

B Bildupphovsrätt

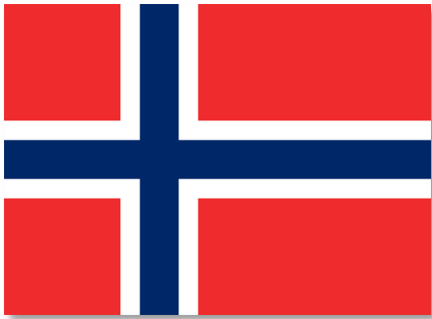
Bildupphovsrätt i Sverige **the Visual Copyright Society in Sweden** is a non-profit organization. The society fosters the common copyright issues of 9 000 visual artists, illustrators, photographers, designers and other creators of images and design. We draw up agreements and distribute royalties to those whose works are used.



RESALE RIGHT – NORDIC EXPERIENCE

- National legislation introduced in the period 1990 -1996 in all five Nordic countries, except Norway.
- Implementing directive 2001/84/EC
- Compulsory collective management
- Threshold of appr. € 250 in Sweden, Denmark and Finland
- Distribution nationally and internationally through network

NORWAY - A BIT SPECIAL



Norway has a special legislation, since 1948, on all works of art, protected as well as public domain artworks. This changed by EU Directive 2201/84/EG where Norway introduced a strict resale right, minimirules in the Directive with the result of two regulations. The existing legislation "hooks on" where the regulation by the Directive ends. The same exists on Iceland. The difference is the fee scale in the Directive (declining) and a flat 5 % in the "old" regulation.

EFFECT ON THE MARKETS



- ✓ No country had any negative market effect by the introduction of the resale right – neutral
- ✓ No effect by the introduction of the EU directive
- ✓ Norway reported that when Edvard Munch was to come to be in the public domain it was no change in sales

THE MUNCH AS AN EXAMPLE

- The 31 December 2014 was the last day Munch was protected by copyright (Resale Right in this case).
- In December 2014 it was 32 works by Munch sold in Norway of which 8 was affected by the declining scale to a value of Euro 10 000.
- Why did they not wait some days and exported the works to Sweden which has a more developed art market then Norway. Then the gain had been Euro 55 000.
- After 1 January 2015 there have been no sign of movement of art works by Munch from Norway to Sweden. Value € 70 000

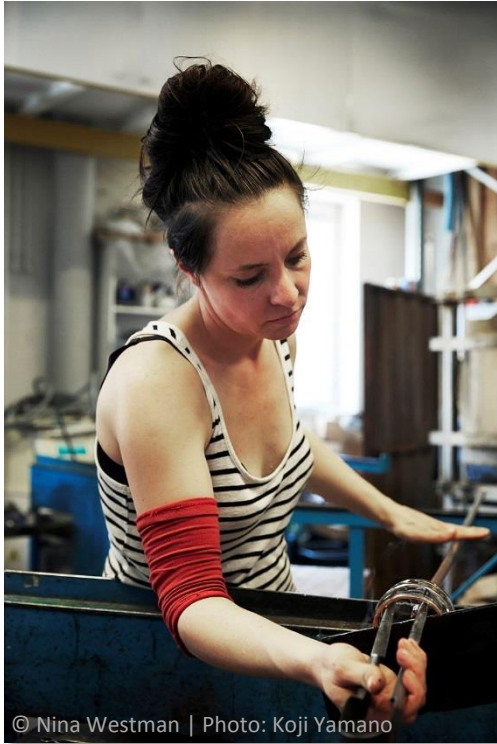
ENFORCEMENT IMPORTANT

- The artists need a strong position to be able to collect the remuneration.
- It is no difference from other rights.



