

Annual Review 2022

DACS



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Our year in numbers

DACS exists to advocate and secure income for thousands of visual artists and estates. In 2022, we distributed more than £16 million in royalties, supporting artists to pursue their work, and helping estates to safeguard artists' legacies.

£16.4
million

Paid in royalties
in 2022

82,000

artists and
estates paid

£1.4
million

Licensing
royalties paid to artists

£10.4
million

Artist's Resale Right
royalties paid to artists

£4.6
million

Paid to artists
through **Payback**

Margaret Heffernan

Chair

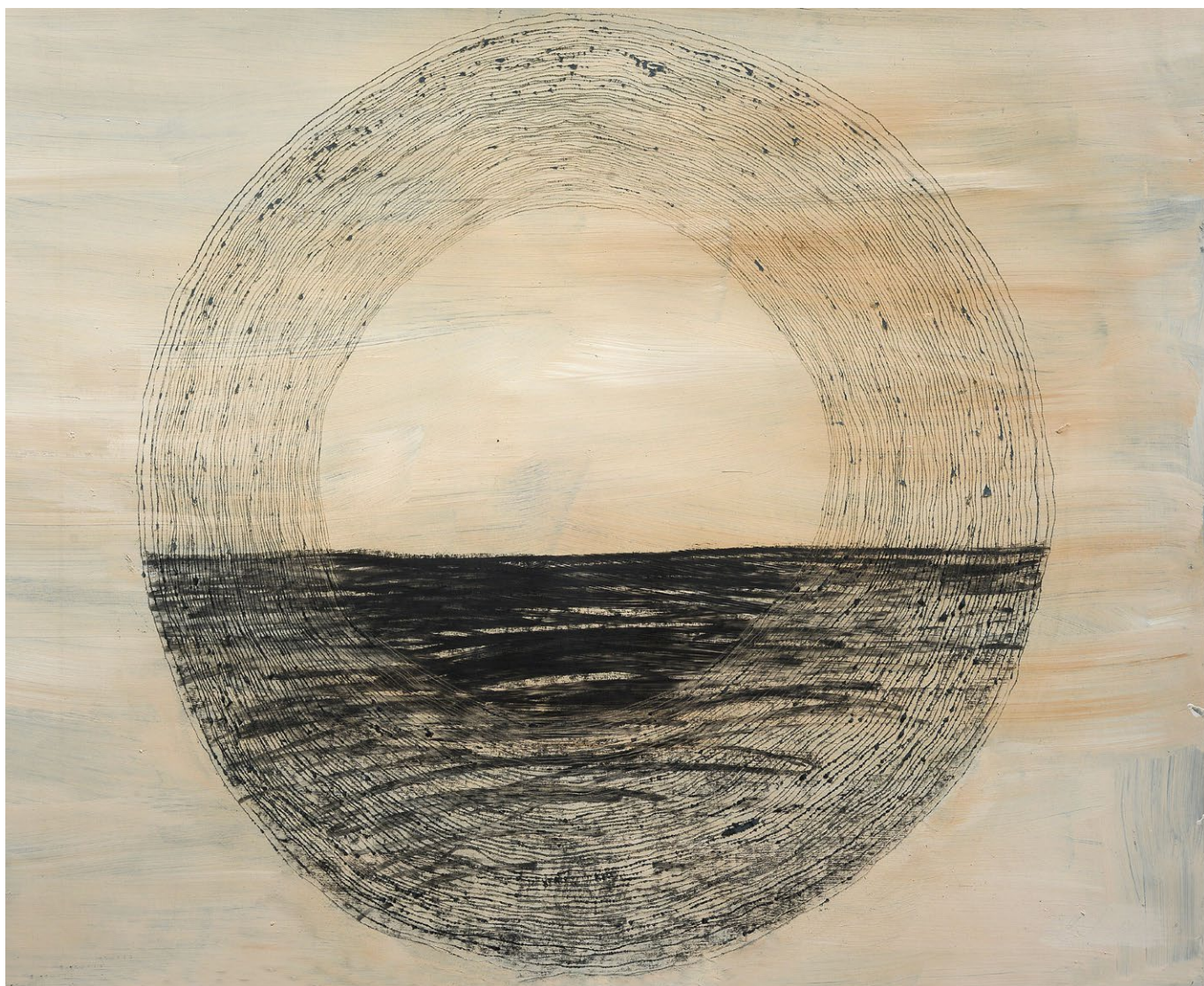
The past year has been tough for visual artists. The cost-of-living crisis, changes in government policies towards the arts, coupled with pressure on universities and art schools: all of these adversities have continued to make life uncertain. That artists are better at dealing with ambiguity than many, doesn't mean it is fun. But the DACS team has been hard at work all year to ensure that the collective voice of visual artists has remained strong.

