

SALES OF FINE ART (EXCERPT)
Act 121 of 1970

442.321 Art sales warranties; definitions.

Sec. 1.

As used in this act:

(a) "Art merchant" means a person who deals in works of fine art or by his occupation holds himself out as having knowledge or skill peculiar to works of fine art or to whom such knowledge or skill may be attributed by his employment of an agent or broker or other intermediary who by his occupation holds himself out as having such knowledge or skill. It includes an auctioneer who sells works of fine art at public auction as well as the auctioneer's consignor or principal.

(b) "Author" or "authorship" refers to the creator of a work of fine art or to the period, culture, source or origin with which the creation of the work is identified in the description of the work.

(c) "Counterfeit" means a work of fine art made or altered, with intent to deceive, in a manner that it appears to have an authorship which it does not in fact possess. It includes any work of fine art made, altered or copied in a manner that it appears to have an authorship which it does not in fact possess even though the work may not have been made with intent to deceive.

(d) "Fine art" means a painting, sculpture, drawing or work of graphic art.

(e) "Person" means an individual, partnership, corporation, association or other group however organized.

(f) "Written instrument" means a written or printed agreement, bill of sale, or any other written or printed note or memorandum of the sale or exchange of a work of fine art by an art merchant and includes a written or printed catalog or other prospectus of a forthcoming sale as well as any written or printed corrections or amendments thereof.

History: 1970, Act 121, Eff. Jan. 1, 1971