M M

PLIAN Em

SEA H

## SITE INDEX m EN EENT AND

Korea Motion Pictures  $I^{\mbox{mp}}$ ortation And Distribution Agree $^{\mbox{me}}$ nt

THE AMBASSADOR

WASHINGTON, D.C.

Dece<sup>mb</sup>er 30, 1988

The Honorable Clayton Yeutter

United States Trade Representative

Office of the U.S. Trade Representative

600 Seventeenth Street, N.W.,

Washington, D.C. 20506

Dear A<sup>mb</sup>assador Yeutter:

Recently, representatives of the govern<sup>me</sup>nts of the Republic of Korea (Korean govern<sup>me</sup>nt) and the United States of A<sup>me</sup>rica (U.S. govern<sup>me</sup>nt) have consulted regarding i<sup>mp</sup>ortation and distribution of foreign notion pictures in Korea. As a result of these consultations, the Korean govern<sup>me</sup>nt has agreed to take the following asures:

## I. I portation and Screening Process of Motion Pictures

A. Effective January 1, 1989, the Korean govern<sup>me</sup>nt will ensure that the Korean Perfor<sup>ma</sup>nce Ethics Co ttee  $\{PEC\}$  will co<sup>mp</sup>lete its pre-i<sup>mp</sup>ort screening review of foreign <sup>mo</sup>tion pictures no later than ten (10) days\* after sub<sup>mi</sup>ssion of the <sup>mo</sup>tion picture to the PEC for screening review.

- \*All references to the  $nu^{mb}$ er of days include working days and Saturdays, but exclude Sundays and official govern ment holidays.
- B. The Korean govern<sup>me</sup>nt will ensure that the ti<sup>me</sup> taken for pre-i<sup>mp</sup>ort and the subtitled screenings by the PEC does not exceed a co<sup>mb</sup>ined total of fourteen (14) days. The Ministry of Culture and Infor<sup>ma</sup>tion (MCI) i<sup>mp</sup>ort approval procedures will not exceed seven (7) days so that the entire review process will not exceed twenty-one (21) days.
- C. Effective January 1, 1990, the PEC censorship review process will consist of a single procedure, which requires sub<sup>mi</sup>ssion of motion pictures subject to pre-import review with Korean subtitles thereon. This PEC review will take no longer than ten (10) days from submission of the foreign motion picture for review. An alternative procedure of taking the two step pre-import and subtitled screening within the duration of fourteen (14) days my also be utilized if any i orter/distributor so chooses. In either case, the MCI import approval procedures mwill take no longer than seven (7) days.
- D. The require<sup>me</sup>nt for an MCI reco ndation for custo<sup>ms</sup> clearance of foreign <sup>mo</sup>tion pictures entering for pre-i ort screening review will be abolished as of January 1, 1989.
- E. Effective January 1, 1989, distributors of foreign tion pictures will be entitled to have two (2) motion pictures pending at any ti before the PEC for pre-i ort screening review. Once the PEC reaches a decision on pre-import screening review of an imported motion picture within the ten (or in the two step process fourteen) day period, the distributor of that motion picture will be entitled to submit another motion picture for pre-import m

0

е

screening re ie e number of imported motion pictures for ic MCI import appro al and/or t e second PEC appro al is soug t s all not be limited

F No additional importation or censors ip appro al procedures  $\,$  II be re uired ot ert ant ose specified in paragrap s A t roug  $\,$  C

II Limitation on t e Number of Prints

A e Korean go ernment II increase t e number of prints of eac motion picture to be imported and distributed from 10 to 12 effecti e January 1, 1989, to 13 on January 1, 1990, to 14 on January 1, 1991, to 15 on January 1, 1992, and to 16 on January 1, 1993

B e Korean go ernment II eliminate t e limitation on t e number of prints of motion pictures to be imported and distributed on January 1, 1994

III Enforcement

e Korean go ernment  $\,$  II ensure t at t e abo e-mentioned measures be implemented in good fait  $\,$  and any iolation of t e la  $\,$  and regulations regarding distribution

IV Ot ers s

e Korean go ernment II adopt no ot er policies or measures ic could create barriers to t e market access and distribution of imported motion pictures

is reflects our mutual understanding of t e measures to be taken by t e Korean go ernment t respect to t e importation and distribution of foreign motion pictures in Korea

Sincerely,

ong-Jin Park

HE UNI ED S A ES RADE REPRESEN A IVE

Executi e Office of t e President

Was ington D.C. 20500

December 30, 1988

e Honorable ong-Jin Park

Ambassador

Embassy of t e Republic of Korea

2370 Massac usetts A enue, NW

Was ington, D.C. 20008

Dear Ambassador Park:

