

**New Zealand's Second Revised TiSA Offer: October 2016**

New Zealand submits herewith its second revised offer in respect of national treatment, market access, local presence, performance requirements and local management and boards of directors as part of the TiSA negotiations. This offer is conditional on high quality offers from other TiSA participants and New Zealand reserves the right to amend, supplement or withdraw this offer, in whole or in part, at any time prior to the conclusion of negotiations.

New Zealand's second revised offer for these obligations has been prepared on the basis of text proposals New Zealand supports in the TiSA negotiations. New Zealand reserves its position on MFN exemptions pending further discussion on Article [...] (Most-Favoured Nation Treatment).

New Zealand continues to consider the following matters:

- Taxation
- Measures in relation to patent attorneys, subject to the completion of an ongoing domestic review;
- Measures in relation to supporting creative arts of national value.

New Zealand's removal of reservations relating to labour disputes is contingent on a suitable final text outcome.

**Introductory Notes**

Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.

In the interpretation of each entry, all elements of the entry shall be considered in their totality.

Where an entry is preceded by a number, it shall apply only to the mode of supply as follows:

- 1) Mode 1 supply as described in Article I-1.2(a)
- 2) Mode 2 supply as described in Article I-1.2(b)
- 3) Mode 3 supply as described in Article I-1.2(c)
- 4) Mode 4 supply as described in Article I-1.2(d)

In the "Other Limitations" column below:

1. **Description** sets out the reservation to which the entry applies.
2. In accordance with Article II-2 (Scheduling of National Treatment Commitments) and Article X.4 (Scheduling of Localisation Commitments), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the laws, regulations, rules, procedures, decisions, administrative actions, practices or other measures identified in the **Description** element of that entry.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
NEW ZEALAND undertakes its specific commitments in accordance with Part II of the Agreement			
<b>SECTION A</b>			
RESERVATIONS pursuant to Article II-2:4 and X.4.3			
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Local Management and Boards of Directors (Article X.2)                      Performance Requirements (Article X.3)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Public law enforcement services and correctional services;</li> <li>• Publicly funded legal services;</li> <li>• Fire fighting services;</li> <li>• The use of statutorily protected educational terms and titles;</li> <li>• Adoption services;</li> <li>• Gambling, betting and prostitution services;</li> </ul> <p>and the following, to the extent that they are social services established for a public purpose:</p> <ul style="list-style-type: none"> <li>• Child care;</li> <li>• Health;</li> <li>• Income security and insurance;</li> <li>• Public education;</li> <li>• Public housing;</li> <li>• Public training;</li> <li>• Public transport;</li> <li>• Public utilities;</li> <li>• Social security and insurance; and</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• Social welfare.</li> </ul>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure concerning the entry of natural persons into, or their temporary stay in, its territory, except as specified in the market access column.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the entry of natural persons into, or their temporary stay in, its territory-for the regulation and entry of ships' crews to New Zealand.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to water, including the allocation, collection, treatment and distribution of drinking water.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		New Zealand reserves the right to adopt or maintain any measure solely as part of the act of devolving a service that is provided in the exercise of governmental authority at the time the Agreement enters into force.	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Management and Boards of Directors (Article X.2)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            Where the New Zealand government wholly-owns or has effective control over an enterprise, then New Zealand reserves the right to adopt or maintain any measure regarding the sale of any shares in that enterprise or any assets of that enterprise to any person, including according more favourable treatment to New Zealand nationals.</p>	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)</p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure according more favourable treatment to a Māori person.</p>	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Management and Boards of Directors (Article X.2)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure relating to overseas investment, including for:</p> <ul style="list-style-type: none"> <li>• Acquisition or control, regardless of dollar value, of certain categories of land that are regarded as sensitive or require specific approval according to</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>New Zealand's Overseas Investment legislation;</p> <ul style="list-style-type: none"> <li>• Any transaction, regardless of dollar value, that would result in an overseas investment in fishing quota; and</li> <li>• Any transaction that would result in an overseas investment in significant business assets</li> </ul> <p>excepting:</p> <ul style="list-style-type: none"> <li>• Acquisition or control of less than 25 per cent of any class of shares<sup>1</sup> or voting power<sup>2</sup> in a New Zealand entity where, in addition, either the consideration for the transfer or the value of the assets does not exceed NZ\$20 million; and</li> <li>• Commencement of business operations or acquisition of an existing business, including business assets, in New Zealand, where the total expenditures to be incurred in establishing or acquiring that business or those assets do not exceed NZ\$20 million.</li> </ul> <p>For greater transparency, New Zealand reserves the right to adopt or maintain any measure that sets out the approval criteria to be applied to the categories of overseas investment that require approval under New Zealand's overseas investment regime.</p>	
		<p><b>Obligations Concerned</b> Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure that requires all companies to have one or more directors, of whom at least one must:</p>	

<sup>1</sup> For greater certainty the term 'shares' includes shares and other types of securities.

<sup>2</sup> For greater certainty, 'voting power' includes the power to control the composition of 25% or more of the governing body of the New Zealand entity

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		(a) live in New Zealand; or (b) live in an “enforcement country” and be a director of a company that is registered (except as the equivalent of an overseas company) in that enforcement country.	
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure regarding the control, management or use of:</p> <ul style="list-style-type: none"> <li>• Protected areas, including resources on land, interests in land or water, that are set up for heritage management purposes (both historic and natural heritage), public recreation, and scenery preservation; or</li> <li>• Species owned under enactments by the Crown or that are protected by or under an enactment.</li> </ul>	
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any nationality or residency measure in relation to:</p> <ul style="list-style-type: none"> <li>• Animal welfare; and</li> <li>• The preservation of plant, animal and human life and health; including in particular:                         <ul style="list-style-type: none"> <li>o Food safety of domestic and exported foods;</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>o Animal feeds;</li> <li>o Food standards;</li> <li>o Biosecurity and</li> <li>o Biodiversity; and</li> <li>o Certification of the plant or animal health status of goods.</li> </ul>	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Management and Boards of Directors (Article X.2)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure made by or under an enactment in respect of the foreshore and seabed, internal waters as defined in international law (including the beds, subsoil and margins of such internal waters) territorial sea, the Exclusive Economic Zone and the continental shelf, including for the issuance of maritime concessions in the continental shelf.</p>	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Presence (Article X.1)            Local Management and Boards of Directors (Article X.2)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            New Zealand reserves the right to adopt any measure in order to prohibit, regulate, manage or control the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.</p>	
		<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Management and Boards of Directors (Article X.2)</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>Performance Requirements (Article X.3)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The holding of shares; or</li> <li>• The establishment or operation of any unit trust, market or other facility established for the trade in, or allotment or management of, securities;</li> </ul> <p>in the co-operative dairy company arising from the amalgamation authorised by section 7(1)(a) of the Dairy Industry Restructuring Act 2001 (DIRA) (or any successor body);</p> <p>and with respect to:                      The disposition of assets of that dairy company or its successor bodies.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Local Management and Boards of Directors (Article X.2)                      Performance Requirements (Article X.3)</p> <p><b>Description</b>                      New Zealand reserves the right to control the activities of foreign fishing, including fishing landing, first landing of fish processed at sea, and access to New Zealand ports (port privileges) consistent with the provisions of the United Nations Convention on the Law of the Sea.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure with respect to</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.	
<p><b>BUSINESS SERVICES</b></p> <p><b>C. Research and Development</b></p> <p>CPC 851, 852 and 853</p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (Article II-4)</p> <p>Performance Requirements (Article X.3)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Research and development services carried out by State funded tertiary institutions or by Crown Research Institutes when such research is conducted for a public purpose; and</li> <li>• Research and experimental development services on physical sciences, chemistry, biology, engineering and technology, agricultural sciences, medical, pharmaceutical and other natural sciences.</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p> <p>(e) Technical testing and analysis services – CPC 8676 and</p> <p>(m) Related scientific and technical consulting services – CPC 8675</p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (Article II-4)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Composition and purity testing and analysis services;</li> <li>• Technical inspection services;</li> <li>• Other technical and analysis services;</li> <li>• Geological, geophysical, and other scientific prospecting services; and</li> <li>• Drug testing services</li> </ul>	
<p><b>BUSINESS SERVICES</b></p>		<p><b>Obligations Concerned</b></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p>National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Specifying the terms and conditions for the establishment and operation of any government endorsed allocation scheme for the rights to the distribution of export products falling within the HS categories covered by the WTO Agreement on Agriculture to markets where tariff quotas, country-specific preferences or other measures of similar effect are in force; and</li> <li>• The allocation of distribution rights to wholesale trade service suppliers pursuant to the establishment or operation of such an allocation scheme.</li> </ul> <p>This reservation is not intended to have the effect of prohibiting all investment in the provision of wholesale trade and distribution services relating to goods in the HS chapters covered by the WTO Agreement on Agriculture. The entry applies in respect of investment to the extent that the services sectors specified in this reservation are a subset of agricultural products subject to tariff quotas, country-specific preferences or other measures of similar effect.</p>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure necessary to give</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>and</p> <p><b>MARITIME TRANSPORT SERVICES</b></p> <p>and</p> <p><b>AIR TRANSPORT SERVICES</b></p>		<p>effect to the establishment or the implementation of mandatory marketing plans (also referred to as "export marketing strategies") for the export marketing of products derived from:</p> <ul style="list-style-type: none"> <li>• Agriculture;</li> <li>• Beekeeping;</li> <li>• Horticulture;</li> <li>• Arboriculture;</li> <li>• Arable farming; and</li> <li>• The farming of animals,</li> </ul> <p>where there is support within the relevant industry that a mandatory collective marketing plan should be adopted or activated.</p> <p>In addition, New Zealand reserves the right to adopt or maintain any measure with respect to the export marketing of fresh kiwifruit to all markets other than Australia.</p>	
<p><b>COMMUNICATION SERVICES</b></p> <p><b>A. Postal services</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the imposition of additional conditions for operation in the market or de-registration of postal operators where such operators engage in anti-competitive behaviour.</p>	
<p><b>COMMUNICATION SERVICES</b></p> <p><b>D. Audio-visual and other services</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain preferential co-production arrangements for film and television productions. Official co-production status,</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements.	
<b>COMMUNICATION SERVICES</b>  <b>D. Audio-visual and other services</b>		<b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the promotion of film and television production in New Zealand and the promotion of local content on public radio and television and in films.	
<b>FINANCIAL SERVICES</b>  <b>A. All insurance and insurance-related services</b>		<b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the supply of: <ul style="list-style-type: none"> <li>• Compulsory social insurance for personal injury caused by accident, work related gradual process disease and infection, and treatment of injury; and</li> <li>• Disaster insurance for residential property for replacement cover up to a defined statutory minimum.</li> </ul>	
<b>FINANCIAL SERVICES</b>		<b>Obligations Concerned</b> National Treatment (Article II-4)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to insurance and insurance related services for: <ul style="list-style-type: none"> <li>• industry marketing boards established</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>for products under the following CPC codes:</p> <ul style="list-style-type: none"> <li>• 01, except 01110 and 01340 (products of agriculture, horticulture and market gardening – except wheat and kiwifruit);</li> <li>• 02 except 02961-02963** (live animals and animal products except ovine wool);</li> <li>• 211 except 21111, 21112, 21115, 21116 and 21119 (meat and meat products except beef, sheep meat, poultry and offal);</li> <li>• 213-216 (prepared and preserved vegetables, fruit juices and vegetable juices, prepared and preserved fruit and nuts, animal and vegetable oils/fats)</li> <li>• 22 (dairy);</li> <li>• 2399 ('other food products'); and</li> <li>• 261 except 2613-2615** (natural textile fibres prepared for spinning except ovine Wool).</li> </ul> <ul style="list-style-type: none"> <li>• The provision of crop insurance for wheat, and</li> <li>• Insurance intermediation services related to the export of kiwifruit.</li> </ul>	
<p><b>FINANCIAL SERVICES</b></p> <p><b>B. Banking and other financial services (excluding insurance)</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the establishment or operation of exchanges, securities markets, or futures markets.</p>	
<p><b>FINANCIAL SERVICES</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><b>Description</b>                      New Zealand reserves the right to adopt or maintain:                      1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;                      2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</p>	
<p><b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b></p> <p><b>C. Libraries, archives, museums and other cultural services</b> (CPC 963)</p>		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Presence (Article X.1)                      Performance Requirements (Article X.3)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Cultural heritage of national value; including ethnological, archaeological, historical, literary, artistic, scientific or technological heritage, as well as collections that are documented, preserved and exhibited by museums, galleries, libraries, archives and other heritage collecting institutions;</li> <li>• Public archives;</li> <li>• Library and museum services; and</li> </ul> <p>Services for the preservation of historical or sacred sites or historical buildings.</p>	
<p><b>TRANSPORT SERVICES</b></p> <p><b>A. Maritime transport services</b></p>		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Management and Boards of Directors (Article X.2)                      Performance Requirements (Article X.3)</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The carriage by sea of passengers and/ or cargo between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in New Zealand (maritime "cabotage");</li> <li>• The establishment of registered companies for the purpose of operating a fleet under the New Zealand flag; and</li> <li>• The registration of vessels in New Zealand.</li> </ul>	
<p><b>SECTION B</b>                      RESERVATIONS pursuant to Articles II-2:2, II-2:3, X.4.1 and X.4.2                      LIMITATIONS pursuant to Article II-1</p>			
		<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)</p> <p><b>Description</b>                      The following entities are required to file audited financial statements with the Registrar of Companies:</p> <ul style="list-style-type: none"> <li>• Overseas issuers;</li> <li>• Overseas companies that carry on business in New Zealand;</li> <li>• Subsidiaries of companies or bodies corporate incorporated outside New Zealand; or</li> <li>• Companies in which 25 per cent or more of the shares or voting power are held or controlled by:                             <ul style="list-style-type: none"> <li>◦ A subsidiary of a company or body corporate incorporated outside New Zealand or a subsidiary of that</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		subsidiary; o A company or body corporate incorporated outside New Zealand; or o A person not ordinarily resident in New Zealand."  Existing measures: Companies Act 1993 Financial Reporting Act 1993	
		<b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)  <b>Description</b> Any existing non-conforming measures maintained at a local level of government. <sup>3</sup>	
<b>BUSINESS SERVICES</b>  <b>F. Other business services</b> (f) Services incidental to agriculture CPC 881**  and  <b>DISTRIBUTION SERVICES</b>		<b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)  <b>Description</b> Under the Primary Products Marketing Act 1953, the New Zealand government may impose Regulations to enable the establishment of statutory marketing authorities with monopoly marketing and acquisition powers (or lesser powers) for products derived from beekeeping; fruit growing; hop growing; deer farming or game deer; or goats, being the fur bristles or fibres grown by the goat ("primary products"). Regulations may be issued under the Primary Products Marketing Act 1953 concerning a	

<sup>3</sup> For the avoidance of doubt, this reservation does not apply to the extent New Zealand has taken commitments under Article XVII of the General Agreement on Trade in Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		broad range of the marketing authority's functions, powers and activities.  Existing measure: The Primary Products Marketing Act 1953	
<b>FINANCIAL SERVICES</b>  <b>B. Banking and other financial services (excluding insurance)</b>		<b>Obligations Concerned</b> Local Management and Boards of Directors (Article X.2)  <b>Description</b> At least one director of a corporate trustee and one director of a fund manager of a registered Kiwisaver scheme must be a New Zealand resident.	
<b>ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE</b>	Pursuant to Article II-1, New Zealand maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		
	Unbound with respect to any measure for social policy purposes with respect to wholesale and retail trade services of tobacco products and alcoholic beverages.		
	Unbound with respect to any measure prohibiting, regulating, managing or controlling the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.		
	Unbound with respect to any measure with respect to subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.		
	Unbound with respect to any measure according more favourable treatment to a Māori person.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>For all mode 4 categories in this schedule: Unbound for the regulation and entry of ships' crews to New Zealand.</p>		
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons of another Party, as specified below:</p> <p><b>(I) Business visitors</b></p> <p>Definition: A natural person:</p> <p>(i) who is seeking temporary entry to New Zealand for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) attending meetings or conferences, or engaging in consultations with business colleagues;</li> <li>(b) taking orders or negotiating contracts for an enterprise located in the territory of another Party, but not selling goods or providing services to the general public; or</li> <li>(c) undertaking business consultations or negotiations concerning the establishment, expansion or winding up of a business enterprise or investment in New Zealand, or any related matter;</li> </ul> <p>(ii) who is not seeking to enter the labour market of New Zealand; and</p> <p>(iii) whose principal place of business, actual place of remuneration, and predominant place of accrual of profits remain outside New Zealand.</p> <p>Conditions: Entry for a period not exceeding in aggregate three months in any calendar year.</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p><b>(II) Intra-Corporate Transferees:</b></p> <p>Definition: An executive, senior manager or a specialist, (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the intra-corporate transferee;</p> <p><b>Executive and senior manager:</b> Natural persons, as intra-corporate transferees who are senior employees of an organisation, who have been employed by that organisation for at least 12 months prior to their proposed transfer to New Zealand, and who are responsible for the entire or a substantial part of an organisation's operations in New Zealand, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business.</p> <p><b>Specialist:</b> A natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications, and suitability for the position.</p> <p>Conditions: Entry for a period of stay up to a maximum of three years.</p> <p><b>(III) Independent Professionals:</b></p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>Definition: A self-employed natural person with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An independent professional must have:</p> <p>(i) a qualification resulting from at least three years of formal post-secondary school education leading to a degree or diploma recognised as comparable to the domestic standard in New Zealand; and</p> <p>(ii) at least six years of experience.</p> <p>Both (i) and (ii) must be in the field in which the Independent Professional wishes to supply their professional services.</p> <p>Conditions: Entry for a period of stay up to a maximum of twelve months and subject to economic needs tests. <sup>4</sup></p> <p><b>(IV) Installers and servicers</b></p> <p>Definition: A natural person who is an installer or servicer of machinery and/or equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.</p> <p>Conditions: Entry for periods not exceeding three months</p>		

<sup>4</sup> New Zealand operates an Economic Needs Test (ENT) for this category of entrant. While the form of this test may change from time to time, the objective is to ensure that those entering as Independent Professionals only enter to fill skills shortages in the New Zealand labour market. An ENT can take a number of forms. Information about New Zealand's current form of ENT, which is called a Labour Market Test, can be found on the following website [www.immigration.govt.nz](http://www.immigration.govt.nz). New Zealand reserves the right to change the form of the ENT, including by replacing it with another form of ENT, provided that any ENT adopted remains consistent with the above objective.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	in any twelve-month period.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS AND RESERVATIONS</b>			
RESERVATIONS pursuant to Articles II-2:2, II-2:3, X.4.1 and X.4.2 LIMITATIONS pursuant to Article II-1			
<b>I. BUSINESS SERVICES</b>			
A. PROFESSIONAL SERVICES			
(a) Legal services <sup>5</sup> (i) Domestic law (host-country law) (ii) Foreign law (home-country law)  (iii) International law  For the avoidance of doubt, this includes: legal advisory services, legal representational services and legal arbitration, conciliation and mediation services.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Accounting, auditing and book-keeping services (CPC 862)	1) None 2) None 3) None 4) Unbound except as indicated in the		

<sup>5</sup> For the purposes of this commitment:

‘domestic law (host-country law)’ – the law of New Zealand.

‘foreign law’ (home-country law) – the law of the territories of TiSA Parties and other countries other than the law of New Zealand.

