

No. 30176

**FRANCE
and
SENEGAL**

**Agreement on cinematography (with annex). Signed at Paris
on 2 June 1992**

Authentic text: French.

Registered by France on 3 August 1993.

**FRANCE
et
SÉNÉGAL**

**Accord cinématographique (avec annexe). Signé à Paris le
2 juin 1992**

Texte authentique : français.

Enregistré par la France le 3 août 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CINEMATOGRAPHY (WITH ANNEX) BETWEEN
THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE
GOVERNMENT OF THE REPUBLIC OF SENEGAL

The Government of the French Republic,

The Government of the Republic of Senegal,

Desiring to pursue cooperation in the area of cinematography, to facilitate the co-production of films whose artistic and technical qualities are likely to enhance the prestige of their countries and strengthen cultural ties between Europe and Africa, and to develop the exchange of films between them,

Have agreed as follows:

I. CO-PRODUCTION

Article 1

1. Full-length and short films co-produced and qualified under this Agreement are considered to be national films by the authorities of the two countries, in accordance with the laws and regulations applicable in their countries.

They shall by right benefit from the privileges reserved for national films under the provisions which are in effect or under those which may be enacted in each country.

Films to be co-produced by the two countries must be approved after consultation between the competent authorities of the two countries:

- In France: the National Film Centre;
- In Senegal: the Film Board.

Article 2

In order to qualify for co-production benefits, the producers making the film must have an organization and experience recognized by the competent authority in their country.

Article 3

Applications for co-production benefits shall be filed by the producers of each of the two countries in accordance with the application procedure set forth in the annex to this Agreement; the latter shall be an integral part of said Agreement.

Approval for the co-production of a given film by the competent authorities of each of the two countries may not be subject to presentation of printed elements of the said film.

¹ Came into force on 2 June 1992 by signature, in accordance with article 17.

When the competent authorities of the two countries have given their approval for the co-production of a given film, such approval may not subsequently be withdrawn unless the said competent authorities agree otherwise.

Article 4

The respective contributions of the producers of the two countries to a co-production film may vary from 20 to 80 per cent.

The contribution of the minority co-producer must include effective technical and/or artistic participation.

Exceptions may be permitted only if jointly approved by the competent authorities of both countries.

Films must be made by directors, technicians and actors who are French nationals or resident in France, nationals of Senegal or another French-speaking African State or resident in Senegal.

The participation of actors or technicians who are not nationals of one of the States referred to in the preceding paragraph may be permitted, due account being taken of the requirements of the film.

Article 5

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

Each producer shall be entitled, in any event, to an internegative in his own language. If either co-producer waives this right, the negative shall be kept in a place selected jointly by the co-producers.

Article 6

The co-producers shall freely determine how receipts are to be divided; in principle, such division shall be in proportion to the total contribution of each co-producer. The financial provisions adopted by the co-producers and the areas of division of receipts shall be subject to approval by the competent authorities of the two countries.

Article 7

Unless the co-production contract provides otherwise, export arrangements for films shall be made by the majority co-producer with the agreement of the minority co-producer.

If the respective contributions of the co-producers are equal, export arrangements shall, unless otherwise agreed by the parties, be made by the co-producer having the same nationality as the director. In the case of exports to countries which have import restrictions, the film shall be charged against the quota of the co-producing country which enjoys the more favourable arrangement.

Article 8

Credits, trailers and advertising material for co-produced films shall indicate that such films are co-productions between France and Senegal and, in the case of co-productions involving more than two countries, the other participating countries.