I am  $\,$  iting to ackno  $\,$  edge receipt of your letter dated December 30, 1988 and to confirm t at its contents reflect t  $\,$  united States Go  $\,$  ernment's understanding of t  $\,$  e measures t at t  $\,$  e Go  $\,$  ernment of t  $\,$  e Republic of Korea  $\,$  as agreed to take Your letter reads as follo  $\,$ :

Dear Ambassador Yeutter:

S

Recently, representati es of t e go ernments of t e Republic of Korea (Korean go ernment) and t e United States of America (U S go ernment a e consulted regarding importation and distribution of foreign notion pictures in Korea As a result of t ese consultations, t e Korean go ernment as agreed to take t e follo ng measures: q

- I. Import to cree g Process of Mot o P ctures
- A. Effect ve J u ry 1, 1989, the ore gover me t will e sure th t the ore Performa ce Eth cs Committee (PEC) will complete ts pre-mport scree g rev ew of fore g mot o p ctures o l ter th te (10) ys\* fter submiss o of the ot o p cture to the PEC for scree g rev ew.
- \*All refere ces to the umber of ys clu e work g ys tur ys, but exclu e u ys off c l gover me t hol ys.
- B. The ore gover me twile sure that the time take for pre-mport the subtile scree gs by the PEC oes of excee comb e total of fourtee (14) ys. The Mi stry of Culture I format o (MCI) mport proval procedures will of excee seve (7) ys so that the earlier review process will of excee twe ty-o e (21) ys.
- C. Effect ve J u ry 1, 1990, the PEC ce sorsh p rev ew process will co s st of s gle proce ure, which requires submiss o of oto pictures subject to pre-mport review with ore subtitles thereo. This PEC review will take o longer than the (10) ys from submiss of of the foreign moto picture for review. A liter the proce ure of take given the two step pre-mport subtitle screening given the urition of fourtee (14) ys may loobe utize for ymporter for review. A liter the procedure of take given the two steps are the screening given the procedure of th
- D. The requirement for MCI recomment of for customs clein certain of the formula of the formula
- E. Effect ve J u ry 1, 1989, str butors of fore g mot o p ctures will be e title to h ve two (2) mot o p ctures pe g t y time before the PEC for pre-mport scree g review. Once the PEC recises ecso o pre-mport scree g review of mporte mot o p cture with the te (or the two step process fourtee) y per o , the str butor of thit ot o p cture will be e title -to submit other mot o p cture for pre-mport scree g review. The umber of mporte of o p ctures for which MCI mport pprovides reconstructed by the second per provides and the second per provides reconstructed by the
- F. No to I mport to or ce sorsh p pprov I proce ures will be require other the those specified ping right phase through C.
- II. L mit to o the Number of Pr ts
- A. The ore gover me twil cre se the umber of pr ts of e ch ot o p cture to be mporte str bute from 10 to 12 effect ve J  $\,$  u  $\,$  ry 1, 1989, to 13 o  $\,$  J  $\,$  u  $\,$  ry 1, 1990, to 14 o  $\,$  J  $\,$  u  $\,$  ry 1, 1991, to 15 o  $\,$  J  $\,$  u  $\,$  ry 1, 1992,  $\,$  to 16 o  $\,$  J  $\,$  u  $\,$  ry 1, 1993.
- B. The ore gover metwilelmi te the lmit to o the umber of prots of moto pctures to be mporte K str bute o J u ry 1, 1994.
- III. E forceme t

The ore gover metwile sureth the bove-metoe mesures be mplemete goof the y volto of the lws regultos reg r g strbuto ru g of mporte motop ctures ore be strctly eltwith ccor cewith exst glws clu g the FrTre At-Moopoly Act.

IV. Others

The ore gover me twil opt oother polces or me sures which coul cre te birriers to the market ccess stribution of mporte motion pictures.

This reflects our mutuluerst gof the me surest to be tike by the ore gover me twith respect to the mport to stribution of fore g mot opportunes ore.

cerely,

To g-I P rk" K

I am please firm ha his ex ha ge fle ers is a mu ual u ers a i g be wee ur wog ver me s er i g he measures ha he K rea g ver me has agree ake wi h respe he imp r a i a is ribu i ff reig mo i pi ures i K rea.

The U. S. g ver me reserves he righ seek a review by he K rea g ver me fispliy flimiig he umber f moi pi ures f r whih a is ribu r a seek P C appr val a a y e ime, af er he si gle s ep P C appr val pr e ures have bee impleme e .

Si erely,

Clay Yeu er

TANC offers these agreements electronically as a public service for general reference. Every effort has been made to ensure that the text presented is complete and accurate. However, copies needed for legal purposes should be obtained from official archives maintained by the appropriate agency. E