We continue to meet with government ministers to strengthen support for visual artists and for copyright in their work to remain protected. However tumultuous the political environment, DACS has been able to maintain a strong collective voice for the sector as a whole. In particular, it has been tremendously satisfying that, after commencing legal proceedings in March 2022, in partnership with ACS, DACS has reached a settlement with Ivor Braka Ltd following a legal dispute over compliance with the UK ARR legislation. Rights are, after all, only as powerful as our capacity to enforce them.

Much of this work was initiated by Gilane Tawadros before she left DACS, after 13 years, to become Director of the Whitechapel Gallery. We are lucky that she has been so ably succeeded by Christian Zimmermann who has energetically been building strong alliances with our European sister societies, with copyright agencies and government ministries. His team is strong and dynamic and has devoted much of the year developing our digital presence to reach all our members with content, tools, and conversations in preparation for DACS' 40th anniversary in 2024.

I am immensely grateful to both the staff and the board of DACS for their commitment to our important work. We are very fortunate to attract people with real energy, creativity and rigour to our work and it is a real pleasure to collaborate with people of such calibre.

I know I speak on behalf of all the board when I say we are incredibly proud to work on behalf of our members. In our collective mission, to transform the financial landscape for visual artists, DACS remains resolute, and we are committed to advocating for and protecting artists' rights. Over the coming year, we look forward to working with even more artists and estates and it is a privilege to support them in every step of their journey.



Speedwell 1, 2008

© Rosie Leventon. All Rights Reserved, DACS/Artimage 2023

Christian Zimmermann

Chief Executive

After 16 incredible years working for DACS, it was a real honour to take on the role of Chief Executive in November 2022. I have spent my career defending and advocating for artists' rights and as Chief Executive I am more motivated than ever to enable artists to earn a living from their practice and to ensure that their work is recognised for its vital contributions to the UK's £116 billion creative industries. On this, I am proud to report that DACS is making excellent progress.

In 2022 we distributed royalties worth more than £16 million to a record number of 82,000 artists and estates, including £10.4 million via the Artist's Resale Right, £1.4 million through Licensing, and £4.6 million in Payback royalty payments.

Meanwhile, through our work on the All-Party Parliamentary Group for Visual Arts, our engagement with white papers and consultations, and our policy reports, we have ensured government hears the voice of artists and estates. We have helped to shape government policy on AI regulation and copyright law, and worked hard to make sure artists can thrive amid rapid technological advances.

We have also advocated for innovative solutions to support artists going forward, campaigning for the Smart Fund that could generate £280 million a year for creators, performers, and communities. Our own YouGov polling shows just how much public support there is for such measures – 72% per cent of people support artists, performers and creative workers being paid when their work is shared digitally.

As ever, none of these achievements would have been possible without the hard work, talent and dedication of our staff and Board, nor the trust and support of the thousands of artists and estates who we are lucky enough to count as our members.

I am incredibly fortunate to lead such an extraordinary organisation, particularly at this time of great technological and societal change, and I look forward to achieving much more together in the years ahead.

Our Services

DACS is passionate about transforming the financial landscape for visual artists in innovative and dynamic ways. We offer a range of services for artists and estates helping them to protect their rights and earn income from their work.



Artist's Resale Right

The Artist's Resale Right (ARR) is a royalty that is due when a work is resold by an art market professional for over €1,000 or the equivalent in pound sterling. We collect resale royalties and provide a quick, efficient payment service trusted by thousands of artists and estates.

In 2022 DACS distributed £10.4 million in ARR royalties to artists. Since the Right passed into law in the UK in 2006, DACS has now secured a total of £120 million in royalties for over 6,000 artists and estates.

