

# **Selection Protocol TEFAF Maastricht 2019**

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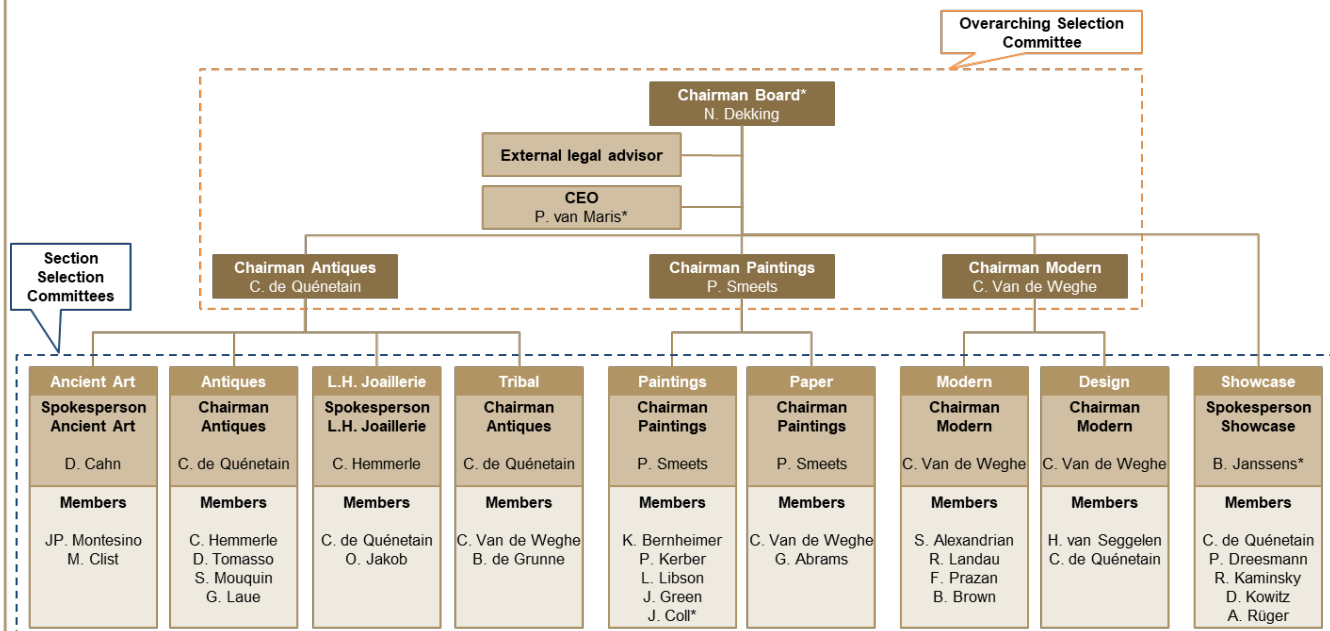
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Everything stated in this document is complementary to the TEFAF General Terms & Conditions of Application and Participation and in particular to Article 6 that concerns the admission of Applicants

## Selection Committee

**All Applicants to TEFAF fairs will be evaluated and selected by the Selection Committee. The Selection Committee is established according to the following structure and procedures:**

- Every Fair section is represented by a Section Selection Committee as per the structure in the figure below
- The Section Selection Committees are overseen by an Overarching Selection Committee
- All Section Selection Committees consist of an odd number of at least 3 members
  - Committees are chaired by a Chairman or Spokesperson
  - Other members can be TEFAF dealers, non-TEFAF dealers, members of the Vetting Committee, or other external experts
- The Overarching Selection Committee consists of 4 voting members and 2 non-voting members
- The members of the Overarching Selection Committee and the chair of each Section Selection Committee are appointed by the Board of Trustees
- Other members of a Section Selection Committee are proposed by the chair of that Committee and subject to approval by the Board of Trustees
- Membership of the Selection Committee expires after 3 years but can be renewed upon approval by the Board of Trustees
- The Section Selection Committees make recommendations to the Overarching Selection Committee as per the decision-making process and selection criteria below
- The Overarching Selection Committee is responsible for final approval of the recommendations and furthermore ensures compliance of the Section Selection Committees with the Selection Protocol



\* non-voting member  
 Committee as established on May 23, 2018

## Decision-Making Process

**The decision-making process of the Selection Committee is subject to the following rules and procedures:**

### **Applicant assessment**

- Assessment of Applicants is considered to be based on the list of Selection Criteria in its entirety
- An Applicant does not have the right to be accepted based on fulfilment of the Selection Criteria or a part thereof
- In accordance with Article 7 of the TEFAF General Terms & Conditions for Application and Participation, all Applicants are fully evaluated each year, regardless of how many years the Applicant has participated. Participation in previous Fair(s) does not give the right to participate in the Fair and/or Future Fair(s). Incomplete Applications may not be considered
- In the decision-making process, the Selection Committee is advised on a non-binding basis by the Vetting Committee as well as the TEFAF Management
- The Selection Committee may involve third parties to assist in the overall assessment of Applicants

