

APPENDIX 10

NEW ANNEX 8 (SCHEDULES OF SPECIFIC COMMITMENTS ON SERVICES)

Annex 8 Part A: China Schedule of Specific Commitments on Services

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| I. HORIZONTAL COMMITMENTS¹ | | | |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | <p>(1) Unbound with respect to the social services established or maintained</p> <p>(2) for a public purpose. Such services may be subject to public monopolies</p> <p>(3) or to exclusive rights granted to private operators.</p> <p>(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: Equity joint ventures and contractual joint ventures.²</p> <p>The proportion of foreign investment in an equity joint venture shall be no</p> | <p>(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.</p> | |

¹ In this commitment, the mention of “foreign” in both horizontal and specific commitments refers to New Zealand.

² The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract. “Foreign invested enterprise” in this schedule means a foreign invested enterprise duly constituted or otherwise organized under “Foreign Investment Law of the People’s Republic of China (2019)”.

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| | <p>less than 25 percent of the registered capital of the joint venture.</p> <p>The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation.</p> <p>Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.</p> <p>The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations:</p> | | |

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| | <ul style="list-style-type: none"> (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. | | |

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| I. SPECIFIC COMMITMENTS | | | |
| 1. BUSINESS SERVICES | | | |
| <p>A. Professional Services</p> <p>(a) Legal Services (CPC 861, excluding Chinese law practice)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Foreign law firms can provide legal services only in the form of representative offices.</p> <p>Representative offices can engage in profit-making activities.</p> <p>Business scope of foreign representative offices is only as follows:</p> <p>(a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.</p> | <p>(1) In accordance with the Chinese laws, regulations and rules, foreign law firms which have established their representative offices in the China (Shanghai) Pilot Free Trade Zone ("FTZ") may enter into contract with Chinese law firms in the FTZ. Based on such contract, these foreign and Chinese law firms may dispatch their lawyers to each other to act as legal counsels.</p> <p>For the aforementioned dispatchment, it means the Chinese law firms may dispatch their lawyers to the foreign law firms to act as legal counsels on</p> |

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| | <p>practices;</p> <p>(b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work;</p> <p>(c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs;</p> <p>(d) to enter into contract to maintain long-term entrustment relations with Chinese law firms for legal affairs;</p> <p>(e) to provide information on the impact of the Chinese legal environment.</p> <p>Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law</p> | | <p>Chinese law and international law practice, and the foreign law firms may dispatch their lawyers to the Chinese law firms to act as legal counsels on foreign law and international practice. The two sides shall perform the cooperation within their respective scope.</p> <p>(2) In accordance with the Chinese laws, regulations and rules, foreign law firms which have established their representative offices in the China (Shanghai) Free Trade Zone ("FTZ") are permitted to form commercial association with Chinese law firms in Shanghai FTZ. Within the validity of commercial</p> |

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| | <p>firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in New Zealand and have practiced for no less than two years in China. The Chief representative shall be a partner or equivalent (e.g. member of a law firm of a limited liability corporation) of a law firm of New Zealand and have practiced for no less than three years outside of China.</p> | | <p>association, the two law firms from both sides respectively have independent legal status, name, financial operation, and bear civil liabilities independently. Clients of the commercial association are not limited within Shanghai FTZ. Foreign lawyers in this type of commercial association are not permitted to conduct the practice of Chinese law.</p> |
| (b) Accounting, auditing and book-keeping services (CPC 862) | <p>(1) None</p> <p>(2) None</p> <p>(3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | <p>- Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in the other WTO Members.</p> |

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|---------------------|-----------------------------|----------------------------------|--|
| | Chinese authorities | | <ul style="list-style-type: none"> - Issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. - Applicants will be informed of results in writing no later than 30 days after their submission of their applications. - Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in |

