

The resale royalty is a percentage of the resale price of your works, which is paid to you when an art market professional, is involved in the transaction as seller, broker or buyer.

This royalty is the biggest source of remuneration for creators of visual arts, greater than that associated with reproduction or public communication.

The resale right is inalienable, in other words, it cannot be assigned, (sold, donated, bequeathed).

ADAGP manages and collects royalties from auction houses, auctioneers, galleries and on-line dealers and pays them over to you.

Our team monitors sales and enforces the rights of 95,000 artists and works with over a thousand art market professionals in France.

Abroad, in the [countries of the world that apply the resale right](#) [1], our sister companies work on our behalf.

Accredited by the French Ministry of Culture, ADAGP is informed of sales of member artists and also non-member artists in France benefiting from the resale royalty and provides this information to the public on its [site](#) [2].

Your royalties are paid to you as soon as possible and all information available on the works is indicated on your royalty statements, so you can track your works.

Sales benefiting from the resale royalty

This royalty does not apply to sales by the artist or his/her beneficiaries.

The resale royalty applies whenever a work is resold for 750 Euros or more when an art market professional is involved in the transaction.

The first resale may be exempt if the following two conditions are met :

- The work is resold less than three years after the direct purchase from the artist or his/her estate.
- It is sold for a price of 10,000 Euros or less

The resale royalty is paid by the seller

Artists who can receive the resale royalty

To benefit from the resale royalty, the artist must be a citizen of :

- one of the 27 European Union countries,
- or a country of the European Economic Area,
- or a country stipulating the resale right in its legislation.

Other artists can however benefit from the resale royalty if they have participated in French artistic life and have lived in France for 5 years.

The resale right benefits from the same period of protection as other copyrights. Therefore, it is applicable during the lifetime of the artist or for 70 years after his/her death, from the end of the calendar year of the artist's death. For example, the works of an artist who died on 22 March 1943 are covered by the resale right until 31 December 2013 inclusive.

Works for which the resale royalty is payable

The works benefiting from the resale royalty are graphic and visual artworks: paintings, drawing, collages, sculptures, prints, illustrations, bindings, tapestries, furniture, objects, ceramics, glassware, enamelwork, artistic jewellery, photographs and plastic creations on audiovisual and digital media,

These works must be original according to the law and include one-off works or limited editions produced by the artist himself or under his control, in other words numbered, or signed, or otherwise duly authorised by the artist.

For certain multiple works, the conditions of originality are stipulated by law :

Prints (lithographs, engravings, screen prints, etc.) must be limited editions. There is no limit on the copies. One must also consider those featured in books (modern illustrated, portfolio...).

No more than 12 copies of sculptures (bronze, marble, steel, glass, plastic...) must be made, including artist's proofs or not-for-sale.

Tapestries and textile works limited to 8 copies.

Pieces of enamelwork must be signed and limited to twelve copies including artist's proofs or not-for-sale.

Photographic works must be signed (possibly stamped) and limited to 30 copies.

Plastic works on audiovisual or digital media must be limited to 12 copies.

For other types of works, three general criteria are applicable: copies will be considered original works if they have been numbered, signed or otherwise duly authorised by the artist.

Obligations of art dealers

Art dealers (auctioneers henceforth called sellers, gallery operators, antique dealers, auction houses and on-line dealers) must declare all sales on which the resale royalty is due whether the artist is a member of ADAGP or not.

They are liable for this royalty for up to 5 years after this declaration.

Part of ADAGP's website is dedicated to art market professionals to help them fulfil their obligations.

[Click here](#) [3] to access this area.

If you would like more information about copyright and current legislation on the resale royalty, [click here](#) [4].

Collecting your resale royalty

Accredited by the French Ministry of Culture, Adagp is informed of all sales of works of member and non-member artists benefiting from the resale royalty.

If you are not a member, you can use our search service, to find out if sales on which the resale royalty is due have been declared to us.

If at least one of these sales concerns you, [sign up to Adagp](#) [5] so we can claim and pay you the royalty you are due.

By signing up to Adagp and authorising us to collect and distribute the resale royalty, you will receive it when a sale generating this royalty takes place.

Otherwise, you have to contact the art market professionals concerned yourself to obtain payment of your resale royalty.

Links

[1] <https://www.adagp.fr/en/indicative-list-countries-whose-legislation-provides-resale-right>

[2] <https://www.adagp.fr/en/mysearch/notifications>

[3] <https://www.adagp.fr/en/user/resale-right>

[4] <https://www.adagp.fr/en/author-right/property-rights/resale-right>

[5] <https://www.adagp.fr/en/author/sign-up-to-adagp>