

# **Guidelines for awarding the Streetart Grant of the State Capital of Innsbruck (resolution of City Council of 24.02.2022)**

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## 1. Description, Aim of grant, Amount

Biennially the City of Innsbruck provides a grant for the advancement of Streetart in the urban area of Innsbruck. This grant is entitled "Streetart Grant of State Capital of Innsbruck" with the year the grant is awarded. Its aim is to further urban art in public spaces in the metropolitan area of Innsbruck, make it visible and viewable.

The Streetart Grant has an endowment of € 7,000. for each published invitation to bid, it is granted for the design of a mural (wall painting) in the urban area of Innsbruck. The grant cannot be split. It is paid out in two installments.

## 2. Qualifications for application

Artists are qualified to apply for this grant who at the time of application

- are citizens of a nation in the European Union, of the United Kingdom of Great Britain, of Switzerland **OR**
- reside in one of these nations, and
- are eighteen years of age or older.

Members of the jury for the Streetart Grant of the City of Innsbruck are prohibited to apply for the grant for the entire duration of their jury activity for the City of Innsbruck.

## 3. Invitation to submit a bid, Submitting a bid

The invitation to submit a bid takes place biennially and is announced in the official Bulletin of the State Capital of Innsbruck – "*Innsbruck Informiert*" – as well as in the website of the State Capital of Innsbruck and its social-media channels. The Offices of Culture of the State Capitals throughout Austria are also informed of it.

The documents to accompany a submitted bid must be submitted in the 2<sup>nd</sup> quarter of the respective year of the tender exclusively via the current allocation portal of the capital city of Innsbruck. The submission must be formulated in German or in English. Submissions through the allocation portal which are not completed are considered invalid and will not be given consideration.

The following documents in PDF format in German or in English are absolutely necessary for a submission:

- Birth Certificate (scanned)
- up-to-date Certificate of Residency if the applicant is not a citizen of one of the countries cited in Section 2 above
- Data Sheet (to be downloaded from the website) containing the following:
  - personal data
  - list of artistic activities
- Up-to-date portfolio of works of art (max. 20 DIN A4 pages) containing the following:
  - brief curriculum vitae of the applicant

- brief description of current works or artistic accomplishments
- photos of current works or artistic accomplishments, especially of large-scale wall paintings/murals (max. 10 jpg.format)

Through sending the application and accompanying documents as a submitted bid, the applicant thereby accepts the guidelines for awarding the Streetart Grant set down by the State Capital of Innsbruck; and also agrees to the conditions for participation in the competition as well as the handing on of data from the C.V. to the members of the jury; and in case the grant is awarded, expressly agrees to the publication of this information.

A second submission of works which have already been submitted is not valid. Each invitation to submit bids permits only one submission per person. Persons who have already been awarded the grant are permitted to re-enter the competition only after six years since their award.

#### **4. Other stipulations**

The award of the grant is tied to the creation of a mural within the municipal limits of the city of Innsbruck. Any and all expenses for travel and accommodations in the city of Innsbruck's framework of conditions are remunerated separately. The surface which is to be painted on is provided by the City of Innsbruck. Information regarding the type, size and structure of the surface can be found in the Invitation to submit a bid ("Streetart Stipendien Ausschreibung") on the website of the City of Innsbruck. The assistance and support of the artist while in the city, the providing of materials and the providing of any and all equipment takes place in cooperation with the association Underbridge Kulturverein (ZVR number 1680523100) or another reputable, person or association specifically named by the City of Innsbruck. The costs of materials and equipment will be remunerated separately by the City of Innsbruck in a structure which is previously agreed upon.

For the length of time permitted to execute the mural, a maximum of one week is foreseen, to be discussed and arranged in terms of the availability of the artist. An extension of the time of execution is possible if a request is made in writing to the City of Innsbruck. There is no recourse to courts of law for an extension of the time of execution.

The artist awarded this grant agrees to hold a half-day workshop for children and youths who live in the city of Innsbruck.

#### **5. Jury, Process of Selection**

The decision of the awarding of the grant is carried out by an independent jury of experts which is selected by the City of Innsbruck.

The jury consists of three persons. Innsbruck must be the center of vital interests for one of the jury members, not for the other two members of the jury. The composition of the jury changes biennially in a manner that one jury member is permitted to remain a jury member in the following rotation. If feasible, the jury should be comprised of artists, on the one hand, and representatives of art criticism, municipal administration and architecture on the other. The decision of the award of the grant is made at a non-public meeting of the jury. The selection is made from among all valid and complete submitted applications.

The procedure of the jury's selection of the award takes place in two steps. It can be accomplished both online and through personal presence. In the first step, the jury selects five artists from among all the completed and valid applications. These five artists must then produce

a sketch for the specifically designated wall and submit it to the jury within four weeks by the specified time limit. In step two, the jury chooses at a non-public meeting the victorious project from the sketches which have been submitted. The sketches which are not awarded are compensated with a payment of € 150.00. Any and all financial expenses which extend beyond this amount are not recognized or remunerated.

The chair of the jury meeting will be assumed by a member of the Cultural Office of the City of Innsbruck who is not entitled to cast a vote. The chairperson is required to call to the attention of the members of the jury before the meeting begins the danger of possible bias: jury members who have an economic/business or personal relationship with persons who have submitted a bid (e.g. spouse, relative) are considered to be biased. In the case of bias, the biased jury member is obligated to inform the City of Innsbruck in writing without delay so that a new jury member can be selected and invited to perform jury service.

The jury has a quorum only if all members are present. For a jury decision, a unanimous decision is imperative. If the members of the jury are not able to agree unanimously on the winner, the grant will not be awarded. The decision of the jury will be recorded in a written protocol. It is considered to be final and cannot be appealed. The names of the jury members must not become known before the completion of the process of selection.

