

## SCHEDULE OF NEW ZEALAND

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| <b>Sector</b>                  | All Sectors  |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)   |
| <b>Description</b>             | <p><u>Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any measure that requires the following investment activities to receive prior approval by the New Zealand Government under its overseas investment regime:</p> <p>(a) acquisition or control of 25 per cent or more of any class of shares or voting power in a New Zealand entity where either the consideration for the transfer or the value of the assets exceeds NZ\$20 million;</p> <p>(b) commencement of business operations or acquisition of an existing business, including business assets, in New Zealand, where the total expenditures to be incurred in setting up or acquiring that business or those assets exceed NZ\$20 million;</p> <p>(c) 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; and</p> <p>(d) acquisition, regardless of the dollar value, of 25 per cent or more of any class of shares or voting power in a New Zealand entity that owns commercial fishing quota or annual catch entitlement, or the acquisition of commercial fishing quota or annual catch entitlement.</p> <p>New Zealand reserves the right to adopt or maintain any measure that sets out the approval criteria to be applied to the categories of transactions that require approval under New Zealand's overseas investment regime.</p> |
| <b>Existing measures</b>       | <p>Overseas Investment Act 2005<br/> Overseas Investment Regulations 2005<br/> Fisheries Act 1996</p>  |

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| <b>Sector</b>                  | All sectors  |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)   |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"><li>• the provision of public law enforcement and correctional services; and</li><li>• the following, to the extent that they are social services established for a public purpose:<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></li></ul> |

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| <b>Sector</b>                  | All sectors  |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to water, including the allocation, collection and treatment and distribution of drinking water.<br><br>This reservation does not apply to the wholesale trade and retail of bottled mineral, aerated and natural water. |

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| <b>Sector</b>                  | All Sectors   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt and maintain the following measures solely as part of the act of devolving a service, that is provided in the exercise of governmental authority at the time this Agreement enters into force:</p> <ul style="list-style-type: none"> <li>• restricting the number of service suppliers;</li> <li>• allowing an enterprise, wholly or majority owned by the Government of New Zealand, to be the sole service supplier or one amongst a limited number of service suppliers;</li> <li>• imposing restrictions on the composition of senior management and boards of directors;</li> <li>• requiring local presence; and</li> <li>• specifying the juridical form of the service supplier(s).</li> </ul> |

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| <b>Sector</b>                  | All Sectors   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>Where New Zealand has devolved a service to an enterprise that it wholly-owns or over which it has effective control then New Zealand reserves the right to adopt or maintain any measures 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. |

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| <b>Sector</b>                  | All Sectors   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | Market Access (Article 4)   |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>Except in the sectors set out below, New Zealand reserves the right to adopt or maintain any measure that is not inconsistent with New Zealand's obligations under Article XVI of GATS<sup>22</sup>:</p> <p><u>Professional Services</u></p> <p>CPC 8673      Integrated Engineering Services</p> <p>CPC 8674**    Consultancy related to Urban Planning &amp; Landscape Architecture</p> <p><u>Computer and Related Services</u></p> <p>CPC 845      Maintenance and Repair of office machinery and equipment including computers</p> <p>CPC 849      Other Computer Services</p> <p><u>Other Business Services</u></p> <p>CPC 865      Management consulting services</p> <p>CPC 866      Services related to Management consulting</p> <p>CPC 8812     Services incidental to animal husbandry</p> <p>CPC 872      Placement and supply of Personnel</p> <p>CPC 875      Photographic Services</p> |

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<sup>22</sup> This means that, except as set out in this entry, the stipulation in Paragraph 1(c) of Article 7 (Application of Articles 4, 5, 6 and 12) not to decrease the conformity of the measure as it existed immediately before the amendment, does not apply with respect to the Market Access entries in New Zealand's Schedule to Annex I.

- CPC 87901 Credit Reporting Services
- CPC 87902 Collection Agency Services
- CPC 87909\* Convention Services

Environmental Services

- CPC 9401 Waste water management
- CPC 9402 Waste management (Refuse disposal services)
- CPC 9403 Waste management (Sanitation and similar services)
- CPC 9404 Protection of ambient air & climate
- CPC 9405 Noise & vibration abatement
- CPC 9406\*\* Remediation & clean up of soil & water
- CPC 9406\*\* Protection of biodiversity & landscape
- CPC 9409 Other environmental services (including indoor environmental services)

Maritime Auxiliary Services

To the same extent as set out in the corresponding entries in WTO document TN/S/O/NZL/Rev.1 of 17 June 2005 for:

- Customs Clearance Services
- Container Station and Depot Services
- Maritime Agency Services

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in MTN.GNS/W/120.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

