

Daria Heidendael

PAINTINGS WITH A STORY & MORE

Terms and Conditions

Version valid from December 15, 2021.

1. General

These general terms and conditions apply to the offer of Daria Heidendael and to every agreement concluded between Daria Heidendael and the consumer. The terms and conditions are accessible to everyone and included on the Daria Heidendael website. A printed copy can be sent on request.

By using Daria Heidendael's website and other social media channels, you indicate that you agree to these terms and conditions. Daria Heidendael reserves the right to change its terms and conditions after the expiry of the term.

Daria Heidendael guarantees that the delivered product complies with the agreement and meets the specifications stated in the offer.

2. Painting purchase from my own collection

Materials

All paintings from my own collection have been compiled with great care and attention. High-quality materials are used and the paintings are varnished for optimal protection. The specifications per painting are listed on the website. Upon purchase, the painting will be delivered with a protective bubble wrap and a gift wrap.

Purchase and payment

- ❖ If you are planning to purchase a painting from my own collection, I cordially invite you to view the painting in my studio (Berlagestraat 18, Heerlen, The Netherlands).
- ❖ Are you unsure whether the painting fits your interior? It is possible that I visit your home without obligation, so that you can assess it on the spot.
- ❖ The prices of the available paintings are stated on the website: these are exempt from VAT.
- ❖ As soon as you want to purchase a painting from my own collection, you will receive an invoice with the relevant amount which you must transfer by bank. The purchase price of the painting must be paid in one go.
- ❖ Payments for paintings can only be made by bank transfer.
- ❖ As soon as the amount has been received in good order, the painting can be collected from the studio (Berlagestraat 18, Heerlen). The studio is only open by appointment.

Proof of purchase and authenticity

When purchasing a painting, the accompanying invoice serves as proof of purchase and authenticity, that means the painting is original and made by Daria Heidendael.

Property law and copyright

- ❖ When purchasing a painting, the new owner acquires title to the canvas, the paint and the frame.
- ❖ The copyright to reproduce it remains with the artist: Daria Heidendael.

- ❖ The buyer may display or offer the painting for sale, but I may determine whether the painting is displayed. This means that if the new owner wants to use an image of the purchased painting for certain purposes, permission must first be obtained from me, the artist.

Liability

As soon as a painting is owned by the buyer, I, as an artist, may no longer be held responsible for any damage or other defects.

3. Commissioned painting purchase

Quotation

- ❖ Prior to the quotation, a non-committal (introductory) conversation will take place at my studio, at your home, by telephone or a video call. The aim is to discuss the wishes of the client and possibly end up with a concrete concept for a commissioned painting.
- ❖ Quotations are without obligation, unless explicitly agreed otherwise.
- ❖ If you want to make use of my services and agree to the price and associated 'Terms and Conditions', you must sign and return the quote within 7 days.

Payments

- ❖ After signing and returning the quote, you will receive the first invoice: 50% of the total price as a deposit. This invoice must be paid within 7 days. Please note: due to a waiting list, it may take longer before you receive the first invoice.
- ❖ When the painting is finished, you will receive the second invoice and pay the remaining amount (50%).
You must also pay this invoice within 7 days.
- ❖ Payments can only be made by bank transfer, stating the invoice number.

Cancelling a commission

- ❖ If you cancel the commission after the deposit has been paid, the amount will not be refunded.

Photos as a reference for a painting

- ❖ As reference material for a painting I work with a photo or possibly several photos. In general, you must provide this yourself. I will assess the suitability of the photos.
- ❖ If the commission concerns painting a portrait, I can also offer the opportunity to take photos myself with my DSLR camera. A small photo session is inclusive, so no extra costs will be charged. A few photos will be made and eventually, one photo will be chosen as a reference for the painting. All other photos will be removed and are not for sale/available to the client. For taking the photos, you can come to my studio. Another location (for example at your home) is also possible. If this location is outside a radius of 15 kilometres around Heerlen, the travel costs of €0,19 per kilometre will be charged.

The painting process

- ❖ Paintings will be painted with Royal Talens Amsterdam acrylics on canvas.
- ❖ All necessary materials from canvas to paint, varnishing and a hanging system on the back of the canvas are included in the price.
- ❖ In general, you will not receive any updates during the painting process, unless I think it's necessary.
- ❖ When the painting is ready, I will contact you. An arrangement will be made to come to my studio and take a look at the painting. After your approval, the painting will be varnished. After a week your painting is really finished and ready to be picked up.

- ❖ Commissions can be picked up at my studio by appointment (Berlagestraat, 18, Heerlen). If that's not possible for you, registered (and insured) shipping is also an option. In that case, the shipping costs will be charged.

Time frame and waiting list

- ❖ No statements will be made about the finishing date of the painting. For me, attention and quality are important aspects. Therefore, a deadline will not be used. In general, you can count on two to three months starting from the moment of deposit. I will contact you as soon as the painting is ready.
- ❖ When there are multiple requests from different persons for a commission, a waiting list will apply. The list will be completed in order of application.
- ❖ As soon as the quotation has been signed, your request of the commission is confirmed and you are assured of a place on the waiting list.
- ❖ If your application is pending, I will keep you informed of the progress. You will receive the first invoice for the deposit in time, so I can start working on your commission as soon as another painting has been completed.

The use of pictures of the painting

The client gives permission for the use of photos of the painting for promotional purposes: for my website, my portfolio and social media. Names will not be mentioned with portraits (anonymous).

Liability and privacy

- ❖ After the painting has been picked up (or shipped), I can never be held responsible for any damage or other defects. The painting will be carefully packed in a bubble wrap, so it can be transported safely.
- ❖ If it's not possible to complete a commission due to force majeure, any liability of me, the artist, is excluded. In this case, the amount of the deposit will be refunded to you.
- ❖ Your data will never be shared with third parties and will be only kept for my own administration.

4. Products purchase (canvas bags, art cards and gift cards)

Placing orders

- ❖ The order of products can be placed by email, by telephone, via Whats-App or via the contact form on the website.
- ❖ Payments for products can be made in cash, as well as via a digital payment request (bank transfer).
- ❖ Products can be picked up at my studio (Berlagestraat 18, Heerlen, The Netherlands), but shipping in the Netherlands is also possible. There are costs involved: € 4.95.

Returns

- ❖ If the product has been sent by post and is not to your liking, it may be returned (unused) within 14 days in its original packaging. Any shipping costs are for your own account. Returns are at your own risk.
- ❖ It is not possible to return a gift voucher.

Canvas bags

- ❖ The canvas bags are always delivered in a gift wrap.
- ❖ Washing instructions: hand wash (at your own risk). Any stains can be gently cleaned locally with a sponge, water and washing-up liquid.
- ❖ Liability for possible wear and tear due to frequent use and/or washing is excluded.

Art cards

- ❖ The art cards come with a matching envelope.
- ❖ For protection, each art card with envelope is wrapped in plastic foil.

Gift cards

- ❖ The gift card cannot be exchanged for cash.
- ❖ The value is assigned to a gift card in consultation with me. Any desired amount can be given as a gift. The card is delivered in a gift wrap.
- ❖ The gift card must be redeemed within two years, regardless of any waiting time on my part for a commissioned painting.

5. Questions

Do you have questions about the terms and conditions? Please send an email to info@dariaheidendael.nl.