

The French version shall prevail over the English one

FILM CO-PRODUCTION AGREEMENT BETWEEN FRANCE AND BULGARIA

signed in Sofia on 11 September 1971

French Decree No. 72-1000 of 27 October 1972

(French Official Gazette of 5 November 1972)

The Government of the French Republic and the Government of the People's Republic of Bulgaria, desiring to develop and expand the cooperation between their film industries, resolved to encourage the making of films in co-production that, through their artistic and technical qualities, are capable of enhancing the prestige, in particular at a cultural level, of the two countries and to develop exchanges of films between them, for such purposes, have agreed as follows:

I. CO-PRODUCTION

Article 1

Co-production films that have been approved under the terms of this agreement shall be treated as national films by the authorities of both countries.

They shall be automatically entitled to the full enjoyment of all benefits resulting from such status under the provisions in force in each country.

The making of a co-production film between the two countries shall be subject to the approval, after consultation between them, of the competent authorities of each country:

In France: the *Centre National de la Cinématographie*;

In Bulgaria: the Bulgarian Film Council.

Article 2

To benefit from this co-production agreement, the production of films must be undertaken by producers with a sound technical and financial set-up and professional experience recognised by the relevant national authority.

Article 3

Every co-production film shall have one negative and either one duplicate negative, internegative or interpositive.

Each co-producer shall own one of the copies listed above.

Article 4

Films shall be produced on the following terms and conditions:

The proportions contributed by the respective producers from both countries shall be between 30 and 70 % per film. All co-production films shall involve, from both sides, an effective artistic and technical participation.

Each co-producer shall assess the value of its participation using the prices currently applied in the international film production industry.

Article 5

Films shall be made by directors, technicians and artists that are nationals of France or have the status of a privileged resident as regards France, or nationals of Bulgaria as regards Bulgaria.

In exceptional cases, the participation of a performer that is not a national of either country may be accepted.

Article 6

Receipts shall be divided in proportion to the overall contribution of each of the co-producers.

Such distribution shall involve either a division of receipts or a geographical division taking into account, in the latter case, any difference in the size of the markets allocated to the signatory countries, or using a combination of both methods. Such division shall be subject to the approval of the competent authorities of both countries.

For the purposes of such division, receipts from the exploitation in France of co-produced films shall accrue to the French co-producer and those from the exploitation of the same films in Bulgaria shall accrue to the Bulgarian co-producer.

Article 7

In principle, co-produced films shall be exported by the majority co-producer.

For films in which the participation of both parties is the same, films shall be exported by the co-producer having the same nationality as the director, unless otherwise agreed between the parties.

As regards countries applying import restrictions, the film shall be included in the quota of the country having the best export opportunities. In the event of problems, the film shall be included in the quota of the country of which the director is a national.

Article 8

Credits, trailers and promotional material for films made within the framework of this agreement shall refer to the fact that the film is a co-production between France and Bulgaria.

Unless otherwise agreed between the parties, co-produced films shall be shown at international events and festivals by the country providing the majority producer or, where participation is on an equal basis, the country of which the director is a national.

Article 9

A general balance must be maintained both as regards artistic means and the use of the technical resources of the two countries, in particular studios and laboratories.

Article 10

The competent authorities of the two countries shall give favourable consideration to the co-production of films meeting international standards between the French Republic, the People's Republic of Bulgaria and countries with which either of them is bound by film co-production agreements.

The conditions in which such films will be approved, shall be examined on a case-by-case basis.

Article 11

Every facility shall be granted in connection with the travel and stay of artistic and technical staff working on the production of such films as well as the import or export to or from each country of such equipment as is necessary for the making and exploitation of the co-production films (film, technical equipment, costumes, items of film set, promotional materials etc.).

II. EXCHANGE OF FILMS

Article 12

No restrictions shall be placed on the export, import or exploitation of film prints in either country subject to the applicable statutory and regulatory provisions.

Article 13

Bulgarian films shall be eligible, within the territory of the French Republic, to a reimbursement of the release tax (*taxe de sortie*) levied in connection with the exploitation of the French version of the films.

III. GENERAL PROVISIONS

Article 14

The competent authorities of the two countries shall provide each other with any and all information concerning the co-productions, exchanges of films and, in general, any information relating to film relations between the two countries.

Article 15

The competent authorities of the two countries shall facilitate within their own territory and within the framework of the applicable statutory and regulatory provisions, the shooting of the other country's national films.

Article 16

A mixed commission shall be responsible for reviewing the conditions governing the implementation of this agreement, resolving any problems that may arise and recommending possible amendments with a view to developing film cooperation to the mutual benefit of both countries.

For such time as this agreement remains in force, such commission shall meet once a year, alternating between France and Bulgaria. Such commission shall also meet at the request of one of the contracting parties, in particular in the event of substantial amendments to either the statutory or regulatory provisions applicable to the film industry.

Article 17

The distribution of the receipts from co-produced films, pursuant to the terms of this agreement, shall not be affected by the termination of the agreement and shall continue, in such a case, on the terms and conditions previously agreed upon under the provisions of Article 6.

Article 18

The agreement shall be entered into for a period of two years from the date of its entry into force. It shall be automatically renewed for additional two-year periods save in the event of termination by one of the parties three months before its expiry.

Each Government shall notify the other of its approval of this agreement. Such agreement shall enter into force thirty days after the last of such notices.

Article 19

This agreement shall be registered with the United Nations Secretariat pursuant to the provisions of Article 102 of the Charter.

Registration shall be carried out by the country in whose territory the agreement was signed.

Done in Sofia, on 11 September 1971, in duplicate, in the French and Bulgarian language, both texts being equally authoritative.

Signatories:

For the Government of the French Republic: Maurice Schumann, Minister of Foreign Affairs.

For the Government of the People's Republic of Bulgaria: Ivan Bachev, Minister of Foreign Affairs.

ANNEX

Approval procedure

In order to be entitled to benefit from the provisions of the agreement, the producers of each of the countries shall enclose with their applications for co-production status sent to their respective authorities a file containing in particular (one month prior to the start of shooting):

- a detailed script;
- a document recording the assignment of copyright;
- the co-production contract entered into between the co-producing companies;
- the budget and detailed financing plan;
- a list of the technical and artistic contributions from the two countries;
- a film production schedule.

The authorities of the country with the minority financial interest shall give their approval only after receiving the opinion of the authorities of the country with the majority financial interest.