

**Indo-Poland Audio-visual
Co-Production
Agreement**



AGREEMENT

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDIA AND THE GOVERNMENT OF THE REPUBLIC OF POLAND ON AUDIOVISUAL CO-PRODUCTION

THE GOVERNMENT OF THE REPUBLIC OF INDIA AND THE GOVERNMENT OF THE REPUBLIC OF POLAND hereinafter referred to as the "Parties":

CONSIDERING it desirable to establish a legal framework for relations regarding audiovisual co-production, especially the production of films for the cinema and television, as well as films intended solely for dissemination on analogue or digital data carriers;

AWARE that a high quality of co-production may encourage the development of enterprises and institutions which produce, distribute and disseminate films and enhance cultural and economic exchange between both States;

CONVINCED that such exchange shall strengthen relations between both States;

HAVE AGREED AS FOLLOWS:

Article 1

1. For the purpose of this Agreement:
 - 1) The term "Co-production" means a set of actions taken by co-producers from both States that result in production of a film, regardless of genre or length, with or without sounds, including fiction, animation and documentary productions, made in any format, and intended for distribution in any manner, especially cinema screening as its primary field of use;
 - 2) The term "Co-producer" means a person who is a citizen of the Republic of Poland or the Republic of India, or a legal entity based in the territory of either State who is authorised to enter into co-production contracts with a view to organising, carrying out and co-financing film production;

2. Each co-production undertaken under this Agreement, after it has fulfilled all the conditions herein, must gain approval from the following Competent Authorities:
 - 1) In the Republic of India – the Ministry of Information and Broadcasting
 - 2) In the Republic of Poland – the Minister of Culture and National Heritage,
- 3) Each co-production undertaken under this Agreement shall be in accordance with the law in force in the Republic of Poland and in the Republic of India.
- 4) Unless otherwise provided for under the laws in force in the Republic of Poland and the Republic of India, each co-production undertaken under this Agreement shall be regarded as a domestic production in each State-Party in order to obtain all present and future benefits conferred upon domestic productions in these two States. Nevertheless, such benefits shall be due only to co-producers from the State which confers these benefits.

Article 2

The Co-producers in either of the two States shall satisfy themselves about each other's capability, including their professional knowledge, organisational capability, financial backing and professional reputation.

Article 3

1. The financial contribution of each co-producer shall be between twenty (20) percent and eighty (80) percent of the co-production budget.
2. The co-producers from each State should make a tangible creative and technical contribution to a co-production in proportion to their share in its budget, encompassing the total engagement of film makers, actors, technical-production personnel, laboratories and facilities. In justified cases, the Competent Authorities may approve a co-production which does not satisfy all of these requirements.