
STATUTORY INSTRUMENTS

2006 No. 346

The Artist's Resale Right Regulations 2006

Assignment etc.

7.—(1) Resale right is not assignable.

(2) Any charge on a resale right is void.

(3) Paragraph (1) does not prevent the transfer of a resale right which was transmitted to a qualifying body under regulation 9 (or is deemed to have been so transmitted under regulation 16), provided that the transfer is to another qualifying body.

(4) A qualifying body is a body which—

(a) is a charity within the meaning of section 96(1) of the Charities Act 1993⁽¹⁾ or section 35 of the Charities Act (Northern Ireland) 1964⁽²⁾;

(b) is a Scottish charity; or

[^{F1}(c) is a foreign charity.]

(5) In paragraph (4)—

(a) “Scottish charity” means—

(i) a body entered in the Scottish Charity Register under section 3 of the Charities and Trustee Investment (Scotland) Act 2005⁽³⁾; or

(ii) a “recognised body” within the meaning of section 1(7) of the Law Reform (Miscellaneous Provisions)(Scotland) Act 1990⁽⁴⁾; and

(b) “foreign charity” means a body which is established outside the United Kingdom for purposes similar to those for which a body within paragraph (4)(a) or (b) may be established, and which is subject to similar rules regarding the distribution and application of its assets.

Textual Amendments

F1 Reg. 7(4)(c) substituted (1.1.2012) by [The Artist's Resale Right \(Amendment\) Regulations 2011 \(S.I. 2011/2873\)](#), regs. 1, 4

Commencement Information

I1 Reg. 7 in force at 14.2.2006 in accordance with [reg. 1\(1\)](#)

(1) 1993 c. 10.

(2) 1964 c. 33.

(3) 2005 asp10; section 3 comes into force on such day as the Scottish Ministers may by order appoint.

(4) 1990 c. 40; section 1 is amended by paragraph 7(a) of Schedule 4 to the Charities and Trustee Investment (Scotland) Act 2005, which comes into force on such day as the Scottish Ministers may by order appoint.

Changes to legislation:

There are currently no known outstanding effects for the The Artist's Resale Right Regulations 2006, Section 7.