‘international law’ – includes law established by international treaties and conventions, as well as customary law.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
(c) Taxation services Tax preparation, tax planning and consulting services (CPC 86301-86303)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(g) Consultancy related to urban planning and landscape architecture (CPC 8674**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(i) Veterinary services (CPC 9320)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>B. COMPUTER AND RELATED SERVICES</b>			
(a) Consultancy services related to the installation of computer hardware	1) None 2) None 3) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(CPC 841)	4) Unbound except as indicated in the horizontal section.		
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Other Computer Services Maintenance and repair of office machinery and equipment including computers (CPC 845) Other computing services (CPC 849)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
<b>D. REAL ESTATE SERVICES</b>			
(a) Involving own or leased property (CPC 821)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RENTAL/LEASING OF EQUIPMENT WITHOUT CREW</b>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Transport and non-transport (CPC 8310)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. OTHER BUSINESS SERVICES</b>			
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Services incidental to agriculture, hunting and forestry (CPC 8811-8814)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)                      Local Management and Boards of Directors (Article X.2)                      Performance Requirements (Article X.3)</p> <p><b>Description</b>                      The Dairy Industry Restructuring Act 2001 (DIRA) and Regulations provide for the management of a national database for herd testing data. The database is currently held by DairyNZ.                      The DIRA:</p> <ul style="list-style-type: none"> <li>Provides for the New Zealand government to determine arrangements for the database to be managed by another dairy industry entity. In doing</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>so it may:</p> <ul style="list-style-type: none"> <li>o Take into account the nationality and residency of the entity, persons that own or control the entity, and the senior management and board of directors of the entity; and</li> <li>o Restrict who may hold shares in the entity, including on the basis of nationality.</li> </ul> <ul style="list-style-type: none"> <li>• Requires the transfer of data by those engaged in herd testing of dairy cattle to the entity that holds the database.</li> <li>• Establishes rules regarding access to the database and that access may be denied on the basis that its intended use could be "harmful to the New Zealand dairy industry", which may take into account the nationality or residency of the person seeking access."</li> </ul> <p>Existing measure: The Dairy Industry Restructuring Act 2001</p>	
(k) Placement and supply services of personnel (CPC 872)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(o) Cleaning of buildings and similar activities (CPC 874)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(p) Photographic services (CPC 875)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Other Limitations</b>	<b>Additional commitments</b>
(q) Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(r) Printing services (CPC 88442**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(s) Convention services (CPC 87909*)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other credit reporting services (CPC 87901)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Collection agency services (CPC 87902)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Translation services (CPC 87905**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Interior design services (CPC 87907**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Telephone answering services	1) None 2) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(CPC 87903)	3) None 4) Unbound except as indicated in the horizontal section.		
(t) Duplicating services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other Business Services – services generally provided to business not elsewhere classified in the CPC and not including convention services. These include: business brokerage services, appraisal services (other than for real estate), secretarial services, demonstration exhibition services, etc. (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>2. COMMUNICATION SERVICES</b>			
A & B. POSTAL AND COURIER SERVICES (CPC 7511 AND 7512)			
Services relating to the handling <sup>i</sup> of postal items <sup>ii</sup> whether for domestic or foreign destinations:  (a) Handling of addressed written communications on any kind of	1), 3) None, other than additional conditions for operation in the market or de-registration may be imposed on postal operators where these engage in anti-competitive behaviour.	<b>Obligations Concerned</b> National Treatment (Article II-4)  <b>Description</b> 1), 3) With respect to CPC 7511 (Postal services):  The Postal Services Act 1998 reserves the Universal Postal Union designation for a New Zealand operator.	Universal service obligations applying to postal operators will be administered in a transparent manner.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>physical medium<sup>iii</sup>, including:                      - Hybrid mail services                      - Direct mail</p> <p>(b) Handling of addressed parcels &amp; packages<sup>iv</sup></p> <p>(c) Handling of addressed press products<sup>v</sup></p> <p>(d) Handling of items referred to in A. to C. above as registered or insured mail.</p> <p>(e) Express delivery services<sup>vi</sup> for items referred to in A. to C. above.</p> <p>(f) Handling of non-addressed items.</p> <p>(g) Document exchange.</p> <p>(h) Other services not elsewhere specified, including post office counter services (CPC75113**), other than the issue of stamps bearing the words "New Zealand"<sup>6</sup>.</p> <p><sup>i</sup>The term "handling" should be taken to include clearance, sorting, transport and delivery.</p> <p><sup>ii</sup>"Postal item" refers to items handled by any type of commercial operator, whether</p>	<p>2) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p><b>Obligations Concerned</b>                      National Treatment (Article II-4)</p> <p><b>Description</b>                      The issue of stamps bearing the words "New Zealand" is restricted under the Act to Universal Postal Union designated operators, except where these words form part of the name of the operator issuing the stamps.</p> <p>Existing measure:                      The Postal Services Act 1998</p>	

<sup>6</sup> The issue of stamps bearing the said words is restricted to UPU designated operators except where the said words form part of the name of the operator issuing the stamps.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>public or private.</p> <p><sup>iii</sup>E.g., letter, postcards.</p> <p><sup>iv</sup>Books, catalogues are included hereunder.</p> <p><sup>v</sup>Journals, newspapers, periodicals.</p>			
<p><sup>vi</sup>Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.</p>			
<p>C. TELECOMMUNICATIONS SERVICES</p>			
<p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet-switched data transmission services (CPC 7523**)</p> <p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(d) Telex services (CPC 7523**)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (CPC 7521**, CPC 7529**)</p> <p>(g) Private leased circuit services (CPC 7522**, CPC 7523**)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p><b>Obligations Concerned</b></p> <p>National Treatment (Article II-4)</p> <p>Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b></p> <p>The Constitution of Chorus Limited requires New Zealand government approval for the shareholding of any single overseas entity to exceed 49.9 per cent.</p> <p>At least half of the Board of Directors are required to be New Zealand citizens.</p> <p>Existing measure:</p> <p>Constitution of Chorus Limited</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(h) Electronic mail (CPC 7523**) (i) Voice mail (CPC 7523**) (j) On-line information and data-base retrieval (CPC 7523**) (k) Electronic data interchange (EDI) (CPC 7523**) (l) Enhanced/value-added facsimile services (CPC 7523**) (m) Code and protocol conversion (n) On-line information and/or data processing (CPC 843**) (o) Other Paging services (CPC 75291) Teleconferencing services (CPC 75292) Personal communications services (CPC 75213*) Cellular services (CPC 75213*) Trunked radio system services (CPC 7523**, CPC 75213*) Mobile data services (CPC 7523**)			
<b>D. AUDIOVISUAL SERVICES</b>			
Production, distribution,	1) None	<b>Obligations Concerned</b>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
exhibition and broadcasting of audiovisual works (CPC 9611-9613, CPC 96192**, CPC 7524, CPC 753)	2) None 3) None 4) The New Zealand Immigration Service policy, based on the Immigration Act 1987 and the Immigration Regulations 1991 stipulate a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration, independent promoters, agents or producers and the relevant performing artists' unions. Otherwise, unbound except as indicated in the horizontal section.	National Treatment (Article II-4) Local Presence (Article X.1) Performance Requirements (Article X.3)  <b>Description</b> The acquisition of licences or management rights to use the radio frequency spectrum, or any interest in such licences or management rights, under the Radiocommunications Act 1989 by foreign governments or agents on behalf of foreign governments is subject to the written approval of the Chief Executive of the Ministry of Business, Innovation and Employment.  Existing measure: Radiocommunications Act 1989	
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
A. GENERAL CONSTRUCTION WORK FOR BUILDINGS			
General Construction Work for Buildings (CPC 512, CPC 515)	1) None for consultancy services 2) None 3) None		
	4) Unbound except as indicated in the horizontal section.		
B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING			
General Construction Work for Civil Engineering (CPC 513)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
C. INSTALLATION AND ASSEMBLY WORK			
Installation and Assembly Work (CPC 514, CPC 516)	1) None for consultancy services 2) None 3) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
<b>D. BUILDING COMPLETION AND FINISHING WORK</b>			
Building Completion and Finishing Work (CPC 517)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. OTHER</b>			
Site preparation: new construction (other than pipelines) (CPC 511)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maintenance and repair of fixed structures	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Renting services related to equipment for construction or demolition of buildings or civil engineering, with operator (CPC 518)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>4. DISTRIBUTION SERVICES</b>			
<b>A. COMMISSION AGENTS' SERVICES</b>			
CPC 62113-62115, 62117-62118	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
CPC 62111** only in respect of services relating to CPC 02961-02963** (ovine wool). CPC 62112** only in respect of	1) None 2) None 3) None except in terms of export distribution: (i) the allocation of distribution rights related to exports		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin) and 02961-02963** (ovine wool).</p> <p>CPC 62116** only in respect of services relating to CPC 2613 – 2615** (ovine wool).</p>	<p>of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports.</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
<p>B. WHOLESALE TRADE</p>			
<p>CPC 6223-6226, CPC 6228</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>		
<p>CPC 6221**only in respect of services relating to CPC 02961-02963** (ovine wool).</p>	<p>1) None 2) None 3) None except in terms of export</p>		
<p>CPC 6222** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin).</p> <p>CPC 62277** only in respect of services relating to CPC 2613 – 2615** (ovine wool).</p>	<p>distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	measures limiting the number of market participants or limiting the volume of exports. 4) Unbound except as indicated in the horizontal section.		
<b>C. RETAIL TRADE</b>			
CPC 631, 632, 6111, 6113 and 6121	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>5. EDUCATION SERVICES</b>			
Primary, Secondary, and Tertiary education in private institutions (CPC 921**, 922**, 923**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Other Education in respect of the following services only: Language training provided in private specialist language institutions; Tuition in subjects taught at the	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system <sup>7</sup> (CPC 929**)			

<sup>7</sup> Examples of these services might include the provision of extension or remedial tuition in relation to Maths, Science or History.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>6. ENVIRONMENTAL SERVICES<sup>8</sup></b>			
A. SEWAGE SERVICES			
Waste water management: (i) consultancy relating to waste water management; (ii) for all other aspects of this service: those contracted by private industry only. (CPC 9401**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
B. REFUSE DISPOSAL SERVICES			
Refuse disposal services: (i) consultancy relating to refuse disposal; (ii) for all other aspects of this service: those contracted by private industry only. (CPC 9402**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
C. SANITATION AND SIMILAR SERVICES			
Sanitation and similar services: i) consultancy relating to sanitation and similar services; ii) for all other aspects of this	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>8</sup> The New Zealand offer on environmental services excludes the collection, purification and distribution of water, including water for human use.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
service: those contracted by private industry only (CPC 9403**)			
D. OTHER			
Protection of ambient air & climate (CPC 9404**) Remediation & cleanup of soil & water (CPC 9406**) <sup>9</sup> Noise & vibration abatement (CPC 9405**) Protection of biodiversity & landscape (CPC 9406**) <sup>10</sup> Other environmental & ancillary services (CPC 9409**) (i) consultancy relating to these services; (ii) for all other aspects of these services: those contracted by private industry only.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>7. FINANCIAL SERVICES*</b> * With respect to Financial Services, New Zealand's market access commitments in modes 1 and 2 in this offer are limited to the extent of the obligations in paragraphs B.3 and B.4 of the WTO Understanding on Commitments in Financial Services.			
A. INSURANCE AND INSURANCE RELATED SERVICES			
(a) Life insurance services (CPC 8121)	3) None 4) Unbound except as indicated in horizontal section.		

<sup>9</sup> New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

<sup>10</sup> New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(b) Non-life insurance services (CPC 8129)	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), The Earthquake Commission is the sole insurer of residential property disaster insurance for replacement cover up to- a defined value set by regulation.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
(c) Reinsurance and retrocession (CPC 81299)	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(d) Insurance intermediation, such as brokerage and agency services (CPC 8140**)</p>	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), Under the Wheat Producers Levy Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>3) The provision of insurance intermediation services related to the export of kiwifruit can be restricted in accordance with the Kiwifruit Industry Restructuring Act 1999 and regulations relating to the export marketing of kiwifruit.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
<p>(e) Services auxiliary to</p>	<p>3) None</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
insurance, such as consultancy, actuarial, risk assessment and claim settlement services (CPC 8140**)	4) Unbound except as indicated in the horizontal section		
<b>B. BANKING AND OTHER FINANCIAL SERVICES (EXCLUDING INSURANCE)<sup>11</sup></b>			
<p>(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)</p> <p>(b) Lending of all types, including consumer credit, mortgage, credit, factoring and financing of commercial transactions (CPC 8113)</p> <p>(c) Financial leasing (CPC 8112)</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (CPC 81339**)</p> <p>(e) Guarantees and commitments (CPC 81199**)</p> <p>(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p style="padding-left: 20px;">(i) money market instruments</p>	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

<sup>11</sup> As defined in paragraph 5(a)(v)-(xvi) of the GATS Annex on Financial Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(cheques, bills, certificates of deposits etc) (CPC 81339**)</p> <p>(ii) foreign exchange (CPC 81333)</p> <p>(iii) derivative products, including, but not limited to, futures and options (CPC 81339**)</p> <p>(iv) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc (CPC 81339**)</p> <p>(v) transferable securities (CPC 81321)</p> <p>(vi) other negotiable instruments and Financial assets, including bullion (CPC 81339**)</p> <p>(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132)</p> <p>(h) Money broking (CPC 81339**)</p> <p>(i) Asset management, such as</p>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>cash or portfolio management; all forms of collective investment management, pension fund management, custodial, depository and trust services (CPC 8119**, 81323*)</p> <p>(j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339**, 81319**)</p> <p>(k) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131)</p> <p>(l) Advisory, intermediation, and other auxiliary financial services on all the activities listed in (a) to (k) above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131, 8133)</p>			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
A. HOTELS AND RESTAURANTS			
Hotel and other lodging services, food serving services and beverage serving services for consumption on the	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the</li> </ol>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
premises (CPC 641-643)	horizontal section.		
<b>B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES</b>			
Travel agencies and tour operators services (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. TOURIST GUIDE SERVICES</b>			
Tourist guide services (CPC 7472)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>11. TRANSPORT SERVICES</b>			
<b>A. MARITIME TRANSPORT SERVICES</b>			
International transport (passenger and freight) (CPC 7211** and 7212** less cabotage <sup>12</sup> )	General conditions applicable to all maritime service sectors: marketing and sales of maritime transport and related services for products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261; unbound, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only), CPC 2613-2615** (ovine wool only), and CPC 02961-02963** (ovine wool only).  1) None 2) None 3) Unbound for establishment of registered company for the purpose of operating a fleet under the New Zealand flag		Where not otherwise made available to international maritime transport suppliers pursuant to Article XXVIII(c)(ii), no measures shall be applied which deny reasonable and non-discriminatory access to the following port services:  - Pilotage - Towing and tug assistance - Provisioning, fuelling and watering - Garbage collecting and ballast waste disposal - Port Captain's services - Navigation aids - Shore-based operational services essential to ship operations, including communications, water and electrical supplies

<sup>12</sup> For purposes of this schedule only, cabotage is defined as the transportation of passengers or goods between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in the same port located in New Zealand.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound for ships crews. Otherwise unbound except as indicated in the horizontal section.		<ul style="list-style-type: none"> <li>- Emergency repair facilities</li> <li>- Anchorage, berth and berthing services</li> <li>- Other shore-based operational services essential to ship operations, including communications, water and electrical supplies.</li> </ul>
<b>A. MARITIME AUXILIARY SERVICES</b>			
Maritime cargo-handling services <sup>13</sup>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>		
Storage and warehousing services (CPC 742** maritime only)	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ul>		
Maritime customs clearance services <sup>14</sup>	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ul>		
Maritime container station and depot services <sup>15</sup>	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ul>		
Maritime agency services <sup>16</sup>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> </ul>		

<sup>13</sup> As defined in Article 1(b)(i) of the Annex on International Maritime Transport Services.  
<sup>14</sup> As defined in Article 1(b)(iii) of the Annex on International Maritime Transport Services.  
<sup>15</sup> As defined in Article 1(b)(iv) of the Annex on International Maritime Transport Services.  
<sup>16</sup> As defined in Article 1(b)(v) of the Annex on International Maritime Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
Maritime freight forwarding services <sup>17</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. AIR TRANSPORT SERVICES</b>			
Aircraft repair and maintenance services <sup>18</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Selling and marketing of air transport services <sup>19</sup>	1)2) Unbound for products covered & 3) under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only); CPC 2613-2615** (ovine wool only); and CPC 02961-02963** (ovine wool only). 4) Unbound except as indicated in the horizontal section.		
Computer reservation system services <sup>20</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>17</sup> As defined in Article 1(b)(vi) of the Annex on International Maritime Transport Services.

<sup>18</sup> As defined in paragraph 6(a) of the Annex on Air Transport Services.

<sup>19</sup> As defined in paragraph 6(b) of the Annex on Air Transport Services.

<sup>20</sup> As defined in paragraph 6(c) of the Annex on Air Transport Services.

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Other Limitations</b>	<b>Additional commitments</b>
Airport operation services <sup>21</sup> Excluding navigation aids, firefighting and fire prevention services.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Ground handling services <sup>22</sup> Excluding firefighting and fire prevention services.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Specialty air services <sup>23</sup> Excluding aerial firefighting.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Airfreight storage and warehousing services (CPC 742**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RAIL TRANSPORT SERVICES</b>			
Rail Transport Services (CPC 711)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. ROAD TRANSPORT SERVICES</b>			

<sup>21</sup> As defined in paragraph 6(e) of the Annex on Air Transport Services.

<sup>22</sup> As defined in paragraph 6(d) of the Annex on Air Transport Services.

<sup>23</sup> As defined in paragraph 6(f) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Commercial Road Transport Services (passenger, goods, rental and vehicle recovery) (CPC 712 except 71235)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Cargo Handling (CPC 741** road only)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Storage and warehousing services (CPC 742** road only)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>G. PIPELINE TRANSPORT</b>			
Pipeline Transport (CPC 713)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>12. OTHER SERVICES NOT INCLUDED ELSEWHERE</b>			
Other services  Washing, cleaning and dyeing services (CPC 9701)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

## **New Zealand's Second Revised TiSA Offer: October 2016**

New Zealand submits herewith its second revised offer in respect of national treatment, market access, local presence, performance requirements and local management and boards of directors as part of the TiSA negotiations. This offer is conditional on high quality offers from other TiSA participants and New Zealand reserves the right to amend, supplement or withdraw this offer, in whole or in part, at any time prior to the conclusion of negotiations.

New Zealand's second revised offer for these obligations has been prepared on the basis of text proposals New Zealand supports in the TiSA negotiations. New Zealand reserves its position on MFN exemptions pending further discussion on Article [...] (Most-Favoured Nation Treatment).

New Zealand continues to consider the following matters:

- Taxation
- Measures in relation to patent attorneys, subject to the completion of an ongoing domestic review;
- Measures in relation to supporting creative arts of national value.

New Zealand's removal of reservations relating to labour disputes is contingent on a suitable final text outcome.

## Introductory Notes

Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.

In the interpretation of each entry, all elements of the entry shall be considered in their totality.

Where an entry is preceded by a number, it shall apply only to the mode of supply as follows:

- 1) Mode 1 supply as described in Article I-1.2(a)
- 2) Mode 2 supply as described in Article I-1.2(b)
- 3) Mode 3 supply as described in Article I-1.2(c)
- 4) Mode 4 supply as described in Article I-1.2(d)

In the "Other Limitations" column below:

1. **Description** sets out the reservation to which the entry applies.
2. In accordance with Article II-2 (Scheduling of National Treatment Commitments) and Article X.4 (Scheduling of Localisation Commitments), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the laws, regulations, rules, procedures, decisions, administrative actions, practices or other measures identified in the **Description** element of that entry.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
NEW ZEALAND undertakes its specific commitments in accordance with Part II of the Agreement			
<b>SECTION A</b>			
RESERVATIONS pursuant to Article II-2:4 and X.4.3			
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Public law enforcement services and correctional services;</li> <li>• Publicly funded legal services;</li> <li>• Fire fighting services;</li> <li>• The use of statutorily protected educational terms and titles;</li> <li>• Adoption services;</li> <li>• Gambling, betting and prostitution services;</li> </ul> <p>and the following, to the extent that they are social services established for a public purpose:</p> <ul style="list-style-type: none"> <li>• Child care;</li> <li>• Health;</li> <li>• Income security and insurance;</li> <li>• Public education;</li> <li>• Public housing;</li> <li>• Public training;</li> <li>• Public transport;</li> <li>• Public utilities;</li> <li>• Social security and insurance; and</li> <li>• Social welfare.</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure concerning the entry of natural persons into, or their temporary stay in, its territory, except as specified in the market access column.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the entry of natural persons into, or their temporary stay in, its territory-for the regulation and entry of ships' crews to New Zealand.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to water, including the allocation, collection, treatment and distribution of drinking water.</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure solely as part of the act of devolving a service that is provided in</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		the exercise of governmental authority at the time the Agreement enters into force.	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  Where the New Zealand government wholly-owns or has effective control over an enterprise, then New Zealand reserves the right to adopt or maintain any measure regarding the sale of any shares in that enterprise or any assets of that enterprise to any person, including according more favourable treatment to New Zealand nationals.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure according more favourable treatment to a Māori person.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure relating to overseas investment, including for:</p> <ul style="list-style-type: none"> <li>• Acquisition or control, regardless of dollar value, of certain categories of land that are regarded as sensitive or require specific approval according to New Zealand's Overseas Investment legislation;</li> <li>• Any transaction, regardless of dollar value, that would result in an overseas</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>investment in fishing quota; and</p> <ul style="list-style-type: none"> <li>• Any transaction that would result in an overseas investment in significant business assets</li> </ul> <p>excepting:</p> <ul style="list-style-type: none"> <li>• Acquisition or control of less than 25 per cent of any class of shares<sup>1</sup> or voting power<sup>2</sup> in a New Zealand entity where, in addition, either the consideration for the transfer or the value of the assets does not exceed NZ\$20 million; and</li> <li>• Commencement of business operations or acquisition of an existing business, including business assets, in New Zealand, where the total expenditures to be incurred in establishing or acquiring that business or those assets do not exceed NZ\$20 million.</li> </ul> <p>For greater transparency, New Zealand reserves the right to adopt or maintain any measure that sets out the approval criteria to be applied to the categories of overseas investment that require approval under New Zealand's overseas investment regime.</p>	
		<p><b>Obligations Concerned</b> Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure that requires all companies to have one or more directors, of whom at least one must:</p> <p>(a) live in New Zealand; or</p> <p>(b) live in an "enforcement country" and be a director of a company that is registered (except as the equivalent of an overseas company) in that enforcement country.</p>	

<sup>1</sup> For greater certainty the term 'shares' includes shares and other types of securities.

