



## **Resale Royalty Right for Visual Artists (Provisions to be Contained in Collecting Society Rules) Determination 2020**

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I, Paul Fletcher, Minister for Communications, Cyber Safety and the Arts, make the following determination.

Dated                    6/2/2020

Paul W Fletcher

Paul Fletcher  
Minister for Communications, Cyber Safety and the Arts

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## 1 Name

This instrument is the *Resale Royalty Right for Visual Artists (Provisions to be Contained in Collecting Society Rules) Determination 2020*.

## 2 Commencement

The whole of this instrument commences on the day after it is registered.

## 3 Authority

This instrument is made under paragraph 35(4)(d) of the *Resale Royalty Right for Visual Artists Act 2009*.

## 4 Definitions

Note: A number of expressions used in this instrument are defined in section 3 of the Act, including the following:

- (a) collecting society;
- (b) resale royalty right;
- (c) rules.

In this instrument:

*Act* means the *Resale Royalty Right for Visual Artists Act 2009*.

## 5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 6 Collecting society rules

- (1) The rules of the collecting society must contain provisions providing for:
  - (a) the collection of amounts of resale royalty;
  - (b) the distribution of resale royalty amounts collected by the society and any interest earned on those amounts, to holders of resale royalty rights;
  - (c) the holding on trust by the collecting society of resale royalty amounts due to holders of resale royalty rights who are not members of the collecting society or who are otherwise yet to be identified and/or located;
  - (d) access to the collecting society's records by holders of resale royalty rights and their agents; and
  - (e) a complaint notification and handling procedure for dealing with member complaints.

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## **Schedule 1—Repeals**

### ***Resale Royalty Right for Visual Artists Act 2009 - Determination of provisions to be contained in collecting society rules***

#### **1 The whole of the instrument**

Repeal the instrument.