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|--|--|---|------------------------|
| | | | CPC 865 and 8630. |
| (c) Taxation services (CPC 8630) | (1) None (2) None (3) Wholly foreign-owned subsidiaries are permitted | (1) None (2) None (3) None | |
| (d) Architectural services (CPC 8671) | (1) None for scheme design. Cooperation with Chinese professional organisations is required except scheme design. (2) None (3) Wholly foreign-owned enterprises are permitted | (1) None (2) None (3) None. | |

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|---|--|----------------------------------|------------------------|
| (e) Engineering services (CPC 8672) | (1) None for scheme design. Cooperation with Chinese professional organisations is required except scheme design. | (1) None | |
| (f) Integrated engineering services (CPC 8673) | (2) None (3) Wholly foreign-owned enterprises are permitted. | (2) None (3) None. | |
| (g) Urban planning services (except general urban planning) (CPC 8674) | (1) None for scheme design. Cooperation with Chinese professional organisations is required except scheme design. | (1) None | |

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|---|---|---|------------------------|
| | <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises are permitted.</p> | <p>(2) None</p> <p>(3) None.</p> | |
| (h) Medical and dental services (CPC 9312) | <p>(1) None</p> <p>(2) None</p> <p>(3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted, while the highest proportion of foreign ownership is limited.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality.</p> | |
| B. Computer and Related Services | (1) None | (1) None | |

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|--|--|---|------------------------|
| <p>(Computer and related services do not cover the economic activity consisting of provision of content services which require computer and related services as a means of supply)</p> <p>(a) Consultancy services related to the installation of computer hardware</p> <p>(CPC 841)</p> | <p>(2) None</p> <p>(3) None</p> | <p>(2) None</p> <p>(3) None</p> | |
| <p>(b) Software implementation services</p> <p>(CPC 842)</p> <p>(c) Data processing services</p> <p>(CPC 843)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises are permitted.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

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|---|---|--|------------------------|
| - Input preparation services (CPC 8431) | | | |
| - Data processing and tabulation services (CPC 8432) | (1) None | (1) None | |
| | (2) None | (2) None | |
| - Time-sharing services (CPC 8433) | (3) None | (3) None | |
| D. Real Estate Services (a) Real estate services involving own or leased property (CPC 821) | (1) None (2) None (3) Wholly foreign-owned enterprises are allowed. | (1) None (2) None (3) None | |
| (b) Real estate services on a fee or contract basis | (1) None | (1) None | |

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| (CPC 822) | (2) None (3) Wholly foreign-owned enterprises are allowed | (2) None (3) None | |
| F. Other Business Services (a) Advertising Services (CPC 871) | (1) None (2) None (3) None | (1) None (2) None (3) None | |
| (b) Market research services (CPC 86401, only limited to investigation services designed to secure information on the prospects and performance of an organization's products in the market) | (1) Unbound (2) Unbound (3) Only in the form of joint ventures, with foreign majority ownership permitted. Economic needs tests are required. | (1) Unbound (2) Unbound (3) Unbound | |
| (c) Management consulting services | (1) None | (1) None | |

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|--|---|---|------------------------|
| (CPC 865) | (2) None (3) Wholly foreign-owned subsidiaries are permitted | (2) None (3) None | |
| (d) Services related to management consulting (only limited to the following sub-sector) - Project management services other than construction (CPC 86601) | (1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Economic needs tests are required. | (1) Unbound (2) Unbound (3) Unbound | |
| (e) Technical testing and analysis services (CPC 8676) | (1) None (2) None (3) Foreign services suppliers which have | (1) None (2) None (3) None | |

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| | <p>been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US\$ 350,000 in registered capital.</p> <p>Wholly foreign-owned subsidiaries are permitted.</p> | | |
| (f) Services incidental to forestry (CPC 8814) | <p>(1) None</p> <p>(2) None</p> <p>(3) Only in the form of joint ventures, with foreign majority ownership permitted.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |
| (f) Services incidental to agriculture, hunting and fishing (CPC 881, 882) | <p>(1) None</p> <p>(2) None</p> | <p>(1) None</p> <p>(2) None</p> | |