<sup>2</sup> For greater certainty, 'voting power' includes the power to control the composition of 25% or more of the governing body of the New Zealand entity

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure regarding the control, management or use of:</p> <ul style="list-style-type: none"> <li>• Protected areas, including resources on land, interests in land or water, that are set up for heritage management purposes (both historic and natural heritage), public recreation, and scenery preservation; or</li> <li>• Species owned under enactments by the Crown or that are protected by or under an enactment.</li> </ul>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any nationality or residency measure in relation to:</p> <ul style="list-style-type: none"> <li>• Animal welfare; and</li> <li>• The preservation of plant, animal and human life and health; including in particular: <ul style="list-style-type: none"> <li>o Food safety of domestic and exported foods;</li> <li>o Animal feeds;</li> <li>o Food standards;</li> <li>o Biosecurity and</li> <li>o Biodiversity; and</li> <li>o Certification of the plant or</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		animal health status of goods.	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure made by or under an enactment in respect of the foreshore and seabed, internal waters as defined in international law (including the beds, subsoil and margins of such internal waters) territorial sea, the Exclusive Economic Zone and the continental shelf, including for the issuance of maritime concessions in the continental shelf.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt any measure in order to prohibit, regulate, manage or control the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The holding of shares; or</li> <li>• The establishment or operation of any</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>unit trust, market or other facility established for the trade in, or allotment or management of, securities;</p> <p>in the co-operative dairy company arising from the amalgamation authorised by section 7(1)(a) of the Dairy Industry Restructuring Act 2001 (DIRA) (or any successor body); and with respect to:</p> <p>The disposition of assets of that dairy company or its successor bodies.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to control the activities of foreign fishing, including fishing landing, first landing of fish processed at sea, and access to New Zealand ports (port privileges) consistent with the provisions of the United Nations Convention on the Law of the Sea.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.</p>	
<b>BUSINESS SERVICES</b>		<b>Obligations Concerned</b>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><b>C. Research and Development</b> CPC 851, 852 and 853</p>		<p>National Treatment (Article II-4) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Research and development services carried out by State funded tertiary institutions or by Crown Research Institutes when such research is conducted for a public purpose; and</li> <li>• Research and experimental development services on physical sciences, chemistry, biology, engineering and technology, agricultural sciences, medical, pharmaceutical and other natural sciences.</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b> (e) Technical testing and analysis services – CPC 8676 and (m) Related scientific and technical consulting services – CPC 8675</p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Composition and purity testing and analysis services;</li> <li>• Technical inspection services;</li> <li>• Other technical and analysis services;</li> <li>• Geological, geophysical, and other scientific prospecting services; and</li> <li>• Drug testing services</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture  and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Specifying the terms and conditions for the establishment and operation of any</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>government endorsed allocation scheme for the rights to the distribution of export products falling within the HS categories covered by the WTO Agreement on Agriculture to markets where tariff quotas, country-specific preferences or other measures of similar effect are in force; and</p> <ul style="list-style-type: none"> <li>• The allocation of distribution rights to wholesale trade service suppliers pursuant to the establishment or operation of such an allocation scheme.</li> </ul> <p>This reservation is not intended to have the effect of prohibiting all investment in the provision of wholesale trade and distribution services relating to goods in the HS chapters covered by the WTO Agreement on Agriculture. The entry applies in respect of investment to the extent that the services sectors specified in this reservation are a subset of agricultural products subject to tariff quotas, country-specific preferences or other measures of similar effect.</p>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p> <p>and</p> <p><b>MARITIME TRANSPORT SERVICES</b></p> <p>and</p> <p><b>AIR TRANSPORT SERVICES</b></p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (Article II-4)</p> <p>Local Management and Boards of Directors (Article X.2)</p> <p>Performance Requirements (Article X.3)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure necessary to give effect to the establishment or the implementation of mandatory marketing plans (also referred to as "export marketing strategies") for the export marketing of products derived from:</p> <ul style="list-style-type: none"> <li>• Agriculture;</li> <li>• Beekeeping;</li> <li>• Horticulture;</li> <li>• Arboriculture;</li> <li>• Arable farming; and</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• The farming of animals, where there is support within the relevant industry that a mandatory collective marketing plan should be adopted or activated.</li> </ul> <p>In addition, New Zealand reserves the right to adopt or maintain any measure with respect to the export marketing of fresh kiwifruit to all markets other than Australia.</p>	
<b>COMMUNICATION SERVICES</b> <b>A. Postal services</b>		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to the imposition of additional conditions for operation in the market or de-registration of postal operators where such operators engage in anti-competitive behaviour.</p>	
<b>COMMUNICATION SERVICES</b> <b>D. Audio-visual and other services</b>		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain preferential co-production arrangements for film and television productions. Official co-production status, which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements.</p>	
<b>COMMUNICATION SERVICES</b> <b>D. Audio-visual and other services</b>		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to the</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		promotion of film and television production in New Zealand and the promotion of local content on public radio and television and in films.	
<b>FINANCIAL SERVICES</b>  <b>A. All insurance and insurance-related services</b>		<b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the supply of: <ul style="list-style-type: none"> <li>• Compulsory social insurance for personal injury caused by accident, work related gradual process disease and infection, and treatment of injury; and</li> <li>• Disaster insurance for residential property for replacement cover up to a defined statutory minimum.</li> </ul>	
<b>FINANCIAL SERVICES</b>		<b>Obligations Concerned</b> National Treatment (Article II-4)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to insurance and insurance related services for: <ul style="list-style-type: none"> <li>• industry marketing boards established for products under the following CPC codes: <ul style="list-style-type: none"> <li>• 01, except 01110 and 01340 (products of agriculture, horticulture and market gardening – except wheat and kiwifruit);</li> <li>• 02 except 02961-02963** (live animals and animal products except ovine wool);</li> <li>• 211 except 21111, 21112, 21115, 21116 and 21119 (meat and meat products except beef, sheep meat, poultry and offal);</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• 213-216 (prepared and preserved vegetables, fruit juices and vegetable juices, prepared and preserved fruit and nuts, animal and vegetable oils/fats)</li> <li>• 22 (dairy);</li> <li>• 2399 ('other food products'); and</li> <li>• 261 except 2613-2615** (natural textile fibres prepared for spinning except ovine Wool).</li> <li>• The provision of crop insurance for wheat, and</li> <li>• Insurance intermediation services related to the export of kiwifruit.</li> </ul>	
<b>FINANCIAL SERVICES</b>  <b>B. Banking and other financial services (excluding insurance)</b>		<b>Obligations Concerned</b> National Treatment (Article II-4)  <b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the establishment or operation of exchanges, securities markets, or futures markets.	
<b>FINANCIAL SERVICES</b>		<b>Obligations Concerned</b> National Treatment (Article II-4)  <b>Description</b> New Zealand reserves the right to adopt or maintain: <ol style="list-style-type: none"> <li>1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</li> <li>2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</li> </ol>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b></p> <p><b>C. Libraries, archives, museums and other cultural services</b> (CPC 963)</p>		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Presence (Article X.1)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Cultural heritage of national value; including ethnological, archaeological, historical, literary, artistic, scientific or technological heritage, as well as collections that are documented, preserved and exhibited by museums, galleries, libraries, archives and other heritage collecting institutions;</li> <li>• Public archives;</li> <li>• Library and museum services; and</li> </ul> <p>Services for the preservation of historical or sacred sites or historical buildings.</p>	
<p><b>TRANSPORT SERVICES</b></p> <p><b>A. Maritime transport services</b></p>		<p><b>Obligations Concerned</b>  National Treatment (Article II-4)  Local Management and Boards of Directors (Article X.2)  Performance Requirements (Article X.3)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The carriage by sea of passengers and/ or cargo between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in New Zealand (maritime "cabotage");</li> <li>• The establishment of registered companies for the purpose of operating a fleet under the New Zealand flag; and</li> <li>• The registration of vessels in New Zealand.</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><b>SECTION B</b></p> <p>RESERVATIONS pursuant to Articles II-2:2, II-2:3, X.4.1 and X.4.2</p> <p>LIMITATIONS pursuant to Article II-1</p>			
		<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> The following entities are required to file audited financial statements with the Registrar of Companies:</p> <ul style="list-style-type: none"> <li>• Overseas issuers;</li> <li>• Overseas companies that carry on business in New Zealand;</li> <li>• Subsidiaries of companies or bodies corporate incorporated outside New Zealand; or</li> <li>• Companies in which 25 per cent or more of the shares or voting power are held or controlled by: <ul style="list-style-type: none"> <li>○ A subsidiary of a company or body corporate incorporated outside New Zealand or a subsidiary of that subsidiary;</li> <li>○ A company or body corporate incorporated outside New Zealand; or</li> <li>○ A person not ordinarily resident in New Zealand."</li> </ul> </li> </ul> <p>Existing measures: Companies Act 1993 Financial Reporting Act 1993</p>	
		<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Presence (Article X.1) Local Management and Boards of Directors (Article X.2) Performance Requirements (Article X.3)</p> <p><b>Description</b></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		Any existing non-conforming measures maintained at a local level of government. <sup>3</sup>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p> <p>(f) Services incidental to agriculture CPC 881**</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (Article II-4)</p> <p>Local Management and Boards of Directors (Article X.2)</p> <p>Performance Requirements (Article X.3)</p> <p><b>Description</b></p> <p>Under the Primary Products Marketing Act 1953, the New Zealand government may impose Regulations to enable the establishment of statutory marketing authorities with monopoly marketing and acquisition powers (or lesser powers) for products derived from beekeeping; fruit growing; hop growing; deer farming or game deer; or goats, being the fur bristles or fibres grown by the goat ("primary products"). Regulations may be issued under the Primary Products Marketing Act 1953 concerning a broad range of the marketing authority's functions, powers and activities.</p> <p>Existing measure:</p> <p>The Primary Products Marketing Act 1953</p>	
<p><b>FINANCIAL SERVICES</b></p> <p><b>B. Banking and other financial services (excluding insurance)</b></p>		<p><b>Obligations Concerned</b></p> <p>Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b></p> <p>At least one director of a corporate trustee and one director of a fund manager of a registered Kiwisaver scheme must be a New Zealand resident.</p>	
<p><b>ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE</b></p>	<p>Pursuant to Article II-1, New Zealand maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:</p>		

<sup>3</sup> For the avoidance of doubt, this reservation does not apply to the extent New Zealand has taken commitments under Article XVII of the General Agreement on Trade in Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	Unbound with respect to any measure for social policy purposes with respect to wholesale and retail trade services of tobacco products and alcoholic beverages.		
	Unbound with respect to any measure prohibiting, regulating, managing or controlling the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.		
	Unbound with respect to any measure with respect to subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.		
	Unbound with respect to any measure according more favourable treatment to a Māori person.		
	For all mode 4 categories in this schedule: Unbound for the regulation and entry of ships' crews to New Zealand.		
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons of another Party, as specified below:</p> <p><b>(I) Business visitors</b></p> <p>Definition: A natural person:</p> <p>(i) who is seeking temporary entry to New Zealand for the purpose of:</p> <p>(a) attending meetings or conferences, or engaging in consultations with business colleagues;</p> <p>(b) taking orders or negotiating</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>contracts for an enterprise located in the territory of another Party, but not selling goods or providing services to the general public; or</p> <p>(c) undertaking business consultations or negotiations concerning the establishment, expansion or winding up of a business enterprise or investment in New Zealand, or any related matter;</p> <p>(ii) who is not seeking to enter the labour market of New Zealand; and</p> <p>(iii) whose principal place of business, actual place of remuneration, and predominant place of accrual of profits remain outside New Zealand.</p> <p>Conditions: Entry for a period not exceeding in aggregate three months in any calendar year.</p> <p><b>(II) Intra-Corporate Transferees:</b> Definition: An executive, senior manager or a specialist, (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the intra-corporate transferee;</p> <p><b>Executive and senior manager:</b> Natural persons, as intra-corporate transferees who are senior employees of an organisation, who have been employed by that organisation for at least 12 months prior to their proposed transfer to New Zealand, and who are responsible for the entire or a substantial part of an organisation's operations in New Zealand, receiving general supervision or direction principally from higher level executives, the board of directors</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>or stockholders of the business.</p> <p><b>Specialist:</b> A natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications, and suitability for the position.</p> <p>Conditions: Entry for a period of stay up to a maximum of three years.</p> <p><b>(III) Independent Professionals:</b> Definition: A self-employed natural person with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An independent professional must have:</p> <p>(i) a qualification resulting from at least three years of formal post-secondary school education leading to a degree or diploma recognised as comparable to the domestic standard in New Zealand; and</p> <p>(ii) at least six years of experience.</p> <p>Both (i) and (ii) must be in the field in which the Independent Professional wishes to supply their professional services.</p> <p>Conditions:</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>Entry for a period of stay up to a maximum of twelve months and subject to economic needs tests.<sup>4</sup></p> <p><b>(IV) Installers and servicers</b></p> <p>Definition: A natural person who is an installer or servicer of machinery and/or equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.</p> <p>Conditions: Entry for periods not exceeding three months in any twelve-month period.</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS AND RESERVATIONS</b>			
RESERVATIONS pursuant to Articles II-2:2, II-2:3, X.4.1 and X.4.2 LIMITATIONS pursuant to Article II-1			
<b>I. BUSINESS SERVICES</b>			
A. PROFESSIONAL SERVICES			

<sup>4</sup> New Zealand operates an Economic Needs Test (ENT) for this category of entrant. While the form of this test may change from time to time, the objective is to ensure that those entering as Independent Professionals only enter to fill skills shortages in the New Zealand labour market. An ENT can take a number of forms. Information about New Zealand's current form of ENT, which is called a Labour Market Test, can be found on the following website [www.immigration.govt.nz](http://www.immigration.govt.nz). New Zealand reserves the right to change the form of the ENT, including by replacing it with another form of ENT, provided that any ENT adopted remains consistent with the above objective.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(a) Legal services <sup>5</sup> (i) Domestic law (host-country law) (ii) Foreign law (home-country law)  (iii) International law  For the avoidance of doubt, this includes: legal advisory services, legal representational services and legal arbitration, conciliation and mediation services.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Accounting, auditing and book-keeping services (CPC 862)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Taxation services Tax preparation, tax planning and consulting services (CPC 86301-86303)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Engineering services (CPC 8672)	1) None 2) None 3) None		

<sup>5</sup> For the purposes of this commitment:

‘domestic law (host-country law)’ – the law of New Zealand.

‘foreign law’ (home-country law) – the law of the territories of TiSA Parties and other countries other than the law of New Zealand.

‘international law’ – includes law established by international treaties and conventions, as well as customary law.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(g) Consultancy related to urban planning and landscape architecture (CPC 8674**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(i) Veterinary services (CPC 9320)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>B. COMPUTER AND RELATED SERVICES</b>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
(e) Other Computer Services Maintenance and repair of office machinery and equipment including computers (CPC 845) Other computing services (CPC 849)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
<b>D. REAL ESTATE SERVICES</b>			
(a) Involving own or leased property (CPC 821)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RENTAL/LEASING OF EQUIPMENT WITHOUT CREW</b>			
Transport and non-transport (CPC 8310)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. OTHER BUSINESS SERVICES</b>			
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Services incidental to agriculture, hunting and forestry (CPC 8811-8814)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Management and Boards of Directors (Article X.2)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            The Dairy Industry Restructuring Act 2001 (DIRA) and Regulations provide for the management of a national database for herd testing data. The database is currently held by DairyNZ.</p> <p>The DIRA:</p> <ul style="list-style-type: none"> <li>• Provides for the New Zealand government to determine arrangements for the database to be managed by another dairy industry entity. In doing so it may:               <ul style="list-style-type: none"> <li>○ Take into account the nationality and residency of the entity, persons that own or control the entity, and the senior management and board of directors of the entity; and</li> <li>○ Restrict who may hold shares in the entity, including on the basis of nationality.</li> </ul> </li> <li>• Requires the transfer of data by those engaged in herd testing of dairy cattle to the entity that holds the database.</li> <li>• Establishes rules regarding access to the database and that access may be denied on the basis that its intended use could be "harmful to the New Zealand dairy industry", which may take into account</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>the nationality or residency of the person seeking access.”</p> <p>Existing measure: The Dairy Industry Restructuring Act 2001</p>	
(k) Placement and supply services of personnel (CPC 872)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(o) Cleaning of buildings and similar activities (CPC 874)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(p) Photographic services (CPC 875)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(q) Packaging services (CPC 876)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(r) Printing services (CPC 88442**)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(s) Convention services (CPC 87909*)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Other credit reporting services (CPC 87901)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the</li> </ol>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
(t) Collection agency services (CPC 87902)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Translation services (CPC 87905**)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Interior design services (CPC 87907**)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Telephone answering services (CPC 87903)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Duplicating services (CPC 87904)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Mailing list compilation and mailing services (CPC 87906)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(t) Other Business Services – services generally provided to business not elsewhere classified in the CPC and not including convention services. These include: business brokerage services, appraisal services (other than for	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
real estate), secretarial services, demonstration exhibition services, etc. (CPC 87909)			
<b>2. COMMUNICATION SERVICES</b>			
A & B. POSTAL AND COURIER SERVICES (CPC 7511 AND 7512)			
<p>Services relating to the handling<sup>i</sup> of postal items<sup>ii</sup> whether for domestic or foreign destinations:</p> <p>(a) Handling of addressed written communications on any kind of</p>	<p>1), None, other than additional conditions for operation in the market or de-registration may be imposed on postal operators where these engage in anti-competitive behaviour.</p> <p>3)</p>	<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> 1), With respect to CPC 7511 (Postal 3) services): The Postal Services Act 1998 reserves the Universal Postal Union designation for a New Zealand operator.</p>	<p>Universal service obligations applying to postal operators will be administered in a transparent manner.</p>
<p>physical medium<sup>iii</sup>, including: - Hybrid mail services - Direct mail</p> <p>(b) Handling of addressed parcels &amp; packages<sup>iv</sup></p> <p>(c) Handling of addressed press products<sup>v</sup></p> <p>(d) Handling of items referred to in A. to C. above as registered or insured mail.</p> <p>(e) Express delivery services<sup>vi</sup> for items referred to in A. to C. above.</p> <p>(f) Handling of non-addressed items.</p> <p>(g) Document exchange.</p> <p>(h) Other services not elsewhere specified,</p>	<p>2) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p><b>Obligations Concerned</b> National Treatment (Article II-4)</p> <p><b>Description</b> The issue of stamps bearing the words "New Zealand" is restricted under the Act to Universal Postal Union designated operators, except where these words form part of the name of the operator issuing the stamps.</p> <p>Existing measure: The Postal Services Act 1998</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>including post office counter services (CPC75113**), other than the issue of stamps bearing the words "New Zealand"<sup>6</sup>.</p> <p><sup>i</sup>The term "handling" should be taken to include clearance, sorting, transport and delivery.</p> <p><sup>ii</sup>"Postal item" refers to items handled by any type of commercial operator, whether public or private.</p> <p><sup>iii</sup>E.g., letter, postcards.</p> <p><sup>iv</sup>Books, catalogues are included hereunder.</p> <p><sup>v</sup>Journals, newspapers, periodicals.</p>			
<p><sup>vi</sup>Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.</p>			
<b>C. TELECOMMUNICATIONS SERVICES</b>			
<p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet-switched data transmission services (CPC 7523**)</p>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>	<p><b>Obligations Concerned</b> National Treatment (Article II-4) Local Management and Boards of Directors (Article X.2)</p> <p><b>Description</b></p>	

