



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3383 της 28ης ΙΑΝΟΥΑΡΙΟΥ 2000
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Ευρωπαϊκής Σύμβασης για την Κινηματογραφική Συμπαράγωγη (Κυρωτικός) Νόμος του 2000 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 1(III) του 2000

**ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΣΥΜΒΑΣΗΣ
ΓΙΑ ΤΗΝ ΚΙΝΗΜΑΤΟΓΡΑΦΙΚΗ ΣΥΜΠΑΡΑΓΩΓΗ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Ευρωπαϊκής Σύμβασης για την Κινηματογραφική Συμπαράγωγη (Κυρωτικός) Νόμος του 2000. Συνοπτικός
τίτλος.

2. Στον παρόντα Νόμο— Ερμηνεία.

«Σύμβαση» σημαίνει την Ευρωπαϊκή Σύμβαση για την Κινηματογραφική Συμπαράγωγη, η οποία υπεγράφη από την Κυπριακή Δημοκρατία στις 19.5.1999, κατόπιν σχετικής Απόφασης του Υπουργικού Συμβουλίου με Αρ. 49.027 και ημερομηνία 20.1.1999.

3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση της οποίας το αυθεντικό κείμενο στην Αγγλική εκτίθεται στο Μέρος Ι του Πίνακα και σε Ελληνική μετάφραση στο Μέρος ΙΙ αυτού: Κύρωση της
Σύμβασης.
Πίνακας.
Μέρος Ι,
Μέρος ΙΙ.

Νοείται ότι σε περίπτωση αντίφασης μεταξύ του κειμένου του Μέρους Ι και εκείνου του Μέρους ΙΙ του Πίνακα θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ
(Αρθρο 3)

**European Convention
on Cinematographic Co-production**

**Convention européenne
sur la coproduction cinématographique**

Preamble

The member States of the Council of Europe and the other States party to the European Cultural Convention, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members in order, in particular, to safeguard and promote the ideals and principles which form their common heritage;

Considering that freedom of creation and freedom of expression constitute fundamental elements of these principles;

Considering that the defence of cultural diversity of the various European countries is one of the aims of the European Cultural Convention;

Considering that cinematographic co-production, an instrument of creation and expression of cultural diversity on a European scale, should be reinforced;

Determined to develop these principles and recalling the recommendations of the Committee of Ministers on the cinema and the audiovisual field, and particularly Recommendation No. R (86) 3 on the promotion of audiovisual production in Europe;

Acknowledging that the creation of the European Fund for the Support of Co-production and Distribution of Creative Cinematographic and Audiovisual Works, Eurimages, meets the concern of encouraging European cinematographic co-production and that a new driving force has thus been given to the development of cinematographic co-productions in Europe;

Resolved to achieve this cultural objective thanks to a common effort to increase production and define the rules which adapt themselves to European multilateral cinematographic co-productions as a whole;

Considering that the adoption of common rules tends to decrease restrictions and encourage European co-operation in the field of cinematographic co-production,

Have agreed as follows:

Chapter I — General provisions

Article 1 — Aim of the Convention

The Parties to this Convention undertake to promote the development of European cinematographic co-production in accordance with the following provisions.

Article 2 — Scope

- 1 This Convention shall govern relations between the Parties in the field of multilateral co-productions originating in the territory of the Parties.
- 2 This Convention shall apply:
 - a to co-productions involving at least three co-producers, established in three different Parties to the Convention; and
 - b to co-productions involving at least three co-producers established in three different Parties to the Convention and one or more co-producers who are not established in such Parties. The total contribution of the co-producers who are not established in the Parties to the Convention may not, however, exceed 30% of the total cost of the production.

In all cases, this Convention shall only apply on condition that the co-produced work meets the definition of a European cinematographic work as defined in Article 3, paragraph 3, below.

- 3 The provisions of bilateral agreements concluded between the Parties to this Convention shall continue to apply to bilateral co-productions.

In the case of multilateral co-productions, the provisions of this Convention shall override those of bilateral agreements between Parties to the Convention. The provisions concerning bilateral co-productions shall remain in force if they do not contravene the provisions of this Convention.

- 4 In the absence of any agreement governing bilateral co-production relations between two Parties to this Convention, the Convention shall also apply to bilateral co-productions, unless a reservation has been made by one of the Parties involved under the terms of Article 20.

Article 3 — Definitions

For the purposes of this Convention:

- a the term "cinematographic work" shall mean a work of any length or medium, in particular cinematographic works of fiction, cartoons and documentaries, which complies with the provisions governing the film industry in force in each of the Parties concerned and is intended to be shown in cinemas;
- b the term "co-producers" shall mean cinematographic production companies or producers established in the Parties to this Convention and bound by a co-production contract;
- c the term "European cinematographic work" shall mean a cinematographic work which meets the conditions laid down in Appendix II, which is an integral part of this Convention;
- d the term "multilateral co-production" shall mean a cinematographic work produced by at least three co-producers as defined in Article 2, paragraph 2, above.

Chapter II — Rules applicable to co-productions

Article 4 — Assimilation to national films

- 1 European cinematographic works made as multilateral co-productions and falling within the scope of this Convention shall be entitled to the benefits granted to national films by the legislative and regulatory provisions in force in each of the Parties to this Convention participating in the co-production concerned.
- 2 The benefits shall be granted to each co-producer by the Party in which the co-producer is established, under the conditions and limits provided for by the legislative and regulatory provisions in force in that Party and in accordance with the provisions of this Convention.

Article 5 — Conditions for obtaining co-production status

- 1 Any co-production of cinematographic works shall be subject to the approval of the competent authorities of the Parties in which the co-producers are established, after consultation between the competent authorities and in accordance with the procedures laid down in Appendix I. This appendix shall form an integral part of this Convention.
- 2 Applications for co-production status shall be submitted for approval to the competent authorities according to the application procedure laid down in Appendix I. This approval shall be final except in the case of failure to comply with the initial undertakings concerning artistic, financial and technical matters.
- 3 Projects of a blatantly pornographic nature or those that advocate violence or openly offend human dignity cannot be accorded co-production status.
- 4 The benefits provided by co-production status shall be granted to co-producers who are deemed to possess adequate technical and financial organisation, and sufficient professional qualifications.
- 5 Each Contracting State shall designate the competent authorities mentioned in paragraph 2 above by means of a declaration made at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession. This declaration may be modified at any later date.

Article 6 — Proportions of contributions from each co-producer

- 1 In the case of multilateral co-production, the minimum contribution may not be less than 10% and the maximum contribution may not exceed 70% of the total production cost of the cinematographic work. When the minimum contribution is less than 20%, the Party concerned may take steps to reduce or bar access to national production support schemes.
- 2 When this Convention takes the place of a bilateral agreement between two Parties under the provisions of Article 2, paragraph 4, the minimum contribution may not be less than 20% and the largest contribution may not exceed 80% of the total production cost of the cinematographic work.