Intellectual property, original works of art: resale right for the benefit of the author

1996/0085(COD) - 31/05/2001

The Conciliation Committee reached a final agreement by exchange of letters on the proposal for a directive. A compromise was reached on the key questions where there had been major differences between Parliament and Council, namely, the threshold value and the transposition and transitional periods. The agreement was as follows: - the minimum sale price above which authors may demand a resale right will be EUR 3 000. However, in accordance with the principle of subsidiarity, Member States will be allowed to establish national thresholds lower than the Community threshold; - the deadline for implementation of the directive (the transposition period) will be 4 years (1 January 2006); - those Member States which do not apply the resale right on the entry into force date of the directive shall not be required, for a period expiring not later than 1 January 2010, to apply the resale right for the benefit of those entitled under the artist after his death. A supplementary period of two more years is foreseen to enable economic operators in those Member States to adapt gradually to the resale right system. In addition, the total amount of the royalty may not exceed EUR 12 500, with the Commission authorised to review this figure in the future.