<sup>6</sup> The issue of stamps bearing the said words is restricted to UPU designated operators except where the said words form part of the name of the operator issuing the stamps.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(d) Telex services (CPC 7523**)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (CPC 7521**, CPC 7529**)</p> <p>(g) Private leased circuit services (CPC 7522**, CPC 7523**)</p> <p>(h) Electronic mail (CPC 7523**)</p> <p>(i) Voice mail (CPC 7523**)</p> <p>(j) On-line information and data-base retrieval (CPC 7523**)</p> <p>(k) Electronic data interchange (EDI) (CPC 7523**)</p> <p>(l) Enhanced/value-added facsimile services (CPC 7523**)</p> <p>(m) Code and protocol conversion</p> <p>(n) On-line information and/or data processing (CPC 843**)</p> <p>(o) Other</p> <p style="padding-left: 20px;">Paging services (CPC 75291)</p> <p style="padding-left: 20px;">Teleconferencing services (CPC 75292)</p>		<p>The Constitution of Chorus Limited requires New Zealand government approval for the shareholding of any single overseas entity to exceed 49.9 per cent.</p> <p>At least half of the Board of Directors are required to be New Zealand citizens.</p> <p>Existing measure: Constitution of Chorus Limited</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Personal communications services (CPC 75213*) Cellular services (CPC 75213*) Trunked radio system services (CPC 7523**, CPC 75213*) Mobile data services (CPC 7523**)			
<b>D. AUDIOVISUAL SERVICES</b>			
Production, distribution, exhibition and broadcasting of audiovisual works (CPC 9611-9613, CPC 96192**, CPC 7524, CPC 753)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) The New Zealand Immigration Service policy, based on the Immigration Act 1987 and the Immigration Regulations 1991 stipulate a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration, independent promoters, agents or producers and the relevant performing artists' unions. Otherwise, unbound except as indicated in the horizontal section.</li> </ol>	<p><b>Obligations Concerned</b>            National Treatment (Article II-4)            Local Presence (Article X.1)            Performance Requirements (Article X.3)</p> <p><b>Description</b>            The acquisition of licences or management rights to use the radio frequency spectrum, or any interest in such licences or management rights, under the Radiocommunications Act 1989 by foreign governments or agents on behalf of foreign governments is subject to the written approval of the Chief Executive of the Ministry of Business, Innovation and Employment.</p> <p>Existing measure:            Radiocommunications Act 1989</p>	
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
<b>A. GENERAL CONSTRUCTION WORK FOR BUILDINGS</b>			
General Construction Work for Buildings (CPC 512, CPC 515)	<ol style="list-style-type: none"> <li>1) None for consultancy services</li> <li>2) None</li> <li>3) None</li> </ol>		
	<ol style="list-style-type: none"> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING</b>			
General Construction Work for Civil Engineering (CPC 513)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. INSTALLATION AND ASSEMBLY WORK</b>			
Installation and Assembly Work (CPC 514, CPC 516)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>D. BUILDING COMPLETION AND FINISHING WORK</b>			
Building Completion and Finishing Work (CPC 517)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. OTHER</b>			
Site preparation: new construction (other than pipelines) (CPC 511)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maintenance and repair of fixed structures	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Renting services related to equipment for construction or demolition of buildings or civil engineering, with operator (CPC 518)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>4. DISTRIBUTION SERVICES</b>			
<b>A. COMMISSION AGENTS' SERVICES</b>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
CPC 62113-62115, 62117-62118	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
<p>CPC 62111** only in respect of services relating to CPC 02961-02963** (ovine wool).</p> <p>CPC 62112** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin) and 02961-02963** (ovine wool).</p> <p>CPC 62116** only in respect of services relating to CPC 2613 - 2615** (ovine wool).</p>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None except in terms of export distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports.</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
<b>B. WHOLESALE TRADE</b>			
CPC 6223-6226, CPC 6228	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
CPC 6221**only in respect of services relating to CPC 02961-02963** (ovine wool).	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None except in terms of export</li> </ol>		
CPC 6222** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of	distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
bovine and ovine origin). CPC 62277** only in respect of services relating to CPC 2613 – 2615** (ovine wool).	preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports. 4) Unbound except as indicated in the horizontal section.		
<b>C. RETAIL TRADE</b>			
CPC 631, 632, 6111, 6113 and 6121	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>5. EDUCATION SERVICES</b>			
Primary, Secondary, and Tertiary education in private institutions (CPC 921**, 922**, 923**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Other Education in respect of the following services only: Language training provided in private specialist language institutions; Tuition in subjects taught at the	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
primary and secondary levels, provided by private			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
specialist institutions operating outside the New Zealand compulsory school system <sup>7</sup> (CPC 929**)			
<b>6. ENVIRONMENTAL SERVICES<sup>8</sup></b>			
A. SEWAGE SERVICES			
Waste water management: (i) consultancy relating to waste water management; (ii) for all other aspects of this service: those contracted by private industry only. (CPC 9401**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
B. REFUSE DISPOSAL SERVICES			
Refuse disposal services: (i) consultancy relating to refuse disposal; (ii) for all other aspects of this service: those contracted by private industry only. (CPC 9402**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
C. SANITATION AND SIMILAR SERVICES			
Sanitation and similar services: i) consultancy relating to	1) None 2) None 3) None		

<sup>7</sup> Examples of these services might include the provision of extension or remedial tuition in relation to Maths, Science or History.

<sup>8</sup> The New Zealand offer on environmental services excludes the collection, purification and distribution of water, including water for human use.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
sanitation and similar services;  ii) for all other aspects of this	4) Unbound except as indicated in the horizontal section.		
service: those contracted by private industry only  (CPC 9403**)			
<b>D. OTHER</b>			
Protection of ambient air & climate (CPC 9404**)  Remediation & cleanup of soil & water (CPC 9406**)⁹  Noise & vibration abatement (CPC 9405**)  Protection of biodiversity & landscape (CPC 9406**)¹⁰  Other environmental & ancillary services (CPC 9409**)  (i) consultancy relating to these services;  (ii) for all other aspects of these services: those contracted by private industry only.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>7. FINANCIAL SERVICES*</b>			
* With respect to Financial Services, New Zealand's market access commitments in modes 1 and 2 in this offer are limited to the extent of the obligations in paragraphs B.3 and B.4 of the WTO Understanding on Commitments in Financial Services.			
<b>A. INSURANCE AND INSURANCE RELATED SERVICES</b>			

⁹ New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

¹⁰ New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(a) Life insurance services (CPC 8121)	3) None 4) Unbound except as indicated in horizontal section.		
(b) Non-life insurance services (CPC 8129)	1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.  1), The Earthquake Commission is the sole insurer of residential property disaster insurance for replacement cover up to- a defined value set by regulation.  1)2) Unbound for marketing and sales & 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).  4) Unbound except as indicated in the horizontal section.		
(c) Reinsurance and retrocession (CPC 81299)	3) None 4) Unbound except as indicated in the horizontal section		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(d) Insurance intermediation, such as brokerage and agency services (CPC 8140**)	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), Under the Wheat Producers Levy Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>3) Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>1) The provision of insurance intermediation services related to the export of kiwifruit can be restricted in accordance with the Kiwifruit Industry Restructuring Act 1999 and regulations relating to the export marketing of kiwifruit.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
(e) Services auxiliary to insurance, such as consultancy, actuarial, risk	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
assessment and claim settlement services (CPC 8140**)			
<b>B. BANKING AND OTHER FINANCIAL SERVICES (EXCLUDING INSURANCE)<sup>11</sup></b>			
<p>(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)</p> <p>(b) Lending of all types, including consumer credit, mortgage, credit, factoring and financing of commercial transactions (CPC 8113)</p> <p>(c) Financial leasing (CPC 8112)</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (CPC 81339**)</p> <p>(e) Guarantees and commitments (CPC 81199**)</p> <p>(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p style="padding-left: 20px;">(i) money market instruments (cheques, bills, certificates of deposits etc) (CPC 81339**)</p>	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

<sup>11</sup> As defined in paragraph 5(a)(v)-(xvi) of the GATS Annex on Financial Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(ii) foreign exchange (CPC 81333)</p> <p>(iii) derivative products, including, but not limited to, futures and options (CPC 81339**)</p> <p>(iv) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc (CPC 81339**)</p> <p>(v) transferable securities (CPC 81321)</p> <p>(vi) other negotiable instruments and Financial assets, including bullion (CPC 81339**)</p> <p>(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132)</p> <p>(h) Money broking (CPC 81339**)</p> <p>(i) Asset management, such as cash or portfolio management; all forms of collective investment management, pension fund management, custodial, depository and trust services</p>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(CPC 8119**, 81323*)</p> <p>(j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339**, 81319**)</p> <p>(k) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131)</p> <p>(l) Advisory, intermediation, and other auxiliary financial services on all the activities listed in (a) to (k) above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131, 8133)</p>			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
A. HOTELS AND RESTAURANTS			
<p>Hotel and other lodging services, food serving services and beverage serving services for consumption on the premises (CPC 641-643)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>		
B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES			
<p>Travel agencies and tour operators services (CPC 7471)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
<b>C. TOURIST GUIDE SERVICES</b>			
Tourist guide services (CPC 7472)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
<b>11. TRANSPORT SERVICES</b>			
<b>A. MARITIME TRANSPORT SERVICES</b>			
International transport (passenger and freight) (CPC 7211** and 7212** less cabotage <sup>12</sup> )	<p>General conditions applicable to all maritime service sectors: marketing and sales of maritime transport and related services for products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261; unbound, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only), CPC 2613-2615** (ovine wool only), and CPC 02961-02963** (ovine wool only).</p> <ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound for establishment of registered company for the purpose of operating a fleet under the New Zealand flag</li> <li>4) Unbound for ships crews. Otherwise unbound except as indicated in the horizontal section.</li> </ol>		<p>Where not otherwise made available to international maritime transport suppliers pursuant to Article XXVIII(c)(ii), no measures shall be applied which deny reasonable and non-discriminatory access to the following port services:</p> <ul style="list-style-type: none"> <li>- Pilotage</li> <li>- Towing and tug assistance</li> <li>- Provisioning, fuelling and watering</li> <li>- Garbage collecting and ballast waste disposal</li> <li>- Port Captain's services</li> <li>- Navigation aids</li> <li>- Shore-based operational services essential to ship operations, including communications, water and electrical supplies</li> <li>- Emergency repair facilities</li> <li>- Anchorage, berth and berthing services</li> <li>- Other shore-based operational services essential to ship operations, including communications, water and electrical supplies.</li> </ul>

<sup>12</sup> For purposes of this schedule only, cabotage is defined as the transportation of passengers or goods between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in the same port located in New Zealand.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
A. MARITIME AUXILIARY SERVICES			
Maritime cargo-handling services <sup>13</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
Storage and warehousing services (CPC 742** maritime only)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime customs clearance services <sup>14</sup>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime container station and depot services <sup>15</sup>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime agency services <sup>16</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime freight forwarding services <sup>17</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>13</sup> As defined in Article 1(b)(i) of the Annex on International Maritime Transport Services.

<sup>14</sup> As defined in Article 1(b)(iii) of the Annex on International Maritime Transport Services.

<sup>15</sup> As defined in Article 1(b)(iv) of the Annex on International Maritime Transport Services.

<sup>16</sup> As defined in Article 1(b)(v) of the Annex on International Maritime Transport Services.

<sup>17</sup> As defined in Article 1(b)(vi) of the Annex on International Maritime Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
C. AIR TRANSPORT SERVICES			
Aircraft repair and maintenance services <sup>18</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Selling and marketing of air transport services <sup>19</sup>	1)2) Unbound for products covered & 3) under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only); CPC 2613-2615** (ovine wool only); and CPC 02961-02963** (ovine wool only). 4) Unbound except as indicated in the horizontal section.		
Computer reservation system services <sup>20</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Airport operation services <sup>21</sup> Excluding navigation aids, firefighting and fire prevention services.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Ground handling services <sup>22</sup> Excluding firefighting and fire prevention services.	1) None 2) None 3) None		

<sup>18</sup> As defined in paragraph 6(a) of the Annex on Air Transport Services.

<sup>19</sup> As defined in paragraph 6(b) of the Annex on Air Transport Services.

<sup>20</sup> As defined in paragraph 6(c) of the Annex on Air Transport Services.

<sup>21</sup> As defined in paragraph 6(e) of the Annex on Air Transport Services.

<sup>22</sup> As defined in paragraph 6(d) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
Specialty air services <sup>23</sup> Excluding aerial firefighting.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Airfreight storage and warehousing services (CPC 742**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RAIL TRANSPORT SERVICES</b>			
Rail Transport Services (CPC 711)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. ROAD TRANSPORT SERVICES</b>			
Commercial Road Transport Services (passenger, goods, rental and vehicle recovery) (CPC 712 except 71235)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Cargo Handling (CPC 741** road only)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Storage and warehousing	1) None		

<sup>23</sup> As defined in paragraph 6(f) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
services (CPC 742** road only)	2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>G. PIPELINE TRANSPORT</b>			
Pipeline Transport (CPC 713)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>12. OTHER SERVICES NOT INCLUDED ELSEWHERE</b>			
Other services  Washing, cleaning and dyeing services (CPC 9701)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

**New Zealand's Second Revised TiSA Offer: October 2016**

New Zealand submits herewith its second revised offer in respect of national treatment, market access, local presence, performance requirements and local management and boards of directors as part of the TiSA negotiations. This offer is conditional on high quality offers from other TiSA participants and New Zealand reserves the right to amend, supplement or withdraw this offer, in whole or in part, at any time prior to the conclusion of negotiations.

New Zealand's second revised offer for these obligations has been prepared on the basis of text proposals New Zealand supports in the TiSA negotiations. ~~It assumes that Article X.1 [Local Presence] of the Localization Provisions Annex will not apply to Financial Services.~~ New Zealand reserves its position on MFN exemptions pending further discussion on Article [...] (Most-Favoured Nation Treatment). ~~New Zealand supports the inclusion of performance requirements disciplines in the TiSA Agreement in principle, and intends to schedule against these obligations in a future revised offer.~~

~~Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.~~

New Zealand continues to consider the following matters:

- Taxation
- Measures in relation to patent attorneys, subject to the completion of an ongoing domestic review;
- ~~Local government measures;~~
- Measures in relation to supporting creative arts of national value.
- ~~How sectors not listed in Part II might be treated in respect of national treatment commitments (to be informed in part by the approach taken by other TiSA participants); and~~
- ~~In addition to the agreement of related text in TiSA, measures according more favourable treatment to Māori.~~

New Zealand's removal of reservations relating to labour disputes is contingent on a suitable final text outcome.

**Introductory Notes**

Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.

In the interpretation of each entry, all elements of the entry shall be considered in their totality.

Where an entry is preceded by a number, it shall apply only to the mode of supply as follows:

- 1) Mode 1 supply as described in Article I-1.2(a)
- 2) Mode 2 supply as described in Article I-1.2(b)
- 3) Mode 3 supply as described in Article I-1.2(c)
- 4) Mode 4 supply as described in Article I-1.2(d)

In the "Other Limitations" column below:

1. **Description** sets out the reservation to which the entry applies.
2. In accordance with Article II-2 (Scheduling of National Treatment Commitments) and Article X.4 (Scheduling of Localisation Commitments), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the laws, regulations, rules, procedures, decisions, administrative actions, practices or other measures identified in the **Description** element of that entry.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
NEW ZEALAND undertakes its specific commitments in accordance with Part II of the Agreement			
<b>SECTION A</b>			
RESERVATIONS pursuant to Article II-2:4 and X.4.3			
<del>Pursuant to Article II 2:4, and Article X X[Localisation Provisions Annex] New Zealand reserves the right to adopt or maintain any measure as indicated below:</del>			
		<p><b><u>Obligations Concerned</u></b>            National Treatment (<a href="#">Article II-4</a>)            Local Presence (<a href="#">Article X.1</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>            New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Public law enforcement services and correctional services;</li> <li>• Publicly funded legal services;</li> <li>• Fire fighting services;</li> <li>• The use of statutorily protected educational terms and titles;</li> <li>• Adoption services;</li> <li>• Gambling, betting and prostitution services;</li> </ul> <p>and the following, to the extent that they are social services established for a public purpose:</p> <ul style="list-style-type: none"> <li>• Child care;</li> <li>• Health;</li> <li>• Income security and insurance;</li> <li>• Public education;</li> <li>• Public housing;</li> <li>• Public training;</li> <li>• Public transport;</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• Public utilities;</li> <li>• Social security and insurance; and</li> <li>• Social welfare.</li> </ul>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure concerning the entry of natural persons into, or their temporary stay in, its territory, except as specified in the market access column.</p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the entry of natural persons into, or their temporary stay in, its territory; <del>F</del> for the regulation and entry of ships' crews to New Zealand. <del>and</del></p> <p><del>In cases of labour/management disputes.</del></p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>) Local Presence (<a href="#">Article X.1</a>) Local Management and Boards of Directors (<a href="#">Article X.2</a>) <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to water, including the allocation, collection, treatment and distribution of drinking water.</p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>) Local Presence (<a href="#">Article X.1</a>) Local Management and Boards of Directors</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><a href="#">(Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure solely as part of the act of devolving a service that is provided in the exercise of governmental authority at the time the Agreement enters into force.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment <a href="#">(Article II-4)</a>                      Local Management and Boards of Directors <a href="#">(Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>                      Where the New Zealand government wholly-owns or has effective control over an enterprise, then New Zealand reserves the right to adopt or maintain any measure regarding the sale of any shares in that enterprise or any assets of that enterprise to any person, including according more favourable treatment to New Zealand nationals.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment <a href="#">(Article II-4)</a></p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure according more favourable treatment to a Māori person.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment <a href="#">(Article II-4)</a>                      Local Management and Boards of Directors <a href="#">(Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure relating to overseas</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>investment, including for:</p> <ul style="list-style-type: none"> <li>• Acquisition or control, regardless of dollar value, of certain categories of land that are regarded as sensitive or require specific approval according to New Zealand's Overseas Investment legislation;</li> <li>• Any transaction, regardless of dollar value, that would result in an overseas investment in fishing quota; and</li> <li>• Any transaction that would result in an overseas investment in significant business assets</li> </ul> <p>excepting:</p> <ul style="list-style-type: none"> <li>• Acquisition or control of less than 25 per cent of any class of shares<sup>1</sup> or voting power<sup>2</sup> in a New Zealand entity where, in addition, either the consideration for the transfer or the value of the assets does not exceed NZ\$20 million; and</li> <li>• Commencement of business operations or acquisition of an existing business, including business assets, in New Zealand, where the total expenditures to be incurred in establishing or acquiring that business or those assets do not exceed NZ\$20 million.</li> </ul> <p>For greater transparency, New Zealand reserves the right to adopt or maintain any measure that sets out the approval criteria to be applied to the categories of overseas investment that require approval under New Zealand's overseas investment regime.</p>	
		<p><b>Obligations Concerned</b> Local Management and Boards of Directors (Article X.2)</p>	

<sup>1</sup> For greater certainty the term 'shares' includes shares and other types of securities.

