

No. 11023

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**FRANCE**  
**and**  
**BELGIUM**

**Agreement concerning Franco-Belgian relations in respect of films. Signed at Paris on 20 September 1962**

**Exchange of notes constituting an agreement amending article 15 of the above-mentioned Agreement. Paris, 6 February and 17 October 1967**

**Exchange of letters constituting an agreement amending article 5 of the above-mentioned Agreement. Paris, 17 July 1969 and 31 March 1970**

*Authentic texts: French.*

*Registered by France on 5 April 1971.*

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**FRANCE**  
**et**  
**BELGIQUE**

**Accord sur les relations cinématographiques franco-belges. Signé à Paris le 20 septembre 1962**

**Échange de notes constituant un accord modifiant l'article 15 de l'Accord susmentionné. Paris, 6 février et 17 octobre 1967**

**Échange de lettres constituant un accord modifiant l'article 5 de l'Accord susmentionné. Paris, 17 juillet 1969 et 31 mars 1970**

*Textes authentiques: français.*

*Enregistrés par la France le 5 avril 1971.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> CONCERNING FRANCO-BELGIAN RELATIONS IN RESPECT OF FILMS

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The Government of the French Republic and

The Government of the Kingdom of Belgium

Desiring to develop their relations in connexion with the production and distribution of films,

Have agreed as follows:

TITLE I

CO-PRODUCTION

*Article 1*

PRINCIPLE

The competent authorities of the two countries shall encourage Franco-Belgian co-production of both short and full-length films of good quality.

Films so produced and covered by this Agreement shall be treated as films of national origin by the authorities of the two countries.

Such films shall *ipso facto* benefit from the privileges accorded under the provisions which are at present in force or which may be promulgated in future in either country.

*Article 2*

CO-OPERATION

The script writers, production workers and technicians employed in producing co-production films shall be either French nationals or persons deemed to be such under the laws or regulations in force in France, or Belgians or Frenchmen benefiting, under Belgian regulations, from assistance to the film industry.

1. The participation of actors who are not nationals of either of the countries bound by these co-production agreements shall be permitted only as an exception and with the agreement of the authorities of the two countries, due account being taken of the requirements of the films.

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<sup>1</sup> Came into force on 20 September 1962 by signature, in accordance with article 15.

2. The participation of the minority co-producer shall comprise at least:

- (1) Four persons chosen from the producers and directors and the camera and sound technicians;
- (2) Twenty per cent of the actors and actresses, apart from extras, unless a specific exception is made.

For other technicians and for cutting-room staff, the co-producers shall, if possible, employ a majority from the country in which the film is shot.

### *Article 3*

#### SHOOTING

Co-production films shall be shot on the territory of one or both of the contracting countries.

Nevertheless, exceptions may be made by mutual agreement if the scene of the action or other valid reasons so require, or if the film is co-produced with a third country bound by a co-production agreement with France or Belgium.

### *Article 4*

#### COPIES

The co-producers of films shall be co-owners of the negatives and shall have the right to retain and dispose of one fine-grain print or one inter-negative.

### *Article 5*

#### PARTICIPATION

The contribution of the minority co-producer shall not be less than 30 per cent of the estimate approved by the competent authorities of the two countries for the film.

Nevertheless, for films of exceptional importance and cost, the minority financial participation may be reduced. This concession may be granted in respect of two films per year, in one of which France shall have the majority participation, and in the other Belgium.

*Article 6*

## SHORT FILMS

The co-production of short films may be authorized by the authorities of the two countries only after consideration in each individual case of the film plans.

Such films shall be co-produced as a balanced financial co-production and shall include the participation of a producer or director from each of the two countries.

*Article 7*

## MARKETS AND RECEIPTS

In principle, receipts shall be divided in proportion to the share of the estimated costs borne by each co-producer.

The contract clauses providing for the division of receipts and markets among co-producers shall be approved by the competent authorities of both countries.

*Article 8*

## DESIGNATION AND PARTICIPATION IN FESTIVALS

Co-production films released shall display the designation "Franco-Belgian co-production" or "Belgo-French co-production".

This designation shall appear in a separate frame in the opening credit titles. It shall also be included in the paid advertising relating to the showing of the film at artistic and cultural events, particularly at international festivals, and in all communications concerning such films.

Such films shall be shown at international festivals by agreement between the co-producers.

In the event of dispute, such films shall be entered by the country of the co-producer having the majority participation; films in which each producer has participated to an equal extent shall be entered by the country of which the director is a national.

*Article 9*

## AUTHORIZATION

Applications for authorization accompanied by co-production plans shall be filed before shooting starts, together with all the documents which the competent authorities of the two countries deem necessary.

No contract concluded between the producers of the two countries under the provisions of this Agreement shall be valid until the authorization of the aforesaid authorities has been obtained.

Exchange of authorization shall be the responsibility, on the French side, of the National Film Centre, and on the Belgian side, of the General Directorate of Trade attached to the Ministry of Economic Affairs and Power.

### *Article 10*

#### CO-PRODUCTION WITH THIRD COUNTRIES

The authorities of the two countries shall give favourable consideration and attention, in each individual case, to the co-production of quality films by France and Belgium and countries with which both have valid co-production agreements.

In such cases, the participation of one country shall not be less than 20 per cent.

### *Article 11*

#### FACILITIES

Every facility shall be afforded for the travel and accommodation of artistic and technical personnel working on the films, as well as for the import or export by either country of the material needed for the production and showing of the co-production film (raw film, technical material, costumes, *décor*, publicity material, etc.).

#### TITLE II

#### EXCHANGE OF FILMS

### *Article 12*

#### PRINCIPLE

Subject to the laws and regulations in force, no restriction shall be placed by either Contracting Party upon the sale, import and exhibition of full-length and short films of national origin.

