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

1996/0085(COD) - 08/04/1997

By admitting that the price rate bands and rates applicable for the calculation of the resale right is one of the most difficult issues to resolve in this proposal, the rapporteur stated that the range of rates set by the Commission do not correspond to market realities; this is why the rapporteur is presenting, among other things, an amendment proposing a reduced rate for sales exceeding ECU 100 000. Commissioner Mario Monti accepted most of the amendments presented by the Legal Affairs Committee, but is decidely against all of the amendments which aim to increase or reduce the level of percentages and amend the price bands proposed concerning resale rights. The Commissioner is also against the proposal favouring a calculation on the basis of added value, as well as the harmonisation of categories of works of art or operations to which resale rights apply, which is contrary to the objectives of the internal market in the field of contemporary artistic creation. Lastly, Mario Monti rejected an amendment aiming to limit the entry into force of the directive to the realisation of a detailed study of the impact on the market of the resale of works of art within the Union, as well as between the Union and third countries, which would not conform with the institutional balance established by the Treaty on the Union. COD960085 08/04/97 DSP EN By admitting that the price rate bands and rates applicable for the calculation of the resale right is one of the most difficult issues to resolve in this proposal, the rapporteur stated that the range of rates set by the Commission do not correspond to market realities; this is why the rapporteur is presenting, among other things, an amendment proposing a reduced rate for sales exceeding ECU 100 000. Commissioner Mario Monti accepted most of the amendments presented by the Legal Affairs Committee, but is decidely against all of the amendments which aim to increase or reduce the level of percentages and amend the price bands proposed concerning resale rights. The Commissioner is also against the proposal favouring a calculation on the basis of added value, as well as the harmonisation of categories of works of art or operations to which resale rights apply, which is contrary to the objectives of the internal market in the field of contemporary artistic creation. Lastly, Mario Monti rejected an amendment aiming to limit the entry into force of the directive to the realisation of a detailed study of the impact on the market of the resale of works of art within the Union, as well as between the Union and third countries, which would not conform with the institutional balance established by the Treaty on the Union.