

No. 45087*

**New Zealand
and
Singapore**

Agreement between the Government of New Zealand and the Government of the Republic of Singapore concerning the co-production of films (with annex). Wellington, 13 July 2004

Entry into force: *27 September 2004 by notification, in accordance with article 18*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *New Zealand, 1 July 2008*

**Nouvelle-Zélande
et
Singapour**

Acord entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement de la République de Singapour relatif à la co-production de films (avec annexe). Wellington, 13 juillet 2004

Entrée en vigueur : *27 septembre 2004 par notification, conformément à l'article 18*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Nouvelle-Zélande, 1er juillet 2008*

* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The relevant Treaty Series volume will be published in due course.*

Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour l'enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive. Le volume correspondant du Recueil des Traités sera disponible en temps utile.

[ENGLISH TEXT – TEXTE ANGLAIS]

Agreement

between

The Government of New Zealand

and

The Government of the Republic of Singapore

Concerning the Co-Production of Films

The Government of New Zealand and the Government of the Republic of Singapore ("the Parties")

Seeking to enhance cooperation between their two countries in the area of film;

Desirous of expanding and facilitating the co-production of films which may be conducive to the film industries of both countries and to the development of their cultural and economic exchanges;

Noting the Agreement between New Zealand and Singapore on a Closer Economic Partnership of 14 November 2000;

Convinced that these exchanges will contribute to the enhancement of relations between the two countries;

Have agreed as follows:

Article 1
Definitions

For the purposes of this Agreement

- (a) "competent authority" means the authority designated as such by each Party;
- (b) "co-producer" means one or more New Zealand nationals or one or more Singapore nationals involved in the making of a co-production film;
- (c) "co-production film" means a film made by one or more nationals of a Party in cooperation with one or more nationals of the other Party under a project approved jointly by the competent authorities;
- (d) "film" means an aggregate of images, or of images and sounds, embodied in any material, and includes television and video recordings, animations and digital format productions;
- (e) "legal entities" means any entity duly constituted or otherwise organised under applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association; and
- (f) "nationals" means:
 - (i) for Singapore, citizens or permanent residents of Singapore; and (ii) for New Zealand, citizens or permanent residents of New Zealand.

Article 2

Competent Authority

Each Party shall appoint a competent authority for the purposes of this Agreement. A change in the appointed competent authority may be made by a Party giving notice of the change to the other Party through diplomatic channels.

Article 3

Approval of Co-production Film Projects

1. Prior to the commencement of the making of a co-production film, joint approval of the competent authorities shall be obtained. Approvals granted by the competent authorities shall be in writing and shall specify the conditions upon which the approval is granted. None of the co-producers shall be linked, directly or indirectly, through legal entities with common management, ownership or control, save to the extent that it is pursuant to the making of the co-production film itself.
2. In considering proposals for the making of a co-production film, the competent authorities shall, acting jointly and with due regard for their respective policies and guidelines, apply the rules as set out in the Annex to this Agreement.
3. The approval of a proposal to make a co-production film shall not bind the relevant authorities of either Party to grant a licence for the exhibition or broadcast of the completed co-production film.

Article 4

Contributions

1. For each co-production film, the contributions in terms of:

(a) the performing, technical, craft and creative participation of the co-producers; and

(b) production expenditure in each of the co-producer's countries,

shall be in reasonable proportion to their respective financial contributions.

2. Both the financial contribution, and the performing, technical, craft and creative participation of each co-producer shall account for at least 20% (twenty per cent) of the total effort in making the co-production film.

3. Notwithstanding the contribution rules set out in paragraphs 1 and 2 of this Article, in exceptional cases, the competent authorities may jointly approve co-production film projects where:

(a) the contribution of one of the co-producers is limited to the provision of finance only, in which case approvals shall be limited to projects where the proposed finance-only contribution is no greater than 50% (fifty per cent) of the total production costs of the film; or

(b) the competent authorities consider that the project would further the objectives of this Agreement and should be approved accordingly.