



# The Handbook of the Percent for Art Principle in Finland

For Artists

Front cover image  
Jenni Rope:  
Mobile W (2018).  
PHOTO Aleksi Poutanen  
©Kuvasto 2019

#### Publication compiled by

Miisa Pulkkinen (ed.)

Commissioner:  
Artists' Association of Finland  
Rosa Kuosmanen  
Aura Lehtonen  
Annukka Vähäsöyrinki

The original publication (2015) compiled by  
The Percent for Art project steering group  
Salla Heinänen, The Finnish Association of Designers Ornamo  
Kirsi Korhonen, Artists' Association of Finland  
Tiina Valpola, The Architecture Information Centre Finland  
Erja Väyrynen, The Foundation for Environmental Art  
In cooperation with Henri Terho, The Arts Promotion Centre Finland

The Architecture Information Centre Finland  
Aino Salmi  
Yrjö Suonto

The Finnish Association of Designers Ornamo  
Elina Perttula  
Laura Uimonen  
Lotta Veromaa

Artists' Association of Finland  
Hanna Hannus  
Hanne Heinonen  
Anna Nousiainen  
Miisa Pulkkinen

The Foundation for Environmental Art  
Marjukka Korhonen  
Niina Rauhala

Graphic design Dog Design  
Publisher Artists' Association of Finland

The project has been supported by the Ministry of Education and Culture.

ISBN: 978-952-9864-37-9 (PDF 2020, The Handbook of the Percent for Art Principle in Finland / For Artist)

## Contents

The Percent for Art principle	4
To the reader	5
How I became a maker of public art: Sculptor Pertti Kukkonen's experiences	6
Where do artists get commissions?	8
Architect Ville Hara's tips for artists: Where to find job opportunities	10
An artist in a construction project	11
Art and design of outdoor spaces	14
Construction site practices	18
The artist's form of business and invoicing for a commissioned work of art	22
Making an offer, pricing and value-added tax	24
Drawing up a contract and types of insurance	26
Where can an artist get support and help?	29
The artist's checklist for a public art project	30
Maintenance manual	32
How to promote the Percent for Art principle in your community: Tips for local activities	34
Contract template	38

## The Percent for Art principle

The *Percent for Art principle* refers to the practice of spending a certain portion of a construction project's budget on art. There are several funding models for implementing the principle. According to the traditional definition, around one percent of the construction budget is spent on art.

The principle can also manifest itself as a planning or funding decision, or it may be imposed as a condition for a conveyance. The Percent principle can also be applied by private developers. It is suitable for new constructions, renovations, infill development and building infrastructure.

### Promoting the Percent for Art principle

This updated edition of the Handbook of the Percent for Art Principle is based on the Percent for Art project's final report, published in 2015. The Percent for Art was a project funded by the Ministry of Education and Culture, and its partners in 2014 and 2015 were the following visual arts organisations: the Artists' Association of Finland, the Finnish Association of Designers Ornamo, the Architecture Information Centre Finland and the now defunct Foundation for Environmental Art. The project was implemented in cooperation with the Arts Promotion Centre Finland.

The updated edition has been edited by Miisa Pulkkinen, the editor of the original handbook, which was commissioned by the Artists' Association of Finland.



Taiteen edistämiskeskus  
Centret för konstfrämjande  
Arts Promotion Centre Finland

## To the reader

**T**he Percent for Art principle is an art funding model that has been applied in Finland for almost a hundred years and that surged in popularity in the 2000s. In its simplest form, the Percent for Art principle means that 1% of a construction project's budget is spent on acquiring one or more works of art. From the outset, the principle has had two goals: to create a good built environment and to provide work for professional artists.

A public commissioned work, whether commissioned by a municipality or a private developer, gives the artist the opportunity to make works that form part of the cityscape or infrastructure landmarks. At its best, public art offers the artist income, visibility and new job opportunities. Works of art in public spaces are enjoyed by wide audiences. Appreciation of visual arts and artists' work increases when Finns see art in their everyday lives.

Participating in the construction project is demanding, and it differs greatly from the process of preparing works for an exhibition at a gallery or museum. The artist must be familiar with the design, site processes, practices and hierarchies of the construction project. In a multi-professional collaboration process, other professionals consider the artist a top expert in their field, whose skills and views they respect and listen to.

The first edition of the Handbook of the Percent for Art Principle, published in 2015, was based on the nationwide Percent for Art project's final report. The Handbook of the Percent for Art Principle for the Artist is a practical guide for visual artists who want to make public art. This handbook takes the reader through the entire process of producing a public work of art, from signing a contract to working during the construction project and drawing up a maintenance manual. The first edition of the handbook has proved to be an important basic guide, the contents of which – such as the contract template – are used in art projects across the country. This revised handbook has been amended and updated to reflect the current situation.

On the reverse side of this handbook, you can find the Handbook of the Percent for Art Principle for the Commissioner. It also contains useful and up-to-date information for artists about issues such as the funding of public art and models for commissioning public art in Finland.

We hope that this handbook proves useful for artists who wish to expand their artistic activities to projects involving the built environment, which are becoming more popular.

Helsinki, summer 2019

*Artists' Association of Finland*



## How I became a maker of public art: Sculptor Pertti Kukkonen's experiences

**Sculptor Pertti Kukkonen has produced more than ten public works of art during his career, completing two works in Finland and one in Pärnu, Estonia, in 2015 alone. Kukkonen explains that it is important for any artist interested in producing public works of art to network with architects and other partners in the construction business. Concrete has become an important material for Kukkonen, who constantly researches and improves its characteristics.**

It was art competitions that gave sculptor Pertti Kukkonen a start in public art production. The competitions he has won include works for the Vuores residential area in Tampere and for the Chapel of St. Lawrence in Vantaa, and he has reached the final in numerous competitions such as the international sculpture competition for the United Nations headquarters in New York.

"Perhaps my most important public works have been competition winners. They helped me get started, though I have won a few since then," he says.

According to Kukkonen, the public works that have been executed have created new job opportunities. The experience convinces commissioners of the artist's skills. In the early stages of Kukkonen's career, when there was no internet, networking was much more difficult than it is today.

"Networking meant that with every commission you made new contacts with architects, other designers and construction industry professionals. One contact could lead to another, and that way the network gradually grew."

The same networking method works even now, but it is easier to get connected to different groups. For example, artist databases may provide job opportunities for many artists. Kukkonen often produces his work on a turnkey basis, which means that he delivers a finished work to the commissioner. This process emphasises the importance of keeping in touch with the designers and partners in the various sectors of the building process. The network should consist of a variety of contacts to ensure that it includes specialists from many fields.

"The most important person is, without any question, the architect, as you cooperate with them all the time. The best commissions are those where the artwork is taken into account at the design phase, and art can be adapted to the structures at an early stage. The architect plays a huge part in this. The structural engineer enters the picture next and ensures that the work can be fitted easily."



Sculptor Pertti Kukkonen shares his experiences of art projects with developers and commissioners at the Percent for Art project's *On the road* event in 2015. PHOTO Aino Salmi

Kukkonen suggests that artists familiarise themselves with the construction project well before offering their work of art to the developer. They need to know what is expected of the work and how the construction process will progress. In addition to this manual, information can be found, for example, in the manual *Taide rakennushankkeessa* (RT 01-11147; in Finnish) published by Rakennustieto. Careful preparation is necessary as a decision on a commission may be taken quickly, and construction then rapidly ensues.

"You must stick to the schedule. You will definitely not be able to fine-tune your work on-site. It takes no time to build a block of flats, and the window for integrating the artwork may be very small."

Kukkonen thinks that he has gained a lot from his public artwork projects. The advantages that Kukkonen mentions include the opportunity to work in a team, the wide audience that public art reaches as well as the financial benefits. Compared to exhibitions, creating public artwork brings in a guaranteed income. Concrete has become Kukkonen's trademark material, and he continues to develop and explore its applications not only in his work but also in VTT Technical Research Centre of Finland's projects. Kukkonen has made a number of concrete-related inventions and in 1998 received an award from The Finnish Concrete Association for his research and development efforts.

"I love working with concrete and I'm always developing my skills. This has resulted in numerous commissions because concrete is a common building material and also quite an inexpensive method of creating large works of art."

The Finnish Concrete Association has collaborated with the Association of Finnish Sculptors to arrange courses for artists in processing concrete and its properties.

