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

1996/0085(COD) - 24/01/2001 - Commission opinion on Parliament's position at 2nd reading

The Commission accepts the amendments which aim to: - modify Recital 7, which calls on the Commission to enter into negotiations with a view to making Article 14ter of the Berne Convention compulsory because of the growing international dimension of the art market; - introduce a new Recital 7a explaining the need for transitional provisions, in order to maintain the competitiveness of the European market; - to fix the threshold for the application of the Directive to EUR 1 000, as provided for in the original and amended proposals from the Commission, rather than the EUR 4 000 as proposed in the common position; - to reduce to 2 years the transitional period of 10 years proposed by the Council; - modify Article 9 on the right to collect information in order to make the date of the transaction, rather than 1 January of the following year, the reference date for the three years during which the beneficiaries of the resale right are entitled to request information; - to modify Article 11 (1) in order to include the ceiling among the issues to be reviewed when the Directive is revised; - reduce to 2 years the deadline for implementation of the Directive which the Council has changed to 5 years in its common position. On the other hand, the Commission cannot accept the amendments aiming to: - make the threshold of EUR 1 000 compulsory; - specify the persons entitled to inherit the resale right; - oblige the Commission to publish each year a list of third countries that apply the resale right.