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**New Zealand
and
Canada**

Audiovisual Coproduction Treaty between the Government of New Zealand and the Government of Canada (with annex). Toronto, 11 September 2016

Entry into force: *1 May 2017, in accordance with article 15*

Authentic texts: *English and French*

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**Nouvelle-Zélande
et
Canada**

Traité de coproduction audiovisuelle entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement du Canada (avec annexe). Toronto, 11 septembre 2016

Entrée en vigueur : *1^{er} mai 2017, conformément à l'article 15*

Textes authentiques : *anglais et français*

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AUDIOVISUAL COPRODUCTION TREATY
BETWEEN
THE GOVERNMENT OF NEW ZEALAND
AND
THE GOVERNMENT OF CANADA

THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF CANADA (the "Parties"),

RECOGNIZING that quality audiovisual treaty coproductions contribute to the vitality of their audiovisual industries and to the development of their economic and cultural exchanges;

APPRECIATING that cultural diversity is nurtured by constant exchanges and interaction between cultures and that it is strengthened by the free flow of ideas;

CONSIDERING that, in pursuit of international cooperation, the UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, done at Paris on 20 October 2005, encourages audiovisual coproduction treaties as a means of promoting international cooperation;

AGREEING that these exchanges may enhance the relations between the Parties;

RECOGNIZING that these objectives may be achieved by granting domestic benefits to qualified audiovisual treaty coproductions;

HAVE AGREED as follows:

ARTICLE 1

Definitions

For the purpose of this Treaty:

“administrative authority” means for each Party, the designated authority which administers this Treaty;

“audiovisual” means a film, television, and/or video work on any production support known or not yet known for any distribution platform intended for viewing;

“competent authority” means for each Party, the authority which has the overall responsibility for the implementation of this Treaty;

“coproducing parties” means the Parties, along with third parties when applicable;

“elements”:

- i. “Canadian elements” means:
 - a) expenditures incurred in Canada by the Canadian producer; and
 - b) expenditures on Canadian creative and technical personnel incurred in other States and territories by the Canadian producer, in the course of the production of a work;
- ii. “New Zealand elements” means:
 - a) expenditures incurred in New Zealand by the New Zealand producer; and
 - b) expenditures on New Zealand creative and technical personnel incurred in other States and territories by the New Zealand producer, in the course of the production of a work;

“national” means a natural or legal person, as defined by the laws of the respective States and territories, who has the right under those laws to

benefit from the application of this Treaty; in the case of New Zealand, "national" also includes any person who is required to be treated as a New Zealander for the purposes of implementing this Treaty;

"non-party" means a State or territory other than the coproducing parties;

"producer" means a national that manages the production of a work;

"third party" means a State or territory that has a coproduction treaty or memorandum of understanding with at least one of the Parties and that has a producer involved in the work;

"work" means an audiovisual work, including every version of that work, to be subsequently recognized as an audiovisual treaty coproduction by each Party.

ARTICLE 2

General Conditions

1. Each Party shall consider every work as if it were its own production in establishing whether that work is entitled to the same benefits as that Party's own audiovisual industry.
2. Each Party shall grant the benefits referred to in paragraph 1 to the producers of the work who are its own nationals.
3. For works coproduced over a period of five years, each Party shall strive to achieve overall balance of:
 - (a) financing; and
 - (b) the use of nationals of each Party in key positions.