

CHAPTER NINE
AUDIO-VISUAL CO-PRODUCTION

ARTICLE 9.1: GENERAL PRINCIPLE

1. Recognising that audio visual, including film, animation, broadcasting programme, game¹ and visual effects, co-productions can significantly contribute to the development of the audio visual industry and to an intensification of cultural and economic exchange between them, the Parties agree to consider and negotiate co-production agreements in the audio visual sector.

2. The co-production agreement in accordance with paragraph 1 is an integral part of this Agreement. The detailed co-production agreement would be negotiated between the competent authorities of the Parties, which are the Ministry of Information and Broadcasting for India and the Ministry of Culture, Sports and Tourism and the Korea Communications Commission for Korea.

ARTICLE 9.2: SCOPE

The scope of the co-production agreement under Article 9.1.2 includes film, broadcasting programme, game, visual effects and animation for exploitation in theatres and on television, videocassettes, videodisc, digital device (CD-ROM, DVD, VOD, mobile phone, etc.) or by any other form of distribution. New forms of audio visual production will be included in the co-production agreement through the exchange of notes between the Parties.

ARTICLE 9.3: BENEFITS

Co-produced projects in compliance with the co-production agreement shall be deemed to be national productions in the territory of each Party and shall thus be fully entitled to all the benefits including government support which are accorded under the applicable laws and regulations of each Party.

ARTICLE 9.4: AMENDMENT

The amendment of the co-production agreement can be done by the mutual consent of the Parties.

¹ Under this Chapter, “game” does not include gambling, which means risking something of value in the expectation of receiving prizes upon the outcome of a game of chance.