£10.4
million

royalties paid to
artists

£120
million

paid out in royalties
since 2006

On behalf of our members, we monitor sales of artworks by auction houses, galleries and dealers and collect royalties on their behalf. We also have a robust compliance process in place to track down sales which have not been declared. This process resulted in payments of £364,000 to artists and estates in 2022 for previously undeclared ARR royalties.

£364k

in undeclared royalties paid
out to artists in 2022

“

The Artist's Resale Right is incredibly important for both royalties and in allowing me to know where my works are when they have been sold. This is so helpful when planning exhibitions or books. So really, ARR keeps me in touch with my works, which is invaluable.

” — **Chantal Joffe**

image on previous page: *Chantal Joffe*, 2014.

© Nicholas Sinclair. All rights reserved, DACS/Artimage 2023.

Licensing

For almost 40 years, DACS has helped artists build income through the licensed use of their work. We collaborate with artists and leading brands to foster partnerships that both parties can be proud of, while ensuring artists' rights always remain protected.

We know that artists want to be paid fairly for their work and to approve of how it is used, so we work closely with every artist, taking time to understand their practice, their values, and their preferences regarding image use. Meanwhile, we help our clients find the best possible images for their projects and offer the security of artists' approval.

Artimage is our image licensing platform, which makes available over 30,000 hi-res, artist or estate-approved images to a wide range of clients. Through Artimage, we offer a wraparound service: putting licences in place, collecting royalty fees, and releasing high quality image files.

In 2022 DACS secured £1.4 million for artists and estates through licensing. We worked with over 700 customers and put in place 1800 licences on behalf of our members. This included work with high-profile brands like:

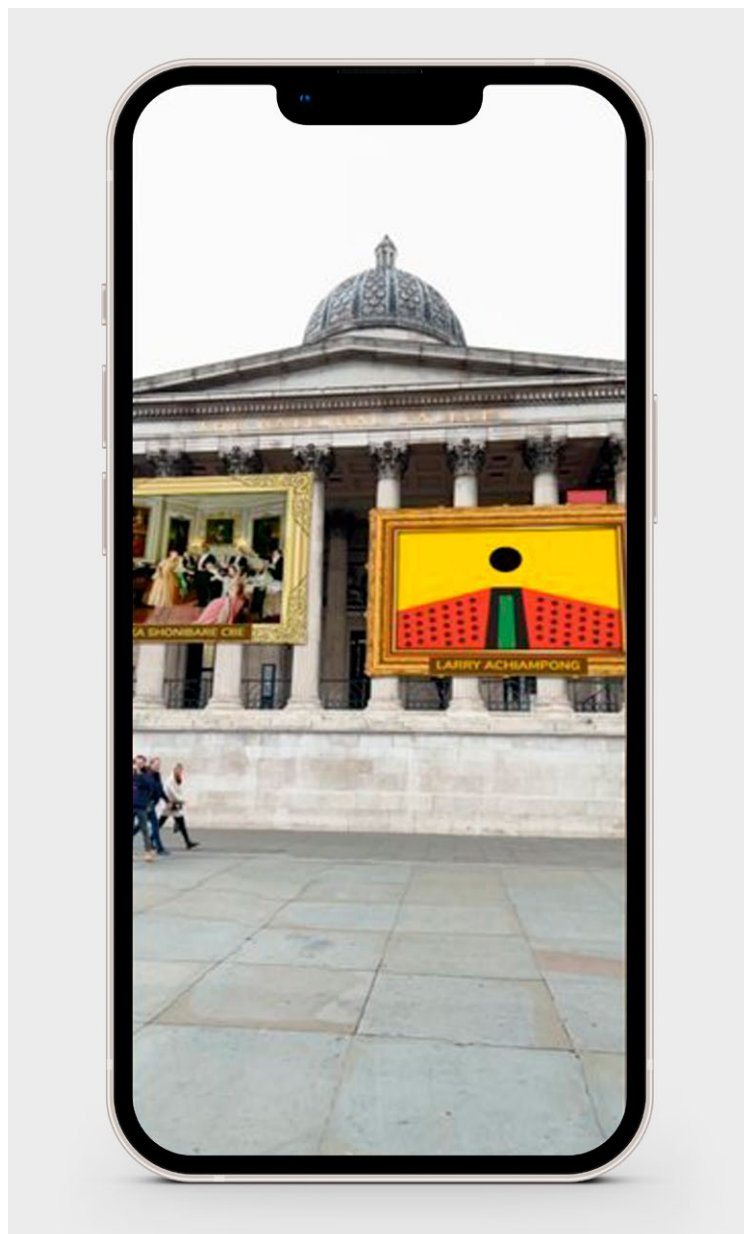
**Christopher Farr • Deutsche Bank AG • Faber & Faber • Liberty London
NET-A-PORTER • Netflix • Polaroid • Royal Opera House
Snapchat • Turner Contemporary • Warner Music UK • White Cube**

