

ART MULTIPLES SALES ACT (EXCERPT)
Act 40 of 1987

442.355 Information to be supplied for each multiple; express warranty.

Sec. 5. (1) All of the following information shall be supplied for each multiple produced after the effective date of this act:

(a) The name of the artist.

(b) If the artist's name appears on the multiple, the source of the name, such as whether the multiple was signed by the artist, whether only the master was signed, whether the artist's name was stamped or estate stamped on the multiple, or whether the name originates from some other stated source.

(c) A description of the medium and process used to produce the multiple, such as whether the multiple was produced through etching, engraving, lithography, serigraphy, or photography. If photography was used, the particular method and materials used in the photographic developing process shall be stated. If an established term, in accordance with the usage of the trade, cannot be employed to accurately describe the medium, process, or materials, a brief, clear description shall be made.

(d) Whether the artist was deceased at the time the master which produced the multiple was made.

(e) Whether the multiple or image on or in the master is a mechanical, photomechanical, or photographic copy or reproduction of an image previously created or produced by the artist in a different stated medium, or on or in a different master, for a purpose other than the creation of the multiple being described.

(f) If subdivision (e) is applicable, and if the multiple is not signed, whether the artist authorized or approved, in writing, the multiple or edition of which the multiple is a part.

(g) Whether the multiple is a posthumous multiple. As used in this subdivision, "posthumous multiple" means a multiple which was produced after the artist's death, from a master which was created during the artist's life.

(h) Whether the multiple was produced from a master which produced a prior limited edition, or from a master which constituted or was made from a reproduction of a prior multiple of the master which produced the prior limited edition.

(i) The year or approximate year the multiple was produced. For purposes of sections 7 and 8, as to multiples produced before January 1, 1950, the information shall include the year, approximate year, or period when the master was made which produced the multiple, or when the particular multiple being described was produced, or both.

(j) Whether or not the multiple is offered as 1 of a limited edition, and if so, the number of multiples in the limited edition and the method of numbering used, if any.

(k) If the additional multiples described in subsection (3) exceed the number specified in that subsection, the number of proofs other than trial proofs, or other numbered or unnumbered multiples, in the same or other editions, produced from the same master, or from another master as described in subdivision (h), and whether and how the proofs are signed and numbered.

(2) Unless otherwise disclosed, the number of multiples stated pursuant to subsection (1)(j) shall constitute an express warranty that no additional numbered multiples of the same image, exclusive of proofs, have been produced.

(3) The number of multiples stated pursuant to subsection (1)(j) shall also constitute an express warranty that no additional multiples of the same image, whether or not designated "proofs", other than trial proofs, numbered or otherwise, have been produced in an amount which exceeds the number in the limited edition by 10 or 10%, whichever is greater.

History: 1987, Act 40, Eff. Dec. 9, 1987.