

IMPORTANT DEFINITIONS

“**Alaska Native person**” means an individual who is a state resident and who is an enrolled member of an Alaska tribe.

“**Alaska tribe**” means an organized group or community in Alaska that is an Indian tribe.

“**Authentic Alaska Native Art**” means a work of art that is created or crafted in the state by an Alaska Native person.

“**Council**” means the Alaska State Council on the Arts as described in AS44.27.040.

“**Identification seal**” means the seal authorized by AS 45.65.010.

“**Indian tribe**” has the meaning given in 25 U.S.C. 450 b (e) Indian Self – Determination and Education Assistance Act.

“**Original**” means new, unique, not a reproduction, and created or crafted by one person without the use of mechanized duplication instruments, electronic duplication instruments, or other devices or systems for copying large numbers of articles, except that “original” includes etched prints, lithographic prints, serigraphic (silk screen) prints, and prints from photographs, if the prints are made by hand by the person who created or crafted the etched plate, etched drawing, etched design, lithographic plate, lithographic stone, serigraphic (silk) screen, or photograph from which the prints were made.

“**State resident**” means an individual who is physically present in the state with the intent to remain indefinitely in the state under AS 1.10.055. Or, if the individual is not physically present in the state, intends to return to the state and remain indefinitely in the state under AS 01.10.055.

“**Work of art**” means creation or crafting of a visual article, including a painting, a sculpture, a drawing, a mosaic, a photograph, an etching, a lithograph, and a serigraph (silk screen); calligraphy; clay, textile, fiber, wood, metal, plastic, or glass, or a combination of these materials; traditional Alaska Native materials, including ivory, bone, grass, baleen, animal skins or gut, wood or furs; or a collage or combination of two or more of the categories identified in this paragraph.

“**Knowingly**” has the meaning given in AS 11.81.900

PROHIBITED CONDUCT

The Silver Hand seal or a representation of that seal may not be used in a false or misleading manner, modified, incorporated into a business, company, product logo or seal, or sold as art or as a dominant feature of art unless approved by the Council Chair in writing.

An individual may not; affix or attach the seal to an article that is not an original article of authentic Alaska Native art created or crafted in the state; or sell or offer for sale an article that has an identification seal affixed or attached but is not an original article of authentic Alaska Native art created or crafted in the state; or alter, change, or counterfeit an identification seal.

PENALTIES FOR SEAL OR PERMIT MISUSE

A person who knowingly or willfully issues the document for or affixes or attaches the identification seal to an article knowing that it is not authentic Alaska Native art, is guilty of a class B misdemeanor. Sec. 45.65.060. A person who knowingly or willfully sells or offers for sale an article with the seal affixed or attached, knowing that it is not authentic Alaska Native art, is guilty of a class B misdemeanor. A person who knowingly or willfully alters, changes, or counterfeits an identification seal, is guilty of a class B misdemeanor. A person who has been issued a permit is guilty of a class B misdemeanor if the person knowingly or willfully issues a permit for an article that is not authentic Alaska Native art under AS 45.65.030(a)

PERMIT REVOCATION OR DEBARMENT

A person authorized to use the Silver Hand seal who is convicted of an offense under AS 45.65.060 will have their permit privileges automatically revoked on the date of conviction; and is barred from any further participation in the Silver Hand program. After notice and opportunity for hearing, the Council will, in the Council’s discretion, revoke a permit for failure to comply with requirements of AS 45.65.010 – 45.65.070 including the payment of fees, and this chapter.

Anyone may confidentially report alleged violations and unlawful use of the Silver Hand seal to the Council.

THE SILVER HAND PROGRAM



ALASKA STATE COUNCIL ON THE ARTS

The Alaska State Council on the Arts is a state agency that fosters the development of the arts for all Alaskans through education, partnerships, grants and services.

PURPOSE OF THE SILVER HAND PROGRAM

The program guarantees consumers that an article which bears the Silver Hand seal is an original piece of art and has been created in the state by an Alaska Native artist living in Alaska. The Council is responsible for the administration of the Silver Hand program which is the only State sanctioned Alaska Native artist and arts authentication program.

The Council is responsible for the design, method of affixing, preparation, issuance, and control of the Silver Hand seal; issuance of permits to use the seals and the collection of the fees; supervision of the use of seals; enforcement of the law regarding seals; establishment of forms and fees for the applicants and permits to be used or issued; period for which the permits are valid; and procedures for renewing the permits.

