

No. 48892

**Argentina
and
Italy**

Agreement on film co-productions between the Government of the Argentine Republic and the Government of the Italian Republic (with annex). Rome, 16 October 2006

Entry into force: *14 March 2011 by notification, in accordance with article 19*

Authentic texts: *English, Italian and Spanish*

Registration with the Secretariat of the United Nations: *Argentina, 16 August 2011*

**Argentine
et
Italie**

Accord sur les coproductions cinématographiques entre le Gouvernement de la République argentine et le Gouvernement de la République italienne (avec annexe). Rome, 16 octobre 2006

Entrée en vigueur : *14 mars 2011 par notification, conformément à l'article 19*

Textes authentiques : *anglais, italien et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Argentine, 16 août 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT ON FILM CO-PRODUCTIONS
BETWEEN THE GOVERNMENT OF THE ARGENTINE
REPUBLIC
AND THE GOVERNMENT OF THE ITALIAN REPUBLIC**

PREAMBLE

THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF THE ITALIAN REPUBLIC, hereinafter referred to as the "Parties";

ACKNOWLEDGING the ongoing development in their bilateral cultural relations and also cognizant of the existing agreements between the Parties;

CONSIDERING that the film industries of their respective countries could benefit from co-productions that, by their technical quality and artistic and entertainment value, would enhance the reputation and contribute to the economic expansion of the film, television, video and new media production and distribution industries of Italy and Argentina;

HEREBY AGREE AS FOLLOWS:

**ARTICLE 1
Definitions**

For the purpose of this Agreement:

- a "co-production film" means a project irrespective of length, including animation and documentary productions carried out by an Italian coproducer and a Argentinian coproducer, produced in any

format, for exploitation primarily in theatres and then on television, videocassette, videodisc, CD-ROM or by any other form of distribution. New forms of cinematographic production and distribution will be included in this Agreement;

- "italian coproducer" means one or more cinematographic production companies, as provided by the laws in force in Italy;
- "Argentinian coproducer" means one or more cinematographic production companies, as provided by the laws in force in Argentina;
- the "competent Authorities", responsible for the implementation of this agreement, means:
 - in relation to the Italian Republic: the Ministry of the Properties and the Cultural Activities, Directorate-General of Cinema
 - in relation to the Republic of Argentina: the National Institute of Cinema and Audiovisual Arts (INCAA)

ARTICLE 2

National Film

(1) Every co-production produced under this Agreement shall be considered as a national film by both Parties. Such films shall by right be entitled to the benefits resulting from the provisions in force or from those which may be decreed by each Party for its national films. Only the italian coproducer shall be entitled to the benefits accorded to national films in Italy and only the Argentinian coproducer shall be entitled to the benefits accorded to national films in Argentina.

(2) Films to be co-produced by the Parties must be approved by the competent Authorities after consultation between the same competent Authorities of both Parties.

ARTICLE 3

Co-production

- (1) In order to qualify for the benefits of co-production, the co-producers shall provide evidence that they have good technical organization, recognized professional standing and qualifications to bring the production to a successful conclusion.
- (2) Approval shall not be given to a project where the co-producers are linked by common management or control, save to the extent that such links are inherent in the making of the co-production film itself.

ARTICLE 4

Filming

- (1) Coproduction films shall be made, processed and dubbed or subtitled, up to creation of the first release print, in the countries of the participating co-producers, in accordance with the article 7. If the scenario or the subject of the film so requires, location shooting, exterior or real life interior, in a country not participating in the co-production may be authorized.
- (2) The authors, scriptwriters, directors, actors and professionals of co-productions, as well as technicians participating in the production, must be nationals of the Italian Republic or the Argentine Republic, or nationals of member States of the European Union or long term residents of the Italian Republic or of the Argentine Republic according to the Community and national law in force in the two countries.
- (3) Should the film so require, the participation of professionals who are not in the conditions provided by paragraph 2 may be permitted, but only in exceptional circumstances, and subject to agreement between the competent authorities of both Parties.

(4) Foreign professionals who are resident and/or normally employed in the Italian Republic or in the Argentine Republic may, in exceptional circumstances, take part in co-production as long term residents of one or the other of the said countries.

ARTICLE 5

Contributions of the Producers

(1) The respective contributions of the producers of the two countries may vary from ten (10) to ninety (90) per cent for each film. The co-producers shall be required to make in principle an effective technical and creative contribution, proportional to financial investment.

(2) Financial coproducers are allowable in the same percentage provided by paragraph (1).

(3) In the case the italian co-producer or the Argentinian co-producer is composed of more production companies, the financial contribution of each company shall not be less than five (5) per cent of the total budget of the film.

ARTICLE 6

Multilateral Productions

(1) The Parties shall look favorably upon co-productions meeting international standards by Italy, Argentina and one or more countries to which Italy and or Argentina is bound by an official co-production agreement.

(2) The conditions of acceptance for such films shall be jointly approved in each case by both Parties subject to respective domestic laws. No minority contribution to such film shall be less than ten (10) per cent of the budget.