700+

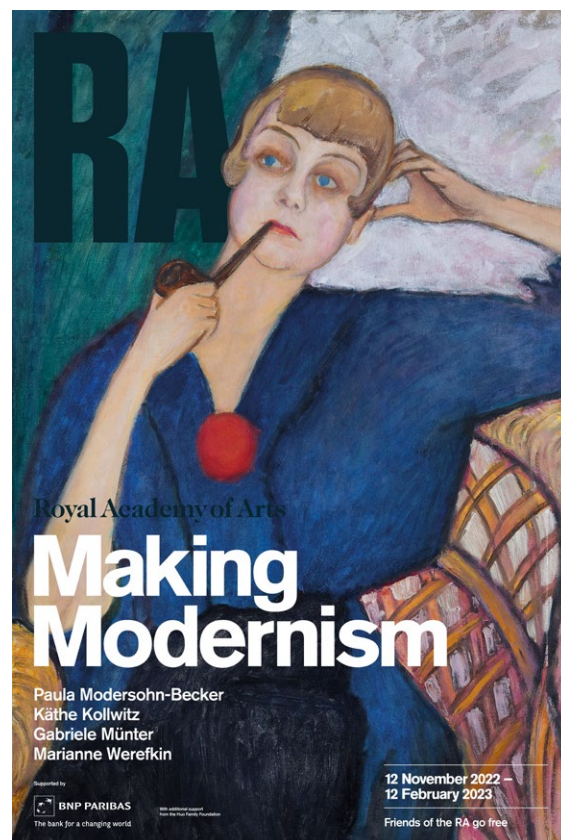
Customers worked with
the Licensing team

1,800

Licenses put in place on
behalf of DACS members



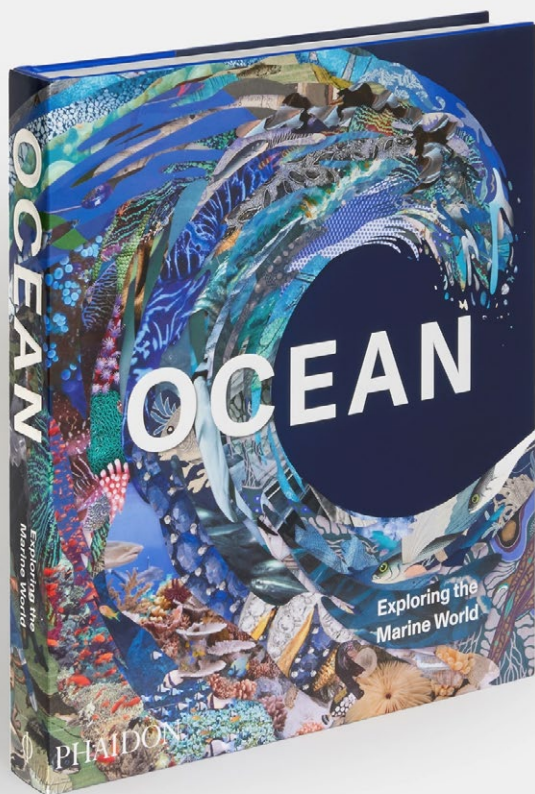
Poster for Making Modernism at the Royal Academy, London, featuring a painting by Gabriele Münter.



Hidden Black Stories is an immersive Augmented Reality (AR) experience by Black Cultural Archives created in partnership with Snapchat, unpacking Black stories that are hidden in the public realm. DACS licensed works by Yinka Shonibare CBE and Larry Achiampong (both pictured) for this AR project.

