

Joint Venture Film Production

Policy-2017

Government of the People's Republic of Bangladesh

Ministry of Information

28 Agrahayan 1424

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Government of the People's Republic of Bangladesh

Department of Film, Ministry of Information

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No.15.00.0000.027.00.17.578 The Joint Venture Film Production Policy-2017 has been issued.

A. Background

Soon after independence, joint production of films started in Bangladesh. At that time, films like 'Dhire Bohe Meghna (1973)', 'Palanka (1975)' were made under joint venture. Although there were no statutory rules and regulations at the time for joint production, 'Palanka' was made in the light of mutual harmony, understanding, and experience. Those efforts involved fraternal relations, history, traditions, social realities, and personal and family values between the two countries. Later, the number of films being made in joint productions under specific rules and regulations increased. The scope of joint efforts widened. Art, culture, and civilization are evolving over time, becoming more dynamic and multidimensional. Film is a powerful medium. To encourage joint investment in this expensive industry, along with the development and prosperity of this medium, a policy for joint production of films has been formulated. Considering the time and reality, several revisions and corrections have been made to this policy. At present, there has been a significant increase in the number of jointly produced films. The elements and styles of co-produced films have expanded. Modern technology and advanced ideas are constantly being added to the filmmaking process. To make the ongoing efforts of joint production more in line with the spirit of the great Liberation War of Bangladesh, our history, heritage, tradition, beliefs, values, and culture, and to ensure that jointly produced films do not

become mere financial gains from investment, the ‘Joint Venture Film Production Policy-2017’ has been formulated from the need to update the existing policy.

B. Purpose of joint production:

(1) Acquiring technical expertise for the production of high-quality films for global competition, development of the film industry, and expansion of the film market outside the country will be considered as one of the main objectives of joint production.

(2) Jointly produced films should have a fair reflection of contemporary Bengal, Bengali culture, and art. The films shall not directly or in any way conflict with the family life and values, history, tradition, culture, and prevailing ideas and beliefs of Bengalis. The content of the film should not include scenes, stories, and features that tarnish the image of Bangladesh and offend the prevailing values of Bengalis, disrespect the public, and exhibit indecent behavior. The co-producers of Bangladesh will make efforts to brighten the social, economic, and artistic image of the country and the people through the film. They should aim to improve the public's taste through films.

C. Application and approval process for joint film production:

(1) The application for joint production of the film should be submitted to the Managing Director of Bangladesh Film Development Corporation (BFDC).

(2) Along with the application form, the notarized copy of the contract signed for the joint production, complete script, production plan of the film, location description, shooting schedule, detailed budget, amount of investment, list of directors, names of artists and other professionals (including country’s name, NID/passport number) should be attached.

(3) Along with the application form, the consent letter of the director, actors, and chief technical staff and crew of the film and original/photocopies of their national identity cards, will have to be submitted.

(4) In addition to obtaining permission from the Government of the People's Republic of Bangladesh by the Bangladeshi producer(s) to make a film in a joint production, the producer(s) of the other country(s) will have to take permit/clearance/endorsement (as applicable) from the appropriate authority(s) of the respective country(s). Before the filmmaking process, the Bangladeshi producer will submit the permit/clearance/endorsement of the country concerned given to the foreign producer to the approving authority of Bangladesh. The said permit/clearance/endorsement issued by the foreign government authority should be attested by the diplomatic mission of Bangladesh located in the respective country.

(5) After getting the final approval for the joint production, if any change is required in the cast and/or crew, the approval should be obtained from the Ministry of Information. Subject to the opinion of the Selection Committee, the Ministry will grant this special permission.

(6) To give recommendations/opinions on approving the production of the film after examining and reviewing the script of the film to be co-produced, and to give permission to submit the film to the Censor Board after its production and screening, a Selection Committee comprising the following officials will be formed at the BFDC:

1. Managing Director, BFDC	-	President
2. Deputy Secretary (Film), Ministry of Information	-	Member
3. Representative of Bangladesh Film Producers and Distributors Association	-	Member
4. Representative of Bangladesh Film Exhibitors' Association	-	Member

5. Representative of Bangladesh Film Directors Association	-	Member
6. Representative of Bangladesh Film Artistes' Association	-	Member
7. A prominent film/cultural figure (nominated by the government)	-	Member
8. Director, BFDC	-	Member Secretary

(7) The Committee, if it deems necessary, may ask the producer of the film concerned or his nominated representative to attend the meeting of the Selection Committee. They can attend the meeting and provide useful information and explanations to the Selection Committee on various issues. However, s/he cannot be involved in the decision-making process.

