



Resale Right for Visual Artists (Reciprocating Countries) Order 2024

Rt Hon Dame Helen Winkelmann, Administrator of the Government

Order in Council

At Wellington this 29th day of July 2024

Present:

Her Excellency the Administrator of the Government in Council

This order is made under section 29 of the Resale Right for Visual Artists Act 2023—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Arts, Culture and Heritage made after being satisfied of the matter set out in section 29(3) of that Act.

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Order

1 Title

This order is the Resale Right for Visual Artists (Reciprocating Countries) Order 2024.

2 Commencement

This order comes into force on 1 December 2024.

3 Interpretation

In this order, **Act** means the Resale Right for Visual Artists Act 2023.

4 Reciprocating countries

The following countries are reciprocating countries for the purposes of the Act:

- (a) Australia:
- (b) United Kingdom of Great Britain and Northern Ireland.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order but is intended to indicate its general effect.

This order, which comes into force on 1 December 2024, specifies that Australia and the United Kingdom of Great Britain and Northern Ireland (the **UK**) are reciprocating countries for the purposes of the Resale Right for Visual Artists Act 2023 (the **Act**).

The main effect of this order is that an artist who is a citizen or subject of Australia or the UK, or who is domiciled or resident in Australia or the UK, has the right to be paid a royalty on the resale of their visual artwork if the conditions in section 7(1) of the Act are met.

Regulatory impact statement

The Ministry for Culture and Heritage produced a regulatory impact statement on 4 August 2022 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mch.govt.nz/publications/regulatory-impact-statement-resale-right-visual-artists-bill>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 1 August 2024.

This order is administered by the Ministry for Culture and Heritage.