<sup>2</sup> For greater certainty, 'voting power' includes the power to control the composition of 25% or more of the governing body of the New Zealand entity

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure that requires all companies to have one or more directors, of whom at least one must:</p> <p>(a) live in New Zealand; or</p> <p>(b) live in an "enforcement country" and be a director of a company that is registered (except as the equivalent of an overseas company) in that enforcement country.</p>	
		<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)            Local Presence (<a href="#">Article X.1</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure regarding the control, management or use of:</p> <ul style="list-style-type: none"> <li>Protected areas, including resources on land, interests in land or water, that are set up for heritage management purposes (both historic and natural heritage), public recreation, and scenery preservation; or</li> <li>Species owned under enactments by the Crown or that are protected by or under an enactment.</li> </ul>	
		<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)            Local Presence (<a href="#">Article X.1</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any nationality or residency</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		measure in relation to: <ul style="list-style-type: none"> <li>• Animal welfare; and</li> <li>• The preservation of plant, animal and human life and health; including in particular:                             <ul style="list-style-type: none"> <li>o Food safety of domestic and exported foods;</li> <li>o Animal feeds;</li> <li>o Food standards;</li> <li>o Biosecurity and</li> <li>o Biodiversity; and</li> <li>o Certification of the plant or animal health status of goods.</li> </ul> </li> </ul>	
		<p><b>Obligations Concerned</b>                      National Treatment (<a href="#">Article II-4</a>)                      Local Management and Boards of Directors (<a href="#">Article X.2</a>)                      Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure made by or under an enactment in respect of the foreshore and seabed, internal waters as defined in international law (including the beds, subsoil and margins of such internal waters) territorial sea, the Exclusive Economic Zone and the continental shelf, including for the issuance of maritime concessions in the continental shelf.</p>	
		<p><b>Obligations Concerned</b>                      National Treatment (<a href="#">Article II-4</a>)                      Local Presence (<a href="#">Article X.1</a>)                      Local Management and Boards of Directors (<a href="#">Article X.2</a>)                      Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt any</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		measure in order to prohibit, regulate, manage or control the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.	
		<p><b>Obligations Concerned</b>            National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The holding of shares; or</li> <li>• The establishment or operation of any unit trust, market or other facility established for the trade in, or allotment or management of, securities;</li> </ul> <p>in the co-operative dairy company arising from the amalgamation authorised by section 7(1)(a) of the Dairy Industry Restructuring Act 2001 (DIRA) (or any successor body);            and with respect to:            The disposition of assets of that dairy company or its successor bodies.</p>	
		<p><b>Obligations Concerned</b>            National Treatment (<a href="#">Article II-4</a>)            Local Presence (<a href="#">Article X.1</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>            New Zealand reserves the right to control the activities of foreign fishing, including fishing landing, first landing of fish processed at sea, and access to New Zealand ports (port privileges) consistent with the provisions of</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		the United Nations Convention on the Law of the Sea.	
		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Presence (Article X.1)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a></p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure with respect to <a href="#">subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.</a></p>	
<p><b>BUSINESS SERVICES</b></p> <p><b>C. Research and Development</b></p> <p>CPC 851, 852 and 853</p>		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>            New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Research and development services carried out by State funded tertiary institutions or by Crown Research Institutes when such research is conducted for a public purpose; and</li> <li>• Research and experimental development services on physical sciences, chemistry, biology, engineering and technology, agricultural sciences, medical, pharmaceutical and other natural sciences.</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p>		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(e) Technical testing and analysis services – CPC 8676 and (m) Related scientific and technical consulting services – CPC 8675		<p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Composition and purity testing and analysis services;</li> <li>• Technical inspection services;</li> <li>• Other technical and analysis services;</li> <li>• Geological, geophysical, and other scientific prospecting services; and</li> <li>• Drug testing services</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b>                      National Treatment (<a href="#">Article II-4</a>)                      Local Management and Boards of Directors (<a href="#">Article X.2</a>)                      Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>                      New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Specifying the terms and conditions for the establishment and operation of any government endorsed allocation scheme for the rights to the distribution of export products falling within the HS categories covered by the WTO Agreement on Agriculture to markets where tariff quotas, country-specific preferences or other measures of similar effect are in force; and</li> <li>• The allocation of distribution rights to wholesale trade service suppliers pursuant to the establishment or operation of such an allocation scheme.</li> </ul> <p>This reservation is not intended to have the effect of prohibiting all investment in the provision of wholesale trade and distribution services relating to goods in the HS chapters covered by the WTO Agreement on Agriculture. The entry applies in respect of</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		investment to the extent that the services sectors specified in this reservation are a subset of agricultural products subject to tariff quotas, country-specific preferences or other measures of similar effect.	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p> <p>and</p> <p><b>MARITIME TRANSPORT SERVICES</b></p> <p>and</p> <p><b>AIR TRANSPORT SERVICES</b></p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure necessary to give effect to the establishment or the implementation of mandatory marketing plans (also referred to as "export marketing strategies") for the export marketing of products derived from:</p> <ul style="list-style-type: none"> <li>• Agriculture;</li> <li>• Beekeeping;</li> <li>• Horticulture;</li> <li>• Arboriculture;</li> <li>• Arable farming; and</li> <li>• The farming of animals,</li> </ul> <p>where there is support within the relevant industry that a mandatory collective marketing plan should be adopted or activated.</p> <p>In addition, New Zealand reserves the right to adopt or maintain any measure with respect to the export marketing of fresh kiwifruit to all markets other than Australia.</p>	
<p><b>COMMUNICATION SERVICES</b></p> <p><b>A. Postal services</b></p>		<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		New Zealand reserves the right to adopt or maintain any measure with respect to the imposition of additional conditions for operation in the market or de-registration of postal operators where such operators engage in anti-competitive behaviour.	
<b>COMMUNICATION SERVICES</b>  <b>D. Audio-visual and other services</b>		<b><u>Obligations Concerned</u></b> National Treatment ( <a href="#">Article II-4</a> ) <a href="#">Performance Requirements (Article X.3)</a>  <b><u>Description</u></b> New Zealand reserves the right to adopt or maintain preferential co-production arrangements for film and television productions. Official co-production status, which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements.	
<b>COMMUNICATION SERVICES</b>  <b>D. Audio-visual and other services</b>		<b><u>Obligations Concerned</u></b> National Treatment ( <a href="#">Article II-4</a> ) Local Management and Boards of Directors ( <a href="#">Article X.2</a> ) <a href="#">Performance Requirements (Article X.3)</a>  <b><u>Description</u></b> New Zealand reserves the right to adopt or maintain any measure with respect to the promotion of film and television production in New Zealand and the promotion of local content on public radio and television and in films.	
<b>FINANCIAL SERVICES</b>  <b>A. All insurance and insurance-related services</b>		<b><u>Obligations Concerned</u></b> National Treatment ( <a href="#">Article II-4</a> ) Local Management and Boards of Directors ( <a href="#">Article X.2</a> )  <b><u>Description</u></b> New Zealand reserves the right to adopt or maintain any measure with respect to the supply of:	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• Compulsory social insurance for personal injury caused by accident, work related gradual process disease and infection, and treatment of injury; and</li> <li>• Disaster insurance for residential property for replacement cover up to a defined statutory minimum.</li> </ul>	
<p><b>FINANCIAL SERVICES</b></p>		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to insurance and insurance related services for:</p> <ul style="list-style-type: none"> <li>• industry marketing boards established for products under the following CPC codes: <ul style="list-style-type: none"> <li>• 01, <b>except 01110 and 01340</b> (products of agriculture, horticulture and market gardening <b>- except wheat and kiwifruit</b>);</li> <li>• 02 except 02961-02963** (live animals and animal products except ovine wool);</li> <li>• 211 except 21111, 21112, 21115, 21116 and 21119 (meat and meat products except beef, sheep meat, poultry and offal);</li> <li>• 213-216 (prepared and preserved vegetables, fruit juices and vegetable juices, prepared and preserved fruit and nuts, animal and vegetable oils/fats)</li> <li>• 22 (dairy);</li> <li>• 2399 ('other food products'); and</li> <li>• 261 except 2613-2615** (natural textile fibres prepared for spinning except ovine</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>Wool).</p> <ul style="list-style-type: none"> <li>• <a href="#">The provision of crop insurance for wheat, and</a></li> <li>• <a href="#">Insurance intermediation services related to the export of kiwifruit.</a></li> </ul>	
<p><b>FINANCIAL SERVICES</b> <b>B. Banking and other financial services (excluding insurance)</b></p>		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the establishment or operation of exchanges, securities markets, or futures markets.</p>	
<p><b>FINANCIAL SERVICES</b></p>		<p><b>Obligations Concerned</b> <a href="#">National Treatment (Article II-4)</a></p> <p><b>Description</b> <a href="#">New Zealand reserves the right to adopt or maintain:</a></p> <p><a href="#">1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</a></p> <p><a href="#">2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</a></p>	
<p><b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b> <b>C. Libraries, archives, museums and other cultural services (CPC 963)</b></p>		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>) Local Presence (<a href="#">Article X.1</a>) <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure in respect of:</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• Cultural heritage of national value; including ethnological, archaeological, historical, literary, artistic, scientific or technological heritage, as well as collections that are documented, preserved and exhibited by museums, galleries, libraries, archives and other heritage collecting institutions;</li> <li>• Public archives;</li> <li>• Library and museum services; and</li> </ul> <p>Services for the preservation of historical or sacred sites or historical buildings.</p>	
<p><b>TRANSPORT SERVICES</b></p> <p><b>A. Maritime transport services</b></p>		<p><b><u>Obligations Concerned</u></b>            National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b><u>Description</u></b>            New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The carriage by sea of passengers and/ or cargo between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in New Zealand (maritime "cabotage");</li> <li>• The establishment of registered companies for the purpose of operating a fleet under the New Zealand flag; and</li> <li>• The registration of vessels in New Zealand.</li> </ul>	
<p><del>TRANSPORT SERVICES</del></p> <p><del>A. Maritime transport services</del></p> <p><del>and</del></p>		<p><del>National Treatment</del></p> <p><del>Local Management and Boards of Directors</del></p> <p><del>New Zealand reserves the right to adopt or maintain any measure with respect to provision of certain Port Services (pilottage; towing and tug assistance; provisioning;</del></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><del>H. Services auxiliary to all modes of transport</del></p>		<p><del>fuelling and watering; garbage collecting and ballast waste disposal; Port Captain's services; navigation aids; emergency repair facilities; anchorage, berth and berthing services; shore based operational services essential to ship operations, including communications, water and electrical supplies). However, no measures shall be applied which deny international maritime transport suppliers reasonable and non-discriminatory access to the above port services.</del></p>	
<p><b>SECTION B</b>            RESERVATIONS pursuant to Articles II-2:2, <del>and</del> II-2:3, <u>X.4.1 and X.4.2</u>  <u>LIMITATIONS pursuant to Article II-1</u>  <del>Pursuant to Articles II-2:2 and II-2:3 and Articles X-X [Localisation Provisions Annex] New Zealand reserves the right to adopt or maintain any measure as indicated below:</del></p>			
		<p><b><u>Obligations Concerned</u></b>            National Treatment (<u>Article II-4</u>)</p> <p><b><u>Description</u></b>            The following entities are required to file audited financial statements with the Registrar of Companies:</p> <ul style="list-style-type: none"> <li>• Overseas issuers;</li> <li>• Overseas companies that carry on business in New Zealand;</li> <li>• Subsidiaries of companies or bodies corporate incorporated outside New Zealand; or</li> <li>• Companies in which 25 per cent or more of the shares or voting power are held or controlled by:               <ul style="list-style-type: none"> <li>◦ A subsidiary of a company or body corporate incorporated outside New Zealand or a subsidiary of that subsidiary;</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>o A company or body corporate incorporated outside New Zealand; or</li> <li>o A person not ordinarily resident in New Zealand.”</li> </ul> <p>Existing measures: Companies Act 1993 Financial Reporting Act 1993</p>	
		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Presence (Article X.1)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  <a href="#">Any existing non-conforming measures maintained at a local level of government.</a><sup>3</sup></p>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p> <p>(f) Services incidental to agriculture CPC 881**</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>                      Under the Primary Products Marketing Act 1953, the New Zealand government may impose Regulations to enable the establishment of statutory marketing authorities with monopoly marketing and acquisition powers (or lesser powers) for products derived from beekeeping; fruit growing; hop growing; deer farming or game deer; or goats, being the fur bristles or fibres grown by the goat (“primary products”). Regulations may be issued under the Primary Products Marketing Act 1953 concerning a</p>	

<sup>3</sup> For the avoidance of doubt, this reservation does not apply to the extent New Zealand has taken commitments under Article XVII of the General Agreement on Trade in Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		broad range of the marketing authority's functions, powers and activities.  <u>Existing measure:</u> The Primary Products Marketing Act 1953	
<b>FINANCIAL SERVICES</b>  <b>B. Banking and other financial services (excluding insurance)</b>		<u><b>Obligations Concerned</b></u> Local Management and Boards of Directors (Article X.2)  <u><b>Description</b></u> At least one director of a corporate trustee and one director of a fund manager of a registered Kiwisaver scheme must be a New Zealand resident.	
<b>ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE</b>	Pursuant to Article II-1, New Zealand maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		
	Unbound with respect to any measure for social policy purposes with respect to wholesale and retail trade services of tobacco products and alcoholic beverages.		
	Unbound with respect to any measure prohibiting, regulating, managing or controlling the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.		
	<u>Unbound with respect to any measure with respect to subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.</u>		
	<u>Unbound with respect to any measure according more favourable treatment to a</u>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<u>Māori person.</u>		
	For all mode 4 categories in this schedule: Unbound <del>in cases of labour/management disputes and</del> for the regulation and entry of ships' crews to New Zealand.		
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons of another Party, as specified below:</p> <p><b>(I) Business visitors</b></p> <p><u>Definition:</u> A natural person:</p> <p>(i) who is seeking temporary entry to New Zealand for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) attending meetings or conferences, or engaging in consultations with business colleagues;</li> <li>(b) taking orders or negotiating contracts for an enterprise located in the territory of another Party, but not selling goods or providing services to the general public; or</li> <li>(c) undertaking business consultations or negotiations concerning the establishment, expansion or winding up of a business enterprise or investment in New Zealand, or any related matter;</li> </ul> <p>(ii) who is not seeking to enter the labour market of New Zealand; and</p> <p>(iii) whose principal place of business, actual place of remuneration, and predominant place of accrual of profits remain outside New Zealand.</p> <p><u>Conditions:</u></p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>Entry for a period not exceeding in aggregate three months in any calendar year.</p> <p><b>(II) Intra-Corporate Transferees:</b></p> <p><u>Definition:</u> An executive, senior manager or a specialist, (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the intra-corporate transferee;</p> <p><b>Executive and senior manager:</b> Natural persons, as intra-corporate transferees who are senior employees of an organisation, who have been employed by that organisation for at least 12 months prior to their proposed transfer to New Zealand, and who are responsible for the entire or a substantial part of an organisation's operations in New Zealand, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business.</p> <p><b>Specialist:</b> A natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications, and suitability for the position.</p> <p><u>Conditions:</u></p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>Entry for a period of stay up to a maximum of three years.</p> <p><b>(III) Independent Professionals:</b>  <u>Definition:</u>                      A self-employed natural person with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An independent professional must have:</p> <p>(i) a qualification resulting from at least three years of formal post-secondary school education leading to a degree or diploma recognised as comparable to the domestic standard in New Zealand; and</p> <p>(ii) at least six years of experience.</p> <p>Both (i) and (ii) must be in the field in which the Independent Professional wishes to supply their professional services.</p> <p><u>Conditions:</u>                      Entry for a period of stay up to a maximum of twelve months and subject to economic needs tests.<sup>4</sup></p> <p><b>(IV) Installers and servicers</b>  <u>Definition:</u>                      A natural person who is an installer or servicer of machinery and/or equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment.</p>		

<sup>4</sup> New Zealand operates an Economic Needs Test (ENT) for this category of entrant. While the form of this test may change from time to time, the objective is to ensure that those entering as Independent Professionals only enter to fill skills shortages in the New Zealand labour market. An ENT can take a number of forms. Information about New Zealand's current form of ENT, which is called a Labour Market Test, can be found on the following website [www.immigration.govt.nz](http://www.immigration.govt.nz). New Zealand reserves the right to change the form of the ENT, including by replacing it with another form of ENT, provided that any ENT adopted remains consistent with the above objective.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract. <u>Conditions:</u> Entry for periods not exceeding three months in any twelve-month period.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS <u>AND RESERVATIONS</u></b>			
<u>RESERVATIONS pursuant to Articles II-2:2, <del>and</del> II-2:3, X.4.1 and X.4.2</u>			
<u>LIMITATIONS pursuant to Article II-1</u>			
<b>I. BUSINESS SERVICES</b>			
A. PROFESSIONAL SERVICES			
(a) Legal services <sup>5</sup> (i) Domestic law ( <u>host-country law</u> ) (ii) Foreign law ( <u>home-country law</u> )  (iii) International law  <u>For the avoidance of doubt, this includes: legal advisory services, legal representational</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>5</sup> For the purposes of this commitment:

'domestic law (host-country law)' – the law of New Zealand.

'foreign law' (home-country law) – the law of the territories of TiSA Parties and other countries other than the law of New Zealand.

'international law' – includes law established by international treaties and conventions, as well as customary law.

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Other Limitations</b>	<b>Additional commitments</b>
<u>services and legal arbitration, conciliation and mediation services.</u>			
(b) Accounting, auditing and book-keeping services (CPC 862)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Taxation services Tax preparation, tax planning and consulting services (CPC 86301-86303)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(g) Consultancy related to urban planning and landscape architecture (CPC 8674**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(i) Veterinary services (CPC 9320)	1) None 2) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	3) None 4) Unbound except as indicated in the horizontal section.		
<b>B. COMPUTER AND RELATED SERVICES</b>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Other Computer Services Maintenance and repair of office machinery and equipment including computers (CPC 845) Other computing services (CPC 849)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
<b>D. REAL ESTATE SERVICES</b>			
(a) Involving own or leased property (CPC 821)	1) None 2) None 3) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RENTAL/LEASING OF EQUIPMENT WITHOUT CREW</b>			
Transport and non-transport (CPC 8310)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. OTHER BUSINESS SERVICES</b>			
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Services incidental to agriculture, hunting and forestry (CPC 8811-8814)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>The Dairy Industry Restructuring Act 2001 (DIRA) and Regulations provide for the management of a national database for herd testing data. The database is currently held by <del>the Livestock Improvement Corporation Ltd (LIC)</del> DairyNZ.</p> <p>The DIRA:</p> <ul style="list-style-type: none"> <li>• Provides for the New Zealand government to determine arrangements for the database to be managed by another dairy industry entity. In doing so it may: <ul style="list-style-type: none"> <li>○ Take into account the nationality and residency of the entity, persons that own or control the entity, and the senior management and board of directors of the entity; and</li> <li>○ Restrict who may hold shares in the entity, including on the basis of nationality.</li> </ul> </li> <li>• Requires the transfer of data by those engaged in herd testing of dairy cattle to the <del>LIC or successor</del> entity <u>that holds the database</u>.</li> <li>• Establishes rules regarding access to the database and that access may be denied on the basis that its intended use could be "harmful to the New Zealand dairy industry", which may take into account the nationality or residency of the person seeking access."</li> </ul> <p><u>Existing measure:</u></p> <p>The Dairy Industry Restructuring Act 2001</p>	
(k) Placement and supply services of personnel (CPC 872)	<p>1) None 2) None 3) None</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
(o) Cleaning of buildings and similar activities (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(q) Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(r) Printing services (CPC 88442**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(s) Convention services (CPC 87909*)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other credit reporting services (CPC 87901)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Collection agency services (CPC 87902)	1) None 2) None 3) None 4) Unbound except as indicated in the		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
(t) Translation services (CPC 87905**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Interior design services (CPC 87907**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Telephone answering services (CPC 87903)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Duplicating services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other Business Services – services generally provided to business not elsewhere classified in the CPC and not including convention services. These include: business brokerage services, appraisal services (other than for real estate), secretarial services, demonstration exhibition services, etc. (CPC	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
87909)			
<b>2. COMMUNICATION SERVICES</b>			
A & B. POSTAL AND COURIER SERVICES (CPC 7511 AND 7512)			
<p>Services relating to the handling<sup>i</sup> of postal items<sup>ii</sup> whether for domestic or foreign destinations:</p> <p>(a) Handling of addressed written communications on any kind of</p>	<p>1), None, other than additional conditions for operation in the market or de-registration may be imposed on postal operators where these engage in anti-competitive behaviour.</p> <p>3)</p>	<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> 1), With respect to CPC 7511 (Postal 3) services): The Postal Services Act 1998 reserves the Universal Postal Union designation for a New Zealand operator.</p>	<p>Universal service obligations applying to postal operators will be administered in a transparent manner.</p>
<p>physical medium<sup>iii</sup>, including:</p> <ul style="list-style-type: none"> <li>- Hybrid mail services</li> <li>- Direct mail</li> </ul> <p>(b) Handling of addressed parcels &amp; packages<sup>iv</sup></p> <p>(c) Handling of addressed press products<sup>v</sup></p> <p>(d) Handling of items referred to in A. to C. above as registered or insured mail.</p> <p>(e) Express delivery services<sup>vi</sup> for items referred to in A. to C. above.</p> <p>(f) Handling of non-addressed items.</p> <p>(g) Document exchange.</p> <p>(h) Other services not elsewhere specified,</p>	<p>2) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> The issue of stamps bearing the words "New Zealand" is restricted under the Act to Universal Postal Union designated operators, except where these words form part of the name of the operator issuing the stamps.</p> <p><b>Existing measure:</b> The Postal Services Act 1998</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>including post office counter services (CPC75113**), other than the issue of stamps bearing the words "New Zealand"<sup>6</sup>.</p> <p><sup>i</sup>The term "handling" should be taken to include clearance, sorting, transport and delivery.</p> <p><sup>ii</sup>"Postal item" refers to items handled by any type of commercial operator, whether public or private.</p> <p><sup>iii</sup>E.g., letter, postcards.</p> <p><sup>iv</sup>Books, catalogues are included hereunder.</p> <p><sup>v</sup>Journals, newspapers, periodicals.</p>			
<p><sup>vi</sup>Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.</p>			
C. TELECOMMUNICATIONS SERVICES			
(a) Voice telephone services (CPC 7521)	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)</p> <p>Local Management and Boards of Directors</p>	