(8) If any director, cast, and crew of the film, under consideration for permission and screening clearance, is already a part of the Selection Committee, he or she cannot attend the Selection Committee meeting held on the film concerned.

(9) After receiving any proposal for joint production, the BFDC authorities will send it to the Selection Committee, formed under Article C (6) of this policy, to examine whether there is any issue against the national interest, history, tradition, and culture of Bangladesh in the script of the film, and give recommendations/opinions on the approval of the proposal, whether it is in line with the policy. After proper examination, the said Committee will recommend approval of the script or its rejection and inform the BFDC. The BFDC authorities will forward the proposal along with the report/opinion of the Committee to the Ministry of Information for final decision.

(10) The Ministry of Information will give the administrative decision for the joint production of the film after considering the proposal of BFDC.

(11) After the Ministry's final approval and after the permit/clearance/endorsement from the authorities concerned of the foreign country, as per its rules or laws, the BFDC shall, based on

the recommendation of the Selection Committee, grant permission for the film production in joint venture.

(12) After the film is produced in joint venture, the Selection Committee formed according to Article C (6), will watch the film and give a certification whether the conditions of the joint production have been fulfilled. If the film is not produced as per the approved script or the film does not meet the conditions of joint production, the Committee will provide observations. No film can be screened or submitted to the Censor Board for screening without the positive certification of this Committee.

D. Appeal and Appeal Committee:

(1) Producers/individuals/organizations aggrieved by the decision/recommendation of the Selection Committee regarding the granting of permission for the joint production of films, and the screening of the produced films, may appeal to the Secretary, Ministry of Information stating proper reasons for reconsideration of the decision/recommendation. An Appeal Committee will be formed in the Ministry of Information comprising the following officers/individuals to decide on this appeal application:

1. Secretary, Ministry of Information	-	President
2. Additional/Joint Secretary, Ministry of Information	-	Member
3. Three eminent persons associated with filmmaking (nominated by the government)	-	Member
4. Managing Director, BFDC	-	President

(2) No other member of the Selection Committee can be a member of the Appeal Committee except the Managing Director of BFDC.

(3) If any director, cast, and crew of the film, under consideration for permission and screening clearance, is a member of the Appeal Committee, then he or she or they will not be able to attend the meeting of the Appeal Committee held on the film concerned.

(4) The Appeal Committee may, if it deems it necessary, ask the producer of the film concerned or his nominated representative to be present at the meeting of the Appeal Committee. He or she will be able to attend the meeting and provide information and explanations to the Selection Committee on various issues. However, s/he cannot be involved in the decision-making process.

E. Other terms and conditions:

(1) The story of the jointly produced film should be original.

(2) The co-producers will determine the number of directors, lead actors, and crew engaged in the joint production of the film through a written agreement. The appointment of joint film directors of the participating countries will be encouraged. In this case, the producers/parties in the joint production, if required, may appoint a director from a third country with the consent of the parties. It should be cent percent ensured that the cast and crew, including the key technical staff, are appointed proportionately. Writer, dialogue writer, screenwriter, lyricist, composer, music director, singer, assistant director, dance director, choreographer, cinematographer, editor, art director, special scene director, manager and others directly involved in the filmmaking will be considered as technical workers and artists.

(3) For practical reasons, if there is a need to hire artists disproportionately, proper justification should be shown while submitting the application for the joint film production. The Ministry will grant this special permission subject to the opinion of the Selection Committee.

(4) The location of the shooting of the film produced in joint venture shall also generally be determined at a proportional rate in the countries concerned. If the location of the shooting cannot be determined proportionately due to the need of the story and screenplay, and for practical reasons, then proper justification should be shown at the time of filing the application. Subject to the opinion of the Selection Committee, the Ministry will give special permission in this regard. Joint production films can also be shot in a third country or countries for the sake of the story.

(5) The filmmaking/shooting cannot start before the final approval of the joint production and the approval of filming.

(6) A joint production film shall not be submitted for preview unless a minimum of 30 (thirty) days have passed after obtaining the permission to shoot. Failing which, the permit granted shall be considered null and void.

(7) In the case of filming of the joint production, the Bangladeshi producer should inform the BFDC mentioning the place and date at least 7 (seven) days prior to filming in the location in Bangladesh.

(8) State-of-the-art equipment, machinery, and components can be brought from abroad for making joint production films. Permission must be obtained by submitting the list of imported equipment along with the application for the joint production.

(9) The rules and regulations of Article 13(2) of the "Import Policy Order 2009-2012" should be followed for the import of cameras and other equipment/accessories for the joint production of films, in the case of re-export.