## Where do artists get commissions?

**There is no one right way or shortcut to receiving a commission. Art competitions are a good way to start creating public art. It may be equally effective to directly contact the architect, the interior architect, the landscape architect, a developer's consultant or an arts specialist such as an art coordinator working for the construction project. Various artist databases are also a good means of gaining visibility.**

**T**he commissioner, the arts committee, the architect or the arts specialist often commissions an artist whose technique or idiom they see as having potential to produce a public artwork.

According to a survey among developers (the reverse side of this handbook), the artist is most often selected by a committee (21% of replies). Almost as often, the artist is selected by the architect or by the interior architect. Decisions are also made by art museums, by education and culture departments in municipalities and by technical departments.

Being proactive can, however, make a difference. If you are interested in public commissions, it is worth spreading the word. You can present your ideas to potential commissioners.

### Are you interested in making public art?

#### How to network:

- Keep your website and social media accounts up to date
- Update your details in the Artists' Association of Finland's Artist Register, on Ornamo's Finnish Designers website and in the Building Information Foundation's database of artists
- Add a 'public artworks' section to your website
- TIP: if you have not produced any public art yet, you can publish old competition entries, other sketches or earlier works that would be suitable as public artworks
- Submit your information to open artist databases
- Create a public art portfolio and CV to be included in art project portfolio searches
- Take part in open public art competitions
- Follow notifications on media such as the Percent for Art principle website and newsletter and the Swedish Konstpool website and newsletter
- Tell professionals in the sector that you are interested in making public art
- Network with art coordinators and consultants, architects and construction industry professionals by attending various industry events
- Follow public art organisations and professionals on social media and actively participate in discussions

### Artist databases

Several Finnish cities and regional construction projects launched artist databases in the 2010s into which artists interested in commissions can enter their details. Kokkola Education and Culture Services, for example, have an artist database. Some of the databases are aimed at local artists only. The Building Information Foundation has an open database of artists at [taiderakentamisessa.fi](http://taiderakentamisessa.fi) (in Finnish). You can also check out artist databases in other Nordic countries, many of which are open to all professionals, such as Konstnärsbasen in Sweden.

### Art competitions

Commissioners organise open art competitions and invitation-only competitions. You can find information about art competitions by following Artists' Association of Finland's communications. SAFA provides information about architectural competitions and Ornamo about design competitions.

The City of Tampere arranged a landscape architecture competition for a playground design based on Kirsi Kunnas' poems in 2013. One of the conditions was that an artist was included in the planning group. The winning proposal *Kolonkolonkolo* was designed by MA-arkkitehdit in collaboration with artist Erika Kallasmaa while Marja Mikkola was in charge of the project. PHOTO Niklas Kullström



## Architect Ville Hara's tips for artists: Where to find job opportunities

Being proactive will help you to find job opportunities. Architect Ville Hara from Avanto Architects has worked with artists on projects such as the construction of the Chapel of St. Lawrence in Vantaa. Hara's tips are based on the presentation he gave at the Sinustako julkisen taiteen tekijä? training event in Lahti in May 2015.



PHOTO Jani Laukkonen

**1 / Participate in competitions** According to Hara, it is common for architects to submit their works to architectural competitions when they are still students. The purpose of participating is not always to win but to improve professional competence. Feedback is also often given on proposals. Hara and architect Anu Puustinen were still students when they won the architectural competition for the Chapel of St. Lawrence in Vantaa, something they could never have dreamt of. Hara recommends that visual artists do the same. "You should test the waters every time there is an opportunity," Hara says.

**2 / Get to know architects personally** "Many architects have a go-to artist that they contact when they want art included in their architectural design," Ville Hara explains. These contacts can be made in professional circumstances, as students or even in leisure time. Artists' associations can promote networking by organising events, seminars, or recreational activities in collaboration with a local unit of the Finnish Association of Architects (SAFA).

**3 / Shout about your competence** Hara suggests that artists pick up the courage to contact architects, developers and commissioners. It is not embarrassing at all but actually recommended. After the success of the Chapel of St. Lawrence project, Hara's agency Avanto Architects bravely got in touch with other parishes to offer them their services. Instead of the situation being awkward, the reactions received were of delight. Commissioners may not have the time to update their lists of artists. Hara says that marketing your skills is not that difficult after all: "You simply need to let them know what you can do." You should also keep your website up to date.

## An artist in a construction project

When a municipality or another body acting as a developer decides to commission art, an artist is selected to the project's planning group to represent their own area of expertise. Artists may be subcontractors, among many others, or they can be hired by a design company. They may also be commissioned by a municipality, by a developer or by an art museum. The plan drawn up by the artist is one of the specialist plans in the building process to be integrated by the head designer. The artist's work can also be part of the overall plan for an area or project.

**T**he built environment constitutes the bulk of Finland's national wealth. The construction business is an important economic and technical industry where large investments are made. All construction projects must be guaranteed to succeed and their budgets must be adhered to while all structures must last until the end of their specified life span. All operations are accurately documented and carefully planned from the first project decisions and sketches up to the finished building or environment.

Once a project has been agreed on and its designers, public art specialist and artist or artists have been selected through a bidding process or through competitions, a planning team is formed to set the goals, the schedule and the budget and to approve artistic designs as part of the overall project planning process.

During the planning stage, the artist can be treated like the other subcontractors, such as designers of architectural engineering, whose part in the planning process is integrated in the project planning.

The design phase is usually headed by a project manager who often is a construction consultant with a background in architectural engineering and construction economics.

A planning procedure is used in Finland in which the head designer is qualified as a principal designer, and in a building project the head designer is often an architect or, in infrastructure projects, a structural engineer.

Infrastructure projects include road and rail projects as well as parks and squares. The head designer in park projects is a landscape architect. All plans go through the head designer, whose job it is to check the plans and to arrange meetings to ensure the plans' compatibility. Depending on their size, projects can contain a large number of specific plans, e.g. structural plans and heating, plumbing and air conditioning plans, electrical and automation



plans and detailed architectural plans, colouring plans, plans for fixtures and fittings as well as the artist's designs.

The artist and/or public art expert present their views of the artwork's position to the head designer according to the general conditions of the design. The head designer works closely with the artist and is responsible for the operational plan and for the overall aesthetic appearance. It is advisable, in particular in large construction projects, to involve an art expert to be in charge of the art project's progress, in which case the artist's closest partner is the art expert. A work of art to be placed outside a building or on its facade must be presented in all relevant documentation related to the project upon submitting an application for planning permission.

The design phase progresses from drafts to main drawings, which are used for applying for planning permission, and working and detail drawings as well as specific structural drawings are developed with the architectural plans. Infrastructure projects have their own special features such as street plans. The plans are discussed in planning meetings, and the artist is usually invited to attend when the head designer decides that the artwork-related issues are to be discussed or agreed on. If the project has a nominated public art specialist, they are the artist's point of contact.

The main contractor is usually decided on the basis of competitive bidding. There are usually contract negotiations at the start of a project where participants specify the plans, the subcontractors selected by the main contractor and their references are introduced, and any changes to the plans are agreed on. The artwork can be produced by the artist or its production can be commissioned to a subcontractor by either the artist or the main contractor, in which case the artist supervises the implementation. The project's implementation is based on the contract between the commissioner and the main contractor.

### Responsibilities during the design phase

#### Head designer

- architect, interior architect or structural engineer in an infrastructure project
- has overall responsibility for the project
- the artist's closest partner if the project does not have an art expert

