

## Measures for the Administration of Chinese-Foreign Cooperative Film Production

### Article 1

The current Provisions are formulated in accordance with the Regulation on the Administration of Films with the aim to prosper the production of films, to safeguard the legitimate rights and the interests of the producers and other relevant personnel of the films cooperatively produced by Chinese and foreign parties, and to facilitate international cultural exchange.

### Article 2

The term "Chinese-foreign cooperative film production" as used herein refers to the activities that the domestic film producers which have obtained the License for Film Production (hereinafter referred to as Chinese parties) and the overseas film producers within or outside of China (hereinafter referred to as foreign parties) jointly produce films, collaborate in the film production, or produce films upon entrustment.

### Article 3

The current Provisions are applicable to films cooperatively produced by Chinese and foreign parties within or outside of China, such as feature films, cartoon films, scientific films, documentary films and films about special topics, including television films and digital films.

### Article 4

The State Administration of Radio, Film and Television (hereinafter referred to as SARFT) shall be the administrative authority in charge of the administration of Chinese-foreign cooperative film production.

### Article 5

The approaches to produce Chinese-foreign cooperative films includes:

1) Joint production, that is, Chinese and foreign parties make joint investment (including capital, services or materials), jointly produce the film, and jointly share the benefits and the risks.

2) Collaboration in film production, that is, a foreign party makes investment to produce films within China, and the equipment, apparatus, sites, services and so on are provided by the Chinese party which get pay for these

3) Entrusted production, that is, the Chinese party is entrusted by the foreign party to produce films within China.

### Article 6

Chinese-foreign cooperative film productions shall abide by the following principles:

1) Compliance with the Constitution, laws, regulations and other relevant provisions of China;

2) Respect for the customs, religions, beliefs and habits of the ethnic groups of China;

3) Contributing to the brilliant traditional culture of the Chinese people;

4) Making contributions to the economic and cultural enterprises and the social stability of China;

5) Promoting the cultural exchange between China and the other countries;

6) No detriment to the interest of any third countries.

### Article 7

The state implements the licensing system to Chinese-foreign cooperative film production. Without a License for Chinese-Foreign Cooperative film Production or any

approval document, no domestic or overseas organization or individual may produce any films within China cooperatively or independently.

Article 8

China Film Co-Production Corporation is designated by SARFT as the special agency in charge of the administration, coordination and service for Chinese-foreign cooperative film production, and dealing with the relevant work, such as project applications of Chinese-foreign cooperative film production, and presenting preliminary examination opinions of the films, etc.

Article 9

Procedures for the project applications of Chinese-foreign cooperative film production:

1)

The film script written in Chinese (standard Chinese characters) and the relevant documents of the film to be produced shall be submitted to China Film Co-Production Corporation by the Chinese and foreign parties;

2)

China Film Co-Production Corporation shall, within 10 days from receiving the film script and other relevant materials, propose the preliminary examination opinions, and submit to SARFT all of the relevant documents including the preliminary examination opinions, the project application of the Chinese and foreign parties, a letter of intent of cooperation, as well as the information about the credit certificate of the foreign party and the major working staff;

3)

SARFT shall present its decision on project establishment within 10 days from receiving the preliminary examination opinions, the project application and other relevant documents;

4)

SARFT shall grant a one-off License of Chinese-Foreign Cooperative Film Production for those that meet the requirement of joint production; And for those that meet the requirement of collaborative production or entrusted production, SARFT shall issue the approval document;

5)

The Chinese and foreign parties shall, after obtaining the license or approval document, sign the cooperation contract according to the contents of the project which has been approved.

Article 10

The period of validity of the License of Chinese-Foreign Cooperative film Production shall be two years.

Article 11

Where there is a need to employ any overseas work staff in joint production, the employment shall be subject to the approval of SARFT.

Article 12

The mandarin version shall be made for each jointly produced film, and standard Chinese characters must be used in the subtitle. For the requirement of film distribution, it is permitted to make versions in the languages of the corresponding countries, regions, and minority ethnic groups based on the mandarin version.

Article 13

A film cooperatively produced by Chinese and foreign parties shall be submitted to the examination department of SARFT for examination after the provincial administration of radio, film and television and China Film Co-Production Corporation propose their preliminary opinions.

Article 14

Only after the film has passed the examination and obtained the License for Public Screening from SARTF, can a jointly produced film be distributed and screened in the public. For a film produced with collaboration or upon entrustment, if it has passed the examination, the exit formalities may be carried out on the strength of the approval document of SARFT.

Article 15

For Any alteration to a film for which the License for Public Screening has already been obtained, the Chinese and foreign parties shall submit to SARFT for examination and approval.

Article 16

The development of the negative and sample of a film produced cooperatively by Chinese and foreign parties and the post production shall be completed within China. If such processes have to be done overseas, the parties shall report to SABFT for approval. The negative and sample cut off in film editing shall be kept by the Chinese party, and may not be taken out of China until half a year after the public screening of that film overseas.

Article 17

If the foreign party shall employ the movie production and service personnel within China, they must ask their Chinese partner or China Film Co-Production Corporation to do the recruitment, and shall sign contracts with the job applicants in accordance to the laws and regulations of China.

Article 18

Any act infringement of the present Provisions shall be punished according to the relevant provisions of the Regulation on the Administration of Films.

Article 19

The present Provisions shall be applicable to the cooperatively produced films involved with the film producers from Hong Kong Special Administrative Region, Macao Special Administrative Region, and Taiwan area.

Article 20

The present Provisions shall be put into effect on December 1, 2003. The Provisions on the Administration of Chinese-foreign Cooperative film Production issued by the former Ministry of Radio, Film and Television on July 5, 1994 shall be abolished at the same time.