Co-producing with South Africa: an analysis of policies that enable or hamper film co-productions

Presentation to the South African Cultural Observatory, Johannesburg
24th and 25th May, 2017

Aifheli Makhwanya
MA Cultural Policy & Management Student
Cultural Policy and Management
Wits School of Arts
aifhelid@nfvf.co.za /@FheliMakhwanya
Introduction

Definitions

Official co-production - a co-production arrangement for the production of films under a bilateral film treaty/agreement concluded between two countries.

Competent authority - institutions nominated by signatory countries to administer and certify applications for official co-production status.
Policy context in South Africa

- Constitutional rights - free speech, right to languages
- White Paper on Arts, Culture & Heritage provisions for:
  - Autonomous publicly funded arts institutions
  - Arms length approach
  - National Film & Video Foundation Act 73 of 1997 enacted for institution to develop and grow film and video industry in a later process
Policy context in South Africa

• White Paper provides for exchange and interaction between local, regional, continental and international cultures.

• Cultural seasons & bilateral film co-productions for cultural exchange.

• Official co-productions are treated as local content in terms of ICASA South African Television Content Regulations.
Policy context in South Africa

• Cultural & creatives industries policies that enable co-productions include:
• Distribution of films (DVD, cinema, TV) subject to classification by Films & Publications Board.
• Film & Television Production Incentive Programme introduced in 2004 later post production incentive.
• Government Soft funds for development, production, marketing and skills development in place.
• Tax allowance for film investors.
• Clear films policies – film permits, use of animals in productions, labour practices related to minors working on shoots – SA FILM FRIENDLY?
Why film co-productions?

• Enhance collaboration, pooling of resources, competition in international market for countries with smaller production markets (Baltruschat, 2002).

• Economic and cultural benefits but culture not defined (South African treaties)
Why co-produce?

**Advantages**
- Access to markets
- Financial incentives & tax credits
- National film status
- Import facilitation for filming equipment
- No import restrictions (SA/UK treaty)

**Disadvantages**
- Proven track record requirement
- Paperwork substantial for approval process
- Loss of creative control
Treaties signed by South Africa

• Canada (1997)
• Italy (2003)
• Germany (2004)
• United Kingdom (2006)
• Australia (2010)
• France (2010)
• New Zealand (2011)
• Ireland (2012)
• Netherlands (2015)
## Treaty Analysis

<table>
<thead>
<tr>
<th>Treaty</th>
<th>Objective</th>
<th>Culture*</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada</td>
<td>Cultural &amp; economic exchange</td>
<td>Producers, writers, directors, technicians, performers, production personnel, English/French original soundtrack</td>
<td>SA Canadian</td>
</tr>
<tr>
<td>Italy</td>
<td>Bilateral cultural relations</td>
<td>Producers, scriptwriters, directors &amp; professionals, English &amp; Italian language versions</td>
<td>SA, AU,SADC Italy/EU</td>
</tr>
<tr>
<td>Germany</td>
<td>Economic &amp; cultural co-operation</td>
<td>Artistic &amp; technical balance, cast Soundtrack in official languages</td>
<td>SA, SADC,AU German, EEA, EU</td>
</tr>
<tr>
<td>UK</td>
<td>Enhancement of film cultures, films that reflect, enhance &amp; convey diversity of culture &amp; heritage</td>
<td>Balance in cultural benefits (statistical data analysis) Films must deliver cultural benefits English, regional or minority language in UK, official language in SA</td>
<td>SA, SADC UK, EEA</td>
</tr>
</tbody>
</table>
## Treaty Analysis

<table>
<thead>
<tr>
<th>Treaty</th>
<th>Objective</th>
<th>Culture*</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>Cultural &amp; economic exchange</td>
<td>Soundtrack, French/English languages</td>
<td>SA French/EU nationals</td>
</tr>
<tr>
<td></td>
<td>UNESCO Convention on the Protection &amp; Promotion of the Diversity of Cultural Expression, 2005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>Cultural, creative, economic exchange</td>
<td>Balance in Performing, technical, craft, official languages Writer, director &amp; lead cast</td>
<td>SA, Australia</td>
</tr>
<tr>
<td>New Zealand</td>
<td>Cultural &amp; economic exchange</td>
<td>Performing, technical, craft &amp; creative participation, soundtrack in 1 of NZ official language &amp; any combination of permitted languages</td>
<td>SA/ New Zealand</td>
</tr>
</tbody>
</table>
# Treaty Analysis

<table>
<thead>
<tr>
<th>Treaty</th>
<th>Objective</th>
<th>Culture*</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ireland</td>
<td>Cultural &amp; economic exchange</td>
<td>Soundtrack in official languages, Major creative, craft &amp; technical contributions Writer, director, lead cast Soundtrack in official languages</td>
<td>SA Irish/EU nationals</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Cultural &amp; economic exchange</td>
<td>Artistic &amp; technical positions</td>
<td>SA, AU Dutch/permanent residents of Netherlands &amp; EU</td>
</tr>
</tbody>
</table>
General Trends

• Poor performance at the local box office.
• Gross receipts tend to be higher in the co-producing country (Lucas Rosant, 2015).
• Post production incentive has not taken off (DTI, 2016).
• Participation of local talent a major contestation (see pictures).

• Projects are produced outside treaty framework.
• Competent authorities networking platforms are not effective in promoting collaborations.
• Big 5 production companies in South Africa dominate the co-production space (NFVF, 2017).
Co-production volumes as at March 2017

Number of co-productions per treaty

- SA/UK: 23
- SA/CAN: 27
- SA/GER: 54
- SA/NETHER: 1
- SA/ITALY: 3
- SA/FRA: 4
- SA/UK/CAN: 3
- SA/AUS: 2
- SA/IRE: 1
Local vs. international talent or (co-producing partner talent)

SA/Italy (2004)

SA/UK (2009)
Emergence of Dominant players

Top 5 Co-production companies

- Film Afrika Worldwide: 22
- Two Oceans production: 16
- Moonlight...: 16
- Out Of Africa: 11
- Spier Films: 6
Concluding remarks

• Consistency from SA regarding treaty contents important (e.g. language, participants).
• Participation from SADC & AU must be encourage from SA side.
• Treaty with an African country overdue (Kenya, Nigeria).
• The establishment of the Africa Audio-visual and Cinema Commission an opportunity for film collaborations.
Concluding remarks

• Relook requirement for experience vs big 5 that should mentor companies with potential to ensure transformation & diversity.

• Treaties should be reviewed as per 3 years Joint Commission meetings in line with data collected.

• Mechanism to measure cultural input in films is required in South Africa.
With Thanks

Aifheli Makhwanya
aifhelid@nfvf.co.za