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| <b>Sector</b>                  | All sectors  |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></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> |
| <b>Existing measures</b>       | Conservation Act 1987 and the enactments listed in Schedule 1 of the Conservation Act 1987<br>Resource Management Act 1991<br>Local Government Act 1974 and subsequent amendments  |

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| <b>Sector</b>                  | All sectors   |
| <b>Industry Classification</b> | <p>This reservation applies to all sectors, except the following:</p> <p>51 Construction Work</p> <p>52 Constructions</p> <p>53 Land</p> <p>61 Sale, maintenance and repair services of motor vehicle; sales of related parts</p> <p>75 post and telecommunication services</p> <p>81 financial intermediation and auxiliary services</p> <p>82 real estate services</p> <p>83 leasing or rental services without operators</p> <p>84 computer and related services</p> <p>86** legal, accounting, auditing, book keeping, taxation, market research, public opinion polling, management consulting, architectural, engineering and other technical services'</p> <p>87** business services not elsewhere classified</p> <p>89 intangible assets</p> <p>95 services of membership organisations</p> <p>96** recreational, cultural and sporting services</p> <p>** CPC 8676 (technical testing), CPC 876 (packaging), 96194 (circuses), 96321 (museums) and 96331 (botanical and zoological services) are subject to the reservation.</p> |
| <b>Obligations concerned</b>   | <p>National Treatment (Article 5)</p> <p>Market Access (Article 4)</p> <p>Local Presence (Article 6)</p>  |
| <b>Description</b>             | <p><u>Cross Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any nationality or residency measures 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:</li> </ul>  |

- food safety of domestic and exported foods;
- animal feeds;
- food standards;
- biosecurity and
- biodiversity; and
- certification of the plant or animal health status of goods.

Nothing in this reservation shall be construed to derogate from the obligations of Chapter 7 (Sanitary and Phytosanitary Measures), or the obligations of the *Agreement on the Application of Sanitary and Phytosanitary Measures*, which is part of the *WTO Agreement*.

Nothing in this reservation shall be construed to derogate from the obligations of Chapter 8 (Technical Barriers to Trade), or the obligations of the *Agreement on Technical Barriers to Trade*, which is part of the *WTO Agreement*.

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| <b>Sector</b>                  | All Sectors   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br>New Zealand reserves the right to maintain or adopt 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 for the issuance of maritime concessions in the continental shelf. |
| <b>Existing measures</b>       | Resource Management Act 1991<br>Foreshore and Seabed Act 2004<br>Resource Management (Foreshore and Seabed) Amendment Act 2004  |

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| <b>Sector</b>                  | Business Services<br>Legal Services   |
| <b>Industry Classification</b> | CPC 861   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to the provision of publicly funded legal services. |

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| <b>Sector</b>                  | Business Services<br>Fire Services   |
| <b>Industry Classification</b> | CPC 91260* fire fighting services<br><br>*Public administrative, operational and supervision services for fire protection affairs as well as administrative and operational services for fire-fighting and fire prevention by regular and auxiliary fire brigades. |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to the provision of fire fighting services, excluding aerial fire fighting services.   |

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| <b>Sector</b>                  | Business Services<br>Research and Development   |
| <b>Industry Classification</b> | CPC 8510 Research and experimental development services on physical sciences and engineering<br>CPC 8520 Research and experimental development services on social sciences and humanities<br>CPC 8530 Interdisciplinary research and experimental development services  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></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 i.e. CPC 8510.</li> </ul> <p>For the avoidance of doubt, the reservation in respect of the Most Favoured Nation Treatment obligation does not apply to the entry on 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.</p> |

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| <b>Sector</b>                  | Business Services<br>Technical testing and analysis services   |
| <b>Industry Classification</b> | CPC 86751 Geological, geophysical and scientific prospecting<br>CPC 86761 Composition and purity testing and analysis services<br>CPC 86764 Technical inspection services<br>CPC 86769 Other technical testing and analysis services   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br>New Zealand reserves the right to adopt or maintain any measures in respect of: <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; and</li> <li>• drug testing services.</li> </ul> |

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| <b>Sector</b>                  | Business Services<br>Services related to fisheries and aquaculture  |
| <b>Industry Classification</b> | Services related to stocks of fish and marine living resources; operational services related to aquaculture hatcheries or farms; and manufacturing services where these relate to fish or marine living resources processed at sea.   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br>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 <i>United Nations Convention on the Law of the Sea</i> .   |
| <b>Existing Measures</b>       | For greater transparency, examples of existing measures contained in the Fisheries Act 1996 and the Aquaculture Reform Act 2005 include: <ul style="list-style-type: none"> <li>• no vessel owned or operated by an overseas person may be registered to carry out commercial fishing or fish carrying activities without the permission of the Minister of Fisheries, and subject to any conditions that he or she thinks fit to impose;</li> <li>• foreign fishing vessels or fish carriers are required to obtain the approval of the Minister of Fisheries before entering New Zealand internal waters. If the Minister of Fisheries is satisfied that the vessel has undermined international conservation and management measures he or she may deny the vessel approval to enter New Zealand internal waters;</li> <li>• ministerial approval is required before any overseas person may be allocated, purchase or own any provisional catch history, quota, or annual catch entitlement;</li> </ul> |