Each Contracting Party shall provide every facility in its country for the distribution of films originating from the other country.

## TITLE III

## GENERAL PROVISIONS

*Article 13*

## CURRENCY TRANSFERS

Currency transfers resulting from the implementation of this Agreement shall be effected in accordance with the provisions of existing conventions.

*Article 14*

## JOINT COMMISSION

A Joint Commission composed of governmental and professional experts appointed by the competent authorities of the two countries shall be established for the purpose of observing and facilitating the implementation of this Agreement and suggesting, if necessary, amendments to it.

The Commission shall in particular supervise the financial, artistic, technical and labour contributions, from each side, to all co-productions; it shall meet alternately in France and Belgium at least once a year, and, in addition, at the request of either of the Contracting Parties.

*Article 15*

## VALIDITY

This Agreement shall enter into force on the date of signature.

It shall be concluded for a period of two years from its entry into force; it shall be renewable for further such periods by tacit agreement unless denounced by one of the Contracting Parties three months before the date of its expiry.

DONE at Paris, on 20 September 1962.

For the Government  
of the French Republic:

[Signed]  
A. JORDAN

For the Government  
of the Kingdom of Belgium:

[Signed]  
ANDRÉ ERNEMANN

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN FRANCE AND BELGIUM AMENDING  
ARTICLE 15 OF THE AGREEMENT OF 20 SEPTEMBER  
1962<sup>2</sup> CONCERNING FRANCO-BELGIAN RELATIONS  
IN RESPECT OF FILMS

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I

FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

The Ministry of Foreign Affairs presents its compliments to the Belgian Embassy in Paris and has the honour to inform it of the following:

The French Government agrees that the provisions of article 15 of the Agreement concerning Franco-Belgian Relations in respect of Films of 20 September 1962<sup>2</sup> shall read as follows:

“Article 15

“VALIDITY

“This Agreement shall enter into force on the date of signature.

“It shall be concluded for a period of two years from its entry into force; it shall be renewable for further such periods by tacit agreement unless denounced by one of the Contracting Parties three months before the date of its expiry.

“The third period of validity shall run from 20 September 1966 to 31 December 1968. As from 1 January 1969, the periods of validity, which shall continue to be of two years, shall begin on 1 January.”

The Ministry of Foreign Affairs would be grateful if the Belgian Embassy would inform it of the Belgian Government's agreement to this new wording of article 15, and takes this opportunity, etc.

Paris, 6 February 1967.  
The Belgian Embassy  
Paris

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<sup>1</sup> Came into force on 17 October 1967 by the exchange of the said notes.

<sup>2</sup> See p. 332 of this volume.

## II

## BELGIAN EMBASSY

Paris, 17 October 1967

No. 16.516 A.32

Sir,

I have the honour to refer to the note dated 6 February 1967 from the Ministry of Foreign Affairs of the French Republic with regard to an amendment which it would be desirable to make to article 15 of the Agreement concerning Franco-Belgian Relations in respect of Films of 20 September 1962, following the discussions which the Joint Commission for the implementation of this Agreement had in Brussels on 12 January 1967.

The Belgian Government agrees that the provisions of article 15 concerning Franco-Belgian Relations in respect of Films of 20 September 1962 shall read as follows:

[See note I]

Accept, Sir, etc.

[Signed]

R. ROTHSCHILD  
Ambassador of Belgium

His Excellency Mr. Maurice Couve de Murville  
Minister for Foreign Affairs  
Paris

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EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN FRANCE AND BELGIUM AMENDING  
ARTICLE 5 OF THE AGREEMENT OF 20 SEPTEMBER  
1962<sup>2</sup> CONCERNING FRANCO-BELGIAN RELATIONS  
IN RESPECT OF FILMS

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I

MINISTER FOR FOREIGN AFFAIRS

17 July 1969

139 CM

Sir,

With reference to article 14 of the Agreement concerning Franco-Belgian Relations in respect of Films, signed at Paris on 20 September 1962<sup>2</sup> and extended and amended by exchanges of letters of 6 February and 17 October 1967,<sup>3</sup> I have the honour to propose that, as was suggested by the Joint Commission at its second session held in Paris from 21 to 23 April 1969, the present text of article 5 (Contribution of the minority co-producer) should be replaced by the following text:

“Article 5

“The contribution of the minority co-producer shall be 30 per cent of the estimate for the film; nevertheless, the contribution may be reduced to 20 per cent with the agreement of the competent authorities of the two countries.”

If this proposal is acceptable to the Belgian Government, I suggest that this letter and your reply should constitute an agreement between the two Governments on this matter.

Accept, Sir, etc.

[Signed]

MAURICE SCHUMANN

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<sup>1</sup> Came into force on 31 March 1970, the date of the note in reply.

<sup>2</sup> See p. 333 of this volume.

<sup>3</sup> See p. 343 of this volume.

## II

## BELGIAN EMBASSY

Paris, 31 March 1970

A.32 CB GEN.

No. 11159

Sir,

I have to acknowledge receipt of your letter of 17 July 1969 in which you kindly transmitted to me, for the attention of my authorities, a draft text designed to replace that of article 5 concerning the contribution of co-producers of Franco-Belgian films.

I have the honour to inform you that the new wording which you submitted to me is acceptable to the Belgian Government.

As you suggested in your letter of 17 July 1969, our two Governments agree on the following text:

[*See letter I*]

Accept, Sir, etc.

[*Signed*]

R. ROTHSCHILD  
Ambassador of Belgium

Mr. Maurice Schumann  
Minister for Foreign Affairs  
Paris

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