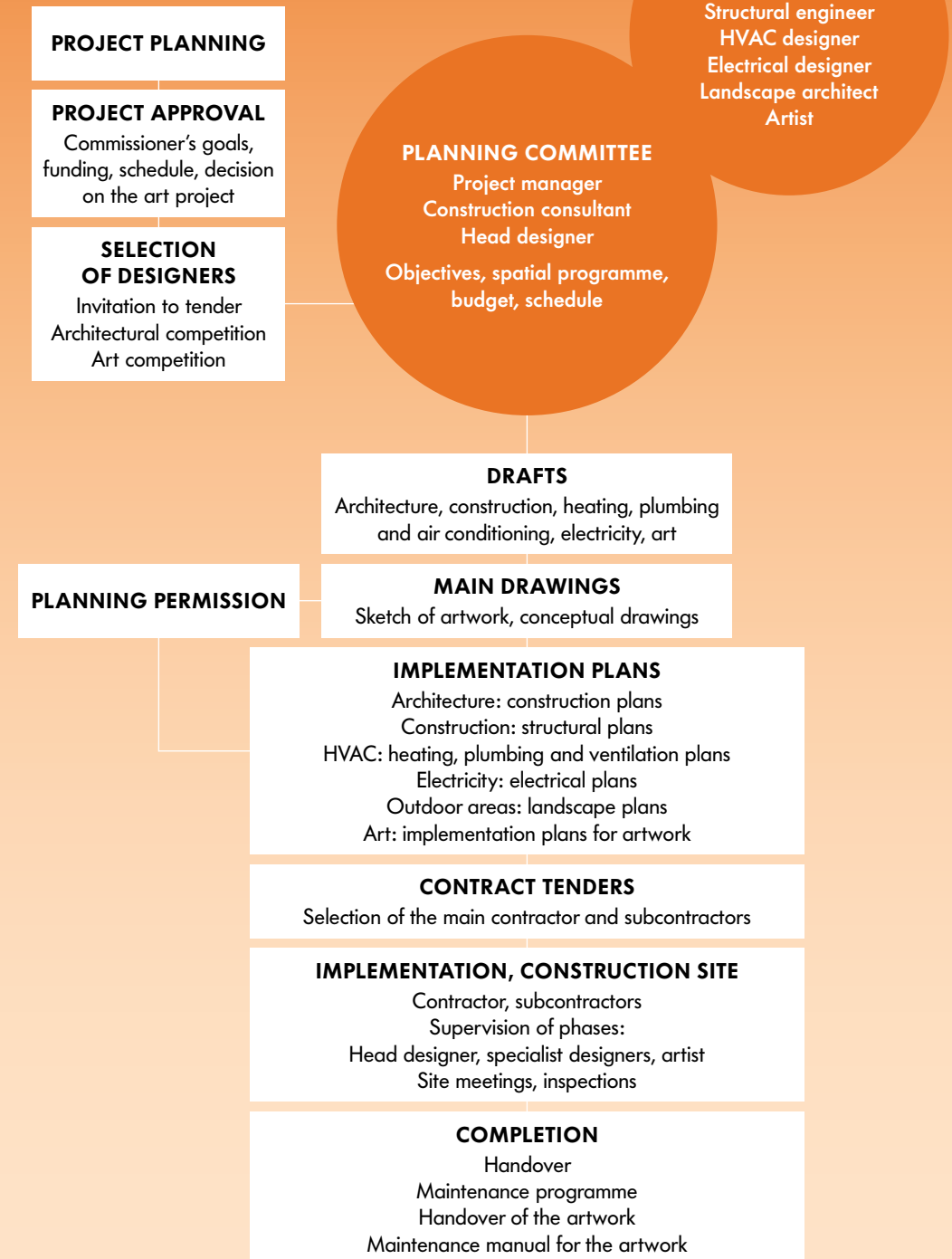
#### Project manager

- manages the design phase
- usually a construction consultant with a background in architectural engineering and construction economics

#### Subcontractors

- designers in specific sectors, such as art experts, artists, building services designers as well as electrical and automation designers
- responsible for their own special plans

## Construction project operations



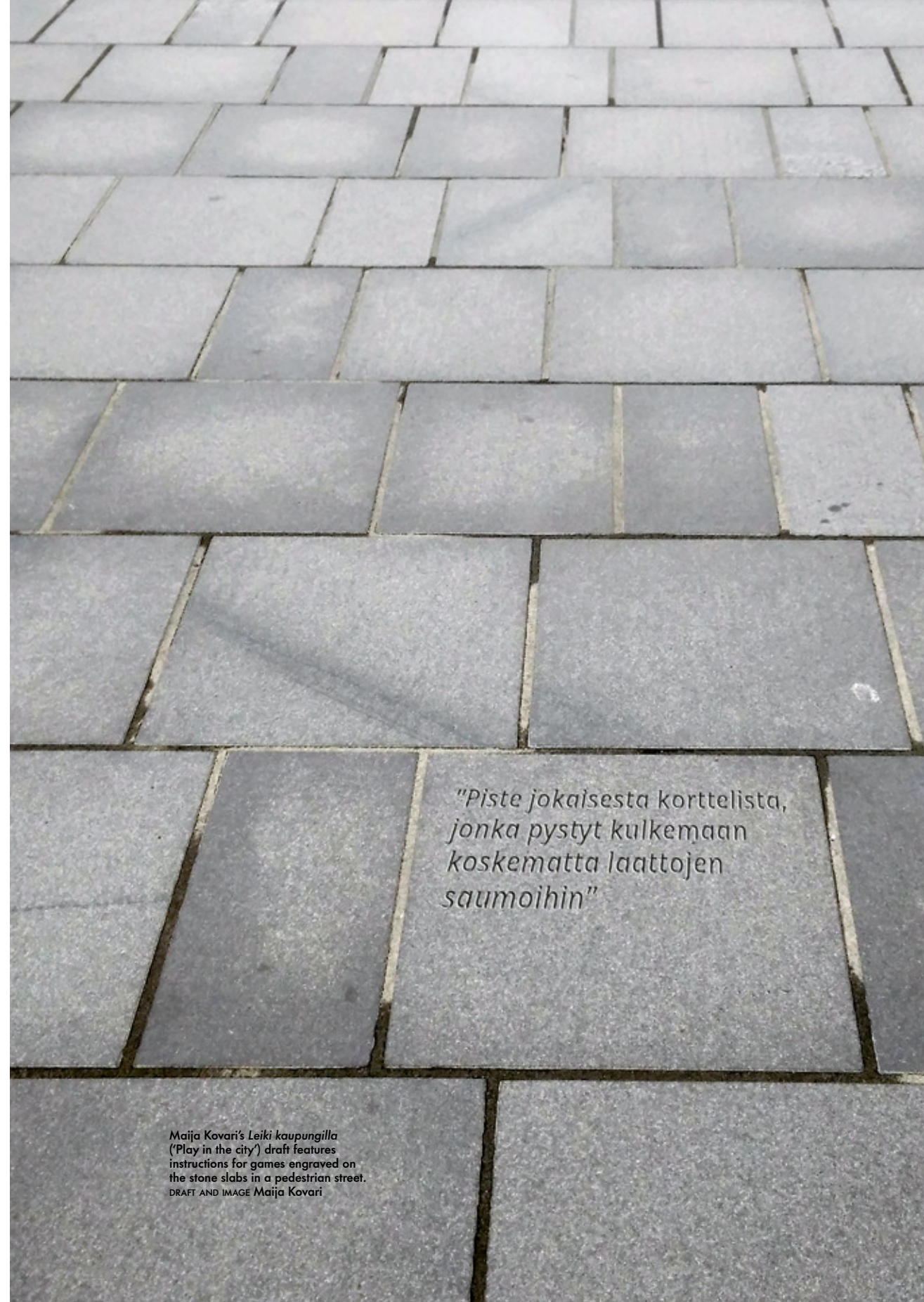
## Art and design of outdoor spaces

**A work of art in a public space has a wide audience. Works are viewed every day by pupils, visitors to libraries and residents of entire neighbourhoods. A work placed in a public outdoor space may be permanent or temporary. How people see it is influenced by factors beyond the artist's control. The work is viewed both in the light of summer and in the snowstorm in winter, day and night. For the artist, the public outdoor space poses its own challenges such as the changing weather conditions. The planning process for public spaces also has its own special features, which are different from designing buildings.**

**T**he design, construction and maintenance of public outdoor spaces in Finland are, by law, the responsibility of the municipality. In practical terms, this means that the commissioner is also usually a municipality or one of its affiliated organisations. A municipality can have public outdoor spaces designed within its own organisation, or it can outsource the planning to external experts or design agencies. In both cases, it is a multidisciplinary and multi-phase process, which integrates expertise in areas such as planning, traffic planning, street and park planning, lighting and art.

Urban life in cities is constantly changing and evolving, and consequently, the design of public spaces is also essentially a continuous process, which progresses simultaneously from zoning to more detailed planning and implementation in different areas and at different levels of detail. The most detailed planning level is the town planning, which defines the exact purpose of use for each city block and plot and gives instructions on how the buildings and public areas are to be constructed. Zoning can also provide instructions for the art to be incorporated, which can determine, for example, that a work of art is to be placed in a specific area or plot. For larger areas, such as districts, it is also possible to develop specific arts programmes to broaden the role and methods of public art production.

