
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Artist's Resale Right Regulations 2006

“Resale”

12.—(1) The sale of a work may be regarded as a resale notwithstanding that the first transfer of ownership was not made for a money (or any) consideration.

(2) The sale of a work may be regarded as a resale only if the conditions mentioned in paragraph (3) are satisfied in respect of that sale.

(3) The conditions are that—

- (a) the buyer or the seller, or (where the sale takes place through an agent) the agent of the buyer or the seller, is acting in the course of a business of dealing in works of art; and
- (b) the sale price is not less than 1,000 euro.

(4) The sale of a work is not to be regarded as a resale if—

- (a) the seller previously acquired the work directly from the author less than three years before the sale; and
- (b) the sale price does not exceed 10,000 euro.