- as set out in S.296B the Fisheries Act 1996, certain specified functions, duties or powers can only be transferred to approved service delivery organisations that comply with specified criteria; and
- foreign research vessels require the permission of the Minister of Fisheries to take fish, seaweed or aquatic life within the New Zealand Exclusive Economic Zone.

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| <b>Sector</b>                  | Business Services<br>Energy<br>Manufacturing<br>Wholesale trade<br>Retail   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | Market Access (Article 4)<br>National Treatment (Article 5)<br>Local Presence (Article 6)<br>Most Favoured Nation Treatment (Article 12)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>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 any person to do so. |

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| <b>Sector</b>                  | Business Services   |
| <b>Industry Classification</b> | CPC 8830+5115 Services incidental to mining   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most-Favoured-Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)                          |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to services incidental to mining. |

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| <b>Sector</b>                  | Business Services<br>Immigration services   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | Market Access (Article 4)<br>Most Favoured Nation Treatment (Article 12)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt any measures, with respect to licensing requirements and the enforcement of those requirements, including through information sharing, in respect of natural persons who provide immigration advice, to a person in regards to any immigration matter relating to New Zealand.</p> <p>For greater transparency, this entry only applies in respect of the Most Favoured Nation Treatment obligation to the extent that New Zealand enters into a reciprocal agreement about information sharing or enforcement of New Zealand's licensing requirements within the country with whom the agreement is made.</p> <p>This reservation does not apply to a natural person of Hong Kong, China who is authorised to practice law in New Zealand.</p> |

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| <b>Sector</b>                  | Communication Services<br>Postal  |
| <b>Industry Classification</b> | CPC 7511 postal services  |
| <b>Obligations concerned</b>   | Market Access (Article 4)<br>National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to the supply of postal services. |

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| <b>Sector</b>                  | Communication Services<br>Audio-visual and other Services  |
| <b>Industry Classification</b> | CPC 9611 Motion picture and video production and distribution services<br>CPC 9612 Motion picture services<br>CPC 9613 Radio and television services<br>CPC 7524 Programme transmission services<br>CPC 753 Radio and television cable services  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>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>Existing Measures</b>       | For greater transparency, S.18 New Zealand Film Commission Act 1978 limits Commission funding to films with a "significant New Zealand content". This criterion is deemed to be satisfied if made pursuant to a co-production agreement or arrangement with the partner country in question.   |

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| <b>Sector</b>                  | Communication Services<br>Audio-visual and other Services   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure made by or under any enactment with respect to the promotion of local content on public radio and public television. |

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| <b>Sector</b>                  | Distribution Services<br>Commission agents' services<br>Wholesale trade services  |
| <b>Industry Classification</b> | CPC 221    Processed liquid milk and cream<br>CPC 229    Other dairy products   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)   |
| <b>Description</b>             | <p><u>Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any measures with respect to:</p> <ul style="list-style-type: none"> <li>• the holding of shares in the co-operative dairy company arising from the amalgamation authorised by section 7(1)(a) of the Dairy Industry Restructuring Act 2001 (or any successor body); and</li> </ul> <p>the disposition of assets of that company or its successor bodies.</p> |
| <b>Existing Measures</b>       | Dairy Industry Restructuring Act 2001 and subsequent regulations.   |

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| <b>Sector</b>                  | Distribution Services<br>Wholesale trade services  |
| <b>Industry Classification</b> | CPC 62221** services relating to fruit and vegetables<br><br>** This reservation only applies to kiwifruit   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br>New Zealand reserves the right to adopt or maintain any measures with respect to the export marketing of fresh kiwifruit to all markets other than Australia. |
| <b>Existing Measures</b>       | The Kiwifruit Industry Restructuring Act 1999 and Regulations.   |

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| <b>Sector</b>                  | Distribution Services<br>Wholesale trade and distribution services   |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any measures 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 <i>WTO Agreement on Agriculture</i> 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> |

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.

