
STATUTORY INSTRUMENTS

2006 No. 346

The Artist's Resale Right Regulations 2006

Artist's resale right

3.—(1) The author of a work in which copyright subsists shall, in accordance with these Regulations, have a right (“resale right”) to a royalty on any sale of the work which is a resale subsequent to the first transfer of ownership by the author (“resale royalty”).

(2) Resale right in a work shall continue to subsist so long as copyright subsists in the work.

(3) The royalty shall be an amount based on the sale price which is calculated in accordance with Schedule 1.

(4) The sale price is the price obtained for the sale, net of the tax payable on the sale, and converted into euro at the European Central Bank reference rate prevailing at the contract date.

(5) For the purposes of paragraph (1), “transfer of ownership by the author” includes in particular—

- (a) transmission of the work from the author by testamentary disposition, or in accordance with the rules of intestate succession;
- (b) disposal of the work by the author's personal representatives for the purposes of the administration of his estate; and
- (c) disposal of the work by an official receiver (or, in Northern Ireland, the Official Receiver for Northern Ireland) or a trustee in bankruptcy, for the purposes of the realisation of the author's estate.