WHO IS ELIGIBLE

An Alaska Native person who creates or crafts an original article of authentic Alaska Native art in the state may obtain silver hand seals to identify the article. Only individuals who are residents of Alaska are eligible to apply. If an applicant is ineligible for a permit the \$20 fee and support documents will be returned.

TO APPLY FOR A PERMIT

Submit this completed application, required support documents and \$20 fee to the Alaska State Council on the Arts by mail or in person.

APPLICATION REVIEW

The Council determines if the applicant is eligible to obtain the seal and the article for which the person is applying for the permit is eligible for the identification seal. Applications are reviewed for completeness and eligibility within 30 days from the date of receipt of an application. ASA

If an applicant is eligible a Silver Hand permit and tags or seals will be issued. The Silver Hand register is public record. Incomplete applications or applications submitted without required support materials will not be reviewed or processed until the applicant has submitted all documents required by the Council.

WHEN A PERMIT IS AWARDED

A permit holder will receive:

- A permit card and a combined maximum of 100 free seals/tags annually.
- A permit holder may request the second year supply of seals/tags by submitting a reorder form to the Council for the quantity of tags/seals needed. The request must be signed by the permit holder.
- Additional seals/tags may be purchased at 20 cents/seal and 20 cents/tag.

PERMIT RENEWAL

A permit is valid for two years from the date it is issued. The expiration date is included on the permit card. To renew a permit submit a completed renewal application within 30 days of the end of the two-year period.

USE OF THE SILVER HAND SEAL

The seal may only be used after receiving a permit from the Council and may be affixed only to original articles of authentic Alaska Native art created or crafted in the state. The permit, seals or tags are non – transferable and may not be shared, bartered or sold to any other individual or any business.

A permit holder may use the representation of the Silver Hand seal on catalogs, letterhead, business cards, in-store and other advertising, and for other similar purposes related to the permit holder's artwork. The permit holder may use a representative of the Silver Hand seal only in advertising of that permit holder's art.

SILVER HAND PERMIT APPLICATION

PLEASE PRINT

First time applicant

Renewing permit # _____

First: _____ Last: _____

Address: _____

City: _____ Zip: _____

Tel: _____ Cell: _____

Email: _____

Email me your newsletter or

Mail me a paper newsletter

List all types of art you produce:

I, the undersigned, certify I am Alaska Native, a resident of the state, and at least 18 years old. I agree I will only affix the Silver Hand seal – which features a silver hand and the words, "Authentic Native Handicraft from Alaska" – to original art that has been or will be made entirely by me and within the state of Alaska. I have read the information present in this permit application. I agree to abide by the Silver Hand Program requirements as described in this permit application and in accordance with AS 45.65. I understand this program is underwritten with public funds and information provided on this application becomes public record upon submission.

Applicant Signature

Date

MAIL APPLICATION TO

Alaska State Council on the Arts
411 W. 4th Ave., Ste 1E Anchorage, AK 99501-2343
Tel: (907) 269-6610 Fax: (907) 269-6601
Toll Free in Alaska: 1-888-278-7424
www.eed.state.ak.us/aksca

REQUIRED SUPPORT DOCUMENTS

- Documentation proving the applicant is Alaska Native which includes:
- (A) Tribal enrollment card showing membership with a federally recognized tribe; or
 - (B) An official letter from an Alaska Native village council or tribe in which the applicant is a member; or
 - (C) An official letter from a village or regional corporation established under 43 U.S.C. 1606-43 U.S.C. 1607 (Alaska Native Claims Settlement act of 1971, sec. 7 & 8) confirming membership with a federally recognized tribe; or
 - (D) A United States Department of Interior, Bureau of Indian Affairs certificate may be submitted however it is not required.

- Copy of a current photo i.d. to confirm residency and age of at least 18 years which includes:
- (A) Alaska State drivers license; or
 - (B) State of Alaska i.d. card

Images (cd/email/photos) of original art you create or craft

\$20 (check or MO only for mailed applications)

Personal identification documents remain confidential.

OTHER ALASKA BRAND PROGRAMS

Alaska Native artists and artists ineligible for a Silver Hand permit may be eligible for a Made in Alaska permit. Call 907-272-5634 for information. Contact the Council for more information about the Silver Hand program.

FOR OFFICIAL ASCA USE ONLY

Approved by: _____

Date: _____

Rec'd: Seals _____ Tags _____
Amount rec'd: _____ (cash, check, m.o.)
Check number: _____

