



Flanders  
State of  
the Art



**Guidelines**

**when selling art**

**to the Collection Flemish Community**

DEPARTMENT OF  
CULTURE, YOUTH & MEDIA

## What is the Collection Flemish Community?

The Collection Flemish Community is the collective name for the set of **heritage and art collections** whose **management** has been entrusted by the Government of Flanders to the **Department of Culture, Youth and Media** and its **predecessors**. You will find objects from the collection at heritage organisations such as **museums, archives and libraries**, as well as in **city parks, courthouses, city halls** and in **buildings** of other **public administrations and institutions**.

## What do we do with the Collection Flemish Community?

**Every year**, the Flemish government purchases new works of art for the Collection Flemish Community. This is done in accordance with the guidelines in the Arts Decree. For the selection of the works of art, the Flemish Minister for Culture is assisted by the **Committee on Purchases** for the Collection Flemish Community, called the Purchasing Committee for short. This consists of three experts from the arts field.

Along with the Purchasing Committee, the Minister for Culture implements and monitors the development of a **high-quality and representative collection** of **contemporary artworks** documenting artistic practice in Flanders over time. The contemporary artworks purchased are then placed in the custody of one of the recognised museums.

## Why is this of interest to you?



Are we purchasing an artwork of yours to include in the Collection Flemish Community?

We'd like to inform you in advance about the various steps of the purchasing process.

## SPRING

### INFORMATIONAL PHASE



1

The committee members will compile a **longlist** of artworks. The museums may add to that list.

2

The committee members draw up a final list of artworks - **the shortlist** - which they propose to the Minister.

3

The committee members **negotiate** with the vendor.

- This stage does not yet involve **any purchase commitment**.
- Museums, committee members AND vendors have a **duty of silence** at this time.

#### Gathering information

- The Department of Culture, Youth and Media gathers the necessary information about each shortlisted artwork.
- Have you received an **information sheet** as an artist or gallerist? Then **fill it out completely and deliver it to the department** as soon as possible.

4

5

The Minister receives the **purchase proposals**.

6

#### Decision

- Between June and August, the Minister will make a decision based on the purchase proposals.
- The department then notifies the artists and gallerists of the selection in writing.

## AUTUMN

### IMPLEMENTATION PHASE

#### Administration

- The department sends to the artist or gallerist:
  - + the **order letter**;
  - + the **copyright contract**;
  - + the **reproduction rights contract**.
- The artist or gallerist:
  - + prepares the **invoice**;
  - + **signs the contracts**;
  - + selects **some imagery** of the artwork.

1

2

#### After the purchase

The custodian will contact the artist or gallerist to arrange **transport**.



# What to look out for as an artist or gallerist?

## Why do I need to fill out an information sheet?

It is important that you complete the information sheet about the artwork correctly and completely for the following reasons:

- When the **Minister decides to purchase an artwork**, that decision includes all the details supplied on the information sheet. Deviations or subsequent changes therefore go against that decision and are therefore absolutely to be avoided.
- The Collection Flemish Community carefully maintains the information requested about the artwork. For example: an installation plan and conservation requirements will allow us to **better manage and preserve** the artworks.
- Based on the financial data on the information sheet, the department prepares the order letter to make **payment** upon receipt of the invoice. Any errors or changes will result in slower payment.
- The information sheet is the basis for all content-related **communication about the artwork**, such as in the [database of purchases](#).

## Why do I need to provide imagery?

The imagery contributes to better collection recording and improved access to the artwork. The imagery ensures **correct identification** of the artwork, both now and in the future. The department can use the photos to **highlight the artwork** through its website, on social media, in press releases and in publications.

## Why do I need to sign contracts to clear rights?

We obviously want to show the artworks acquired to a wide audience. Therefore, the department must have the following rights:

- the right to exhibit or lend
- the right to art-historical research
- the right to publicity or promotion

Without **reproduction rights**, the department and the custodian cannot display the artwork on their website because there is no **consent to use the imagery** supplied. Therefore, we ask that reproduction rights also be cleared.

Do you work with a **photographer**? Then ask for consent in advance and let the photographer know that another contract will follow.



More information about **clearing rights** and about protecting your creation can be found in the [Cultuurloket knowledge base](#).

## How do I prepare the invoice?

After the summer, when the Minister has made a final choice, the department will send the **order letter** to the artist or gallerist. The order letter is the **basis for the purchase invoice** to be prepared by the artist or gallerist.

Important: In the period between the order letter and the invoice, **the VAT status must not change**. The department prepares the order letter based on the information you entered on the information sheet.

Is it your first time preparing an invoice?

Then read [what information you are required to provide](#) here.

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## When should I have all the administration in order?

The department asks that the information sheet be completed as soon as the purchasing committee has established a shortlist. This is usually in the month of May or June.

So you have until then to put the final touches in place and have an answer to the following questions:

- Under what **status** do I sell my artwork?
- Do I work **through a gallery** or am I **self-employed**?
- What **VAT rate** should I apply?

### Do you have any further questions about this?

Then consult [Cultuurloket's knowledge bank](#) or [make an appointment](#) with a Cultuurloket consultant.

## Be careful with figures

Be **consistent** in the wording of the sale price: **including VAT or excluding VAT**. Always write the amount in the same way so as to avoid miscommunication.

Also consider the number of **decimal places**. The amount on your invoice must **exactly** match the amount on the order letter. The smallest discrepancy will cause an error message in the accounting system

## What about after the purchase?

After the purchase, your artwork will have a place in a **museum**. You can find the museum chosen in the order letter. The **collection manager** for that museum will contact you to arrange **transport** for the artwork. The department expects the museum to take custody of the artwork **within six months of purchase**.

Are you curious about where the artwork will stand or hang in your chosen museum? Or would you like to help think about the **set-up** and **scenography**? If so, please do not hesitate to contact the custodian. They will not only watch over your artwork, but will also like to hear your input.

The department aims to give **custody** of every artwork purchased, but in exceptional cases, this will not happen immediately. The artwork will then be **temporarily** housed at the Depot of the **Collection Flemish Community**.

## Contact details

### Department of Culture, Youth and Media

[vlaanderen.be/cjm](http://vlaanderen.be/cjm)

### Collection Flemish Community

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### Photos

**Hana Miletić**, *txt, Is Not Written Plain*  
Collection Flemish Community  
Photo © Kristien Daem

**Pieter Jennes**, *Cherish & Love*  
Collection Flemish Community  
Photo © Pieter Jennes

**Filip Vervaeet**, *Setting*  
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Photo © Pieter Huybrechts

**Nel Aerts**, *The Best Helmsmen Stand on Shore*  
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Photo © Carl Freedman

**Meg Stuart**, *The Lobby*  
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Photo © Margaret Freeman

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