

ANNEX XI

REFERRED TO IN PARAGRAPH 4 OF ARTICLE 3.16

CO-PRODUCTION OF BROADCASTING PROGRAMMES

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Article 1

Scope

1. For the purposes of this Annex, the term “co-production” refers to projects, including animation and documentary productions, produced for broadcasting including new media services.
2. Co-productions undertaken under this Annex must be approved by the following authorities (hereinafter referred to as “competent authorities”):

For Korea:	the Korean Broadcasting Commission;
For Iceland:	the Ministry of Education;
For Liechtenstein:	the Ministry of Culture;
For Norway:	the Norwegian Film Fund (for co-productions with independent producers) and the Norwegian Media Authority (for co-productions with TV broadcasters); and
For Switzerland:	the Federal Office of Culture.

Article 2

National Treatment

A co-production produced under this Annex shall be considered to be national production, regarding TV broadcasting in each of the Parties involved in that co-production, subject to the national legislation in force in the Parties involved. In respect of funding of co-productions, each Party maintains its own principles and practices.

Article 3

Market Access

No restrictions other than those contained in the legislation and regulations in force in each of the Parties involved shall be placed on the import, distribution and exhibition of a Party’s broadcasting productions in other Parties involved.

Article 4

Temporary Entry

Subject to their legislation and regulations in force, the Parties shall facilitate the temporary entry into their respective territories of the creative and technical personnel and the performers engaged by a co-producer for the purpose of the co-production. The Parties shall similarly permit the temporary entry and re-export of any equipment necessary for the co-production.

Article 5

Contribution and Ownership

1. The proportion of the respective contributions of the co-producers shall not be less than 20 percent of the budget for each co-production.
2. The co-producers shall be required to make an effective technical and creative contribution proportionate to their respective investment.
3. The ownership and use of the copies of the production and reproduction materials and the access to the original production material shall be agreed upon by the co-producers.

Article 6

Language

1. The original sound track of each co-production shall be made in a national language of a Party involved. Shooting in any or several of these languages is permitted. Dialogue in other languages may be included in the co-production as the script requires.
2. The dubbing or subtitling of each co-production into the national language of a Party shall be carried out in that Party. Any departures from that rule must be approved by the competent authorities of the Parties involved.

Article 7

Exports

Where a co-production is exported to a country that has quota regulations:

- (a) it shall, in principle, be included in the quota of the Party of the majority co-producer;
or
- (b) it may be included in the quota of the Party that has the best opportunity of arranging for its export.

Article 8

Rules of Procedure

Rules of procedure regarding co-production may be established by the Joint Committee at its first meeting.
