

Selection Protocol TEFAF New York

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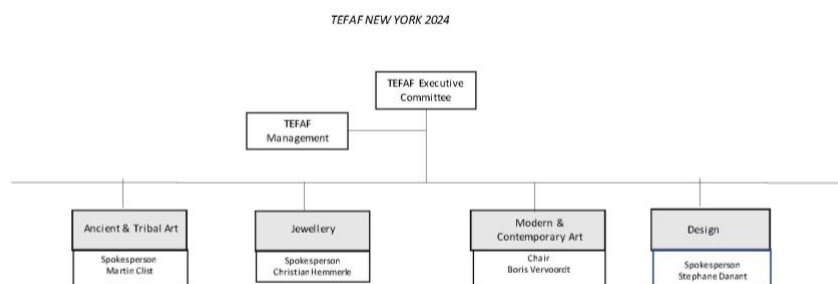
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Everything stated in this document is complementary to the Terms and Conditions of Application and the General Terms and Conditions of Vetting and Participation

Selection Committee

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

- Art categories are represented by Section Selection Committees
- The Section Selection Committees are overseen by the Executive Committee
- All Section Selection Committees consist of at least three members
 - Committees are chaired by a Chair or Spokesperson
 - Each Section Selection Committee has at least one TEFAF dealer who is active in the art category (Fair section) that Section Selection Committee represents
 - Other members can be TEFAF dealers, non-TEFAF dealers, members of the Vetting Committee, or other external experts
- Other members of a Section Selection Committee are proposed by the chair of that Committee and subject to approval by the Executive Committee.
- Membership of the Section Selection Committee expires after two years. Membership of the Section Selection Committee can be renewed upon approval by the Executive Committee.
- The Section Selection Committees make recommendations regarding Applicants to the Executive Committee as per the Decision-Making Process and Selection Criteria below
- The Executive Committee is responsible for final approval of these recommendations and furthermore ensures compliance of the Section Selection Committees with the Selection Protocol



For a full list of a selection committee members, please contact Will Korner, Head of Fairs

Decision-Making Process

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

Applicant assessment

- Assessments of and decisions regarding Applicants are made during in-person or in-camera meetings
- Assessment of Applicants is based on the list of Selection Criteria in its entirety.
However, acceptance of an Applicant is at the discretion of the Selection Committee and an Applicant cannot claim a right to be accepted based on fulfilment of the Selection Criteria or a part thereof
- In accordance with Article V of the Terms and Conditions of Application, all Applicants are fully evaluated each year, regardless of the number of 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).
- In case Applicants apply for a shared booth, each Applicant will be evaluated separately
- Incomplete Applications may not be considered and late Applications will in principle at best reach a waitlisted status. Applicants with outstanding TEFAF debt will not be selected.
- Applicants are not allowed to be present during Section Selection Committee meetings. In case an Applicant is also a member of the Section Selection Committee however, the member is not allowed to be present for the assessment of his/her own Application
- The Section Selection Committees base their recommendation for the Executive Committee on score voting
- In the decision-making process, the Selection Committee is advised on a non-binding basis by the Vetting Committee. The Selection Committee may involve third parties to assist in the assessment of Applicants
- After thorough examination of Applicants, the Section Selection Committees present their recommendations regarding the acceptance of Applicants to the Fair to the Executive Committee.
- The Executive 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 Executive Committee; no decisions to accept, reject or evict should be taken by anyone other than the Executive Committee
- The Management provides input for and oversees the selection procedure

Additional relevant information and documentation

- On request of the Selection Committees during the process of decision-making, TEFAF New York may at any time request the Applicant to submit to TEFAF New York 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 bankrupted). In turn TEFAF New York will inform the Selection Committees. Failure of the Applicant to submit the documentation and information requested by TEFAF New York in a timely fashion may lead to a negative decision by the Section Selection Committee or Executive 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 New York about any information and/or circumstances regarding the Applicant, or one or more of its employees or representatives, that may be relevant for TEFAF New York in any way (for example but not limited to bankruptcy or a comparable situation of the Applicant, incrimination of the Applicant or one or more of its employees/representatives by legal proceedings or conviction by a court decision). In turn, the Management will inform the Section Selection Committees and the Executive Committee.

Communications

- The selection decisions are communicated in writing; grounds for the decision will not be included in this communication
- Only the chair of each Section Selection Committee, or the Executive Committee, or the Management is entitled to have official communications with the relevant Applicant or any other dealer or Applicant. These communications are limited to the selection procedure; grounds for the decision and/or the decision itself will not be discussed
- The selection decisions are final and are not subject to review

- Attempts to appeal or requests for review of a decision will not be accepted for processing; neither will correspondence or discussion be entered into in this regard.

Confidentiality

- All decisions taken by the Selection Committee are confidential
- Any proven leak of confidential information by a member of the Section 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 New York endeavors 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 the Applicant , among others the following criteria are used:

- A clearly identified area of specialty
- A strong international presence and following
- Past presentations and active participation at TEFAF fairs and within TEFAF community
- Number and quality of clients and guests invited to TEFAF fairs
- The specific content of the Application submitted by the Applicant and proposed artworks.
- Whether the Applicant adds significantly to the overall high quality of the Fair and to the range of art shown in the Fair, bearing in mind trends in the art market;
- Participation in other renowned art fairs, including presentation/design at those fairs
- 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);
- Membership of the national association and compliance with associated ethical standards.

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.
- Applicant may not have any financial obligations due to TEFAF or TEFAF New York to be considered for participation.
- 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 Terms and Conditions of Application, the General Terms and Conditions of Vetting and Participation, the Vetting Guidelines, and the Historic Room Use and Maintenance Regulations

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 Section Selection Committees and the Executive Committee maintain the right to deviate under exceptional circumstances.

Allocation

Allocation is subject to the following rules and procedures:

- The Executive Committee decides the balance of art categories within the Fair, taking into account the overall exhibition concept and the interest of the Fair in general;
- The relevant chair allocates the stand area and stand location of selected Applicants. The chair may involve others of each Section Selection Committee in this process.
- The Management provides input as to allocation and oversees this process; and
- The Applicant's requests regarding specific stand allocation and location will be taken into consideration; however, TEFAF does not guarantee that any request will be honored.