An artist can, of course, also be involved in the design of public outdoor spaces as part of the more detailed planning phases, regardless of whether the town plan, for example, requires the placement of a specific work in the area. A successful phase for art collaboration is when streets, squares and parks are designed, as this is the time when decisions are made on many features that



Maija Kovari's *Leiki kaupungilla* ('Play in the city') draft features instructions for games engraved on the stone slabs in a pedestrian street.  
DRAFT AND IMAGE Maija Kovari



have an impact on the context for the artwork, such as materials and street furniture. A budget for the area will also be drawn up at this phase of planning.

The solutions for the plans for streets, squares and parks are specified in the construction plan, on the basis of which the area is constructed and handed over for public use. A work of art can, of course, also be placed in a completed environment; this, however, requires various modifications for various reasons such as the foundations of the work. The extra costs can be saved if the artist and other designers work together at the same time.

The law regulates the stages of public space planning in various ways. The aim is to create a functional environment, in which the residents have also had some say. Although the system is strictly regulated, its multidisciplinary practices offer many opportunities for collaboration between professionals of art and design.



The visualisation by the artist shows the possible locations for the work in the integrated art pilot project situated on Otavalankatu in Tampere. DRAFT AND IMAGE Maija Kovari

## Stages of public space planning

### ZONING AT VARIOUS LEVELS OF DETAIL

guides more detailed planning

### NEW PLANS ARE NEEDED

The use of the area is changing or, for example, requires repairs

### SELECTION OF DESIGNERS

### PLANS FOR STREETS, PARKS OR SQUARES

Determine the functional, technical, and urban character of the area; e.g. the principles and location of street furniture

### DISPLAYING THE PLAN

Residents have the opportunity to propose improvements to the plan

### REVISIONS AND APPROVAL

Based on comments, a political body approves the revised plan and the associated cost estimate, including draft artwork and its cost estimate

### CONSTRUCTION PLAN

Specifies all solutions in the approved plan for implementation

### SELECTION OF PARTNERS

### IMPLEMENTATION, THE CONSTRUCTION SITE

Contractor, subcontractors, Supervision: Head designer, specialist designers, artist

### HANDOVER

Handover to the public  
Handover of the work  
Maintenance manual for the work

### THE MUNICIPALITY ALWAYS DECIDES ON THE PLANS\*

The planning team can consist of municipal planners, or planning can be carried out by a third party, i.e. a consultant.

### PLANNING

is multidisciplinary collaboration, which, depending on the project, involves partners such as:

Street and water management plans  
Traffic planning  
Lighting design  
Landscaping  
Geodesign  
Art

### COMMUNICATIONS AND SCHEDULING

are key to a successful project. To ensure that a work fits and suits the environment – and vice versa – all the solutions located in its vicinity need to be considered and discussed by all partners.

\* with the exception of the state, which also owns public spaces

## Construction site practices

**Construction sites are now strictly regulated and monitored workplaces. Sites are fenced and guarded, and strict safety precautions are observed. All matters relating to the construction site are discussed at site meetings, where all designers and subcontractors, including the artist, have the right to express their views on matters relating to their own work. The construction phase lasts for a long time and good personal relations are very important.**

**W**hen you enter a building site for the first time, you need to report to the site manager and, whenever you are on-site, you must wear personal protective equipment. Subcontractors who regularly visit the site (artists are usually included in this category) must buy personal protective equipment, including a hard hat, eye protection, high-visibility safety vest and safety shoes, and they must carry a photographic identity card, which must be visible at all times.

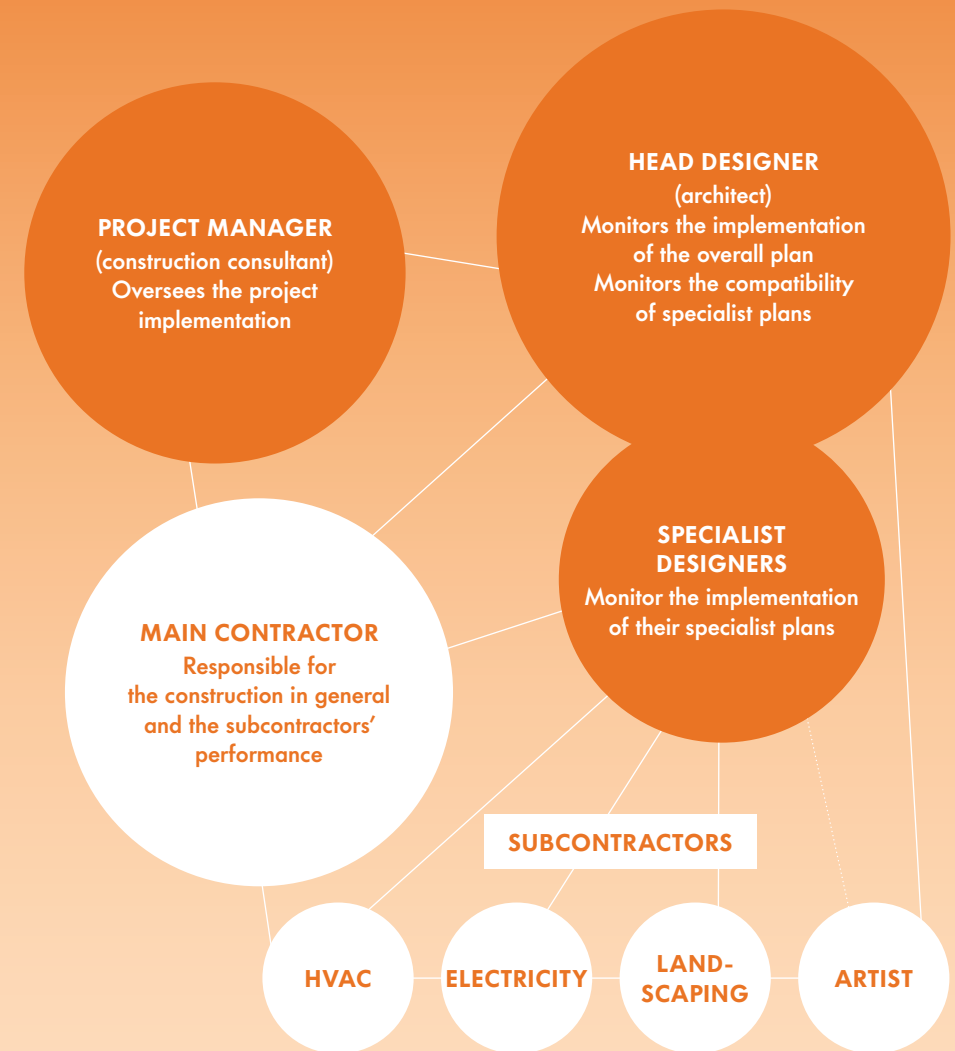
The construction project is implemented by a main contractor in co-operation with various subcontractors and in accordance with the contracts with the developer. The entire project is usually supervised by a construction consultant. The head designer oversees the implementation of the overall plan on the site, and specialist designers monitor their specific areas in order to ensure that the plans are followed accurately.

All matters relating to the construction site are discussed according to an agenda at site meetings held at regular intervals, and all parties receive detailed minutes of these meetings. If the artist wants to point out an important issue at a meeting, they must notify the chairman of this preferably in advance. The chairman is usually a construction consultant, the head of the project planning and implementation.

Topical issues relating to the project are discussed and agreed on at site meetings. If clarifying reports are required, the matter, with a proposal for action to be taken, is left to be discussed at the next meeting. The artist, like all designers and subcontractors, has a place on the agenda, and everyone can present their comments and new issues in turn. Everyone can express an opinion or comment on any items by asking the floor.

A construction project is usually relatively long, typically more than a year, and it involves a community where good personal relations are very important. Artists are rarely involved in construction projects, and their presence can be an interesting addition to the ordinary running of a con-

## Construction site organisation



### Site meetings

- held at regular intervals, e.g. once a month, on-site
- the project manager acts as the chair
- an agenda covering all parties' issues
- decisions are recorded in minutes
- issues covered include the schedule, performance and potential design changes, and solutions are recorded
- a site inspection to explore problem areas and to amend or accept decisions taken



struction site. Many tradespeople working on a construction site may have never worked with artists before.

It is a challenge to successfully complete the construction phase, and it is advisable that the course of the project is clearly specified, particularly as regards the schedule and the operations concerning the artist's work so that the construction can progress smoothly and so that any special requirements concerning the artwork can be taken into account. The artist can be invited to supervise the execution of the artwork during the construction phase. The head designer or the public art expert is the key contact person who keeps the artist up to date on issues related to the artwork. The artist does not need to attend all meetings, but they should take part in meetings and inspections relating to the artwork's location.