<sup>6</sup> The issue of stamps bearing the said words is restricted to UPU designated operators except where the said words form part of the name of the operator issuing the stamps.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(b) Packet-switched data transmission services (CPC 7523**)</p> <p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(d) Telex services (CPC 7523**)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (CPC 7521**, CPC 7529**)</p> <p>(g) Private leased circuit services (CPC 7522**, CPC 7523**)</p> <p>(h) Electronic mail (CPC 7523**)</p> <p>(i) Voice mail (CPC 7523**)</p> <p>(j) On-line information and data-base retrieval (CPC 7523**)</p> <p>(k) Electronic data interchange (EDI) (CPC 7523**)</p> <p>(l) Enhanced/value-added facsimile services (CPC 7523**)</p> <p>(m) Code and protocol conversion</p> <p>(n) On-line information and/or data processing (CPC 843**)</p> <p>(o) Other</p>	<p>4) Unbound except as indicated in the horizontal section.</p>	<p><u>(Article X.2)</u></p> <p><b>Description</b></p> <p>The Constitution of Chorus Limited requires New Zealand government approval for the shareholding of any single overseas entity to exceed 49.9 per cent.</p> <p>At least half of the Board of Directors are required to be New Zealand citizens.</p> <p><u>Existing measure:</u></p> <p>Constitution of Chorus Limited</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>Paging services (CPC 75291)</p> <p>Teleconferencing services (CPC 75292)</p> <p>Personal communications services (CPC 75213*)</p> <p>Cellular services (CPC 75213*)</p> <p>Trunked radio system services (CPC 7523**, CPC 75213*)</p> <p>Mobile data services (CPC 7523**)</p>			
D. AUDIOVISUAL SERVICES			
<p>Production, distribution, exhibition and broadcasting of audiovisual works (CPC 9611-9613, CPC 96192**, CPC 7524, CPC 753)</p>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) The New Zealand Immigration Service policy, based on the Immigration Act 1987 and the Immigration Regulations 1991 stipulate a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration, independent promoters, agents or producers and the relevant performing artists' unions. Otherwise, unbound except as indicated in the horizontal section.</li> </ol>	<p><b>Obligations Concerned</b></p> <p>National Treatment (<a href="#">Article II-4</a>)</p> <p>Local Presence (<a href="#">Article X.1</a>)</p> <p><a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b></p> <p>The acquisition of licences or management rights to use the radio frequency spectrum, or any interest in such licences or management rights, under the Radiocommunications Act 1989 by foreign governments or agents on behalf of foreign governments is subject to the written approval of the Chief Executive of the Ministry of Business, Innovation and Employment.</p> <p><u>Existing measure:</u></p> <p>Radiocommunications Act 1989</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
A. GENERAL CONSTRUCTION WORK FOR BUILDINGS			
General Construction Work for Buildings (CPC 512, CPC 515)	1) None for consultancy services 2) None 3) None		
	4) Unbound except as indicated in the horizontal section.		
B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING			
General Construction Work for Civil Engineering (CPC 513)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
C. INSTALLATION AND ASSEMBLY WORK			
Installation and Assembly Work (CPC 514, CPC 516)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
D. BUILDING COMPLETION AND FINISHING WORK			
Building Completion and Finishing Work (CPC 517)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
E. OTHER			
Site preparation: new construction (other than pipelines) (CPC 511)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maintenance and repair of fixed structures	1) None for consultancy services 2) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	3) None 4) Unbound except as indicated in the horizontal section.		
Renting services related to equipment for construction or demolition of buildings or civil engineering, with operator (CPC 518)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>4. DISTRIBUTION SERVICES</b>			
A. COMMISSION AGENTS' SERVICES			
CPC 62113-62115, 62117-62118	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
CPC 62111** only in respect of services relating to CPC 02961-02963** (ovine wool).  CPC 62112** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin) and 02961-02963** (ovine wool).  CPC 62116** only in respect of services relating to CPC 2613 - 2615** (ovine wool).	1) None 2) None 3) None except in terms of export distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports. 4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>B. WHOLESALE TRADE</b>			
CPC 6223-6226, CPC 6228	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
CPC 6221**only in respect of services relating to CPC 02961-02963** (ovine wool).	1) None 2) None 3) None except in terms of export		
CPC 6222** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin).  CPC 6227** only in respect of services relating to CPC 2613 – 2615** (ovine wool).	distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports.  4) Unbound except as indicated in the horizontal section.		
<b>C. RETAIL TRADE</b>			
CPC 631, 632, 6111, 6113 and 6121	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>5. EDUCATION SERVICES</b>			
Primary, Secondary, and	1) None		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Tertiary education in private institutions (CPC 921**, 922**, 923**)	2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Other Education in respect of the following services only:  Language training provided in private specialist language institutions;  Tuition in subjects taught at the	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system <sup>7</sup> (CPC 929**)			
<b>6. ENVIRONMENTAL SERVICES<sup>8</sup></b>			
A. SEWAGE SERVICES			
Waste water management:  (i) consultancy relating to waste water management;  (ii) for all other aspects of this service: those contracted by private	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>7</sup> Examples of these services might include the provision of extension or remedial tuition in relation to Maths, Science or History.

<sup>8</sup> The New Zealand offer on environmental services excludes the collection, purification and distribution of water, including water for human use.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
industry only. (CPC 9401**)			
<b>B. REFUSE DISPOSAL SERVICES</b>			
Refuse disposal services:  (i) consultancy relating to refuse disposal;  (ii) for all other aspects of this service: those contracted by private industry only.  (CPC 9402**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. SANITATION AND SIMILAR SERVICES</b>			
Sanitation and similar services:  i) consultancy relating to sanitation and similar services;  ii) for all other aspects of this	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
service: those contracted by private industry only  (CPC 9403**)			
<b>D. OTHER</b>			
Protection of ambient air & climate (CPC 9404**)  Remediation & cleanup of soil & water (CPC 9406**) <sup>9</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>9</sup> New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Noise & vibration abatement (CPC 9405**) Protection of biodiversity & landscape (CPC 9406**)¹⁰ Other environmental & ancillary services (CPC 9409**) (i) consultancy relating to these services; (ii) for all other aspects of these services: those contracted by private industry only.			
<b>7. FINANCIAL SERVICES*</b>			
* With respect to Financial Services, New Zealand's market access commitments in modes 1 and 2 in this offer are limited to the extent of the obligations in paragraphs B.3 and B.4 of the WTO Understanding on Commitments in Financial Services.			
<b>A. INSURANCE AND INSURANCE RELATED SERVICES</b>			
(a) Life insurance services (CPC 8121)	3) None 4) Unbound except as indicated in horizontal section.		

¹⁰ New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(b) Non-life insurance services (CPC 8129)	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), The Earthquake Commission is the sole insurer of residential property disaster insurance for replacement cover up to <del>NZ\$100,000 per dwelling and NZ\$20,000 on personal property. These amounts may be increased a defined value set</del> by regulation.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
(c) Reinsurance and retrocession (CPC 81299)	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(d) Insurance intermediation, such as brokerage and agency services (CPC 8140**)</p>	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>3) Under the Wheat Producers Levy Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>1) The provision of insurance intermediation services related to the export of kiwifruit can be restricted in accordance with the Kiwifruit Industry Restructuring Act 1999 and regulations relating to the export marketing of kiwifruit.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(e) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services (CPC 8140**)	3) None 4) Unbound except as indicated in the horizontal section		
<b>B. BANKING AND OTHER FINANCIAL SERVICES (EXCLUDING INSURANCE)<sup>11</sup></b>			
<p>(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)</p> <p>(b) Lending of all types, including consumer credit, mortgage, credit, factoring and financing of commercial transactions (CPC 8113)</p> <p>(c) Financial leasing (CPC 8112)</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (CPC 81339**)</p> <p>(e) Guarantees and commitments (CPC 81199**)</p> <p>(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p>	3) None 4) Unbound except as indicated in the horizontal section		

<sup>11</sup> As defined in paragraph 5(a)(v)-(xvi) of the GATS Annex on Financial Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(i) money market instruments (cheques, bills, certificates of deposits etc) (CPC 81339**)</p> <p>(ii) foreign exchange (CPC 81333)</p> <p>(iii) derivative products, including, but not limited to, futures and options (CPC 81339**)</p> <p>(iv) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc (CPC 81339**)</p> <p>(v) transferable securities (CPC 81321)</p> <p>(vi) other negotiable instruments and Financial assets, including bullion (CPC 81339**)</p> <p>(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132)</p> <p>(h) Money broking (CPC</p>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>81339**)</p> <p>(i) Asset management, such as cash or portfolio management; all forms of collective investment management, pension fund management, custodial, depository and trust services (CPC 8119**, 81323*)</p> <p>(j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339**, 81319**)</p> <p>(k) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131)</p> <p>(l) Advisory, intermediation, and other auxiliary financial services on all the activities listed in (a) to (k) above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131, 8133)</p>			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
A. HOTELS AND RESTAURANTS			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Hotel and other lodging services, food serving services and beverage serving services for consumption on the premises (CPC 641-643)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES</b>			
Travel agencies and tour operators services (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. TOURIST GUIDE SERVICES</b>			
Tourist guide services (CPC 7472)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>11. TRANSPORT SERVICES</b>			
<b>A. MARITIME TRANSPORT SERVICES</b>			
International transport (passenger and freight) (CPC 7211** and 7212** less	<p>General conditions applicable to all maritime service sectors: marketing and sales of maritime transport and related services for products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261; unbound, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only), CPC 2613-2615** (ovine wool only), and CPC 02961-02963** (ovine wool only).</p> 1) None 2) None 3) Unbound for establishment of registered company for the purpose		<p>Where not otherwise made available to international maritime transport suppliers pursuant to Article XXVIII(c)(ii), no measures shall be applied which deny reasonable and non-discriminatory access to the following port services:</p> <ul style="list-style-type: none"> <li>- Pilotage</li> <li>- Towing and tug assistance</li> <li>- Provisioning, fuelling and watering</li> <li>- Garbage collecting and ballast waste disposal</li> <li>- Port Captain's services</li> <li>- Navigation aids</li> <li>- Shore-based operational services essential to ship operations,</li> </ul>

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
cabotage <sup>12</sup>	<p>of operating a fleet under the New Zealand flag</p> <p>4) Unbound for ships crews. Otherwise unbound except as indicated in the horizontal section.</p>		<p>including communications, water and electrical supplies</p> <ul style="list-style-type: none"> <li>- Emergency repair facilities</li> <li>- Anchorage, berth and berthing services</li> <li>- Other shore-based operational services essential to ship operations, including communications, water and electrical supplies.</li> </ul>
<b>A. MARITIME AUXILIARY SERVICES</b>			
Maritime cargo-handling services <sup>13</sup>	<p>1) <del>Unbound</del> None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		
Storage and warehousing services (CPC 742** maritime only)	<p>1) <del>Unbound</del> None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
Maritime customs clearance services <sup>14</sup>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the</p>		

<sup>12</sup> For purposes of this schedule only, cabotage is defined as the transportation of passengers or goods between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in the same port located in New Zealand.

<sup>13</sup> ~~As defined in Article 1(b)(i) of the Annex on International Maritime Transport Services. Maritime cargo handling services: activities exercised by stevedoring companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:~~

- ~~— The loading/discharging of cargo to/from a ship;~~
- ~~— The lashing/unlashing of cargo;~~
- ~~- The reception/delivery and safekeeping of cargoes before shipment or after discharge.~~

<sup>14</sup> ~~As defined in Article 1(b)(iii) of the Annex on International Maritime Transport Services. Customs clearance services: activities consisting of carrying out on behalf of another party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.~~

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
Maritime container station and depot services <sup>15</sup>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime agency services <sup>16</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime freight forwarding services <sup>17</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. AIR TRANSPORT SERVICES</b>			
Aircraft repair and maintenance services <sup>18</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>15</sup> ~~As defined in Article 1(b)(iv) of the Annex on International Maritime Transport Services. Container station and depot services: activities consisting of storing containers, whether in port or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.~~

<sup>16</sup> ~~As defined in Article 1(b)(v) of the Annex on International Maritime Transport Services. Maritime agency services: activities consisting of representing as an agent the business interests of one or more shipping lines for the following purposes:~~

~~— Marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;~~

~~- Acting on behalf of the companies organising the call of a ship or taking over cargoes when required.~~

<sup>17</sup> ~~As defined in Article 1(b)(vi) of the Annex on International Maritime Transport Services. Maritime Freight Forwarding Services: the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.~~

<sup>18</sup> As defined in paragraph 6(a) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Selling and marketing of air transport services <sup>19</sup>	1)2) Unbound for products covered & 3) under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only); CPC 2613-2615** (ovine wool only); and CPC 02961-02963** (ovine wool only). 4) Unbound except as indicated in the horizontal section.		
Computer reservation system services <sup>20</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Airport operation services <sup>21</sup> <u>Excluding navigation aids, firefighting and fire prevention services.</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<u>Ground handling services<sup>22</sup></u> <u>Excluding firefighting and fire prevention services.</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in the horizontal section.</u>		
<u>Specialty air services<sup>23</sup></u>	<u>1) Unbound</u> <u>2) None</u>		

<sup>19</sup> As defined in paragraph 6(b) of the Annex on Air Transport Services.

<sup>20</sup> As defined in paragraph 6(c) of the Annex on Air Transport Services.

<sup>21</sup> As defined in paragraph 6(e) of the Annex on Air Transport Services.

<sup>22</sup> As defined in paragraph 6(d) of the Annex on Air Transport Services.

<sup>23</sup> As defined in paragraph 6(f) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<del>Excluding aerial firefighting.</del>	<del>3) None 4) Unbound except as indicated in the horizontal section.</del>		
<del>Other supporting air services for air transport (CPC 74690** excluding fire fighting and fire prevention services) Cargo and baggage handling services (CPC 741**) Ramp handling services (CPC 741**) Airfreight storage and warehousing services (CPC 742**)</del>	<del>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.</del>		
<del>Airport management services</del>	<del>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</del>		
E. RAIL TRANSPORT SERVICES			
Rail Transport Services (CPC 711)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
F. ROAD TRANSPORT SERVICES			
Commercial Road Transport Services (passenger, goods, rental and vehicle recovery) (CPC 712 except 71235)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<del>Cargo Handling (CPC 741**)</del>	<del>1) None</del>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<u>road only).</u>	2) <u>None</u> 3) <u>None</u> 4) <u>Unbound except as indicated in the horizontal section.</u>		
<u>Storage and warehousing services</u> <u>(CPC 742** road only)</u>	1) <u>None</u> 2) <u>None</u> 3) <u>None</u> 4) <u>Unbound except as indicated in the horizontal section.</u>		
<b>G. PIPELINE TRANSPORT</b>			
Pipeline Transport (CPC 713)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>12. OTHER SERVICES NOT INCLUDED ELSEWHERE</b>			
Other services  Washing, cleaning and dyeing services (CPC 9701)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

## **New Zealand's Second Revised TiSA Offer: October 2016**

New Zealand submits herewith its second revised offer in respect of national treatment, market access, local presence, performance requirements and local management and boards of directors as part of the TiSA negotiations. This offer is conditional on high quality offers from other TiSA participants and New Zealand reserves the right to amend, supplement or withdraw this offer, in whole or in part, at any time prior to the conclusion of negotiations.

New Zealand's second revised offer for these obligations has been prepared on the basis of text proposals New Zealand supports in the TiSA negotiations. ~~It assumes that Article X.1 [Local Presence] of the Localization Provisions Annex will not apply to Financial Services.~~ New Zealand reserves its position on MFN exemptions pending further discussion on Article [...] (Most-Favoured Nation Treatment). ~~New Zealand supports the inclusion of performance requirements disciplines in the TiSA Agreement in principle, and intends to schedule against these obligations in a future revised offer.~~

~~Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.~~

New Zealand continues to consider the following matters:

- Taxation
- Measures in relation to patent attorneys, subject to the completion of an ongoing domestic review;
- ~~Local government measures;~~
- Measures in relation to supporting creative arts of national value;
- ~~How sectors not listed in Part II might be treated in respect of national treatment commitments (to be informed in part by the approach taken by other TiSA participants); and~~
- ~~In addition to the agreement of related text in TiSA, measures according more favourable treatment to Māori.~~

New Zealand's removal of reservations relating to labour disputes is contingent on a suitable final text outcome.

### **Introductory Notes**

Unless otherwise indicated, the classification of services sectors is based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the WTO document MTN.GNS/W/120, dated 10 July 1991.

In the interpretation of each entry, all elements of the entry shall be considered in their totality.

Where an entry is preceded by a number, it shall apply only to the mode of supply as follows:

- 1) Mode 1 supply as described in Article I-1.2(a)
- 2) Mode 2 supply as described in Article I-1.2(b)
- 3) Mode 3 supply as described in Article I-1.2(c)
- 4) Mode 4 supply as described in Article I-1.2(d)

In the "Other Limitations" column below:

1. **Description** sets out the reservation to which the entry applies.
2. In accordance with Article II-2 (Scheduling of National Treatment Commitments) and Article X.4 (Scheduling of Localisation Commitments), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the laws, regulations, rules, procedures, decisions, administrative actions, practices or other measures identified in the **Description** element of that entry.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
NEW ZEALAND undertakes its specific commitments in accordance with Part II of the Agreement			
<b>SECTION A</b>			
RESERVATIONS pursuant to Article II-2:4 and X.4.3			
<del>Pursuant to Article II-2:4, and Article X X[Localisation Provisions Annex] New Zealand reserves the right to adopt or maintain any measure as indicated below:</del>			
		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Presence (<a href="#">Article X.1</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Public law enforcement services and correctional services;</li> <li>• Publicly funded legal services;</li> <li>• Fire fighting services;</li> <li>• The use of statutorily protected educational terms and titles;</li> <li>• Adoption services;</li> <li>• Gambling, betting and prostitution services;</li> </ul> <p>and the following, to the extent that they are social services established for a public purpose:</p> <ul style="list-style-type: none"> <li>• Child care;</li> <li>• Health;</li> <li>• Income security and insurance;</li> <li>• Public education;</li> <li>• Public housing;</li> <li>• Public training;</li> <li>• Public transport;</li> <li>• Public utilities;</li> <li>• Social security and insurance; and</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>Social welfare.</li> </ul>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure concerning the entry of natural persons into, or their temporary stay in, its territory, except as specified in the market access column.</p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to the entry of natural persons into, or their temporary stay in, its territory; <del>F</del> for the regulation and entry of ships' crews to New Zealand. <del>and</del></p> <p><del>In cases of labour/management disputes.</del></p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>) Local Presence (<a href="#">Article X.1</a>) Local Management and Boards of Directors (<a href="#">Article X.2</a>) <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure with respect to water, including the allocation, collection, treatment and distribution of drinking water.</p>	
		<p><b>Obligations Concerned</b> National Treatment (<a href="#">Article II-4</a>) Local Presence (<a href="#">Article X.1</a>) Local Management and Boards of Directors (<a href="#">Article X.2</a>) <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b> New Zealand reserves the right to adopt or maintain any measure solely as part of the</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		act of devolving a service that is provided in the exercise of governmental authority at the time the Agreement enters into force.	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>  Where the New Zealand government wholly-owns or has effective control over an enterprise, then New Zealand reserves the right to adopt or maintain any measure regarding the sale of any shares in that enterprise or any assets of that enterprise to any person, including according more favourable treatment to New Zealand nationals.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure according more favourable treatment to a Māori person.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure relating to overseas investment, including for:</p> <ul style="list-style-type: none"> <li>• Acquisition or control, regardless of dollar value, of certain categories of land that are regarded as sensitive or require specific approval according to New Zealand's Overseas Investment legislation;</li> <li>• Any transaction, regardless of dollar</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>value, that would result in an overseas investment in fishing quota; and</p> <ul style="list-style-type: none"> <li>Any transaction that would result in an overseas investment in significant business assets</li> </ul> <p>excepting:</p> <ul style="list-style-type: none"> <li>Acquisition or control of less than 25 per cent of any class of shares<sup>1</sup> or voting power<sup>2</sup> in a New Zealand entity where, in addition, either the consideration for the transfer or the value of the assets does not exceed NZ\$20 million; and</li> <li>Commencement of business operations or acquisition of an existing business, including business assets, in New Zealand, where the total expenditures to be incurred in establishing or acquiring that business or those assets do not exceed NZ\$20 million.</li> </ul> <p>For greater transparency, New Zealand reserves the right to adopt or maintain any measure that sets out the approval criteria to be applied to the categories of overseas investment that require approval under New Zealand's overseas investment regime.</p>	
		<p><b>Obligations Concerned</b> Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b></p> <p>New Zealand reserves the right to adopt or maintain any measure that requires all companies to have one or more directors, of whom at least one must:</p> <p>(a) live in New Zealand; or</p> <p>(b) live in an "enforcement country" and be a director of a company that is registered (except as the equivalent of an overseas</p>	

<sup>1</sup> For greater certainty the term 'shares' includes shares and other types of securities.