(10) In the case of joint production of films, arrangements should be taken to release cameras and accessories on a commitment basis, subject to compliance with the following conditions

through an application to the National Board of Revenue, on a case-to-case basis, to facilitate the bringing and return of cameras and accessories with foreign producers:

1. The re-export of cameras and other accessories must be completed within 1 (one) month of the completion of the film;
2. During customs clearance of exported goods, no-objection letter/approval from Bangladesh Bank, BTRC, and Chief Controller of Imports and Exports should be submitted at the concerned customs station;
3. The conditions (if any) mentioned in the said no-objection letter/approval should be properly complied with;
4. Information such as model, serial number, etc. of the imported equipment should be stored through physical examination so that the machinery can be easily identified during re-export;
5. If any camera or equipment is damaged or lost, a certificate from relevant legal authority should be obtained;

F. Other relevant issues:

- (1) The matter of joint venture film production should be clearly mentioned in all the promotional material of the film. The names of cast and crew of all the countries involved should be mentioned with equal importance in the publicity/promotional material. Photos of artistes from all respective countries should be displayed equally.
- (2) If any foreign producer/director violates the policy of joint venture film production, then he/she/they will not be allowed to make a joint production film in Bangladesh.

(3) After the Ministry gives final permission to produce the film in joint venture, visas should be applied for the cast and crew at the Bangladeshi mission in the respective foreign country following the rules and guidelines.

(4) The language of the jointly-made film will be decided by the producers. However, films made in languages other than Bengali should have Bengali dubbing/subtitles for screening in Bangladesh, and English dubbing/subtitles for international screening.

(5) Regarding the printing, editing, dubbing, and re-combining, etc. of the Bengali version of the jointly produced film, it will be up to the co-producers to decide where and how the work will be done.

(6) A producer or director can make any number of joint production films in the same year.

G. Joint production films ineligible for screening:

(1) The film was declared unfit for screening by the Bangladesh Film Censor Board.

(2) Joint production films will be considered ineligible for screening if the following are found:

I. Security or law and order:

1. If in any way hatred is shown towards Bangladesh or its people, heritage, tradition, culture, customs, or the way people dress;
2. If it undermines national integrity or unity as an independent country;
3. In case any order announced by the government, from time to time in the interest of order and security of the country, is violated;
4. The display of any rebellion, anarchy, and violence for political purposes;
5. If any military or government secret is disclosed that could harm state security;

6. If anything shown garners sympathy for breaking law and order, and disobeying the law;
7. If the defense forces, police, or any other force, which is engaged in maintaining law and order, is ridiculed, or if anything shown incites hatred towards them. However, if a character is portrayed about the personnel of these forces, which is dedicated to the prevention of crime, it will be considered permissible;
8. If defense forces or police personnel are shown in an distasteful attire;
9. Poor and incomplete stories characterized by lack of law and order, violent acts, crime or intelligence activity that are likely to affect the average viewer.

II. International:

1. To campaign for a country with which Bangladesh has a dispute over a matter, which may influence the subject of the dispute. Or to spread propaganda against a friendly country that could damage the existing good relations;
2. If it violates the state policy, i.e., if something is shown which may destroy the friendly relations of Bangladesh with other countries or may hurt the sensitive sentiments of the outside world;
3. To publish with a hostile attitude any incident or context that distorts the history of a people or nation or disrespects history;
4. To show disrespect to Bangladesh, its ideals, and national heroes through distorted expressions of historical events and the spirit of independence and of the Liberation War.

III. Religious sensitivity:

1. For ridiculing, disrespecting, or attacking a religion;
2. Creating hatred and inciting conflict among people of different faiths, castes or religions;
3. Using religion to criticize or support controversial social issues;
4. Ridiculing or interpreting the activity of preaching of a religion that may hurt the sentiments of the believers of that religion.

IV. Immorality or obscenity:

1. To sympathize and downplay actions that violate morality;
2. To glamorize life without morality to make it appear attractive and respectful;
3. To glorify and sympathize with character without morals;
4. To accept and support the success of something achieved through unethical means;
5. To show scenes of sexual intercourse, rape, or passionate love in its raw form that would appear obscene;
6. Highlighting words, quotes, dialogues, songs, or statements that could be interpreted in a dirty and vulgar manner.
7. Indecent expression of any aspect of national institutions, traditions, customs, and culture.
8. Portraying people with special needs in a satirical or humorous manner.