Sandra Blow Wallpaper Collection licensed for Christopher Farr Cloth.





For Phaidon's *Ocean - Exploring the Marine World*, DACS licensed works by Sir John Akomfrah, Romare H. Bearden, Dhamarrandji Bumbatjiwuy, Christo, Salvador Dali, Erté, Andreas Gursky, Huang Yong Ping, Yves Klein, Roy Lichtenstein, Henri Matisse, Georgia O'Keeffe, Julian Opie and more.

During Frieze Week 2022, we worked in partnership with King and McGaw to license works by DACS members including Henri Matisse and Sir Frank Bowling (pictured) to advertise their print series on London Underground.



Payback

Every year DACS pays artists for the use of artworks featured in UK publications and on TV. It does so via the Payback scheme, through which visual artists can claim a share of royalties collected for the re-use of their works.

For many visual artists and creators, the annual Payback payment provides a reliable source of income, helping to pay for materials, studio rent and bills. The scheme provides royalties for artists throughout their career and, since its founding in 1999, DACS has paid out over £70 million in Payback royalties.

In 2022, the annual collective licensing scheme paid thousands of photographers, illustrators, and artists – as well as their representatives – their share of Payback royalties.

£4.6
million

paid out in Payback
royalties in 2022

up to

£350

per claim for books
and magazines

up to

£2,000

per claim when also
claiming for TV



Shirazeh Houshiary (From the Artists series), 1993-99
© Gautier Deblonde. All Rights Reserved, DACS/Artimage 2023

Additional benefits for members

DACS' Artist's Resale Right, Licensing and Artimage members can all access DACS' Copyright Advice Service free of charge. This service includes advice and guidance about copyright matters and reviews of relevant sections in contracts and agreements. DACS also has a copyright enforcement service for Licensing members which aims to protect artists' rights and artistic integrity by pursuing action when work is misused.

49

queries dealt with through our
Copyright Advice Service in 2022

124

enforcement matters resolved
by our team in 2022

Find out more about DACS' Member services:

membership@dacs.org.uk



Passenger, 2022

© Francesca Mollett. All rights reserved, DACS/Artimage 2023.

Courtesy of the Artist and GRIMM, Amsterdam | New York | London.

Photo: Josef Konczak

Advocacy

DACS advocates for the rights of visual artists and artists' estates across the UK, collaborating with organisations across the sector to strengthen our campaigns and maximise our impact.



Safeguarding artists' rights: Copyright — AI and advanced technology

At the beginning of 2022, DACS contributed to a government consultation on the intersection of AI and copyright laws. We provided evidence on how artists felt about the government's copyright proposals, how artists are using AI in their practice and how AI is using artists' work. The response drew on a report by DACS that highlighted the need for the UK to retain a strong copyright framework that fairly rewards creators through flexible licensing.



Young Girl (iv), 2016.
© Wendy McMurdo. All Rights Reserved, DACS/Artimage 2022

DACS joined with other industry leaders to oppose plans by the Department for Science, Innovation and Technology (DSIT) to grant artificial intelligence (AI) platforms an all-encompassing exception to copyright. The exception would have drastically weakened copyright protection for rightsholders in the UK, which supports the livelihoods of workers and businesses across the creative and cultural industries. We are pleased to say DACS' evidence contributed to the government's decision to drop the proposal.

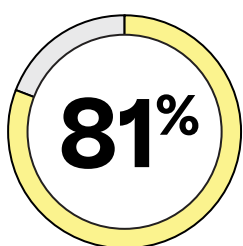
image on previous page: *An Affirmation*, 2023
© Himali Singh Soin. All Rights Reserved, DACS/Artimage 2023

Advocating for new ways to reward creators: The Smart Fund

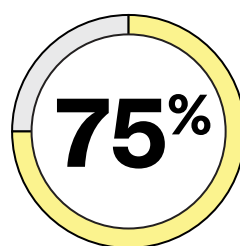
Working with other cultural industry partners, DACS continues to lead the campaign for The Smart Fund: a proposal that would enable technology manufacturers to pay creators for the work that is downloaded, stored, and shared across electronic devices like smartphones and laptops.

