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STATUTORY INSTRUMENTS

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**1994 No. 1065**

**CINEMAS AND FILMS**

The European Convention on  
Cinematographic Co-production Order 1994

*Made* - - - - 13th April 1994  
*Coming into force* - - 14th April 1994

At the Court at Windsor Castle, the 13th day of April 1994

Present,

The Queen's Most Excellent Majesty in Council

Whereas the European Convention on Cinematographic Co-production ("the Convention")(1) was opened for signature by Members of the Council of Europe and other States party to the European Cultural Convention(2) on 2nd December 1992:

And whereas the United Kingdom ratified the Convention on 9th December 1993:

And whereas the Convention came into force for the United Kingdom on 1st April 1994:

And whereas the States listed in the Schedule to this Order are also parties to the Convention:

And whereas the Convention requires the Contracting Parties to apply those benefits which they grant to national films to European cinematographic works falling within the scope of the Convention:

Now therefore, Her Majesty, in exercise of the powers conferred on Her by paragraph 4(5) of Schedule 1 to the Films Act 1985(3), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**1.** This Order may be cited as the European Convention on Cinematographic Co-production Order 1994 and shall come into force on 14th April 1994.

**2.** A film with respect to which the requirements of Schedule 1 to the Films Act 1985, as to the eligibility of a film for certification as a British film, are not fulfilled shall be treated as a film with respect to which those requirements are fulfilled if—

(a) the film is a co-production to which the Convention applies; and

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(1) Cm. 2495.

(2) Cmd. 9545.

(3) 1985 c. 21; paragraphs 2 and 3 of Schedule 1 were amended by the Capital Allowances Act 1990 (c. 1), section 164 and Schedule 1, paragraph 6.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) (i) where there are two co-producers, one is established in the United Kingdom and the other is established in one of the countries set out in the Schedule to this Order, or
- (ii) where there are three or more co-producers, one is established in the United Kingdom and at least two others are established each in a different country set out in that Schedule.

*N. H. Nicholls*  
Clerk of the Privy Council

## SCHEDULE

Article 2(b)

Denmark  
Latvia  
Sweden  
Switzerland

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides that films made in accordance with the European Convention on Cinematographic Co-production are to be treated as British films for the purposes of Schedule 1 to the Films Act 1985. Where the Convention applies and there are only two co-producers one must be established in the United Kingdom and the other in one of the countries set out in the Schedule to this Order. When there are three or more co-producers one must be established in the United Kingdom and at least two others in different countries set out in that Schedule.

In respect of a film which is a British film financial assistance under section 5 of the Films Act 1985 (which section does not apply to Northern Ireland) may be given by the Secretary of State. Fiscal benefits may accrue under the Capital Allowances Act 1990 (c. 1) and the Finance (No. 2) Act 1992 (c. 48).