



Appendix C: International models comparison

Country	Rate	Coverage	Other features (where available)
Algeria	5% of resale value	Works of graphic or plastic art	Not available
Belgium	100 to 10000 FB - 2% 10000 to 20000 - 3% 20000 to 50000 - 4% 50000 + - 6%	Paintings, sculptures, drawings and engravings sold at public auctions	<ul style="list-style-type: none"> ▪ Inalienable right, extended to heirs and successors of the artist ▪ The Ministry of Culture collects the royalty ▪ The right is granted to foreign authors on the basis of reciprocity
Benin	5% per cent of resale value	Graphic and plastic works of art	
Brazil	20% of the increase in price, relative to the immediately preceding sale	Art or manuscripts, either original or reproductions signed by the author	<ul style="list-style-type: none"> ▪ Inalienable right ▪ The National Copyright Council collects the royalty

Burkina Faso	Not available	Graphic and plastic works of art	
Cameroon	Not available	Graphic and plastic works of art sold by dealer or public auction	
Chile	5% of any increase in the price of the work	Paintings, sculptures, drawings, sketches	
Congo	Not available	Graphic and plastic works of art sold by dealer or public auction	
Costa Rica	5% of resale price	Graphic and plastic works of art sold by dealer or public auction	
Denmark	5% of the resale price, over a specified minimum	Work of art, or authorised copies thereof	
Ecuador	5% of resale price	Works of art sold by dealers or public auction	
France	3% on works sold for more than 100 Francs	"Fine art" – drawings, paintings, sculptures etc	<ul style="list-style-type: none"> ▪ Inalienable. Currently, inheritable for 70 years after the artist's death ▪ Most often collected by private collection societies
Germany	5% on works sold for more than DM500	Visual arts	<ul style="list-style-type: none"> ▪ Collected by the "Bild Kunst" society

Greece	5% of the resale price	Original works of art, sold by art dealers or public auction	<ul style="list-style-type: none"> ▪ Inalienable right
Guinea	5% of resale price	Graphic and plastic works of art sold by dealer or public auction	
Hungary	5% per cent of the purchase price	Paintings, drawings, reproduced pictorial graphic works, sculptures, tapestries etc sold publicly	<ul style="list-style-type: none"> ▪ The "Art Fund" collects the royalty ▪ If the buyer is a museum, the royalty only applies if the author is still alive
Iceland	10% of resale value	Original works of art	<ul style="list-style-type: none"> ▪ Inalienable right ▪ Payable to the author, the author's heirs, or the "Artists' Copyright Fund"
Italy	A percentage of the amount by which the first public resale exceeds the original sale (percentage varies between 2 and 10%)	Paintings, sculpture, drawings, prints and original manuscripts sold publicly	<ul style="list-style-type: none"> ▪ Unclear whether the royalty is collected.
Ivory Coast	Not available	Graphic and plastic works of art sold by dealer or public auction	
Luxembourg	3% of resale price over a specified minimum	Visual or plastic art sold by a dealer or public auction	<ul style="list-style-type: none"> ▪ Inalienable, and inheritable for 50 years after the authors' death
Mali	Not available	Graphic and plastic works of art sold by	

		dealer or public auction	
Morocco	5% of resale value	Graphic and plastic works of art sold by dealer or public auction	
Norway	3% of all public resales	Painting, sculpture, graphic art and drawing, original and signed by the artist	<ul style="list-style-type: none"> ▪ Returns to public fund for all artists
Peru	A percentage of any increase in value of the work fixed by mutual accord between the parties	Painting, sculpture, sketches and drawings sold publicly	
Philippines	5% of resale price or lease	Paintings, sculptures, and manuscripts of a writer or composer	
Portugal	6% of resale value	Original works of art	
Rwanda	Not available	Not available	
Senegal	5% of resale value	Graphic and plastic works of art sold by dealer or public auction	

Spain	3% of works sold for more than 300,000 pesetas	Plastic art sold at public auction, in a commercial establishment or through a dealer or agent	<ul style="list-style-type: none"> ▪ The party responsible for the sale is obliged to inform the author within 2 months ▪ Inalienable, and inheritable for 60 years after the artist's death
Turkey	An appropriate portion of the increase in value, not exceeding 10%	Artistic works and manuscripts	
Tunisia		Not available	
United States (California only)	5% of the resale price over \$1000	Original painting, sculpture or work in glass	<ul style="list-style-type: none"> ▪ The United States does not have a national <i>Droit de suite</i> ▪ The Californian right extends beyond California only when the work is sold by a Californian vendor
Uruguay	25% of the increase in the value of the work	All categories of intellectual works	

Source: *Proposed Resale Royalty Arrangement – Discussion Paper*, Department of Communications, Information Technology and the Arts, June 2004

UK Scheme (February 2006)

- Sliding scale rate
 - 4% from €0 to €50 000
 - 3% from €50 001 to €200 000
 - 1% from €200 000 to €350 000
 - 0.5% from €350 001 to €500 000
 - 0.25% exceeding €500 000
- €1 000 threshold
- Right to apply only to living artists until 2012
- €12 500 cap
- Reciprocity rights with artists from EC and other countries which have similar schemes

Resale royalty comparison across six countries

Country	Belgium	Denmark	Finland	France	Germany	California
Size of the art market (Euro)	77 million	50.3 million	12.3 million	2,843 million	485 million	5,540.1 million (Total USA)
Proportion of EU sales	0.8 percent	0.5 percent	0.1 percent	31 percent	5 percent	Not applicable
Nature and duration of resale royalty	Inalienable, life + 70 years	Inalienable, life + 70 years	Inalienable, life + 70 years	Inalienable, life + 70 years	Inalienable, life + 70 years	Inalienable, life + 20 years
Heirs	All heirs	Family only	Family only	Family only	All heirs	All heirs
Works of art covered	Original paintings, sculpture drawings and engravings	Original works of fine art, photos, lithographs, prints, applied art	Works of fine art	Original works of graphic and plastic arts	Original works of fine art	Original paintings, sculpture, drawings, glass art
Sales in scope	Auction sales	Dealer and auction sales	Dealer and auction sales	Auction sales	Dealer and auction sales	All public and private sales by Californian residents
Base	Gross price - no deductions	Price including auction fee minus VAT	Price less VAT	Gross price - no deductions	Gross price - no deductions	Gross price
Percent	4 percent	5 percent	5 percent	3 percent	5 percent	5 percent
Minimum (Euro)	1,240	268	252	15	51	2,181

Source McAndrew, C. and Dallas-Conte, L. (2002), *Implementing droit de suite (artist's resale right) in England*, Arts Council of England p 27

