

**No. 25448**

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**FRANCE  
and  
ARGENTINA**

**Agreement on cinematography (with annex). Signed at  
Buenos Aires on 23 November 1984**

*Authentic texts: French and Spanish.*

*Registered by France on 6 November 1987.*

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**FRANCE  
et  
ARGENTINE**

**Accord cinématographique (avec annexe). Signé à Buenos  
Aires le 23 novembre 1984**

*Textes authentiques : français et espagnol.*

*Enregistré par la France le 6 novembre 1987.*

[TRANSLATION — TRADUCTION]

## AGREEMENT<sup>1</sup> ON CINEMATOGRAPHY BETWEEN FRANCE AND ARGENTINA

The Government of the French Republic and  
The Government of the Argentine Republic,

Wishing to facilitate the co-production of cinematographic works capable of enhancing the prestige of their countries by their artistic and technical quality, and to develop their cinematographic exchanges,

Have agreed as follows:

### I. CO-PRODUCTION

*Article 1.* Cinematographic co-productions covered by this Agreement shall be treated as national cinematographic works by the authorities of the two countries in accordance with the laws and regulations applicable in their countries.

They shall enjoy as of right the advantages reserved for national cinematographic works by the texts which are or may hereafter be in force in each country.

The making of cinematographic co-productions by the two countries shall require the approval, after mutual consultation, of the competent authorities of the two countries:

- In France: the National Centre for Cinematography
- In Argentina: the National Institute for Cinematography.

*Article 2.* In order to enjoy co-production privileges, cinematographic works must be undertaken by producers who have an organization and experience recognized by the authority of the country to which they belong.

*Article 3.* Applications from the producers of each country for co-production privileges shall be prepared with a view to their approval in accordance with the application procedure envisaged in the annex to this Agreement, which forms an integral part of the Agreement.

The approval given for the co-production of a specific cinematographic work by the competent authorities of each country may not be made dependent on the submission of samples of the cinematographic work.

When the competent authorities of the two countries have given their approval for the co-production of a specific cinematographic work, that approval may not subsequently be withdrawn without agreement between the competent authorities.

*Article 4.* The respective contributions of the producers of the two countries to the co-production of a cinematographic work may vary between 30 and 70 per cent; however, with the agreement of the competent authorities of the two countries, the contribution of the minority co-producer may be reduced to 20 per cent.

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<sup>1</sup> Came into force on 23 November 1984 by signature, in accordance with article 17.

A general balance must, in principle, be achieved between the two countries concerning both respective contributions and provision of services and the participation of artists and technicians.

Cinematographic works must be made by directors, technicians and performers possessing French nationality or resident status, or Argentine nationality or the status of a foreign resident normally working in Argentina.

The participation of a performer who is not of the nationality of one of the States mentioned in the previous paragraph may be accepted because of the requirements of the cinematographic work, following agreement between the competent authorities of the two countries.

*Article 5.* Studio shooting and sound and laboratory work must be undertaken with reference to the following provisions:

Studio shooting must take place preferably in the country of the majority co-producer, unless there is agreement to the contrary between the co-producers.

Each co-producer shall, in any event, be the co-owner of the original picture and sound negative irrespective of where the negative is held.

Each co-producer shall, in any event, have the right to an inter-negative of his own version. If one of the co-producers renounces that right, the negative shall be deposited in a place chosen by joint agreement of the co-producers.

In principle, the development of the negative shall take place in a laboratory in the majority country, as shall the printing of copies intended for showing in that country, copies intended for showing in the minority country being printed in a laboratory in that country.

*Article 6.* The competent authorities of the two countries shall make a periodic assessment as to whether the balance of artistic and technical contributions between the two countries resulting from the provisions of this Agreement has been maintained and, if it has not, shall take whatever measures may be considered necessary.

*Article 7.* Returns shall, in principle, be shared in proportion to the total contribution of each co-producer. The financial arrangements made by the co-producers and the areas involved in sharing returns shall be subject to the approval of the competent authorities of the two countries.

*Article 8.* In the absence of any provisions to the contrary in the co-production contract, the export of cinematographic co-productions shall be carried out by the majority co-producer with the agreement of the minority co-producer.

In the case of cinematographic works in which the two countries have participated on an equal basis, export shall be carried out, in the absence of a contrary agreement between the Parties, by the co-producer possessing the nationality of the director. In the event of export to a country applying import restrictions, the cinematographic work shall, as far as possible, be charged against the quota of the country associated in the co-production which benefits from the more favourable system.

*Article 9.* Credits, trailers and publicity material for cinematographic co-productions shall indicate that the latter are Franco-Argentine co-productions.

*Article 10.* In festivals and competitions, cinematographic co-productions shall be presented with the nationality of the State to which the majority co-producer belongs, unless a different arrangement has been made by the co-producers and approved by the competent authorities of the two countries.

*Article 11.* In co-productions of short cinematographic works, each cinematographic work must be undertaken with a concern for achieving an overall artistic, technical and financial balance.

*Article 12.* The competent authorities of the two countries shall give favourable consideration, on a case-by-case basis, to the making of cinematographic co-productions by France, Argentina and countries with which either State has co-production agreements.

*Article 13.* Subject to the laws and regulations in force, every facility shall be afforded for the travel and sojourn of artistic and technical personnel working on cinematographic co-productions and for the import and export to and from each country of material needed for making and showing them (raw film, technical material, costumes, sets, publicity material, etc.).

## II. EXCHANGES OF CINEMATOGRAPHIC WORKS

*Article 14.* Subject to the laws and regulations in force, no restrictions shall be imposed by either Party on the sale, import, showing and general distribution of national cinematographic works.

Transfers of receipts from the sale and showing of cinematographic works imported under this Agreement shall be made pursuant to the contracts concluded between the producers in accordance with the laws and regulations in force in each country.

## III. GENERAL PROVISIONS

*Article 15.* The competent authorities of the two countries shall communicate to each other full information on the financial and technical matters concerning co-productions and exchanges of cinematographic works and, in general, all particulars concerning cinematographic relations between the two countries or changes in the laws or regulations that might affect them.

*Article 16.* The competent authorities of the two countries shall give consideration, as required, to the conditions of application of this Agreement in order to resolve any difficulties caused by implementation of its provisions. They shall study amendments as may be desirable with a view to developing cinematographic co-operation in the common interest of the two countries.

They shall meet within the framework of a mixed cinematographic commission at the request of one of them, particularly in the event of substantial changes in the laws or regulations applicable to the film industry.

*Article 17.* This Agreement shall enter into force as from the date of signature.

This Agreement is concluded for a period of two years from the date of its entry into force. It shall thereafter be automatically extended for periods of two years unless denounced by one of the Parties three months before the date of its expiry.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE at Buenos Aires on 23 November 1984 in duplicate in the French and Spanish languages, both texts being equally authentic.

For the Government  
of the French Republic:

[*Signed*]

ANTOINE BLANCA

For the Government  
of the Argentine Republic:

[DANTE CAPUTO]

## ANNEX

### APPLICATION PROCEDURE

In order to benefit from the provisions of this Agreement, producers of each country must attach to their co-production applications submitted to their respective authorities one month before the shooting of the film is to begin, a set of documents comprising:

- A document showing that copyright for the economic utilization of the work has been acquired;
- A shooting script;
- A list of the technical and artistic contributions to be made by the two countries;
- A detailed cost estimate and a detailed financing plan;
- A production schedule for the cinematographic work; and
- The co-production contract concluded between the co-producing companies.

The competent authorities of the country having the minority financial participation shall give their approval only after receiving the opinion of the competent authorities of the country having the majority financial participation.

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