A site manager represents the main contractor and is responsible for practicalities on the site; their job is also to keep the artist up to date on questions such as the work carried out in the vicinity of the artwork, surface characteristics, mounting, installations, special tasks and schedules. As the work progresses, there are inspections, and when the project is completed, there are final inspections on the main contractor's and subcontractors' work, after which possible faults are corrected. Maintenance instructions are drawn up for the entire life cycle of the project. The artwork is handed over to the commissioner, a maintenance manual is compiled for it and an agreement is drawn up concerning the artwork's maintenance and how it relates to the maintenance of the rest of the building.

### Construction site responsibilities

#### Construction consultant

- oversees the project planning and implementation
- chairs site meetings

#### Head designer

- monitors the implementation of the overall plan
- the artist's key contact person

#### Project manager or site supervisor

- the main contractor's representative
- is responsible for practical operations on the site
- keeps in touch with the artist on issues related to installations, surfaces and specialist work

The architecture, art and design studio Partanen & Lamusuo Oy, together with the architect firm Pekka Lukkaroinen Oy, designed the Kaarisairaala hospital in Kuopio opened in 2015. The hospital facade is covered with *Evolution* by Partanen & Lamusuo. PHOTO KariMattiAntero Puustinen, KYS Photo archive





## The artist's form of business and invoicing for a commissioned artwork

Artists can be considered subcontractors in construction projects and require some knowledge of business. What kind of company should you have when working on a commissioned project? How do artists invoice? There are many options.

Choosing the form of business and invoicing depends on the situation. The choice is mostly guided by the commissioner's requirements and preconditions but also by the artist's own situation and by the price of the commissioned work of art. There is not just one right way. In the construction industry in general and when the commissioned work is of high value, the artist is expected to have a business ID.

Before choosing the form of business it is worth considering the extent of the operations now and in the future. Would it be advisable to set up a company? Which company form would be the best? Would there be significant savings if VAT could be reduced?

### Registering for VAT

In 2019 the VAT threshold is 10,000 euros in a 12-month period. When the annual sales exceed that amount, the artist is obliged to pay VAT. The sum includes all sales including public art as well as sales from the artist's studio or art library. Even if the limit is exceeded in December, VAT must be paid for the entire year. Those obliged to pay VAT can deduct it on their purchases. Artists who are VAT registered must submit a start-up notification to the tax authorities on their own initiative. Start-up notifications are available at [www.ytj.fi](http://www.ytj.fi) as well as tax administration offices and TE offices.

### Working on a tax card

- the fee is invoiced as a non-wage compensation for work
- Art-related expenses are deducted in taxation by making amendments in the pre-completed tax return.
- it is not always possible to work using a tax card. Many clients require a business ID because it is a well-established practice in procurement processes.

### Company

#### Sole trader (self-employed individual)

- the person trades as an individual (business ID)
- the owner is personally responsible for all agreements entered into: the company's property is thus not separate from the sole trader's property other than for book-keeping purposes
- easy to set up and run
- inexpensive to set up
- advisable to have an accountant
- an artist can also act as a self-employed individual without a company and have a business ID

#### Limited company

- a distinct legal entity separate from its owners and liable for its own obligations
- The minimum share capital of a limited liability company was abolished on 1 July 2019, i.e. setting up a company is free except for administrative expenses
- more obligations and administration than a sole trader
- to be considered in such cases where the works of art are large and expensive and where a number of partners are involved and require capital

#### Other business forms

- partnership
- limited partnership

*The local business advisory services help with the selection of the business form.*

### Other invoicing options

#### Cooperative

- a form of company, the purpose of which is to support the economic and business interests of its members by engaging in economic activity where the members make use of the services provided by the cooperative
- members can use the business ID without setting up their own business
- the artist should consider issues related to liability and to the commission payable to the cooperative

#### Invoicing through an invoicing service

- it is possible to invoice through an invoicing service using the service's business ID and without having to set up a company
- fees and commissions on services may be high

### How to pay wages and salaries to assistants?

#### [palkka.fi](http://palkka.fi)

- a free service for employers: itemises payments due to the payee, to the employee pension scheme and to the tax authorities

#### [palkkaus.fi](http://palkkaus.fi)

- a similar, fee-based, service where the payment of wages or salaries is made in a single transaction

## Making an offer, pricing and value-added tax

**T**he artist can make the client an offer or an invitation to tender may be issued by the client. The purpose of an offer is to reach an agreement. *Please note: if the client asks two or more visual artists to submit a proposal for a work of art for the same location at the same time, this is considered an art competition.*

### A good offer includes at least the following details:

- contact details of the person submitting the offer
- details of the recipient (including a contact person)
- the date
- information about the artwork/service offered and the price of the artwork/service
- information on whether value-added tax is included in the price
- answers to the questions posed in the invitation to tender
- the date on which the offer expires
- information about the artist's copyright

### Also remember:

#### Offers are submitted in writing

- information in a written document can be verified at a later date

#### An offer is legally binding

- you cannot, for example, raise the price of the artwork later without the consent of the commissioner
- make sure that the proposed price covers all costs and the artist's fee

#### The offer is not valid forever but the client must reply within a reasonable period of time

- in business contracts, "a reasonable period of time" usually refers to around 14 days
- to avoid confusion, the validity of the offer should be stated in the offer

#### If the offer is rejected, it expires

#### The Finnish Public Procurement Act does not usually apply to art commissions

- if there is any ambiguity, you should contact a legal advisor or a Procurement Act specialist.

### Pricing

Price your work so that you will receive a decent fee for your work. You should consider how many months it will take you to complete the piece and how much money you will need for living during this time. In addition to the artist's fee, you should include the cost of any materials, the installation, assistants if needed, insurance and other expenses. Remember also to include all statutory pension contributions (YEL insurance for the self-employed).

There will often be unexpected costs in the creative process that you did not include in the budget, so you should always include an "other expenses" section in the budget. When considering the pricing, it is advisable to find out if you could source materials from the client or if they can help with the installation, for example. Large clients such as construction companies may be able to source materials at a reduced price.

The artist's fee can also be based on an hourly fee either partly or entirely.

### When considering pricing, remember at least these elements:

- artist's fee
- cost of materials
- cost of workroom
- cost of tools, clothes and protective equipment
- shipping and mounting costs
- third-party services such as the strength calculation
- cost of assistants, including social security costs
- insurance (e.g. accident and liability insurance and insurance for the artwork itself)
- pension contributions
- travel expenses
- other expenses (5–10% of the total)
- itemise the VAT for the artwork
- draw up a proposal for payment structure so that you can afford to buy the materials and equipment you need

### VAT

There are numerous questions concerning VAT on commissions of public art. VAT is a form of consumption tax that the seller – in this case the artist – adds to the price of a service or product. The seller charges VAT on the sale and pays the tax to the tax authorities.

The standard rate of VAT on products and services is 24% of the price of the product or service. When an artist (or the holder of the right) sells a work of art they have created for the first time, a lower VAT rate is applied; at the time of writing this was 10% (please note exceptions\*). When the same piece is resold by the first buyer (e.g. a broker), the VAT rate is 24%. The purpose of the lower VAT rate is, thus, to encourage people to buy art.

The artistic process for one particular work may include activities charged at different VAT rates.

\* Exceptions: Works of art are defined in Article 79(c) of the Finnish Value-added Tax Act. This definition does not include all newer forms of art, such as media and video art. A VAT rate of 24% is applied to these even on the first sale. Exceptions also apply to church textiles.

## Drawing up a contract and types of insurance

### Drawing up a contract

A contract negotiation involves both parties to the contract. The contract defines the responsibilities of each party: who is responsible for what and at what stage? What fees are paid and what is the schedule? If the art project is coordinated by a public art expert, the contract should also define the division of work between the artist and the art expert. It is easier to agree on plans for unexpected situations before they happen, so you should think about any prospective “what if” scenarios when drawing up the contract.

The client may have their own contract template used for drawing up the actual contract. You can also use the template on pages 38–44 of this manual. This template is intended as a guideline, and the actual contract should always be drawn up taking into account the special characteristics of the particular work of art and the particular project. The template can also be compared to the client’s proposed contract to ensure that all elements relevant to the particular piece and its execution are covered.

You should always question any unclear or vaguely formulated items in the contract and ask them to be clarified. If, for any reason, the client does not offer any clarifications, you should consult a body such as an artists’ association’s legal department.

By signing the contract the parties accept and commit to its content.