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|---|--|--|------------------------|
| <p>(m) Related scientific technical consulting services (CPC 8675)</p> <p>(i) Services incidental to manufacturing (CPC 884, 885, except for 88442, and excluding prohibited or restricted industries for foreign service suppliers by Chinese laws and regulations, and excluding services China considers relating to its national security interests.)</p> | <p>(3) Only in the form of joint ventures, with foreign majority ownership permitted.</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) Wholly foreign-owned subsidiaries are allowed.</p> | <p>(3) None</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) None</p> | |
| <p>(k) Placement and supply services of Personnel (CPC 872, excluding CPC</p> | <p>(1) Unbound</p> <p>(2) Unbound</p> | <p>(1) Unbound</p> <p>(2) Unbound</p> | |

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| <p>87209)</p> <p>(h) Services incidental to mining (CPC 883, only including oil and natural gas)</p> | <p>(3) Only in the form of joint ventures, with foreign majority ownership permitted. Economic needs tests are required.</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) Only in the form of oil and gas exploitation in cooperation with Chinese partners.</p> | <p>(3) Unbound</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) None</p> | |
| <p>- Offshore oil-field services</p> <p>Geological, geophysical (excluding regional gravity and magnetism prospecting services) and other scientific prospecting services</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Only in the form of petroleum exploitation in cooperation with Chinese</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

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| (CPC 86751) - Sub-surface surveying services (CPC 86752) | partners. | | |
| - Onshore oil-field services | <p>(1) None</p> <p>(2) None</p> <p>(3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) or China Petrochemical Corp. (SINOPEC) in the designated areas approved by the Chinese government.</p> <p>In order to carry out the petroleum contract, the foreign service supplier shall establish a branch, subsidiary or representative office within the territory of the People's Republic of China and go through registration formalities in accordance with the laws. The</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) The foreign service supplier shall furnish CNPC or SINOPEC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC or SINOPEC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations.</p> <p>CNPC or SINOPEC shall have</p> | |

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| | <p>domiciles of the said offices shall be determined through consultation with CNPC or SINOPEC.</p> <p>The foreign service supplier shall open its bank account with a bank approved by the Chinese authorities to engage in foreign exchange business within the Chinese territory.</p> | <p>the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies.</p> | |
| (o) Building cleaning services (CPC 874) | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises permitted.</p> | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> | |
| (p) Photographic services (CPC 875) | <p>(1) None</p> | <p>(1) None</p> | |

* Unbound due to lack of technical feasibility.

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| | (2) None (3) None | (2) None (3) None | |
| (q) Packaging services (CPC 876) | (1) None (2) None (3) None | (1) None (2) None (3) None | |
| (r) Printing of packaging materials, on a fee or contract basis (only limited to the printing of packing materials) | (1) Unbound (2) Unbound (3) Wholly foreign-owned enterprises are permitted. Economic needs tests are required. | (1) Unbound (2) Unbound (3) Unbound | |
| (s) Convention services (CPC 87909) | (1) None | (1) None | |

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|--|--|--|------------------------|
| | (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. | (2) None (3) None | |
| (t) Translation and interpretation services (CPC 87905) | (1) None (2) None (3) Wholly foreign-owned enterprises are permitted. | (1) None (2) None (3) None | |
| - Maintenance and repair services (CPC 63, 6112 and 6122) | (1) None (2) None (3) Wholly foreign-owned subsidiaries are permitted. | (1) None (2) None (3) None | |
| - Maintenance and repair services of office machinery | (1) None | (1) None | |