<sup>2</sup> For greater certainty, 'voting power' includes the power to control the composition of 25% or more of the governing body of the New Zealand entity

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>company) in that enforcement country.</p> <p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Presence (<a href="#">Article X.1</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure regarding the control, management or use of:</p> <ul style="list-style-type: none"> <li>• Protected areas, including resources on land, interests in land or water, that are set up for heritage management purposes (both historic and natural heritage), public recreation, and scenery preservation; or</li> <li>• Species owned under enactments by the Crown or that are protected by or under an enactment.</li> </ul>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Presence (<a href="#">Article X.1</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any nationality or residency measure in relation to:</p> <ul style="list-style-type: none"> <li>• Animal welfare; and</li> <li>• The preservation of plant, animal and human life and health; including in particular: <ul style="list-style-type: none"> <li>o Food safety of domestic and exported foods;</li> <li>o Animal feeds;</li> <li>o Food standards;</li> <li>o Biosecurity and</li> <li>o Biodiversity; and</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>o Certification of the plant or animal health status of goods.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure made by or under an enactment in respect of the foreshore and seabed, internal waters as defined in international law (including the beds, subsoil and margins of such internal waters) territorial sea, the Exclusive Economic Zone and the continental shelf, including for the issuance of maritime concessions in the continental shelf.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Presence (<a href="#">Article X.1</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  New Zealand reserves the right to adopt any measure in order to prohibit, regulate, manage or control the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.</p>	
		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The holding of shares; or</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>The establishment or operation of any unit trust, market or other facility established for the trade in, or allotment or management of, securities;</li> </ul> <p>in the co-operative dairy company arising from the amalgamation authorised by section 7(1)(a) of the Dairy Industry Restructuring Act 2001 (DIRA) (or any successor body); and with respect to:</p> <p>The disposition of assets of that dairy company or its successor bodies.</p>	
		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Presence (Article X.1)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>                      New Zealand reserves the right to control the activities of foreign fishing, including fishing landing, first landing of fish processed at sea, and access to New Zealand ports (port privileges) consistent with the provisions of the United Nations Convention on the Law of the Sea.</p>	
		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Presence (Article X.1)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a></p> <p><b>Description</b>  <a href="#">New Zealand reserves the right to adopt or maintain any measure with respect to subsidies or grants, including government-supported loans, quarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.</a></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><b>BUSINESS SERVICES</b></p> <p><b>C. Research and Development</b></p> <p>CPC 851, 852 and 853</p>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Research and development services carried out by State funded tertiary institutions or by Crown Research Institutes when such research is conducted for a public purpose; and</li> <li>• Research and experimental development services on physical sciences, chemistry, biology, engineering and technology, agricultural sciences, medical, pharmaceutical and other natural sciences.</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p> <p>(e) Technical testing and analysis services – CPC 8676 and</p> <p>(m) Related scientific and technical consulting services – CPC 8675</p>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Composition and purity testing and analysis services;</li> <li>• Technical inspection services;</li> <li>• Other technical and analysis services;</li> <li>• Geological, geophysical, and other scientific prospecting services; and</li> <li>• Drug testing services</li> </ul>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• Specifying the terms and conditions for</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>the establishment and operation of any government endorsed allocation scheme for the rights to the distribution of export products falling within the HS categories covered by the WTO Agreement on Agriculture to markets where tariff quotas, country-specific preferences or other measures of similar effect are in force; and</p> <ul style="list-style-type: none"> <li>The allocation of distribution rights to wholesale trade service suppliers pursuant to the establishment or operation of such an allocation scheme.</li> </ul> <p>This reservation is not intended to have the effect of prohibiting all investment in the provision of wholesale trade and distribution services relating to goods in the HS chapters covered by the WTO Agreement on Agriculture. The entry applies in respect of investment to the extent that the services sectors specified in this reservation are a subset of agricultural products subject to tariff quotas, country-specific preferences or other measures of similar effect.</p>	
<p><b>BUSINESS SERVICES</b></p> <p>CPC 881 Services incidental to agriculture</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p> <p>and</p> <p><b>MARITIME TRANSPORT SERVICES</b></p> <p>and</p> <p><b>AIR TRANSPORT SERVICES</b></p>		<p><b><u>Obligations Concerned</u></b></p> <p>National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b></p> <p>New Zealand reserves the right to adopt or maintain any measure necessary to give effect to the establishment or the implementation of mandatory marketing plans (also referred to as "export marketing strategies") for the export marketing of products derived from:</p> <ul style="list-style-type: none"> <li>Agriculture;</li> <li>Beekeeping;</li> <li>Horticulture;</li> <li>Arboriculture;</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>• Arable farming; and</li> <li>• The farming of animals,</li> </ul> <p>where there is support within the relevant industry that a mandatory collective marketing plan should be adopted or activated.</p> <p>In addition, New Zealand reserves the right to adopt or maintain any measure with respect to the export marketing of fresh kiwifruit to all markets other than Australia.</p>	
<b>COMMUNICATION SERVICES</b> <b>A. Postal services</b>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to the imposition of additional conditions for operation in the market or de-registration of postal operators where such operators engage in anti-competitive behaviour.</p>	
<b>COMMUNICATION SERVICES</b> <b>D. Audio-visual and other services</b>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain preferential co-production arrangements for film and television productions. Official co-production status, which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements.</p>	
<b>COMMUNICATION SERVICES</b> <b>D. Audio-visual and other services</b>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		maintain any measure with respect to the promotion of film and television production in New Zealand and the promotion of local content on public radio and television and in films.	
<b>FINANCIAL SERVICES</b>  <b>A. All insurance and insurance-related services</b>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to the supply of:</p> <ul style="list-style-type: none"> <li>• Compulsory social insurance for personal injury caused by accident, work related gradual process disease and infection, and treatment of injury; and</li> <li>• Disaster insurance for residential property for replacement cover up to a defined statutory minimum.</li> </ul>	
<b>FINANCIAL SERVICES</b>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to insurance and insurance related services for:</p> <ul style="list-style-type: none"> <li>• industry marketing boards established for products under the following CPC codes: <ul style="list-style-type: none"> <li>• 01, <b>except 01110 and 01340</b> (products of agriculture, horticulture and market gardening – <b>except wheat and kiwifruit</b>);</li> <li>• 02 except 02961-02963** (live animals and animal products except ovine wool);</li> <li>• 211 except 21111, 21112, 21115, 21116 and 21119 (meat and meat products except beef, sheep meat,</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>poultry and offal);</p> <ul style="list-style-type: none"> <li>• 213-216 (prepared and preserved vegetables, fruit juices and vegetable juices, prepared and preserved fruit and nuts, animal and vegetable oils/fats)</li> <li>• 22 (dairy);</li> <li>• 2399 ('other food products'); and</li> <li>• 261 except 2613-2615** (natural textile fibres prepared for spinning except ovine Wool).</li> </ul> <ul style="list-style-type: none"> <li>• <a href="#">The provision of crop insurance for wheat, and</a></li> <li>• <a href="#">Insurance intermediation services related to the export of kiwifruit.</a></li> </ul>	
<p><b>FINANCIAL SERVICES</b> <b>B. Banking and other financial services (excluding insurance)</b></p>		<p><b><u>Obligations Concerned</u></b> National Treatment (<a href="#">Article II-4</a>)</p> <p><b><u>Description</u></b> New Zealand reserves the right to adopt or maintain any measure with respect to the establishment or operation of exchanges, securities markets, or futures markets.</p>	
<p><b>FINANCIAL SERVICES</b></p>		<p><b><u>Obligations Concerned</u></b> <a href="#">National Treatment (Article II-4)</a></p> <p><b><u>Description</u></b> <a href="#">New Zealand reserves the right to adopt or maintain:</a></p> <p><a href="#">1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</a></p> <p><a href="#">2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the</a></p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b></p> <p><b>C. Libraries, archives, museums and other cultural services</b> (CPC 963)</p>		<p><u>Agreement.</u></p> <p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Presence (<a href="#">Article X.1</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure in respect of:</p> <ul style="list-style-type: none"> <li>• Cultural heritage of national value; including ethnological, archaeological, historical, literary, artistic, scientific or technological heritage, as well as collections that are documented, preserved and exhibited by museums, galleries, libraries, archives and other heritage collecting institutions;</li> <li>• Public archives;</li> <li>• Library and museum services; and</li> </ul> <p>Services for the preservation of historical or sacred sites or historical buildings.</p>	
<p><b>TRANSPORT SERVICES</b></p> <p><b>A. Maritime transport services</b></p>		<p><b><u>Obligations Concerned</u></b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>  New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>• The carriage by sea of passengers and/ or cargo between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in New Zealand (maritime "cabotage");</li> <li>• The establishment of registered companies for the purpose of operating a fleet under the New Zealand flag; and</li> <li>• The registration of vessels in New Zealand.</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p><del>TRANSPORT SERVICES</del></p> <p><del>A. Maritime transport services</del></p> <p>and</p> <p><del>H. Services auxiliary to all modes of transport</del></p>		<p><del>National Treatment</del></p> <p><del>Local Management and Boards of Directors</del></p> <p><del>New Zealand reserves the right to adopt or maintain any measure with respect to provision of certain Port Services (pilotage; towing and tug assistance; provisioning; fuelling and watering; garbage collecting and ballast waste disposal; Port Captain's services; navigation aids; emergency repair facilities; anchorage, berth and berthing services; shore based operational services essential to ship operations, including communications, water and electrical supplies). However, no measures shall be applied which deny international maritime transport suppliers reasonable and non-discriminatory access to the above port services.</del></p>	
<p><b>SECTION B</b></p> <p>RESERVATIONS pursuant to Articles II-2:2, <del>and</del> II-2:3, <u>X.4.1 and X.4.2</u></p> <p><u>LIMITATIONS pursuant to Article II-1</u></p> <p><del>Pursuant to Articles II 2:2 and II 2:3 and Articles X X [Localisation Provisions Annex] New Zealand reserves the right to adopt or maintain any measure as indicated below:</del></p>			
		<p><b><u>Obligations Concerned</u></b></p> <p>National Treatment (<u>Article II-4</u>)</p> <p><b><u>Description</u></b></p> <p>The following entities are required to file audited financial statements with the Registrar of Companies:</p> <ul style="list-style-type: none"> <li>• Overseas issuers;</li> <li>• Overseas companies that carry on business in New Zealand;</li> <li>• Subsidiaries of companies or bodies corporate incorporated outside New Zealand; or</li> <li>• Companies in which 25 per cent or more of the shares or voting power are held or controlled by:</li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>○ A subsidiary of a company or body corporate incorporated outside New Zealand or a subsidiary of that subsidiary;</li> <li>○ A company or body corporate incorporated outside New Zealand; or</li> <li>○ A person not ordinarily resident in New Zealand.”</li> </ul> <p>Existing measures: Companies Act 1993 Financial Reporting Act 1993</p>	
		<p><b>Obligations Concerned</b>  <a href="#">National Treatment (Article II-4)</a>  <a href="#">Local Presence (Article X.1)</a>  <a href="#">Local Management and Boards of Directors (Article X.2)</a>  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  Any existing non-conforming measures maintained at a local level of government.<sup>3</sup></p>	
<p><b>BUSINESS SERVICES</b></p> <p><b>F. Other business services</b></p> <p>(f) Services incidental to agriculture CPC 881**</p> <p>and</p> <p><b>DISTRIBUTION SERVICES</b></p>		<p><b>Obligations Concerned</b>  National Treatment (<a href="#">Article II-4</a>)  Local Management and Boards of Directors (<a href="#">Article X.2</a>)  <a href="#">Performance Requirements (Article X.3)</a></p> <p><b>Description</b>  Under the Primary Products Marketing Act 1953, the New Zealand government may impose Regulations to enable the establishment of statutory marketing authorities with monopoly marketing and acquisition powers (or lesser powers) for products derived from beekeeping; fruit growing; hop growing; deer farming or game deer; or goats, being the fur bristles or fibres grown by the goat (“primary products”).</p>	

<sup>3</sup> [For the avoidance of doubt, this reservation does not apply to the extent New Zealand has taken commitments under Article XVII of the General Agreement on Trade in Services.](#)

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<p>Regulations may be issued under the Primary Products Marketing Act 1953 concerning a broad range of the marketing authority's functions, powers and activities.</p> <p><u>Existing measure:</u> The Primary Products Marketing Act 1953</p>	
<p><b>FINANCIAL SERVICES</b></p> <p><b>B. Banking and other financial services (excluding insurance)</b></p>		<p><b><u>Obligations Concerned</u></b> Local Management and Boards of Directors <b>(Article X.2)</b></p> <p><b><u>Description</u></b> At least one director of a corporate trustee and one director of a fund manager of a registered Kiwisaver scheme must be a New Zealand resident.</p>	
<p><b>ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE</b></p>	<p>Pursuant to Article II-1, New Zealand maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:</p>		
	<p>Unbound with respect to any measure for social policy purposes with respect to wholesale and retail trade services of tobacco products and alcoholic beverages.</p>		
	<p>Unbound with respect to any measure prohibiting, regulating, managing or controlling the production, use, distribution or retail of nuclear energy, including setting conditions for natural persons or juridical persons to do so.</p>		
	<p><u>Unbound with respect to any measure with respect to subsidies or grants, including government-supported loans, guarantees, and insurance provided by a Party or to any conditions attached to the receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers or service suppliers.</u></p>		
	<p><u>Unbound with respect to any measure according more favourable treatment to a</u></p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<del>Māori person.</del>		
	For all mode 4 categories in this schedule:  Unbound <del>in cases of labour/management disputes and</del> for the regulation and entry of ships' crews to New Zealand.		
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons of another Party, as specified below:</p> <p><b>(I) Business visitors</b></p> <p><u>Definition:</u> A natural person:</p> <p>(i) who is seeking temporary entry to New Zealand for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) attending meetings or conferences, or engaging in consultations with business colleagues;</li> <li>(b) taking orders or negotiating contracts for an enterprise located in the territory of another Party, but not selling goods or providing services to the general public; or</li> <li>(c) undertaking business consultations or negotiations concerning the establishment, expansion or winding up of a business enterprise or investment in New Zealand, or any related matter;</li> </ul> <p>(ii) who is not seeking to enter the labour market of New Zealand; and</p> <p>(iii) whose principal place of business, actual place of remuneration, and predominant place of accrual of profits remain outside New Zealand.</p> <p><u>Conditions:</u> Entry for a period not exceeding in aggregate three months in any calendar year.</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p><b>(II) Intra-Corporate Transferees:</b></p> <p><u>Definition:</u> An executive, senior manager or a specialist, (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the intra-corporate transferee;</p> <p><b>Executive and senior manager:</b> Natural persons, as intra-corporate transferees who are senior employees of an organisation, who have been employed by that organisation for at least 12 months prior to their proposed transfer to New Zealand, and who are responsible for the entire or a substantial part of an organisation's operations in New Zealand, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business.</p> <p><b>Specialist:</b> A natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications, and suitability for the position.</p> <p><u>Conditions:</u> Entry for a period of stay up to a maximum of three years.</p> <p><b>(III) Independent Professionals:</b></p> <p><u>Definition:</u></p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<p>A self-employed natural person with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An independent professional must have:</p> <p>(i) a qualification resulting from at least three years of formal post-secondary school education leading to a degree or diploma recognised as comparable to the domestic standard in New Zealand; and</p> <p>(ii) at least six years of experience.</p> <p>Both (i) and (ii) must be in the field in which the Independent Professional wishes to supply their professional services.</p> <p><u>Conditions:</u> Entry for a period of stay up to a maximum of twelve months and subject to economic needs tests.<sup>4</sup></p> <p><b>(IV) Installers and servicers</b></p> <p><u>Definition:</u> A natural person who is an installer or servicer of machinery and/or equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.</p> <p><u>Conditions:</u> Entry for periods not exceeding three months in any twelve-month period.</p>		

<sup>4</sup> New Zealand operates an Economic Needs Test (ENT) for this category of entrant. While the form of this test may change from time to time, the objective is to ensure that those entering as Independent Professionals only enter to fill skills shortages in the New Zealand labour market. An ENT can take a number of forms. Information about New Zealand's current form of ENT, which is called a Labour Market Test, can be found on the following website [www.immigration.govt.nz](http://www.immigration.govt.nz). New Zealand reserves the right to change the form of the ENT, including by replacing it with another form of ENT, provided that any ENT adopted remains consistent with the above objective.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS <u>AND RESERVATIONS</u></b>			
<u>RESERVATIONS pursuant to Articles II-2:2, and II-2:3, X.4.1 and X.4.2</u>			
<u>LIMITATIONS pursuant to Article II-1</u>			
<b>I. BUSINESS SERVICES</b>			
A. PROFESSIONAL SERVICES			
(a) Legal services <sup>5</sup> (i) Domestic law ( <u>host-country law</u> ) (ii) Foreign law ( <u>home-country law</u> )  (iii) International law  <u>For the avoidance of doubt, this includes: legal advisory services, legal representational services and legal arbitration, conciliation and mediation services.</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Accounting, auditing and book-keeping services (CPC 862)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Taxation services Tax preparation, tax planning and	1) None 2) None 3) None 4) Unbound except as indicated in the		

<sup>5</sup> For the purposes of this commitment:

'domestic law (host-country law)' – the law of New Zealand.

'foreign law' (home-country law) – the law of the territories of TiSA Parties and other countries other than the law of New Zealand.