### **Additional relevant information and documentation**

- On request of the Selection Committee during the process of decision-making, TEFAF may at any time request the Applicant to submit to TEFAF additional documentation and information (including but not limited to a certificate of good conduct or a comparable certificate, financial documents and official documents confirming that the Applicant has not been bankrupted). In turn TEFAF will inform the Selection Committee. Failure of the Applicant to submit the documentation and information requested by TEFAF in a timely fashion may lead to a negative decision by the Selection Committee regarding admission of the Applicant based on the current Selection Protocol
- The Applicant is at all times during the Application procedure obliged to inform TEFAF about any information and/or circumstances regarding the Applicant/Participant, or one or more of its employees or representatives, that may be relevant for TEFAF in any way (for example but not limited to bankruptcy or a comparable situation of the Participant/Applicant, incrimination of the Participant/Applicant or one or more of its employees/representatives by legal proceedings or conviction by a court decision). In turn TEFAF will inform the Selection Committee

### **Decisions**

- The Section Selection Committees and the Overarching Selection Committee make their decisions by simple majority. In case a simple majority is not possible in the Section Selection Committees (e.g. abstentions), the casting vote is held by the chair of the relevant Committee
- Decisions of the Selection Committee are made during in-person or in-camera meetings
- After thorough examination of Applicants, the Section Selection Committees present their recommendations regarding selection of the relevant Participants of the Fair to the Overarching Selection Committee

- The Overarching Selection Committee thereafter reviews the recommendations for final approval with which it also ensures compliance of the Section Selection Committees with the Selection Protocol
- The final selection is the sole responsibility of the Selection Committee; no decisions to accept, reject or evict should be taken by anyone other than the Selection Committee

#### **Communications**

- The Selection Committee's decisions are communicated in writing; grounds for the decision are not required to be included in this communication
- Only the chair of each Section Selection Committee or a designated spokesperson is entitled to have official communications with the relevant Applicant or any other dealer or Applicant regarding the selection procedure and its results

#### **Confidentiality**

- All decisions taken by the Selection Committee are confidential
- Any proven leak of confidential information by a member of the Selection Committee, including but not limited to prematurely communicating about decisions, can potentially cause him/her to be revoked

## **Selection Criteria**

#### **Applicants will be selected based on the quality of their works of art, of their gallery and of their other activities as well as on overall integrity & standing**

- In the assessment of Applicants' quality and integrity & standing, it is furthermore taken into account that TEFAF endeavours to create optimum conditions for the Participants and visitors at the Fair by prioritizing the quality and balance of galleries and artworks present at the Fair, monitoring the art market and taking account of developments in the art market, as well as the limited availability of stands in the Hall and the competition for participation among Applicants with a similar art profile

#### **To assess Applicants' quality, among others the following criteria are used:**

- A clearly identified area of specialty
- A strong international presence and following
- Past presentations at TEFAF fairs
- Participation in other renowned art fairs, including presentation/design at those fairs
- The quality of the Applicant's works of art, especially but not exclusively those works of art proposed for exhibition at the Fair (including whether the Applicant brings in enough works of art, different to those at last year's TEFAF art fair, of the highest quality possible)
- Numbers of years in business
- Having a dedicated space/gallery
- Holding exhibitions
- Publications
- Favorable press reviews
- Engagement in museum activity
- Notable sales (especially to public institutions)

- Being a retailer or having a client-based business (i.e. not wholesale)
- Compliance with the ethical standards set by the IADAA, and preferably IADAA membership and membership in the national association that is affiliated to CINOA (applicable to Ancient Art only)

*N.B.: the criteria above are presented in random order and are not considered to be based on relative importance of each respective criterion*

**Factors that are considered to assess Applicants' overall integrity & standing include:**

- Incrimination of the Applicant or one or more of its employees/representatives by legal proceedings or conviction by a court decision or otherwise of having violated one or more statutory provisions of any law
- Factors that may in any manner compromise the reputation of the Fair or of TEFAF or of other Participants, for example legal seizures of works of art
- The Applicant's financial position and stability
- Continuing or repeated non-payment or late payment of amounts due to third parties or TEFAF
- Compliance by the Applicant with the conditions for admission to the Fair, and possibly also to previous TEFAF art fairs, as specified, for example, in the Participation Contract, the Application, the TEFAF General Terms & Conditions of Application and Participation, and the Vetting Guidelines

*N.B.: the criteria above are presented in random order and are not considered to be based on relative importance of each respective criterion*

**While the criteria guide the decision-making process, the Selection Committee maintains the right to deviate under exceptional circumstances. These circumstances are not to violate the TEFAF General Terms & Conditions of Application and Participation nor the rules and procedures governing the Decision-Making Process**