prof. Siegfried Neuenhausen	Sculptor and art professor, involved in art politics since the 1980s. Member of the Executive Board of VG Bild-Kunst from 1977 to 2001
2007	Hans-Wilhelm Sotrop	Painter and graphic artist, worked for many years on cultural policy issues at BBK, in the Sozialwerk social foundation, on the Administrative Council and Executive Board of VG Bild-Kunst between 1991 and 2007
2007	Stefan Meuschel	Dramatic adviser, director, lawyer, involved in cultural policy issues since the 1980s. On the Administrative Council of VG Bild-Kunst from 1983 to 2007. Died in 2009
2010	Eberhard Hauff	Director, screenplay writer, producer and longstanding festival director of Munich Film Festival. On the Executive Board of VG Bild-Kunst from 1995 to 2007
2010	Rune Miels	Visual artist, involved in cultural policy issues since the 1970s. On the Administrative Council of VG Bild-Kunst from 1977 to 1980 and from 1997 to 2007
2010	Prof. Dr. Wilhelm Nordemann	Lawyer specialising in copyright. On the Administrative Council of VG Bild-Kunst from 1973 to 1983. Longstanding legal adviser of VG Bild-Kunst
2012	Prof. Dr. Gerhard Pfennig	Lawyer specialising in copyright. Initially managing director of BBK, from 1 Jan. 1979 to 31 Dec. 2011 Chief Executive Officer of VG Bild-Kunst. Largely responsible for the development & expansion of VG Bild-Kunst. Honorary professor in Mainz
2014	Lutz Hackenberg	Designer, representative of AGD (Alliance of German Designers); member of the Administrative Council of VG Bild-Kunst from 1989 to 2013, chairman of professional group from 2001 to 2013, longstanding participation in the 'Stiftung Sozialwerk' social foundation of VG Bild-Kunst

2014

Reinhard
Meyer

Joined VG Bild-Kunst in 1983, built up the administrative structure of the society together with Gerhard Pfennig, administrative director from the beginning of the 1990s until early in 2013

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