V. Brutality:

1. Exposing cruelty to animals;
2. Expressing excessive intimidation, torture, or cruelty that can cause adverse reactions to the viewer's mind;

3. To present an extreme solution, unless it is done for the welfare of society.

VI. Offense:

1. Condoning criminal acts;
2. Depicting the offender's tactics and strategies in such a manner that would facilitate new criminal tactics;
3. Establishing the offender as a respectable character and garnering sympathy from the audience;
4. To ridicule or defame the public official responsible for suppressing crime, punishing or prosecuting offenders;
5. To make criminal activity profitable or to normalize it as a regular thing of everyday life;
6. Portraying criminal activity in such a manner that may garner public sympathy;
7. To introduce crime as a normal phenomenon of ordinary life to young people and depict it in a manner as though there is no need to abandon such crime;
8. Support trafficking of women and children, or any form of smuggling of drugs or alcohol.

VII. Copied films:

Any kind of copying from any old or under-production foreign or Bangladeshi film, except essential.

H. Miscellaneous

- (1) This policy will be considered effective from the date of publication.

- (2) Each co-producer shall have the right to market the joint production films in their respective countries. However, in the case of international marketing, it can be determined through mutual agreement;
- (3) The foreign exchange earnings of films made in joint production shall be governed by the prevailing foreign exchange earning rules of the country;
- (4) The production, release, and marketing of the films produced in joint venture shall be governed by the laws and regulations of the respective countries;
- (5) If there are any complications related to the joint production, the Ministry of Information will give a decision. The Ministry can make any changes, modifications, additions, etc. in the policy, if necessary.
- (6) The period of filmmaking approved for joint production should be completed within 9 (nine) months from the date of the approval for filming. However, in special cases the time frame can be extended by 3 (three) months with the permission of the authorities concerned.
- (7) A film produced in joint venture will be subject to The Censorship of Films (Amendment) Act, 2006 and The Cinematograph Act, 1918 for screening in Bangladesh.
- (8) Joint production films must be made in full compliance with all sections and subsections of the Joint Venture Film Production Policy-2017 (Amended). If any clause is violated, the Preview Committee will not give clearance to the film.
- (9) If any condition of this policy conflicts with any existing laws, rules, and orders in Bangladesh, the provisions mentioned in the relevant laws, rules, and orders shall apply in the relevant case.

(10) In accordance with the need of the hour and status quo, any provision of this policy or the entire policy can be amended, modified, and changed. If necessary, this policy can be repealed and a new policy can be formulated.

(11) Bangladeshi producers/directors who violate the Joint Venture Film Production Policy will not be allowed to make films in joint productions for the next one year.

I. The Amendment Order No. 15.00.0000.027.32.001.13-412 dated 17/07/2014 in the Ministry of Information's notification 3Ma/Film-1/98/627 dated 01/06/1998 and all the policies issued earlier regarding film production in joint venture with foreign producers are hereby repealed.

Signed/-

Date: 12.12.2017

(Martuza Ahmed)

Secretary

Ministry of Information

Government of the People's Republic of Bangladesh

No. 15.00.0000.027.22.003.17.578(20)

Date - 28 Agrahayan 1424 / 13 December 2017

Copies sent for kind notice and necessary action (not in order of seniority):

1. Secretary, Finance Division, Ministry of Finance, Bangladesh Secretariat, Dhaka.
2. Secretary, Division of Law and Justice, Dhaka.
3. Secretary, Ministry of Commerce, Bangladesh Secretariat, Dhaka.
4. Secretary, Ministry of Industries, Shilpa Bhaban, Motijheel, Ba/A, Dhaka.
5. Secretary, Public Security Division, Ministry of Home Affairs, Bangladesh Secretariat, Dhaka.
6. Foreign Secretary, Ministry of Foreign Affairs, Segun Bagicha, Dhaka
7. Secretary, Ministry of Cultural Affairs, Bangladesh Secretariat, Dhaka.
8. Director General, Bangladesh Television, Rampura, Dhaka.
9. Additional Secretary, Ministry of Information, Dhaka.
10. Additional Secretary (Administration and Film), Ministry of Information, Dhaka.
11. Chief Executive, Bangladesh Film and Television Institute, Dhaka.
12. Managing Director, Bangladesh Film Development Corporation, Dhaka.
13. Director General, Bangladesh Film Archive, Dhaka.
14. Vice Chairman, Bangladesh Film Censor Board, Dhaka.
15. Private Secretary to the Minister, Ministry of Information, Dhaka.
16. Private Secretary to the Secretary, Ministry of Information, Dhaka.
17. Administrator, Bangladesh Film Producers Distributors Association, Sky Park Point (8th Floor), 175 Syed Nazrul Islam Sarani, Bijoy Nagar, Dhaka.

18. System Analyst, ICT Division, Ministry of Information, Dhaka (with a request to publish the policy on the website).
19. President/General Secretary, Bangladesh Film Directors Association, Dhaka.
20. President/General Secretary, Bangladesh Film Artistes' Association, Dhaka.

(Shahin Ara Begum, PAA)

Deputy Secretary (Film)

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