Similar schemes exist in 45 other countries, where manufacturers pay a one-off fee from the sale of each device into a fund for creatives, yet the UK has no such mechanism in place. Research suggests that there would be no cost to the government or to consumers, with the fund potentially generating around £280 million per year, which could be directly invested in creators and performers. The mechanism will ensure that copyright is upheld, and creative workers are recompensed without affecting consumers or the cost of devices.

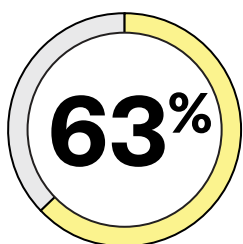
DACS also commissioned a survey by YouGov which demonstrated strong public support for finding new ways to pay creatives for their work:



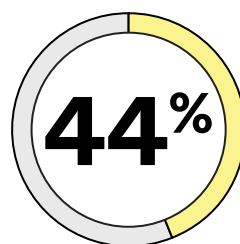
agreed that accessing culture through a digital device is important in their daily lives



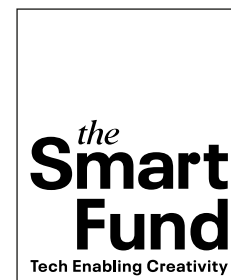
access cultural content more than three times a week



of people surveyed admitted to downloading cultural content for free



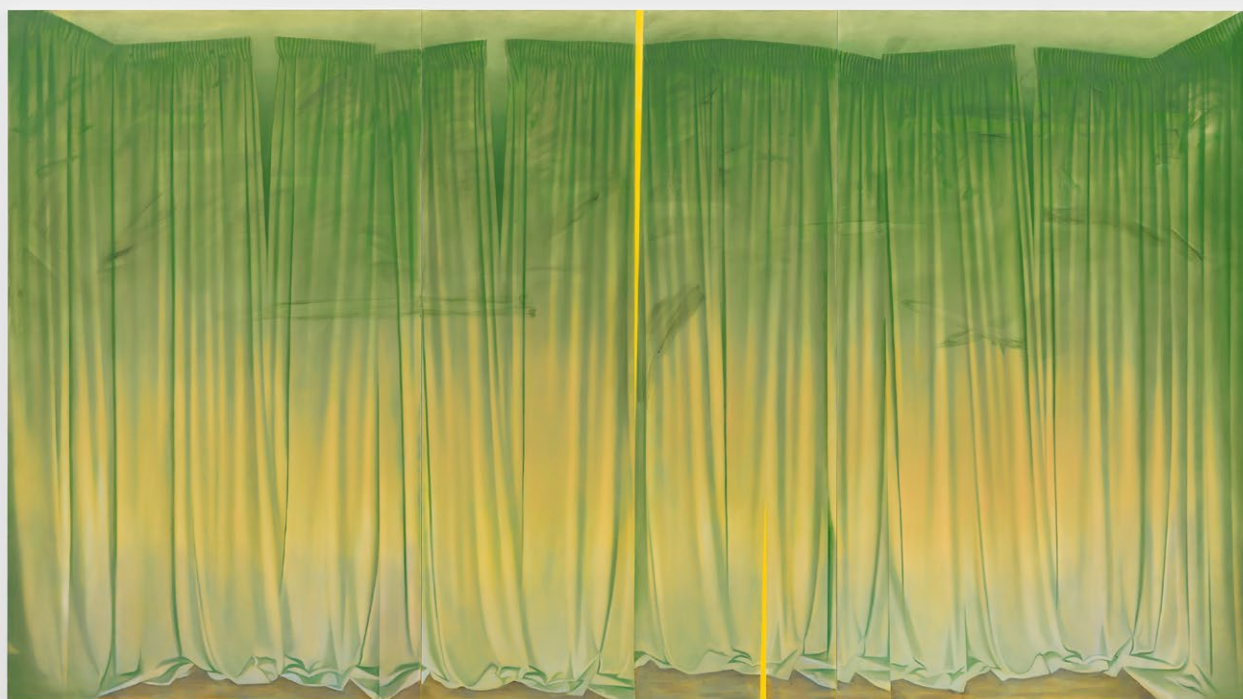
pay for content one or two times each month



Upholding the rights of artists and estates: Artist's Resale Right

In March 2022, DACS joined forces with the Artists' Collecting Society (ACS) to mount a legal claim against art dealer Ivor Braka Limited, following a dispute over the company's compliance with the UK Artist's Resale Right (ARR) legislation. ARR royalties provide essential income to artists, enabling them to create new work and to provide essential support to the entire art world ecosystem. The royalty overwhelmingly benefits artists selling work at lower prices, with over 50% of eligible sales falling under £5,000.

