



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Culture and Education

2012/2038(INI)

11.7.2012

OPINION

of the Committee on Culture and Education

for the Committee on Legal Affairs

on the report on the implementation and effect of the Resale Right Directive
(2001/84/EC)
(2012/2038(INI))

Rapporteur: Emma McClarkin

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SUGGESTIONS

The Committee on Culture and Education calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas the adoption of the directive was important for artists, not only for their initiatives aimed at obtaining recognition and fair treatment as creative people, but also for their role as contributors of cultural values; whereas, however, concerns remain as to the effects on European art markets and particularly on the many smaller and specialist auction houses and dealers in the EU;
- B. whereas the EU's global share of the market for works of living artists has declined significantly over the past few years;
- C. whereas artistic creation contributes to the continual development of the EU's cultural life and heritage;
- D. whereas the art and antiques market makes a significant contribution to the global economy, including the businesses it supports, especially those in the creative industries;
- E. whereas the resale right is the only means of enabling artists to benefit from a certain levy on subsequent sales applying if art market professionals take part in the transfer, but notes that it can entail significant administrative costs if applied beyond the resale of works by living artists;
- F. whereas the directive places an administrative burden on dealers and puts EU dealers at a commercial disadvantage in comparison to those in third countries;
 - 1. Notes that the resale right for the benefit of the living author of an original work of art can be a useful tool to prevent discrimination against artists;
 - 2. Calls on the Commission to undertake an impact assessment of the functioning of the art market in general, including the administrative difficulties faced by smaller and specialist auction houses and dealers;
 - 3. Highlights the importance of giving proactive support to local artists, including the youngest artists;
 - 4. Notes that, in order to ensure that the directive does not have a detrimental effect on the EU market, third countries should be encouraged to introduce and implement the resale right;
 - 5. Stresses that the Commission has not done enough to establish a global level playing field and should be more active in encouraging third countries to introduce resale right measures;
 - 6. Calls on the Commission to ensure the effective implementation of ARR across all Member States, to evaluate critically the costs and bureaucratic burdens placed on EU dealers as a result of the directive, and to address any lack of global competitiveness

deriving from its introduction.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	10.7.2012
Result of final vote	+: 27 -: 0 0: 0
Members present for the final vote	Zoltán Bagó, Malika Benarab-Attou, Lothar Bisky, Piotr Borys, Jean-Marie Cavada, Silvia Costa, Santiago Fisas Aixela, Lorenzo Fontana, Mary Honeyball, Petra Kammerevert, Morten Løkkegaard, Emma McClarkin, Emilio Menéndez del Valle, Doris Pack, Chrysoula Paliadeli, Marie-Thérèse Sanchez-Schmid, Marietje Schaake, Marco Scurria, Emil Stoyanov, Hannu Takkula, László Tőkés, Helga Trüpel, Marie-Christine Vergiat
Substitute(s) present for the final vote	Ivo Belet, Nessa Childers, Seán Kelly, Iosif Matula, Mitro Repo
Substitute(s) under Rule 187(2) present for the final vote	Evžen Tošenovský