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Exchange of Notes

to amend the Film Co-production Agreement between the Government of
the United Kingdom of Great Britain and Northern Ireland and the
Government of the Republic of South Africa

Pretoria 28 October 2015

[The Exchange of Notes entered into force on 5 May 2016]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
July 2016*

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**EXCHANGE OF NOTES TO AMEND THE FILM CO-PRODUCTION
AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE REPUBLIC OF SOUTH
AFRICA**

No.1

The Honourable Mr Nathi Mthethwa, MP, Minister of the Department of Arts and Culture of South Africa to Her Excellency J A Macgregor, British High Commissioner in Pretoria

AMENDMENT OF THE FILM CO-PRODUCTION AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Excellency,

I have the honour to refer to recent discussions between the officials of the Department of Arts and Culture of the Republic of South Africa and the Department for Culture, Media and Sport of the United Kingdom of Great Britain and Northern Ireland, and confirm that agreement was reached to amend the “Film Co-production Agreement Between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland”, signed on the 24th of May 2006 in London, by the substitution for the definition of the word “Film” in Article 1 of the following definition:

“‘Film’ includes any record, however made, of a sequence of visual images, which is a record capable of being used as a means of showing that sequence as a moving picture, and which is expected to be exhibited to the public at a cinema, on television or any other distribution platform;”

If the foregoing provision is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to propose that this Note and your Excellency’s reply thereto indicating acceptance shall constitute an agreement between the two Governments on this subject. This Note shall also serve as notification of the completion of the South African Constitutional requirements in terms of sub-Article 12(4) of the Film Co-production Agreement between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland”.

Accept, Excellency, the renewed assurance of my highest consideration.

No.2

Her Excellency Judith Macgregor, British High Commissioner in Pretoria to His Excellency Nathi Mthethwa, MP, Minister of the Department of Arts and Culture of South Africa

28 October 2015

Excellency,

I have the honour to acknowledge and thank you for your Excellency's note undated concerning the amendment of the "Film Co-production Agreement Between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland", which reads as follows:

"Excellency,

I have the honour to refer to recent discussions between the officials of the Department of Arts and Culture of the Republic of South Africa and the Department for Culture, Media and Sport of the United Kingdom of Great Britain and Northern Ireland, and confirm that agreement was reached to amend the "Film Co-production Agreement Between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland", signed on the 24th of May 2006 in London, by the substitution for the definition of the word "Film" in Article 1 of the following definition:

"'Film' includes any record, however made, of a sequence of visual images, which is a record capable of being used as a means of showing that sequence as a moving picture, and which is expected to be exhibited to the public at a cinema, on television or any other distribution platform;"

If the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to propose that this Note and your Excellency's reply thereto indicating acceptance shall constitute an Agreement between the two Governments on this subject. This Note shall also serve as notification of the completion of the South African Constitutional requirements in terms of sub-Article 12(4) of the Film Co-production Agreement between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland".

Accept, Excellency, the renewed assurance of my highest consideration."

In reply, I have the honour to accept, on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland, the proposal by the Government of the Republic of South Africa as embodied in Your Excellency's Note as quoted above and to confirm that the said Note and this Reply shall constitute an Agreement between our two Governments which shall enter into force as soon as the Parties have notified each other of the completion of their respective constitutional procedures in accordance with Article 12(4) of the Film Co-Production Agreement Between the Government of the Republic of South Africa and the

Government of the United Kingdom of Great Britain and Northern Ireland, signed on the 24th of May 2006 in London.

Please accept, Your Excellency, the assurances of my highest consideration.

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