As of March 2023, a settlement was reached and ACS, DACS and Ivor Braka Limited look forward to working together to provide artists with the royalties to which they are entitled.



Prairie, 2022

© Louise Giovanelli. Courtesy of the Artist and GRIMM, Amsterdam | New York | London.

All Rights Reserved, DACS/Artimage 2023.

Photo: Ollie Hammick

Working with government: All-Party Parliamentary Group for Visual Arts

The All-Party Parliamentary Group for Visual Arts (APPG) is a group of parliamentarians who are committed to raising awareness of and building support for the visual arts community, and ensuring this vibrant sector continues to be world leading. As the secretariat to the group, DACS, CVAN (Contemporary Visual Arts Network), and a-n (The Artists Information Company) met with parliamentarians over the course of 2022 to foster a deeper understanding of the issues and challenges faced by UK visual artists.

The meetings focused on the APPG's future programme of work. Parliamentarians heard from a range of expert speakers including artists, arts representative bodies, and industry on the topic of levelling up the impact of funding on artist studios and how artists can impact regional economies.

 **VISUAL ARTS**

a·n

Contemporary
Visual Arts
Network **England** 

DACS



Alastair MacLennan and Manuel Vason, Collaboration #1, Belfast, 2006
© Manuel Vason and Alastair MacLennan. All Rights Reserved, DACS 2023.
Photo: Manuel Vason

Events & Engagement

Throughout 2022, DACS convened a wide range of talks with leading artists and experts to explore some of the crucial issues, challenges and trends shaping the art world.



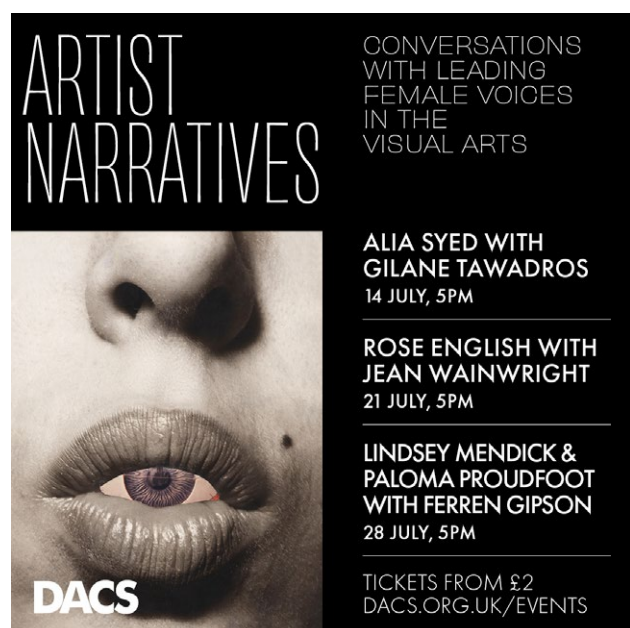
2022 Event Series



January – February 2022



May – June 2022



July 2022



November – December 2022

Copyright workshops for artists

Throughout 2022, we joined forces with a range of organisations – from the Scottish Artists Union and a-n (The Artists Information Company) to Contemporary British Silversmiths and the Royal College of Art (RCA) – to host several copyright workshops for artists. These helped attendees to get to grips with copyright and build the confidence to assert their rights and protect their work.

image on previous page: *Magic Ladder Kid IV*, 2014

© Yinka Shonibare CBE. All Rights Reserved, DACS/Artimage 2023.

Image courtesy James Cohan Gallery. Photo: Stephen White & Co

Governance

We are governed by a Board of Directors that ensures that DACS fulfils its mission: to transform the financial landscape for visual artists.



Board of Directors

We are governed by a Board of Directors that ensures DACS fulfils its mission: to transform the financial landscape for visual artists. The Board is comprised of both Member Directors and Non-Member Directors who are voted in by an ordinary resolution of the Voting Members at the Annual General Meeting. Under DACS’ Articles of Association, the Board elects one of the selected Board Directors to be Chair of the Board.