The jury members are obligated to the strictest confidentiality about their discussions and deliberations. They themselves are not permitted to take part in the competition in the year when they are part of the jury. Jury members receive a one-time compensation as allowance for special expenditures in the amount of € 700. net payment.

## **6. Transfer of grant, Copyright**

The grant is presented by the City Councillor in the form of a certificate at a festive ceremony. The names of the grant recipients are published in the official bulletin of the City of Innsbruck – “*Innsbruck Informiert*” – as well in in the website of the City of Innsbruck.

The recipient of the grant gives the City of Innsbruck exclusively any and all commercial rights of use as well as the rights of copyright transfer, including comprehensive and exclusive copyrights, including all rights to ideas, designs and forms, particularly of reproduction and distribution, mailings, availability, rental, loan and re-sale and the right of public renditions and repetitions. The transfer is unlimited in time, space and use and also applies to future, currently unspecified or unknown types of use. The recipient of the grant expressly waives any and all rights of copyright.

The recipients are entitled to reproduce and distribute the work in concern only after the official presentation by the City of Innsbruck and exclusively for the purpose of self-marketing.

## **7. Payment, Refund of Grant**

The grant is paid in two installments. The first installment (€ 3,500.) is payable within 2 weeks following the announcement of the jury's decision. The second installment (€ 3,500.) is payable within 2 weeks, following the completion of the project, and is paid into a bank account designated in writing by the recipient of the grant.

The recipient of the grant is obligated to repay the grant upon written demand to do so by the City of Innsbruck, particularly when one of the following reasons apply:

- in case of premeditated or wantonly negligent incorrect information in the submission;
- in case of non-fulfillment or non-execution of completion of the submitted project according to the rules;
- in case of not holding the workshop referred to in Section 4.

In case a refund of the grant is demanded by the City of Innsbruck, the grant recipient agrees to return the grant money, including accrued interest of 4 % annually dated from the day of payment to the recipient, within the time period named by the municipal authorities of the City of Innsbruck and to accept the determination of the time limit for refunding payment.

### **8. Maintenance obligation / Liability**

The City of Innsbruck is not responsible for the overall visual impression of the work of art nor is the City of Innsbruck obligated to care for and maintain it. The City of Innsbruck is also not liable for any damages which may occur to the work of art, of whatever type and for whatever reason.

The City of Innsbruck is also not obligated to any further measures to care for and maintain the work, in particular to protect against damages to the building or the exhibited surface.

The recipient of the grant is responsible for the creation and execution of generating the submitted project himself/herself. The City of Innsbruck rejects all liability for transgressions and/or violations of copyright laws (UrhG) and other legal rules and precepts for the protection of this intellectual property. The recipient of the grant agrees to fully indemnify and hold the City of Innsbruck undamaged against any and all claims of third parties (claims of both material and immaterial damages) in connection with executing the submitted project.

### **9. Other regulations**

Through submitting a bid, the artist has no legal claim to being awarded the grant. The grant is conferred solely in the terms of the budgetary means herein described. The decision of the jury cannot be appealed. Any recourse to courts of law is excluded. The submitted documents will not be returned. They become the property of the City of Innsbruck.

Verbal or written agreements which conflict with the regulations of Innsbruck city laws or other legal rules or precepts are without effect. In case individual regulations of these guidelines are nullified or become ineffectual, or should it become evident that a regulation has a shortcoming, this in no way influences the effectiveness and validity of the guidelines. The part which is missing, nullified or without effect is to be replaced by a regulation which comes as close as possible to the missing, nullified or ineffectual part to fulfil the selfsame purpose, insofar as possible.

For any and all disputes in connection with the award and payment of the Streetart Grant, only the local authority of the appropriate, competent court in Innsbruck shall be legal venue. Exclusively Austrian material law applies, excluding IPR law, its norms of instruction and UN purchasing rights.

## 10. Data Protection

The voluntarily submitted data will be used exclusively for purposes of carrying out the “Streetart Grant of the State Capital of Innsbruck” processed in the Office of Culture, Herzog-Friedrich-Strasse 21, post.kulturamt@innsbruck.gv.at in accordance with the allocation guidelines.

The legal basis for processing the personal data is delineated and carried out in accord with Article 6, Sec. 1 lit. c DSGVO.

The personal data will be given to the members of the jury.

The submission of personal data is imperative for carrying out this grant. The processing of such personal data is carried out electronically. The correctness of the data which is submitted is checked (Art. 17, Sec. 2 EGovernment law) in electronic registers, e.g. for address registration.

In case a grant is awarded, the personal data will be published on the website of the State Capital of Innsbruck as well as in the official bulletin of the State Capital Innsbruck, “Innsbruck Informiert.”

The period of time which personal data will be saved is seven years. The personal data of applicants will be saved for archival purposes in the public interest as well as for statistical purposes.

In accordance with the regulations of the General Data Protection Regulation (DSGVO), all persons have the right to obtain information, to correct or delete information, to limit the extent of processing such information, data transmission and to object to, i.e. to retract one’s assigned compliance after it has been given. There exists no automated decision-making process and no profiling; and AI systems are not utilized, in accordance with/adherence to Article 3 Z 1 KI-VO. These rights can be exercised in writing and with proper identification via datenschutz@innsbruck.gv.at. The submission of personal data is legally required in order to insure and carry out your personal rights. Further information can be found in the internet at <https://www.innsbruck.gv.at>. Finally, there also exists the right to file a complaint at the Austrian Office for Data Protection ([www.dsb.gv.at](http://www.dsb.gv.at)).