'international law' – includes law established by international treaties and conventions, as well as customary law.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
consulting services (CPC 86301-86303)	horizontal section.		
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(g) Consultancy related to urban planning and landscape architecture (CPC 8674**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(i) Veterinary services (CPC 9320)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>B. COMPUTER AND RELATED SERVICES</b>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(e) Other Computer Services Maintenance and repair of office machinery and equipment including computers (CPC 845) Other computing services (CPC 849)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
<b>D. REAL ESTATE SERVICES</b>			
(a) Involving own or leased property (CPC 821)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>E. RENTAL/LEASING OF EQUIPMENT WITHOUT CREW</b>			
Transport and non-transport (CPC 8310)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. OTHER BUSINESS SERVICES</b>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(f) Services incidental to agriculture, hunting and forestry (CPC 8811-8814)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	<p><b><u>Obligations Concerned</u></b>            National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b>            The Dairy Industry Restructuring Act 2001 (DIRA) and Regulations provide for the management of a national database for herd testing data. The database is currently held by <del>the Livestock Improvement Corporation Ltd (LIC)</del> DairyNZ.</p> <p>The DIRA:</p> <ul style="list-style-type: none"> <li>• Provides for the New Zealand government to determine arrangements for the database to be managed by another dairy industry entity. In doing so it may:               <ul style="list-style-type: none"> <li>○ Take into account the nationality and residency of the entity, persons that own or control the entity, and the senior management and board of directors of the entity; and</li> </ul> </li> </ul>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
		<ul style="list-style-type: none"> <li>○ Restrict who may hold shares in the entity, including on the basis of nationality.</li> <li>• Requires the transfer of data by those engaged in herd testing of dairy cattle to the <del>LIC or successor</del> entity <u>that holds the database</u>.</li> <li>• Establishes rules regarding access to the database and that access may be denied on the basis that its intended use could be "harmful to the New Zealand dairy industry", which may take into account the nationality or residency of the person seeking access."</li> </ul> <p><u>Existing measure:</u> The Dairy Industry Restructuring Act 2001</p>	
(k) Placement and supply services of personnel (CPC 872)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(o) Cleaning of buildings and similar activities (CPC 874)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(p) Photographic services (CPC 875)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(q) Packaging services (CPC 876)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
(r) Printing services (CPC 88442**)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> </ol>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	3) None 4) Unbound except as indicated in the horizontal section.		
(s) Convention services (CPC 87909*)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other credit reporting services (CPC 87901)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Collection agency services (CPC 87902)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Translation services (CPC 87905**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Interior design services (CPC 87907**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Telephone answering services (CPC 87903)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Duplicating services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(t) Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
(t) Other Business Services – services generally provided to business not elsewhere classified in the CPC and not including convention services. These include: business brokerage services, appraisal services (other than for real estate), secretarial services, demonstration exhibition services, etc. (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>2. COMMUNICATION SERVICES</b>			
A & B. POSTAL AND COURIER SERVICES (CPC 7511 AND 7512)			
Services relating to the handling <sup>i</sup> of postal items <sup>ii</sup> whether for domestic or foreign destinations:  (a) Handling of addressed written communications on any kind of	1), 3) None, other than additional conditions for operation in the market or de-registration may be imposed on postal operators where these engage in anti-competitive behaviour.	<u><b>Obligations Concerned</b></u> National Treatment ( <a href="#">Article II-4</a> )  <u><b>Description</b></u> 1), 3) With respect to CPC 7511 (Postal services): The Postal Services Act 1998 reserves the Universal Postal Union designation for a New Zealand operator.	Universal service obligations applying to postal operators will be administered in a transparent manner.
physical medium <sup>iii</sup> , including: - Hybrid mail services - Direct mail  (b) Handling of addressed parcels & packages <sup>iv</sup> (c) Handling of addressed press products <sup>v</sup> (d) Handling of items referred to in A. to C.	2) 4) None Unbound except as indicated in the horizontal section.	<u><b>Obligations Concerned</b></u> National Treatment ( <a href="#">Article II-4</a> )  <u><b>Description</b></u> The issue of stamps bearing the words “New Zealand” is restricted under the Act to Universal Postal Union designated operators, except where these words form part of the name of the operator issuing the stamps.  <u>Existing measure:</u>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>above as registered or insured mail.</p> <p>(e) Express delivery services<sup>vi</sup> for items referred to in A. to C. above.</p> <p>(f) Handling of non-addressed items.</p> <p>(g) Document exchange.</p> <p>(h) Other services not elsewhere specified, including post office counter services (CPC75113**), other than the issue of stamps bearing the words "New Zealand"<sup>6</sup>.</p> <p><sup>i</sup>The term "handling" should be taken to include clearance, sorting, transport and delivery.</p> <p><sup>ii</sup>"Postal item" refers to items handled by any type of commercial operator, whether public or private.</p> <p><sup>iii</sup>E.g., letter, postcards.</p> <p><sup>iv</sup>Books, catalogues are included hereunder.</p> <p><sup>v</sup>Journals, newspapers, periodicals.</p>		The Postal Services Act 1998	
<p><sup>vi</sup>Express delivery services may include, in addition to greater speed and reliability, value added elements such as</p>			

<sup>6</sup> The issue of stamps bearing the said words is restricted to UPU designated operators except where the said words form part of the name of the operator issuing the stamps.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.			
<b>C. TELECOMMUNICATIONS SERVICES</b>			
(a) Voice telephone services (CPC 7521) (b) Packet-switched data transmission services (CPC 7523**) (c) Circuit-switched data transmission services (CPC 7523**) (d) Telex services (CPC 7523**) (e) Telegraph services (CPC 7522) (f) Facsimile services (CPC 7521**, CPC 7529**) (g) Private leased circuit services (CPC 7522**, CPC 7523**) (h) Electronic mail (CPC 7523**) (i) Voice mail (CPC 7523**) (j) On-line information and data-base retrieval (CPC 7523**) (k) Electronic data interchange (EDI) (CPC 7523**) (l) Enhanced/value-added	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	<p><b><u>Obligations Concerned</u></b>            National Treatment (<a href="#">Article II-4</a>)            Local Management and Boards of Directors (<a href="#">Article X.2</a>)</p> <p><b><u>Description</u></b>            The Constitution of Chorus Limited requires New Zealand government approval for the shareholding of any single overseas entity to exceed 49.9 per cent.</p> <p>At least half of the Board of Directors are required to be New Zealand citizens.</p> <p><u>Existing measure:</u>            Constitution of Chorus Limited</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
facsimile services (CPC 7523**) (m) Code and protocol conversion (n) On-line information and/or data processing (CPC 843**) (o) Other Paging services (CPC 75291) Teleconferencing services (CPC 75292) Personal communications services (CPC 75213*) Cellular services (CPC 75213*) Trunked radio system services (CPC 7523**, CPC 75213*) Mobile data services (CPC 7523**)			
<b>D. AUDIOVISUAL SERVICES</b>			
Production, distribution, exhibition and broadcasting of audiovisual works (CPC 9611-9613, CPC 96192**, CPC 7524, CPC 753)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) The New Zealand Immigration Service policy, based on the Immigration Act 1987 and the Immigration Regulations 1991 stipulate a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration,</li> </ol>	<p><b><u>Obligations Concerned</u></b></p> <p>National Treatment (<a href="#">Article II-4</a>)            Local Presence (<a href="#">Article X.1</a>)            Performance Requirements (<a href="#">Article X.3</a>)</p> <p><b><u>Description</u></b></p> <p>The acquisition of licences or management rights to use the radio frequency spectrum, or any interest in such licences or management rights, under the Radiocommunications Act 1989 by foreign governments or agents on behalf of foreign governments is subject to the written approval of the Chief Executive of the Ministry of Business, Innovation and Employment.</p>	

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	independent promoters, agents or producers and the relevant performing artists' unions. Otherwise, unbound except as indicated in the horizontal section.	<u>Existing measure:</u> Radiocommunications Act 1989	
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
A. GENERAL CONSTRUCTION WORK FOR BUILDINGS			
General Construction Work for Buildings (CPC 512, CPC 515)	1) None for consultancy services 2) None 3) None		
	4) Unbound except as indicated in the horizontal section.		
B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING			
General Construction Work for Civil Engineering (CPC 513)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
C. INSTALLATION AND ASSEMBLY WORK			
Installation and Assembly Work (CPC 514, CPC 516)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
D. BUILDING COMPLETION AND FINISHING WORK			
Building Completion and Finishing Work (CPC 517)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
E. OTHER			
Site preparation: new construction (other than pipelines) (CPC 511)	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
Maintenance and repair of fixed structures	1) None for consultancy services 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Renting services related to equipment for construction or demolition of buildings or civil engineering, with operator (CPC 518)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>4. DISTRIBUTION SERVICES</b>			
A. COMMISSION AGENTS' SERVICES			
CPC 62113-62115, 62117-62118	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
CPC 62111** only in respect of services relating to CPC 02961-02963** (ovine wool).  CPC 62112** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin) and 02961-02963** (ovine wool).  CPC 62116** only in respect of services relating to CPC 2613 – 2615** (ovine wool).	1) None 2) None 3) None except in terms of export distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports.  4) Unbound except as indicated in the horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<b>B. WHOLESALE TRADE</b>			
CPC 6223-6226, CPC 6228	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
CPC 6221**only in respect of services relating to CPC 02961-02963** (ovine wool).	1) None 2) None 3) None except in terms of export		
CPC 6222** only in respect of services relating to CPC 21111, 21112, 21115, 21116 and 21119** (edible offals of bovine and ovine origin).  CPC 6227** only in respect of services relating to CPC 2613 – 2615** (ovine wool).	distribution: (i) the allocation of distribution rights related to exports of these products to export markets where tariff quotas, country specific preferences and other measures of similar effect are found may place limitations on the numbers of services suppliers, total value of services transactions or numbers of services operations; (ii) mandatory export marketing strategies may apply where there is support within the relevant industry. These export marketing strategies do not include measures limiting the number of market participants or limiting the volume of exports.  4) Unbound except as indicated in the horizontal section.		
<b>C. RETAIL TRADE</b>			
CPC 631, 632, 6111, 6113 and 6121	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>5. EDUCATION SERVICES</b>			
Primary, Secondary, and Tertiary education in private institutions (CPC 921**, 922**, 923**)	1) None 2) None 3) None 4) Unbound except as indicated in the		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
Other Education in respect of the following services only:  Language training provided in private specialist language institutions;  Tuition in subjects taught at the	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system <sup>7</sup> (CPC 929**)			
<b>6. ENVIRONMENTAL SERVICES<sup>8</sup></b>			
A. SEWAGE SERVICES			
Waste water management:  (i) consultancy relating to waste water management;  (ii) for all other aspects of this service: those contracted by private industry only.  (CPC 9401**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
B. REFUSE DISPOSAL SERVICES			
Refuse disposal services:	1) None		

<sup>7</sup> Examples of these services might include the provision of extension or remedial tuition in relation to Maths, Science or History.

<sup>8</sup> The New Zealand offer on environmental services excludes the collection, purification and distribution of water, including water for human use.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(i) consultancy relating to refuse disposal;  (ii) for all other aspects of this service: those contracted by private industry only.  (CPC 9402**)	2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. SANITATION AND SIMILAR SERVICES</b>			
Sanitation and similar services:  i) consultancy relating to sanitation and similar services;  ii) for all other aspects of this	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
service: those contracted by private industry only  (CPC 9403**)			
<b>D. OTHER</b>			
Protection of ambient air & climate (CPC 9404**)  Remediation & cleanup of soil & water (CPC 9406**) <sup>9</sup>  Noise & vibration abatement (CPC 9405**)  Protection of biodiversity & landscape (CPC 9406**) <sup>10</sup>  Other environmental & ancillary services (CPC	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		

<sup>9</sup> New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

<sup>10</sup> New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
9409**) <ul style="list-style-type: none"> <li>(i) consultancy relating to these services;</li> <li>(ii) for all other aspects of these services: those contracted by private industry only.</li> </ul>			
<b>7. FINANCIAL SERVICES*</b>			
<p>* With respect to Financial Services, New Zealand's market access commitments in modes 1 and 2 in this offer are limited to the extent of the obligations in paragraphs B.3 and B.4 of the WTO Understanding on Commitments in Financial Services.</p>			
<b>A. INSURANCE AND INSURANCE RELATED SERVICES</b>			
(a) Life insurance services (CPC 8121)	3) None 4) Unbound except as indicated in horizontal section.		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(b) Non-life insurance services (CPC 8129)	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), The Earthquake Commission is the sole insurer of residential property disaster insurance for replacement cover up to <del>NZ\$100,000 per dwelling and NZ\$20,000 on personal property. These amounts may be increased a defined value set</del> by regulation.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
(c) Reinsurance and retrocession (CPC 81299)	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
(d) Insurance intermediation, such as brokerage and agency services (CPC 8140**)	<p>1), The Accident Rehabilitation and Compensation Insurance Act 1992 provides for compulsory worker's compensation insurance via levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Rehabilitation and Compensation Insurance Corporation.</p> <p>1), Under the Wheat Producers Levy Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>3) Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheatgrowers (NZ) Ltd has the power to organise compulsory disaster insurance on behalf of growers and to require them to pay a levy to recover the premium amount of this insurance.</p> <p>1) The provision of insurance intermediation services related to the export of kiwifruit can be restricted in accordance with the Kiwifruit Industry Restructuring Act 1999 and regulations relating to the export marketing of kiwifruit.</p> <p>1)2) Unbound for marketing and sales &amp; 3) related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin), CPC 2613-2615** (ovine wool), and CPC 02961-02963** (ovine wool).</p> <p>4) Unbound except as indicated in the horizontal section.</p>		
(e) Services auxiliary to insurance, such as consultancy, actuarial, risk	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
assessment and claim settlement services (CPC 8140**)			
<b>B. BANKING AND OTHER FINANCIAL SERVICES (EXCLUDING INSURANCE)<sup>11</sup></b>			
<p>(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)</p> <p>(b) Lending of all types, including consumer credit, mortgage, credit, factoring and financing of commercial transactions (CPC 8113)</p> <p>(c) Financial leasing (CPC 8112)</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (CPC 81339**)</p> <p>(e) Guarantees and commitments (CPC 81199**)</p> <p>(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p style="padding-left: 20px;">(i) money market instruments (cheques, bills, certificates of deposits etc) (CPC 81339**)</p>	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		

<sup>11</sup> As defined in paragraph 5(a)(v)-(xvi) of the GATS Annex on Financial Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(ii) foreign exchange (CPC 81333)</p> <p>(iii) derivative products, including, but not limited to, futures and options (CPC 81339**)</p> <p>(iv) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc (CPC 81339**)</p> <p>(v) transferable securities (CPC 81321)</p> <p>(vi) other negotiable instruments and Financial assets, including bullion (CPC 81339**)</p> <p>(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132)</p> <p>(h) Money broking (CPC 81339**)</p> <p>(i) Asset management, such as cash or portfolio management; all forms of collective investment management, pension fund management, custodial, depository and trust services</p>			

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
<p>(CPC 8119**, 81323*)</p> <p>(j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339**, 81319**)</p> <p>(k) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131)</p> <p>(l) Advisory, intermediation, and other auxiliary financial services on all the activities listed in (a) to (k) above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131, 8133)</p>			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
A. HOTELS AND RESTAURANTS			
<p>Hotel and other lodging services, food serving services and beverage serving services for consumption on the premises (CPC 641-643)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>		
B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES			
<p>Travel agencies and tour operators services (CPC 7471)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the</p>		

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	horizontal section.		
<b>C. TOURIST GUIDE SERVICES</b>			
Tourist guide services (CPC 7472)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section.</li> </ol>		
<b>11. TRANSPORT SERVICES</b>			
<b>A. MARITIME TRANSPORT SERVICES</b>			
International transport (passenger and freight) (CPC 7211** and 7212** less cabotage <sup>12</sup> )	<p>General conditions applicable to all maritime service sectors: marketing and sales of maritime transport and related services for products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261; unbound, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only), CPC 2613-2615** (ovine wool only), and CPC 02961-02963** (ovine wool only).</p> <ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound for establishment of registered company for the purpose of operating a fleet under the New Zealand flag</li> <li>4) Unbound for ships crews. Otherwise unbound except as indicated in the horizontal section.</li> </ol>		<p>Where not otherwise made available to international maritime transport suppliers pursuant to Article XXVIII(c)(ii), no measures shall be applied which deny reasonable and non-discriminatory access to the following port services:</p> <ul style="list-style-type: none"> <li>- Pilotage</li> <li>- Towing and tug assistance</li> <li>- Provisioning, fuelling and watering</li> <li>- Garbage collecting and ballast waste disposal</li> <li>- Port Captain's services</li> <li>- Navigation aids</li> <li>- Shore-based operational services essential to ship operations, including communications, water and electrical supplies</li> <li>- Emergency repair facilities</li> <li>- Anchorage, berth and berthing services</li> <li>- Other shore-based operational services essential to ship operations, including communications, water and electrical supplies.</li> </ul>

<sup>12</sup> For purposes of this schedule only, cabotage is defined as the transportation of passengers or goods between a port located in New Zealand and another port located in New Zealand and traffic originating and terminating in the same port located in New Zealand.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
A. MARITIME AUXILIARY SERVICES			
Maritime cargo-handling services <sup>13</sup>	1) <del>Unbound</del> None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
Storage and warehousing services (CPC 742** maritime only)	1) <del>Unbound</del> None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime customs clearance services <sup>14</sup>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime container station and depot services <sup>15</sup>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime agency services <sup>16</sup>	1) None		

<sup>13</sup> ~~As defined in Article 1(b)(i) of the Annex on International Maritime Transport Services. Maritime cargo-handling services: activities exercised by stevedoring companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:~~

- ~~— The loading/discharging of cargo to/from a ship;~~
- ~~— The lashing/unlashing of cargo;~~

~~- The reception/delivery and safekeeping of cargoes before shipment or after discharge.~~

<sup>14</sup> ~~As defined in Article 1(b)(iii) of the Annex on International Maritime Transport Services. Customs clearance services: activities consisting of carrying out on behalf of another party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.~~

<sup>15</sup> ~~As defined in Article 1(b)(iv) of the Annex on International Maritime Transport Services. Container station and depot services: activities consisting of storing containers, whether in port or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.~~

<sup>16</sup> ~~As defined in Article 1(b)(v) of the Annex on International Maritime Transport Services. Maritime agency services: activities consisting of representing as an agent the business interests of one or more shipping lines for the following purposes:~~

- ~~— Marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;~~
- ~~- Acting on behalf of the companies organising the call of a ship or taking over cargoes when required.~~

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Maritime freight forwarding services <sup>17</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>C. AIR TRANSPORT SERVICES</b>			
Aircraft repair and maintenance services <sup>18</sup>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
Selling and marketing of air transport services <sup>19</sup>	1)2) Unbound for products covered & 3) under CPC 01, 02, 211, 213-216, 22, 2399 and 261, except for marketing and sales related to the following products in respect of which a commitment is made: CPC 21111, 21112, 21115, 21116 and CPC 21119** (edible offals of bovine and ovine origin only); CPC 2613-2615** (ovine wool only); and CPC 02961-02963** (ovine wool only). 4) Unbound except as indicated in the horizontal section.		
Computer reservation system services <sup>20</sup>	1) None 2) None 3) None		

<sup>17</sup> ~~As defined in Article 1(b)(vi) of the Annex on International Maritime Transport Services. Maritime Freight Forwarding Services: the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.~~

<sup>18</sup> As defined in paragraph 6(a) of the Annex on Air Transport Services.

<sup>19</sup> As defined in paragraph 6(b) of the Annex on Air Transport Services.

<sup>20</sup> As defined in paragraph 6(c) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	4) Unbound except as indicated in the horizontal section.		
Airport operation services <sup>21</sup> <u>Excluding navigation aids, firefighting and fire prevention services.</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<u>Ground handling services<sup>22</sup></u> <u>Excluding firefighting and fire prevention services.</u>	1) <u>None</u> 2) <u>None</u> 3) <u>None</u> 4) <u>Unbound except as indicated in the horizontal section.</u>		
<u>Specialty air services<sup>23</sup></u> <u>Excluding aerial firefighting.</u>	1) <u>Unbound</u> 2) <u>None</u> 3) <u>None</u> 4) <u>Unbound except as indicated in the horizontal section.</u>		
<del>Other supporting air services for air transport (CPC 74690** excluding fire fighting and fire prevention services)</del> <del>Cargo and baggage handling services (CPC 741**)</del> <del>Ramp handling services (CPC 741**)</del> Airfreight storage and warehousing services (CPC 742**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<del>Airport management services</del>	1) <del>None</del> 2) <del>None</del> 3) <del>None</del> 4) <del>Unbound except as indicated in the</del>		

<sup>21</sup> As defined in paragraph 6(e) of the Annex on Air Transport Services.

<sup>22</sup> As defined in paragraph 6(d) of the Annex on Air Transport Services.

<sup>23</sup> As defined in paragraph 6(f) of the Annex on Air Transport Services.

Sector or sub-sector	Limitations on market access	Other Limitations	Additional commitments
	<del>horizontal section.</del>		
<b>E. RAIL TRANSPORT SERVICES</b>			
Rail Transport Services (CPC 711)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>F. ROAD TRANSPORT SERVICES</b>			
Commercial Road Transport Services (passenger, goods, rental and vehicle recovery) (CPC 712 except 71235)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<u>Cargo Handling (CPC 741** road only)</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in the horizontal section.</u>		
<u>Storage and warehousing services (CPC 742** road only)</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in the horizontal section.</u>		
<b>G. PIPELINE TRANSPORT</b>			
Pipeline Transport (CPC 713)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.		
<b>12. OTHER SERVICES NOT INCLUDED ELSEWHERE</b>			
Other services Washing, cleaning and dyeing services (CPC 9701)	1) None 2) None 3) None 4) Unbound except as indicated in the		

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Other Limitations</b>	<b>Additional commitments</b>
	horizontal section.		