### You should always have a written contract for every commission of a work of art

It is much easier to refer to a written contract than to an oral one. The commissioning processes for public art may take years, and the parties may forget what was originally agreed. There may also be changes to the client’s contact people or organisation, so it is good to have the original contract. All changes to the contract should also be made or confirmed in writing (e.g. changes agreed by telephone can be confirmed by email with confirmation of receipt).

### Insurance for creating a public work of art

The artist must ensure that the art project has all the relevant and comprehensive insurance cover. It can also be agreed that the client is responsible for all matters relating to insurance. Either party can, thus, be responsible for covering the project, but it is important that it has all necessary insurance cover.

To get the best packages, you can negotiate with insurance companies and ask them for offers.

### Depending on the project’s size, duration and responsibilities you should consider at least the following:

#### Liability insurance

- Liability insurance covers injuries and damages caused by a company’s activities.

#### Asset and liability insurance

- Asset and liability insurance covers damages to property caused by a company’s activities.

#### Product liability insurance

- Product liability insurance covers injuries and damage to property caused by a faulty product or by insufficient safety.

#### Legal expenses insurance

- Legal expenses insurance covers the costs of the legal proceedings or of avoiding such proceedings, such as lawyers’ fees.

#### Personal insurance

- Against sickness and disability.





The Percent for Art principle has been followed for decades in Oulu; it has resulted in artwork being commissioned in everyday environments. Raimo Törhönen's series of murals, *Ajokoiravärioppi* ("A hound's colour chart"), is located at the Kontinkangas wellness centre in Oulu.  
PHOTO Aino Salmi © Kuvasto 2015

## Where can an artist get support and help?

Various types of support are available for professional artists, covering issues from exploring job opportunities to legal advice. Help is provided by the Arts Promotion Centre Finland's public art advisory services and regional artists, organisations of visual arts and private service providers such as accountants. It is a good idea to seek help early in the process before any problems arise.

### Legal advice and professional support

Artists' associations in your special field and region can offer professional networks, support and help. The members of the Artists' Association of Finland and the Finnish Association of Designers Ornamo can contact these organisations for legal advice on questions concerning contracts and responsibilities, for example. The Artists' Association of Finland's website also has an extensive database of issues concerning artists' work (Kuinka elää kuvataiteella, in Finnish). Kuvasto can help artists with issues relating to copyright.

### Do I need an accountant?

You should certainly have an accountant when you become VAT liable; in other words, when your sales exceed 10,000 euros per year (in 2019), when it becomes difficult to manage all of your receipts without an accountant's help. An accountant can also help you to manage your project finances.

### Arts Promotion Centre Finland

The Arts Promotion Centre Finland's (Taike) public art advisory services employ art experts who offer advice on new Percent for Art projects and work on developing public art projects. Taike also employs regional artists across Finland. Most regional artists promote employment opportunities for professional artists.

### RT manual Taide rakennushankkeessa

The RT manual RT 01-11147, Taide rakennushankkeessa, published in Finnish by Rakennustieto, offers information about art projects as part of a construction project. It covers basic information about the acquisition and funding of artwork as well as integrating art in the construction process, from project planning to handover. It describes the parties' roles and responsibilities and provides information about the practical requirements of the design and implementation phases. The aim of the manual is to support all parties involved in the process, and it can be applied in construction and infrastructure projects. The RT manual can be ordered from Rakennustieto: rakennustietokauppa.fi.

## The artist's checklist for a public art project

You can use this list to consider questions relating to the client's requirements, partners, finances and the work itself, which may not be so obvious. The list does not cover all phases, and you should always draw up a detailed checklist for each work of art.

### Cooperation with the client

- Clarify the client's requirements concerning the artwork and schedule:
  - At which stage of the construction project does the artist join the process?
  - What is the artist's role in the project? What is the artist expected to do?
  - What is the construction project schedule?
  - Agreement on the artwork's life cycle.
- Identify and contact all parties involved in the creation or mounting of the artwork as early as possible (e.g. electricity and lighting).
- Check with the head designer that you have understood the drawings correctly.
- Draw up a written contract on the draft and the actual work of art.
- Do the plans cover the structures required by the artwork?
- Does the contract cover who does the groundwork, orders materials, designs and installs the lighting and who is responsible for the mounting, protection and shipping of the artwork?
- Make sure that you know when the site meetings are held.
- How is the public informed of the artwork under construction and when it is completed? Who is responsible for communications?
- How is the artist involved in communications and public relations?
- Is there an agreement on the copyright of images of the artwork?
- Where can people find information about the artwork after its completion?
- Will there be a plaque, and who will install it?
- How is the work to be maintained and taken care of after its completion?
- Remember to ask the client to accept any changes to the artwork.

### Finances

- Preparing the budget: what does the budget cover?
- Include your fee.
- Will you need assistants?
- Include other expenses in the budget (5–10% of the total costs) as there are always unexpected expenses.
- Is it possible to order materials, tools or services through the client/developer? Is VAT deductible?
- Keep track of your tax-deductible purchases.

Maija Louekari's glass piece *Greenhouse* (2011) encircles the lobby of the Oulu Ympäristöotalo ("Environment House"). The artwork is one of the City of Oulu's Percent for Art purchases.  
PHOTO Aino Salmi

### Special features of public art

Consider at least the following elements:

- the materials' weatherproof properties
- the structures' weatherproof properties
- the materials' life cycle
- how realistic the schedule is
- documentation of the process (photos, models)
- aspects concerning the safety and the fire safety of the work of art
- environmental rating of the particular municipality, as this may affect the choice of materials

### The artist's health and safety

- Health and safety in the workroom and on the construction site
- Getting to know the construction industry and the site safety guidelines





## Maintenance manual

The artist will usually compile a maintenance manual for the work of art to make sure that the work is properly taken care of.

**A** contract involving the commissioning of a piece of public artwork often includes a section on the provision of a maintenance manual or instructions to the client. A maintenance manual is a document in which the artist describes the materials in detail and also how the work needs to be maintained. The instructions ensure that the work is taken care of in the manner appropriate for the particular form of art. The maintenance manual is given to the client and to the party responsible for the maintenance no later than at the handover. The content of the manual obviously depends on the artwork and covers factors such as its materials, size, life cycle and location.

### Points to remember when drawing up a maintenance manual:

#### A description of the work and its components

- the artist's name and contact details
- a general description of the work
- the address and the exact location of the work at that address
- photographs of the work in its original state

*Agree on the photos with the client; the client may be responsible for the photos if the work is to be placed in a museum art collection for example.*

#### The materials and techniques

- the materials used described as accurately as possible
- suppliers of the materials and any subcontractors
- colour codes for paints and luminous intensity for lighting
- the mounting method
- photographs of the mounting and other phases with descriptions

#### The artwork's life cycle

- what is/is not considered natural wear and tear (e.g. patina)

#### Instructions for the artwork's care and maintenance

- methods and frequency of servicing, maintaining and cleaning the artwork
- technology-related instructions

#### If the artwork is broken or damaged

- who to contact when damage is detected
- instructions for making spare parts and relevant suppliers
- digital models if these were used for the production of the artwork

Make sure that the information is archived with the party responsible for maintenance of the artwork.



Pekka Kauhanen's sculpture *Oksapoika* ("A boy with branches", 2014) is one of the landmarks of Kuopio Market Square. PHOTO Niklas Kullström © Kuvasto 2015



## How to promote the Percent for Art principle in your community: Tips for local activities

**M**any Finnish cities are committed to the Percent for Art principle or to acquiring public artwork through other channels. The principle is not, however, familiar in all municipalities. Nationwide arts organisations as well as the Arts Promotion Centre Finland promote the principle at the national level. Helping hands are also needed at the local level: local artists, designers, architects and other people and organisations such as art museums who are interested in public art.

The following guidelines are practical tips on how to promote the scheme in your region.

**1 / Get like-minded people together** It is easier to promote a shared passion in a team. A good way to get started is to organise an open seminar, a meeting or a coffee morning for all those interested in promoting the Percent for Art principle. In addition to artists and designers, you should also aim to collaborate with architects and city planning authorities from the start. Consider the following questions:

### Why do you want to promote the scheme in your municipality?

#### Would you like to have these things in your municipality?

- A more pleasant living environment?
- Job opportunities for local artists?
- Art accessible to all residents?
- Surprising everyday environments?
- Enhanced attractiveness of your city, town or neighbourhood?