© Malin Gabriella Nordin, artist and member of Bildupphovsrätt | Photo: Erik Wåhlström

COLLECTIVE MANAGEMENT



Good for all involved

- Artists, beneficiaries
- Market, simple and effective rules
 - Equal treatment
 - Neutral in competition
 - Cooperation to solve issues that appears

REPORTING SYSTEMS

- 3-level reporting system
- Different types of reporting suited to different types of art businesses
- Auction houses and artdealers choose the appropriate option freely
- **TOP LEVEL** – data exchange
- **MEDIUM LEVEL** – online tool
- **BASIC LEVEL** – paper form



TOP LEVEL

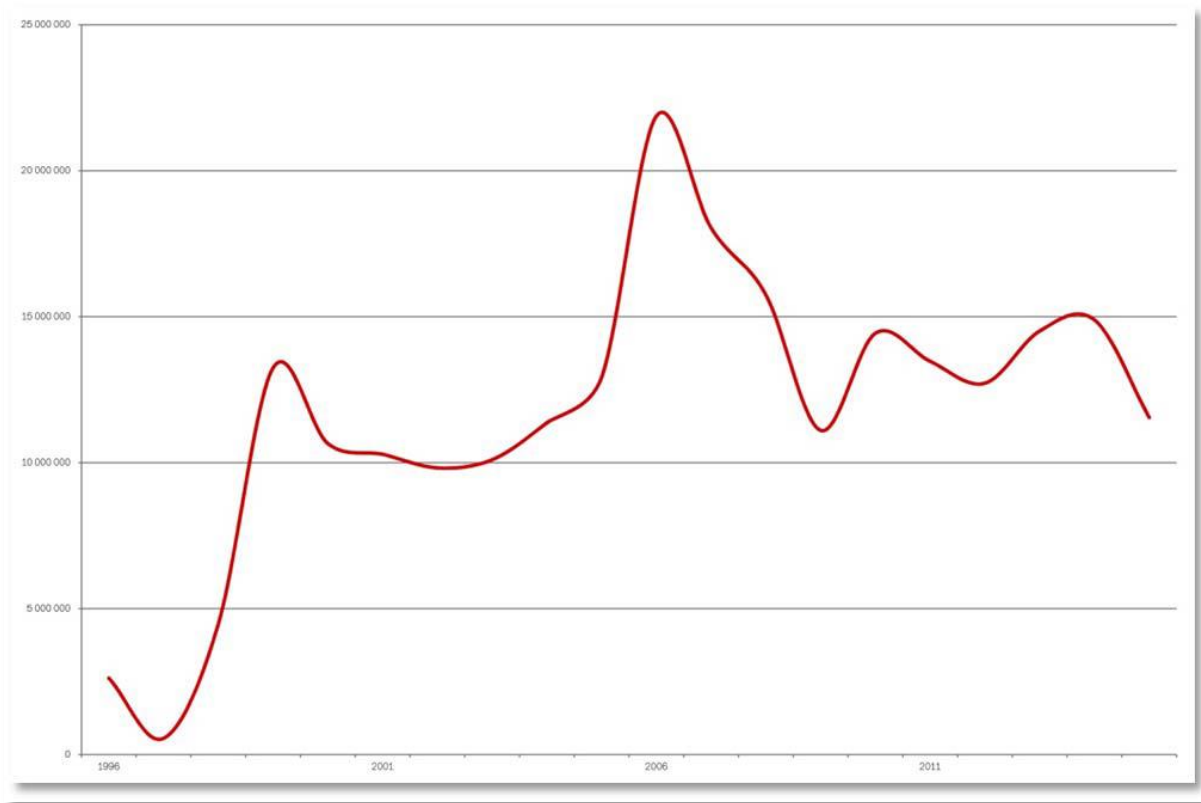
- The main auction houses has a large majority of the sales
- Raw sales data extracted directly from the auction houses own IT systems.
- Needs only to be set up once and no maintenance is required.
- Society IT experts help and support setting up the reporting system.
- Available to everyone.
- Currently used by some auction houses but will be more common in the coming years, this gain everyone.

SIMPLE COLLECTION

- Work together with auctionhouses to create reportingsystem
- Make easy definitions regarding items that are covered by the resale right
- Use technology to report



RESALE RIGHT COLLECTED IN SWEDEN



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Thank You

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