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| <b>Sector</b>                  | Distribution Services<br>Commission agents' services<br>Wholesale trade services   |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to maintain or adopt any measures 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>For the avoidance of doubt, mandatory marketing plans, in the context of this reservation exclude measures limiting the number of market participants or limiting the volume of exports.</p> |
| <b>Existing Measures</b>       | New Zealand Horticulture Export Authority Act 1987   |

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| <b>Sector</b>                  | Education Services   |
| <b>Industry Classification</b> | CPC 923 Higher education services<br>CPC 924 Adult education services n.e.c.   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to the use of statutorily protected educational terms and titles.      |
| <b>Existing Measures</b>       | In the interests of greater transparency such terms include: “university”, “college of education”, “polytechnic” and “institute of technology” as set out in S.292 and S.294 of the Education Act 1989 |

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| <b>Sector</b>                  | Financial Services  |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to financial services as defined in the <i>GATS Annex on Financial Services</i> that is not inconsistent with New Zealand's obligations under Articles XVI, XVII and XVIII of <i>GATS</i> . |

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| <b>Sector</b>                  | Health and Social services<br>Social services   |
| <b>Industry Classification</b> |   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)  |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to all modes for the supply of adoption services. |

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| <b>Sector</b>                  | Health and Social services<br>Health services  |
| <b>Industry Classification</b> | <p>CPC 9311* Hospital services</p> <p>CPC 93191** Deliveries and related services, nursing services, physiotherapeutic and para-medical services</p> <p>CPC 93199 Other Human Health Services</p> <p>* This is not intended to apply to services provided by nurses, physiotherapists and para-medical personnel in a hospital setting.</p> <p>** This includes services such as supervision during pregnancy and child birth and the supervision of the mother after birth.</p>   |
| <b>Obligations concerned</b>   | <p>Most Favoured Nation Treatment (Article 12)</p> <p>Market Access (Article 4)</p> <p>National Treatment (Article 5)</p> <p>Local Presence (Article 6)</p>  |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>New Zealand reserves the right to adopt or maintain any measure not inconsistent with Articles 4 (Market Access) and 12 (Most Favoured Nation Treatment) with respect to the following services to the extent that they are provided by the private sector:</p> <ul style="list-style-type: none"> <li>• hospital services; and</li> <li>• maternity deliveries and related services, including services provided by midwives.</li> </ul> <p>New Zealand reserves the right to adopt or maintain any measure with respect to pharmaceutical services to the extent that they are provided by the private sector.</p> |

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| <b>Sector</b>                  | Recreation, cultural and sporting   |
| <b>Industry Classification</b> | CPC 96492 Gambling and betting services<br>CPC 96499 Other recreational services n.e.c.   |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Market Access (Article 4)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measure with respect to gambling, betting and prostitution services.   |
| <b>Existing Measures</b>       | Gambling Act 2003<br>Gaming and Lotteries (Licensed Promoters) Regulations 1978<br>Gambling (Class 4 Net Proceeds) Regulations 2004<br>Gambling (Infringement Notices) Regulations 2004<br>Gambling (Harm Prevention and Minimisation) Regulations 2004<br>Gambling (Problem Gambling Levy) Regulations 2004<br>Prostitution Reform Act 2003<br>Racing Act 2003 |

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| <b>Sector</b>                  | Recreation, cultural and sporting services<br>Library, archive, museum and other cultural services   |
| <b>Industry Classification</b> | CPC 96311 Library services<br>CPC 96312 Archives services<br>CPC 9632 Museum services including the preservation services of historical sites and buildings.   |
|                                | An indicative list of services or investment activities that would come within in the scope of “cultural heritage of national value” includes: 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.  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)<br>Local Presence (Article 6)   |
| <b>Description</b>             | <u>Cross-Border Services and Investment</u><br><br>New Zealand reserves the right to adopt or maintain any measures in respect of: <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> <li>• services for the preservation of historical or sacred sites or historical buildings.</li> </ul> |

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|--------------------------------|--|
| <b>Sector</b>                  | Transport<br>Maritime Services   |
| <b>Industry Classification</b> |  |
| <b>Obligations concerned</b>   | National Treatment (Article 5)<br>Most Favoured Nation Treatment (Article 12)<br>Market Access (Article 4)   |
| <b>Description</b>             | <p><u>Cross-Border Services and Investment</u></p> <p>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 the same port in New Zealand (“maritime cabotage”);</li> <li>• provision of certain Port Services (pilotage, towing and tug assistance provisioning, fuelling and watering, garbage collecting and ballast waste disposal, port captains’ services, navigation aids, emergency repair facilities, anchorage, other 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;</li> <li>• the establishment of registered companies for the purpose of operating a fleet under the New Zealand flag;</li> <li>• the registration of vessels in New Zealand; and</li> <li>• the regulation and entry of ships crews to New Zealand through the presence of natural person mode of supply.</li> </ul> |