### What is your goal?

- For the municipality to commit to the Principle in its construction projects (schools, day care centres, libraries, health centres and other infrastructure)?
- To ensure that the obligation to commission art is included in the planning or construction of a new neighbourhood?
- For the municipality to invest in public art in some other way, to set up a sculpture park or street art mural for example?

### Who will be the project's spokesperson who talks to the media and decision-makers?

- Responsibilities can and should be assigned to several people: choose a spokesperson who can answer questions concerning the project.
- If the events require financial transactions, appoint a treasurer.

It is not necessary to set up an association for promotional activities; you can simply start a collective or a Facebook group. Make sure that at least one person's contact details (telephone number and email address) are available with the information about the people behind the activities (e.g. the activities organised by the local artists' and designers' associations) and about how

people can get involved. This makes it easier for decision-makers, the media and other local residents to contact you when they become interested.

You can also choose a catchy name or slogan for your campaign.

**2 / Get people talking about the Percent for Art principle** This way it will become a hot topic. The more you talk about it, the better. The first means of promoting the principle is simply to shout about it. Here are some ways to do this (feel free to come up with more ways!):

- Write a letter to the editor to your local newspaper.
- Organise a meeting or seminar.
- Arrange an event.
- Inform people of successful efforts in other towns.
- Organise a survey to see if residents want to see public art in more places\*.
- Publish a Facebook page that local residents can like ("We want more art!").

You should send a press release about all events to the local media (newspapers, radio channels, local TV stations) at least a week before the event. Your visibility will be significantly enhanced if you can attract the media's attention. It is also a good idea to remind the media of the event a couple of days in advance. A press release and an invitation are good ways to obtain media attention, but it is always worth the effort to call them as well.

**3 / Get in touch with decision-makers** The city council will have to make decisions concerning the implementation of the scheme regardless of the scope of the implementation.

The matter can be brought to the attention of the city council by an official or by a councillor.

### Tips

- Collaborate with all interested parties regardless of their political affiliation, as you are more likely to achieve a favourable decision if the scheme is supported by representatives of several parties.
- Offer to attend council meetings to provide more information about the scheme.
- Call councillors and send them emails.

You should also visit the [www.kuntalaisaloite.fi](http://www.kuntalaisaloite.fi) service; when at least 2% of a municipality's residents back an initiative, the council must deal with the initiative.

\* A nationwide survey on Finns' attitudes towards public art (TNS Gallup, 2016) can be found (in Finnish) at [www.prosenttiperiaate.fi/tutkimukset](http://www.prosenttiperiaate.fi/tutkimukset) and can be freely quoted when promoting the Percent principle.





If you organise meetings or events on the subject, remember to always invite decision-makers and officials to these events.

**4 / Brochures, videos, studies, manuals, help? Available!** The Percent for Art project and the Arts Promotion Centre Finland have produced a wealth of materials that can be used in promoting the scheme locally.

**Videos:**

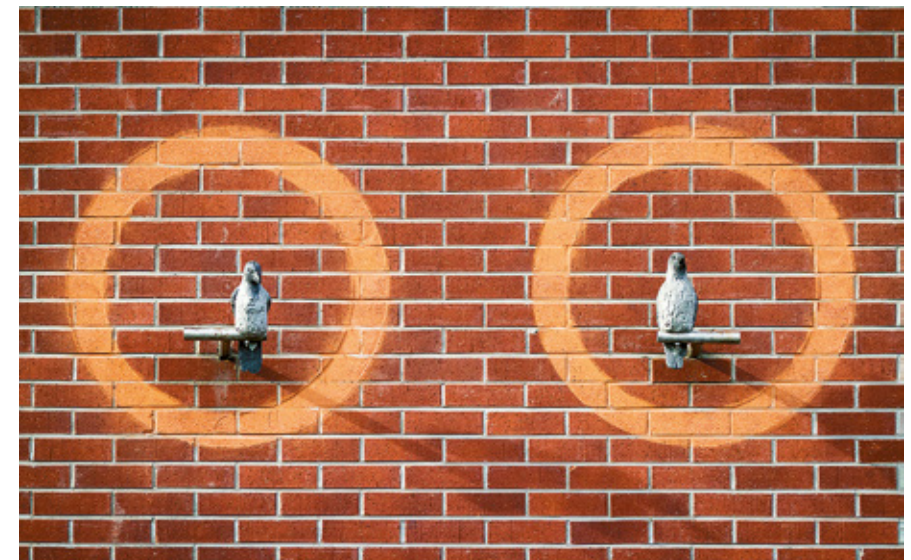
- Short videos about the Percent for Art principle on YouTube: search for "Prosentti taiteelle".

**Studies and references:**

- A survey on Finns' attitudes towards public art (TNS Gallup, 2016) as well as publications on the Percent for Art scheme can be found at [www.prosenttiperiaate.fi/tutkimukset](http://www.prosenttiperiaate.fi/tutkimukset).

**Guides and other support:**

- Contact the Arts Promotion Centre Finland's local office or national artists' organisations.



Pertti Kukkonen's work *Variksen peli* ("Crows playing", 2012) is integrated on the residential building's facade. It is located in Vuores, Tampere. PHOTO Niklas Kullström © Kuvasto 2015



## Contract template

### Please note

Please note that this is a contract template that can be used as a basis for a contract commissioning a work of art. It aims to be universally applicable to most situations and therefore it is not applicable in all situations as such. This template was devised specifically to be used in connection with the production of artwork as part of a construction project or with a commission for a public work of art.

The template can be amended and added to as required. If the template contains elements that do not apply to your particular case, they can be left blank or crossed out. The sections in the template marked with an asterisk are explained in the Definitions sections at the end of this document. The definitions form part of the contract unless the Commissioner and the Artist agree otherwise.

### Art Commission Contract

#### Parties

\_\_\_\_\_ ("the Artist"), the person's name, Business ID \_\_\_\_\_

\_\_\_\_\_ ("the Commissioner"), Business ID \_\_\_\_\_

Contact person: \_\_\_\_\_

Contact details: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

Bank account IBAN: \_\_\_\_\_

The Artist and the Commissioner agree on the commissioning of a work of art. The contract is applied in two phases. The first phase (the agreement on the draft) becomes effective when this contract is signed. The second phase (the agreement on the final work of art) becomes effective when the Commissioner has approved the implementation of one of the drafts in writing.

### 1 The agreement on the draft

#### 1.1 Drafts of the work of art

Subject: \_\_\_\_\_

Estimated size: \_\_\_\_\_

Materials: \_\_\_\_\_

Location and potential restrictive factors: \_\_\_\_\_

Number of drafts: \_\_\_\_\_

Scale of drafts 1: \_\_\_\_\_

Technique:

- two-dimensional
- three-dimensional

Final delivery date for the drafts: \_\_\_\_:\_\_\_\_:\_\_\_\_\_

If the completion of the draft is delayed for reasons out of the Artist's control, the deadline for the completion is extended by the number of days it was delayed due to that reason. The Commissioner is entitled to receive information on how the process is progressing.

Appendices:

- a work plan
- a list of the Artist's assistants and subcontractors
- descriptions and prices of the materials at the time of the agreement on the draft

#### 1.2 Price of the drafts and payment schedule

The price per commissioned draft is € \_\_\_\_\_.

No VAT  VAT at 10%  VAT at 24% will be added to the price, so that the VAT is € \_\_\_\_\_ and the total price inclusive of VAT is € \_\_\_\_\_\*.

Half of this total is to be paid immediately upon signing this contract and the other half against a separate invoice within 14 days following delivery of the drafts.

The fee paid for the drafts is included as part of the total purchase price of the work of art.

Fees for attending \_\_\_\_ planning meetings organised by the Commissioner

- are included in the draft's price
- are paid to the Artist against an invoice



### 1.3 The artist's fee \*

The artist's fee is included in the price of the draft

The Commissioner shall pay the Artist an artist's fee for their work.

During the draft phase, the Artist shall be paid \_\_\_\_\_ euros in \_\_\_ instalments on \_\_\_/\_\_\_/20\_\_ and \_\_\_/\_\_\_/20\_\_.

The artist's fee for the drafts is paid:  
 against an invoice  
 as wages or salary; the Artist will provide the Commissioner with their tax card as an attachment to the contract

### 1.4 The approval of the draft to be implemented

The Commissioner must inform the Artist of their decision to proceed with or to cancel the commission in writing within \_\_\_ months following submission of the drafts.

If the Commissioner does not accept any of the drafts for implementation, the Artist keeps the fee paid for the drafts.

