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THE ART MARKET WEEKLY

Draft bill seeks further reform for French auction system

The French auction system could be set for more reform with a draft bill recommending further change due to be launched later this month.



- Roland Arkell
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For many years Conseil des Ventes, the auction house watchdog, has been calling for the relaxing of the legal framework that surrounds art and antiques sales, bringing the French system closer to ‘the Anglo-Saxon model’ that is based primarily on self-regulation.

Last year the minister of justice, Nicole Belloubet, launched a fact-finding mission charging two lawyers with the creation of a report completed in December.

With the objective “to combine legal security and economic attractiveness”, against a backdrop of strong international competition, the report made 41 recommendations including the introduction of different rules for ‘voluntary’ and ‘judicial’ sales and the relaxing of the need for entrance qualifications and training.

The report also recommended the creation of a new council and new forms of mediation and included a wish list asking for the simplification of rules surrounding the export of cultural goods sold at auction; of the rules regulating ivory sales; and a desire to avoid “excessively heavy import VAT” for works offered for sale from outside the EU.

Decades of reform

It is almost two decades since the major reforms of 2000 that changed the French commissaire-priseur (auctioneer) from a state-appointed official to a commercial operator and opened the market to foreign competitors. Further changes came in 2011 including permitting French auctioneers to conduct private sales and offer financial guarantees and advances to sellers.

The changes have not all been welcomed by the auctioneering fraternity. As they seek to compete with Christie's and Sotheby's, French auction firms are still hide-bound by bureaucracy with their conduct closely policed. Others have argued that the auction business requires the safeguards provided by the existing framework.

The draft bill is expected to be introduced to the National Assembly in late March by MP Jean-Michel Mis.