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**Israel  
and  
India**

**Agreement on film co-production between the Government of the State of Israel and the Government of the Republic of India (with annex). New Delhi, 15 January 2018**

**Entry into force:** *14 August 2018 by notification, in accordance with article 16*

**Authentic texts:** *English, Hebrew and Hindi*

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**Israël  
et  
Inde**

**Accord de coproduction cinématographique entre le Gouvernement de l'État d'Israël et le Gouvernement de la République de l'Inde (avec annexe). New Delhi, 15 janvier 2018**

**Entrée en vigueur :** *14 août 2018 par notification, conformément à l'article 16*

**Textes authentiques :** *anglais, hébreu et hindi*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Israël, 21 février 2019*

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**AGREEMENT  
ON  
FILM CO- PRODUCTION  
BETWEEN  
THE GOVERNMENT OF THE STATE OF ISRAEL  
AND  
THE GOVERNMENT OF THE REPUBLIC OF INDIA**

The Government of the State of Israel and the Government of the Republic of India hereinafter referred to as "the Parties";

Mindful of the fact that mutual cooperation may serve the development of film production and encourage the further development of the cultural and technological ties between the two countries;

Considering that co-production may benefit the film industries of their respective countries and contribute to the economic growth of the film, television, video and new media production and distribution industries in Israel and in India;

Noting their mutual decision to establish a framework for encouraging all audio- visual media output, especially the co- production of films;

Recalling the Cultural Agreement between the Government of the State of Israel and the Government of the Republic of India, signed in New Delhi, on May 18, 1993, and in particular Article 1 thereof;

Have therefore agreed as follows:

**Article 1**  
**DEFINITIONS**

For the purpose of this Agreement:

- (1) "**co- production**" or "**co- production film**" means a cinematographic work, with or without accompanying sounds, regardless of length or genre, including film , animation and documentary productions, made by an Israeli co-producer and a Indian co-producer, produced in any format, for distribution through any venue or medium, including theatres, television, internet, videocassette, videodisc, CD-ROM or any similar means, including future forms of cinematographic production and distribution that shall be included in the present Agreement by exchange of notes between the Parties;
- (2) "**Israeli co-producer**" means the Israeli person or entities who is authorized to enter into co-production contracts with a view to organizing, carrying out and co-financing film production;
- (3) "**Indian co-producer**" means the Indian person or entities who is authorized to enter into co-production contracts with a view to organizing, carrying out and co-financing film production;
- (4) The "**Competent Authorities**" means both Competent Authorities responsible for the implementation of this Agreement or either Competent Authority in regard to its own country, as the case may be. The Competent Authorities are:
  - For the Israeli Party: The Ministry of Culture and Sport or its designee(s);
  - For the Indian Party: The Ministry of Information and Broadcasting;

**Article 2**  
**RECOGNITION AS A NATIONAL FILM AND ENTITLEMENT TO**  
**BENEFITS**

- (1) Films to be co-produced pursuant to this Agreement by the two countries must be approved by the competent authorities.
- (2) Any co-production produced in pursuance of this Agreement shall be considered by the Competent Authorities as a national film and shall be entitled to all the benefits which are or may be accorded to national films by each of the Parties under their respective national laws. These benefits accrue solely to the co-producer of a country that grants them.
- (3) These films shall be entitled to claim all state support and benefits available to the film and video industries and the privileges granted by the provisions in force in the respective countries.
- (4) Failure of a Party's co-producer to fulfill the conditions according to which that Party has approved a co-production or a material breach of the co-production agreement by a Party's co-producer may result in that Party revoking the co-production status of the production and the attendant rights and benefits.

**Article 3**  
**APPROVAL OF PROJECT**

- (1) In order to qualify for the benefits of co-production, the co-producers shall provide evidence that they have the adequate technical organization, financial support, 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, except to the extent that such an association has been established specifically for the purpose of the co-production film itself.

**Article 4**  
**PARTICIPANTS**

- (1) The Indian and the Israeli co-producers must at all times throughout the production retain their national status, and may not acquire or lose such status at any point during the course of production activity.
- (2) Should the co-production so require, the participation of professionals who are not citizens of any of the co-producing countries may be permitted, but only in exceptional circumstances, and subject to the approval of the Competent Authorities of both the countries.
- (3) Co-production films shall be made, processed, dubbed or subtitled, up to creation of the first release print in the countries of the participating co-

producers. However, if a scenario or the subject of the film so requires, location shooting, exterior or interior, in a country not participating in the co-production may be authorized by the Competent Authorities. Similarly, if processing, dubbing or subtitling services of satisfactory quality are not available in a country participating in the co-production, the Competent Authorities may authorize the procurement of such services from a supplier in a third country-

- (4) Use of any other languages in a co-production other than the languages permitted with approval of Competent Authority according to the legislation of the Parties may be added to the co-production if the screenplay requires it.

#### **Article 5** **CONTRIBUTION**

- (1) The respective contributions of the producers of the two countries may vary from twenty (20) to eighty (80) per cent of the final total cost of each co-production film. In addition, the co-producers shall be required to make an effective technical and creative contribution, proportional to their financial investment in the co-production film. The technical and creative contribution should be comprised of the combined share of authors, performers, technical-production personal, laboratories and facilities.

Any exception to the abovementioned principles must be approved by the Competent Authorities, who may, in special cases, authorize that the respective contributions by the producers of the two countries vary from ten (10) to ninety (90) per cent.

- (2) In the event that the Israeli co-producer or the Indian co-producer is composed of several production companies, the contribution of each company shall not be less than five (5) per cent of the total budget of the co-production film.
- (3) In the event that a producer from a third country is authorized to participate in the co-production its contribution shall not be less than ten (10) per cent. In the event that the co-producer from a third country is composed of several production companies, the contribution of each company shall not be less than five (5) per cent of the total budget of the co-production film.

#### **Article 6** **FILM NEGATIVES AND LANGUAGES**

- (1) The original sound track of each audio visual co-production shall be made in Hindi, or any other Indian languages or dialect, or in Hebrew, English, Arabic or the official language of the other contracting party, or in any combination of those permitted languages, up to creation of the first release print in the countries of the participating co-producers. Dialogue in other languages may be included in the audio visual co-production, as the script requires.