Drafts that the Commissioner does not accept for implementation remain the property of the Artist and the Artist's right to their future use is not restricted unless the Artist and the Commissioner have agreed otherwise in writing. The Commissioner does not have the right to use the drafts without the consent of the Artist.

A penal interest as described in the Finnish Interest Act shall be charged if any of the payments described in this contract are made late.

## 2 The agreement on the final work of art

### 2.1 The final work of art

The final work of art shall be produced in accordance with the approved draft and accompanying work plan and material descriptions.

In order to retain or increase the artistic value of the work, the Artist is permitted to deviate from the draft when producing the final work of art to the extent determined by the change in scale and the use of the final material.

The Artist has the right to supervise any ancillary work related to the production of the work (including foundations, mounting and hanging) until the work is ready to be handed over to the Commissioner. The Artist is responsible for their own and their assistants' work only with regard to the location of the work.

The work of art must be ready for delivery to the Commissioner within \_\_\_ months after the Commissioner commissioned the final work of art.

### 2.2 Price and payment schedule

The total price of the work of art is € \_\_\_\_\_.

No VAT  
 VAT at 10%  
 VAT at 24%  
will be added to the price.

VAT is € \_\_\_\_\_ and the total price inclusive of VAT is € \_\_\_\_\_.\*

The cost of materials:

is included in the price  
 is not included in the price and is added to the purchase price.\*

The Commissioner is obliged to compensate the Artist for travel expenses and pay them the per diem allowance according to the State Travel Regulation:  yes  no

The Commissioner shall pay the purchase price in instalments against separate invoices according to the payment schedule: for the drafts, as agreed in the draft phase, this is a total of € \_\_\_\_\_, which is included in the purchase price. Upon accepting the work of art for implementation, the Commissioner will pay the Artist the amount of € \_\_\_\_\_, as soon as this contract is signed; the production phase instalments in \_\_\_ instalments on \_\_\_/\_\_\_/20\_\_ and \_\_\_/\_\_\_/20\_\_ as well as € \_\_\_\_\_ when the work of art is completed and ready to be handed over, and once the maintenance manual has been delivered to the Commissioner.

### 2.3 The artist's fee \*

The artist's fee is included in the total price of the work of art

The Commissioner shall pay the Artist an artist's fee for their work. During the production phase, the Artist shall be paid \_\_\_\_\_ euros in \_\_\_ instalments on \_\_\_/\_\_\_/20\_\_ and \_\_\_/\_\_\_/20\_\_.

The artist's fee paid

against an invoice  
 as wages or salary; the Artist will provide the Commissioner with their tax card as an attachment to the contract

Fees for attending \_\_\_ planning meetings organised by the Commissioner:

are included in the artist's fee  
 are paid to the Artist against an invoice

### 2.4 Copyright

The Artist will retain the copyright of the finished work of art as well as of the drafts.

The Commissioner:

has the right, without any further compensation, to use images of the work of art in their communications and marketing. >>

has, for the duration of the copyright, only the right to take pictures and use such pictures without limitation where the public work of art is in the background but not the main subject of the picture.

## 2.5 Other terms and conditions

The Commissioner is responsible for transporting the work of art to the intended location, for its installation and for related costs. The Commissioner is responsible for verifying the strength of the structures. The Artist has the right, as described in section 2.1, to supervise the installation of the work of art in its location.

The Commissioner  will not  will cover the Artist's accommodation and any travel expenses incurred during the installation and its supervision according to the State Travel Regulation.

The Commissioner

- is not permitted to move the work of art from its specific location.  
 is permitted to move the work of art from its specific location.

The Artist

- has the right to borrow the work of art for an exhibition.  
 does not have the right to borrow the work of art for an exhibition.

The Artist

- is entitled to make copies of the work of art without the Commissioner's consent.  
 is not entitled to make copies of the work of art without the Commissioner's consent for purposes other than normal archiving and portfolio purposes. \*

The insurance coverage for the production, transport to the location and installation of the work of art is the responsibility of \*

- the Commissioner for all parts; a copy of the policy is attached  
 the Artist for all parts; a copy of the policy is attached  
 the Artist during the production phase, the Commissioner to every other extent; copies of the policies are attached  
 both parties: shared responsibility for arranging the insurance cover; a description of the insurance and copies of the policies are attached

If the completion of the work of art is delayed for reasons out of the Artist's control, the deadline for the completion is extended by the number of days it was delayed due to that reason. The Commissioner is entitled to receive information on how the process is progressing.

The Artist will provide the Commissioner with a maintenance manual for the work of art including instructions on how to ensure that the work retains its artistic character throughout its life cycle.\*

A final inspection of the completed work of art is to be held within \_\_\_\_\_ days after its installation, but no later than on \_\_\_\_\_.

The inspection is to be attended by \_\_\_\_\_ on behalf of the Commissioner and \_\_\_\_\_ on behalf of the Artist.\*

A penal interest as described in the Finnish Interest Act shall be charged if any of the payments described in this contract are made late.

## Appendices

- the maintenance manual (on completion of the work of art)  
 copies of the insurance policies  
 a list of the Artist's assistants and subcontractors during the production phase if different from the draft phase  
 descriptions and prices of materials at the time of signing of the contract if different from the draft phase

## 3 Date and signatures

Two identical copies of this contract have been produced, one for each party.

\_\_\_\_\_, / . . . . .  
Date and place

\_\_\_\_\_  
THE ARTIST

\_\_\_\_\_, / . . . . .  
Date and place

\_\_\_\_\_  
THE COMMISSIONER



This contract template was drawn up as part of the Percent for Art project (2014–2015).

## Definitions

These definitions form part of the contract template. When printing the contract template on paper or as a .pdf file, this text must be included in the file.

### \* VAT obligation

When the Artist surrenders ownership of their own work of art or draft by selling the piece themselves, a reduced VAT rate of 10% is applied. Works of art are defined in Article 79(c) of the Finnish Value-added Tax Act. This definition does not include all newer forms of art, such as media and video art. If the Artist as the seller is not liable to pay VAT because their turnover during a calendar year does not amount to more than 10,000 euros (as of 2019), the sale is exempt from VAT (Value-added Tax Act, Article 3).

The standard VAT rate of 24% applies to the sale of the finished work when the seller is not the Artist but a broker or another owner of the work of art, for example. Those who are liable for VAT can deduct VAT included in the prices of their own purchases.



**\* The artist's fee**

It is an established practice in the visual arts field to pay a separate fee for drafts and a separate fee for the completed work of art. The artist's fee can be paid separately or agreed to be included in the total price. If the artist's fee is included in the total price, the Artist determines its share of the total price.

**\* The cost of materials**

If it is likely, at the time of drawing up the contract, that the price of the materials will change prior to the work of art being completed, it is advisable to agree on how the increased costs shall be taken into account in the price of the work of art.

**\* The State Travel Regulation**

The provisions of the State Travel Regulation concerning travel expenses and per diem allowances can be found on the Ministry of Finance website at: <http://vm.fi/julkaisu?pubid=3502>. The regulations are updated every year.

**\* The right to produce copies of the work of art**

Normal archiving and portfolio purposes refer to such pieces as models of the work of art displayed at an art exhibition.

**\* Insurance coverage**

It is advisable to have a detailed description of who is responsible for insuring the various elements of the process, taking into account the parties' existing insurance policies and relationships with insurance companies. The need for liability insurance, for product liability insurance, for asset and liability insurance as well as for legal expenses insurance must be determined on a case-by-case basis. Personal insurance against sickness and disability should also be considered.

**\* The maintenance manual for the artwork**

A maintenance manual is a document in which the Artist describes the materials, techniques and the work's life cycle in detail and also how the work needs to be maintained. The instructions ensure that the work is taken care of in a manner appropriate for the particular form of art. Instructions for drawing up a maintenance manual can be found on page 28 of *The Handbook of the Percent for Art Principle for Artists*.

**\* The final inspection**

Any issues requiring repairs are noted in the final inspection. It is recommended that a record be drawn up of the final inspection to make note of any observations and of any need for repairs as well as of the timetable for their implementation.

Jaakko Niemelä's work  
*Counting Numbers* (2004)  
is a Percent for Art commission  
by the City of Oulu located  
at Kaakkuri School.  
PHOTO Aino Salmi © Kuvasto 2015







Kaarina Kaikkonen:  
The Upspringing Spirit.  
Vuores, Tampere.  
Photo Niklas Kullström  
©Kuvasto 2015