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## ***GESAC PRESS RELEASE ON RESALE RIGHT***

*Brussels, 6 December 2000* - While being examined by the Council, the resale right was the subject of immoderate attacks. It was also caught up in the storm of political haggling which included the consideration of elements quite alien to this matter. The compromise adopted by the Council is therefore simply a weak reflection of the Commission's initial proposal, which was widely supported by the European Parliament during the first reading.

During the second reading, the European Parliament Committee on Legal Affairs proposed, most fortunately, to remedy most of the negative elements in the Common Council Position, notably by returning to the threshold of EUR 1000, by removing the ceiling on the resale right and by calling for more normal deadlines for the transposition and transition periods.

**On the whole, therefore, GESAC supports the report adopted by the European Parliament Committee on Legal Affairs.**

However, GESAC cannot support the idea of the legal committee to establish a single compulsory threshold, preventing Member States to set a lower threshold than the one to be mentioned in the Directive. The idea of a single threshold, although attractive, from the internal market point of view is dangerous. Even in the case that there is an agreement at the Council on an amount of EUR 1000, the compulsory nature of the threshold would penalise artists in several European Union countries (notably the Scandinavian countries and France). To take the French example, with a threshold set at EUR 1000, around 10 000 sales of works per year would evade the resale right. The application of a single threshold of EUR 4000 (as recommended by the Council) would enable approximately 14 500 sales (the equivalent of 88% of the market) to evade the resale right.

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\* GESAC groups 24 of the largest authors' societies in the European Union, Norway and Switzerland. As such, GESAC represents nearly 480.000 authors or their successors in title in the area of graphic and plastic arts, music, literary and dramatic works and audio visual and music publishers.