

Canada: CARFAC Minimum Recommended Fee Schedule

Canadian Artists' Representation/Le Front des artistes canadiens (CARFAC) is the national association for visual artists in Canada. We advocate for better working conditions for artists, and exhibition remuneration has been central to our work since 1968. There are at least 400 public art museums, artist-run centres, craft galleries, and media arts presentation centres across Canada. These venues typically pay artists using the CARFAC-RAAV Minimum Recommended Fee Schedule as a guideline for exhibition and reproduction remuneration, and other services that artists provide (writing, consulting, giving presentations, etc).

Our guidelines are minimum recommendations because artists should retain their right to negotiate more. Our guidelines are only for an artist's copyright, or their time and labour. It is not to be used to offset other related expenses, like art production, travel, insurance, or equipment rental that a gallery may have when showing an exhibition.

Our Fee Schedule helps artists assert their labour rights. Before it existed, no one was paid for exhibitions in public/non-commercial galleries and museums. It was argued that showing your work for free gives artists exposure, but artists need to earn a living. Canadian artists developed remuneration guidelines collectively and put pressure on presenters. In the 1970s the Canada Council for the Arts stated they would not fund museums that did not pay artist fees. Over time, presenters in Canada abroad started to use our Fee Schedule as a guide for the standard for paying artists, and this continues today.

Those early actions helped us to establish our bargaining power, which was further reinforced by legislative change: the inclusion of the Exhibition Right in the 'Copyright Act' in 1988, and the adoption of the 'Status of the Artist Act' in 1992. The Exhibition Right reinforces the artist's right to be paid for exhibitions in public venues where the work is not offered for sale. It applies to artists of any nationality and their estates for up to 50 years when their work is shown in a public gallery in Canada. The 'Status of the Artist Act' allows associations like CARFAC to represent the collective bargaining interests of self-employed artists. It compliments the Exhibition Right by allowing us to also to negotiate labour agreements with federal institutions on behalf of all living Canadian visual and media artists. Under this law, the presenter cannot legally offer artists less than what we negotiate with them. Most presenters are not federally mandated, so we are limited in who we can bargain with in this way. So far, we have had a collective agreement in place with the National Gallery of Canada since 2015, which is available on our website (www.carfac.ca). We are paid working dues on contracts that are part of this agreement, and we receive copies of all contracts with artists to ensure the terms are respected.

The basis of our Fee Schedule is the solo exhibition fee. Fees are based on the presenter's operating budget. In the early 1970s, our fees were \$250-500 CAD for a solo exhibition. Now they start at just over

\$2,000, and the National Gallery pays \$9,500. Fees are increased or decreased, depending on the scale of the show, such as whether it is a retrospective, a group exhibition, or just a single work on display. Fees are higher for shows that tour internationally. For example, artists that are chosen to exhibit at the Canadian Pavilion at the Venice Biennale are currently paid \$17,500. We also have fees for performance art, film festivals, web and print reproductions, artist talks, lectures, and more. The Fee Schedule is extensive, and it can be viewed in full in English or French at www.carfac-raav.ca.

The Fee Schedule is widely recognized as the industry standard which is developed and generally agreed to by the Canadian visual and media arts sector. It is updated with a yearly annual increase, which is voted on by our members. We regularly evaluate its effectiveness and impact, and we offer opportunities for feedback and negotiation. Since 2007, we have had voluntary agreements with the national associations representing museums and artist-run centres. From 2016 to 2019, we were involved in several consultations within our community that led to notable revisions for media and performance art presentations, and we are currently working with the media arts community to develop new guidelines for online streaming of films and videos. We are also regularly in discussions with independent curators to help them establish their own payment guidelines.

In 2020, we prepared new recommended practices for paying artists for digital exhibitions, tours, lectures, workshops, and more during the COVID-19 Pandemic, which are available on the Fee Schedule website. These guidelines will no doubt continue to evolve as new types of presentations emerge.

We are often contacted by artist groups in other countries about our respective exhibition remuneration advocacy efforts, and we are encouraged by recent efforts in Europe to bring collective bargaining rights to artists. We always welcome opportunities to provide advice and to participate in this dialogue.

April Britski

National Executive Director

CARFAC

www.carfac.ca