

No. 54185*

**New Zealand
and
Poland**

Agreement between the Government of New Zealand and the Government of the Republic of Poland concerning the co-production of films (with annex). Warsaw, 21 October 2015

Entry into force: 29 February 2016 by notification, in accordance with article 16

Authentic texts: English and Polish

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**Nouvelle-Zélande
et
Pologne**

Accord de coproduction cinématographique entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement de la République de Pologne (avec annexe). Varsovie, 21 octobre 2015

Entrée en vigueur : 29 février 2016 par notification, conformément à l'article 16

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Agreement

between

the Government of New Zealand

and

the Government of the Republic of Poland

Concerning the Co-Production of Films

The Government of New Zealand and the Government of the Republic of Poland, hereinafter referred to as the "Parties";

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

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

Have agreed as follows:

Article 1

Definitions

For the purposes of this Agreement:

1. "competent authority" means the authority designated as such in the Annex by each Party;
2. "co-producer" means:
 - a) for New Zealand
 - citizens of New Zealand, or
 - permanent residents of New Zealand,
 - b) for the Republic of Poland
 - citizens or permanent residents of the Republic of Poland,
 - citizens of Member States of the European Union,
 - citizens of another contracting state to the Agreement on the European Economic Area, or
 - legal persons and other organising entities based in the Republic of Poland authorised to enter into co-production contracts,
 - c) co-producers of a third party under Article 5 of this Agreement for third party co-productions;
3. "co-production film" means a film made by one or more co-producers of one Party in cooperation with one or more co-producers of the other Party under a project approved jointly by the Competent Authorities, and includes a film to which Article 5 of this Agreement applies;

4. "film" means a work of unspecified length, including a documentary or animated work, consisting of a series of successive images with sound or without sound, recorded on any medium enabling multiple reproduction, producing the impression of movement and forming an original whole, expressing action in an individual form, and, moreover, with the exception of documentary and animated films, intended for screening in cinemas as the primary field of exploitation in the meaning of the regulations on copyright and neighbouring rights.

Article 2

Recognition as a National Film

1. Each co-production film undertaken under this Agreement shall be regarded as a national film in both New Zealand and the Republic of Poland in order to obtain all present and future benefits conferred upon national films, in accordance with the domestic legislation of each Party.
2. Any benefits which may be granted within either New Zealand or the Republic of Poland in relation to a co-production film shall accrue to the co-producer who is permitted to claim those benefits in accordance with the legislation of that Party.

Article 3

Approvals Procedure

1. Co-production films shall require, prior to the commencement of shooting, joint approval of the Competent Authorities. The Competent Authorities shall apply the rules set out in the Annex to this