

**Implementing Arrangement On Film And Television Co-Production
to the Agreement between the Separate Customs Territory of Taiwan,
Penghu, Kinmen, and Matsu and New Zealand on Economic Cooperation**

1. The competent authorities for Chapter 18 (Film and Television Co-Production) of the *Agreement Between the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu and New Zealand on Economic Cooperation* are:
 - (a) in relation to New Zealand: the New Zealand Film Commission (NZFC); and
 - (b) in relation to Chinese Taipei: Bureau of Audiovisual and Music Industry Development, Ministry of Culture (BAMID).
2. The approval process under Article 3 of Chapter 18 (Film and Television Co-Production) will comprise two stages: provisional approval upon application, and final approval upon completion of the film and prior to distribution.
3. There will be a contract between the co-producers governing the making of a co-production film which will:
 - (a) provide that a co-producer may not assign or dispose of benefits referred to in Article 4 of Chapter 18 (Film and Television Co-Production), except to or for the benefit of a natural person of that Party;
 - (b)
 - (i) assign, as between the co-producers, ownership of all intellectual property rights arising from the making of the co-production; and
 - (ii) set out the arrangements between the co-producers regarding the exercise of rights of access to and use of copyright works created in the making of the co-production film;
 - (c) set out the financial liability of each co-producer for costs incurred:

- (i) in preparing a co-production project which is refused approval as a co-production film by the competent authorities;
 - (ii) in making a film which has been given such approval and fails to comply with the conditions of such approval; and
 - (iii) in making a co-production film, permission for whose public exhibition is withheld in any of the countries of the co-producers;
- (d) set out the arrangements regarding the division between the co-producers of the receipts from the exploitation of the co-production film including those from export markets;
- (e) specify dates by which the respective contributions of the co-producers to the production of the film shall have been completed;
- (f) specify whether the co-production film shall be shown in film festivals as a domestic film of the majority co-producer or as a domestic film of all the co-producers; and
- (g) specify any other conditions of approval that the competent authorities jointly agree.

Signed at Wellington, on the 10th day of July, 2013, in duplicate in the English language.



For the Separate Customs
Territory Of Taiwan, Penghu,
Kinmen And Matsu



For New Zealand