

No. 27184

**SPAIN
and
CUBA**

**Agreement on cinematographic collaboration. Signed at
Havana on 30 March 1988**

Authentic text: Spanish.

Registered by Spain on 3 April 1990.

**ESPAGNE
et
CUBA**

**Accord relatif à la collaboration cinématographique. Signé à
La Havane le 30 mars 1988**

Texte authentique : espagnol.

Enregistré par l'Espagne le 3 avril 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE KINGDOM OF SPAIN AND THE
REPUBLIC OF CUBA ON CINEMATOGRAPHIC COLLABO-
RATION

The Kingdom of Spain and the Republic of Cuba,

Considering that it would be in the interests of the film industries of their respective countries, firstly, to encourage the coproduction of films that would enhance the reputation and contribute to the economic expansion of the Cuban and the Spanish cinema, and, secondly, to foster the exchange of films between their two countries,

Have agreed as follows:

Article I

In order to encourage increased knowledge of their respective cinematographic productions, both Parties shall take the measures necessary to facilitate the distribution and commercial exhibition of the films of both Parties within their respective territories.

To this end, both Parties give the following undertakings:

(I) The competent Cuban authorities shall authorize the importation of six Spanish feature-length films each year for commercial distribution within the territory of the Republic of Cuba.

(II) The competent Spanish authorities shall, on a reciprocal basis, authorize the importation, during the same period, of a maximum of three Cuban feature-length films for commercial distribution within the territory of the Kingdom of Spain under the conditions set forth in this Agreement.

(III) The number of films specified in paragraphs I and II may be increased by agreement between the two Parties through an exchange of notes to that effect, transmitted three months prior to 31 December each year.

(IV) Under the terms of this Agreement, the entry of Spanish and Cuban short films into the territory of the Republic of Cuba and the Kingdom of Spain shall be freely authorized with no restriction on the number of such films which may be imported.

(V) Both Parties shall make the necessary arrangements to ensure that the importation into their respective territories of films originating in the other country is undertaken on the basis of reciprocity of treatment.

(VI) The sole requirement for Spanish films to be shown in the territory of the Republic of Cuba and for Cuban films to be shown in the territory of the Kingdom of Spain shall be the classification or exhibition certificate delivered by the competent body in each country, with due respect, in each case, for the original version of the films.

¹ Came into force on 31 January 1990, the date of the last of the notifications (of 20 March 1989 and 31 January 1990) by which the Parties informed each other of the completion of their respective internal requirements, in accordance with article XVI (1).

(VII) Spanish films shall be regarded as Cuban films for the purposes of distribution and exhibition in the territory of the Republic of Cuba. Cuban films shall be regarded as Spanish films in the territory of the Kingdom of Spain for the purposes of calculating the screening quota. With regard to the distribution of Cuban films in Spain, licences shall be granted for the dubbing of foreign films into any official Spanish language under the following conditions:

(a) The first licence shall be granted when the Cuban film in question has been shown in the following five cities: Madrid, Barcelona, Valencia, Seville and Bilbao.

(b) The second and third licences shall be granted to the distributor when he is able to demonstrate that the film has taken gross box-office receipts of 30 and 60 million pesetas respectively.

(VIII) This Agreement shall apply only to cinematographic films produced in Spain or in Cuba which have been duly authorized by the competent body in each country and which are of sufficient quality and merit.

(IX) This Agreement shall not apply to coproductions with third countries in which the participation of either of the Contracting Parties is a minority participation by comparison with that of each of the other participants.

Article II

Cinematheca of Cuba and Filmoteca of Spain shall encourage the progressive exchange of films and film documents relating to the cinematographic production of both countries.

Special attention shall be paid to the exchange of experience and documents relating to film conservation, cataloguing, documentation and information, with a view to the gradual adoption of modern information systems and methods.

Article III

Cuba shall organize a Spanish Cinema Week in its territory in celebration of the national holiday of the Kingdom of Spain, on a date to be determined, and shall, on that occasion, receive a delegation of Spanish film-makers consisting of up to three persons for a period of up to ten days.

Article IV

Spain shall organize a Cuban Cinema Week in its territory as part of the celebrations to mark the Cuban national holiday, on a date to be determined, and shall, on that occasion, receive a delegation of Cuban film-makers consisting of up to three persons for a period of up to ten days.

Article V

Cuba shall organize a retrospective exhibition of Spanish cinema in its territory on a date to be determined and shall, on that occasion, receive a representative delegation of up to three Spanish film-makers for a period of up to eight days.

Article VI

Spain shall organize a retrospective exhibition of Cuban cinema in its territory on a date to be determined and shall, on that occasion, receive a representative delegation of up to three Cuban film-makers for a period of up to eight days.