DACS holds four Board meetings per year and Directors also participate in subcommittees of the Board: Business Development, Finance and Audit, Legal and Remuneration. Appointment of the Board Directors is in accordance with a published description of the role and person specification, which we advertise publicly and among members and users of our services. We conduct a rigorous shortlisting process in accordance with diversity and equal opportunity practice, and interview selected candidates in a competitive interview process. Member Directors and Non-Member Directors are voted in by an ordinary resolution of the Voting Members at the Annual General Meeting. Under DACS’ Articles of Association, the Board is entitled to elect one of the selected Board Directors to be Chair of the Board.

[Find out more about our Board.](#)

The following Directors served during 2022:

Jane Wilson (<i>resigned 10th October 2022</i>)	Frederique Pierre-Pierre	Donal Curtin (<i>appointed 26th September 2022</i>)
Mary Moore (<i>resigned 10th October 2022</i>)	Janette Parris	
Julia Crabtree	James Nadin	Cedar Lewisohn (<i>appointed 26th September 2022</i>)
Rut Blees Luxemburg	Gajinder Panesar	
Neil Burgess	Jonathan Gosling	Oliver Evans (<i>appointed 26th September 2022</i>)
	Margaret Heffernan	

Total emoluments for the Board were as follows:

2021	2022
£68,148	£65,426

The average monthly number of Non-Executive Directors during the year was as follows:

2021	2022
13	11

Image on previous page: *Relief Construction F3*, 1965-1966
© Anthony Hill. All Rights Reserved, DACS/Artimage 2023.
Image: © Arts Council Collection, Southbank Centre

Code of conduct

DACS operates within a framework governed by industry standards and the Collective Rights Management Regulations, via which UK law regulates collective management organisations. We are committed to providing transparency and accountability to our members and service users and complying with our obligations.

Through our Code of Conduct, we set out the principles governing membership of DACS and our licensing and other activities. It outlines the roles and responsibilities of DACS and the standards that govern how we operate. Importantly, it also explains what to do if things go wrong, and how to complain about matters covered by this Code.

We have a dedicated and transparent complaints procedure, and we wish to hear from anyone who is dissatisfied with the services that DACS provides.

In 2022, DACS received no formal complaints.

[Read DACS' Code of Conduct and Annual Transparency Report.](#)

Sustainability and ethical investment

DACS is committed to operating ethically and sustainably. DACS holds funds that arise due to timing differences between payments made to DACS (by clients, art market professionals or other collecting societies) and payments made by DACS to rightsholders. These funds are invested with banks, building societies and an investment fund to maximise returns, of which the principal sum is invested in an ethical investment portfolio that meets the United Nation's Principles for Responsible Investment.

In 2022, DACS was pleased to join the Gallery Climate Coalition as a member.



Six Stone Circles, 1981

© Richard Long. All Rights Reserved, DACS/Artimage 2023.

Photo: Richard Long

Licensed Product Images

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Pan African Flag for the Relic Travellers' Alliance, 2017

© Larry Achiampong. All rights reserved, DACS/Artimage 2023.

Courtesy of the Artist and Copperfield, London.

Photo courtesy of Black Cultural Archives.

Diary of a Victorian Dandy: 19.00 hours, 1998

© Yinka Shonibare CBE. All Rights Reserved, DACS/Artimage 2023.

Image courtesy Stephen Friedman Gallery, London.

Photo courtesy of Black Cultural Archives.

Portrait of Anna Roslund, 1917

Gabriele Munter. © DACS 2023.

Photo courtesy of Royal Academy of Arts.

Tesserae Wallpaper

© The Sandra Blow Estate Partnership. All Rights Reserved, DACS 2023.

Photo courtesy Christopher Farr Cloth.

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Ocean Exploring the Marine World book cover

Photo courtesy of Phaidon Press.

As Above So Below, 2020

© Frank Bowling. All Rights Reserved, DACS/Artimage 2022.

Photo: Sacha Bowling.

Photo courtesy of King and McGaw.

Get in touch

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DACS

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Company Secretary

Helen Dutta

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Chartered Accountants and Statutory Auditor
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London EC1M 7AD

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London E14 5HQ