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|---|---|--|------------------------|
| and equipment including computers (CPC 845 and 886) | (2) None (3) Wholly foreign-owned subsidiaries are permitted. | (2) None (3) None | |
| - Rental and leasing services (CPC 831, 832, excluding CPC 83202) | (1) None (2) None (3) Wholly foreign-owned subsidiaries are permitted. Service suppliers will have global assets of US\$ 5 million. | (1) None (2) None (3) None | |

| 2. COMMUNICATION SERVICES | | | |
|---|--------------------------|--------------------------|--|
| B. Courier Services (CPC 75121, except for those specifically reserved | (1) None (2) None | (1) None (2) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
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| to Chinese postal authorities by the related law at the time of China's accession to WTO on December 11th 2001) | (3) Wholly foreign-owned subsidiaries are permitted. | (3) None | |
| Basic Telecommunication Services - Paging services | (1) See mode 3 (2) None (3) Foreign service suppliers are permitted to establish joint venture enterprises, and foreign investment in the joint ventures shall be no more than 50 percent. | (1) None (2) None (3) None | China undertakes the obligations contained in the Reference Paper in Annex I attached hereto |
| C. Telecommunications Services ³ | (1) See mode 3 | (1) None | China undertakes the obligations contained in |

³ China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

All international telecommunications services shall go through gateways established with the approval of China's telecommunications authorities, which will act as an independent regulatory authority in accordance with the principles of paragraph 5 of the Reference Paper.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
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| <p>Value-added services</p> <p>Including the following:</p> <p>(h) Electronic mail</p> <p>(i) Voice mail</p> <p>(j) Online information and database retrieval</p> <p>(k) Electronic data exchange</p> <p>(l) Enhanced/Value-added facsimile services</p> <p>(including store and forward, store and retrieve)</p> <p>(m) Code and protocol conversion</p> | <p>(2) None</p> <p>(3) Foreign service suppliers are permitted to establish joint venture value-added telecommunications enterprises, and foreign investment in the joint ventures shall be no more than 50 percent.</p> | <p>(2) None</p> <p>(3) None</p> | <p>the Reference Paper in Annex I attached hereto.</p> |

Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| (n) On-line information and/or data processing (including transaction processing) | | | |
| Mobile Voice and Data Services: - Analogue / Digital Cellular Services - Personal Communication Services | (1) See mode 3 (2) None (3) Foreign service suppliers are permitted to establish joint ventures only, and foreign investment in the joint ventures shall be no more than 49 percent. | (1) None (2) None (3) None | |
| - Domestic Services (a) Voice services (b) Packet-switched data transmission services (c) Circuit-switched data transmission services (f) Facsimile services | (1) See mode 3 (2) None (3) Foreign service suppliers are permitted to establish joint ventures only, and foreign investment in the joint ventures shall be no more than 49 percent. | (1) None (2) None (3) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|-----------------------------|----------------------------------|--|
| <ul style="list-style-type: none"> (g) Domestic private leased circuit services - International Services (a) Voice services (b) Packet-switched data transmission services (c) Circuit-switched data transmission services (f) Facsimile services (g) International closed user group voice and data services (use of private leased circuit service permitted) | | | |
| D. Audiovisual Services | (1) None | (1) None | Without prejudice to compliance with China's |

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|--|---|--|---|
| <ul style="list-style-type: none"> - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services | <ul style="list-style-type: none"> (2) None (3) Foreign services suppliers are permitted to establish joint ventures with Chinese partners to engage in the distribution of audio-visual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products (see footnote 2). | <ul style="list-style-type: none"> (2) None (3) None | <p>regulations on the administration of films, China allows the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.</p> |
| <ul style="list-style-type: none"> - Cinema Theatre Services | <ul style="list-style-type: none"> (1) None (2) None (3) Foreign services suppliers are permitted to construct and/or renovate cinema theatres, with foreign investment no more than 49 per cent. | <ul style="list-style-type: none"> (1) None (2) None (3) None | |

3. CONSTRUCTION AND RELATED ENGINEERING SERVICES

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|---|--|
| (CPC 511, 512, 513 ⁴ , 514, 515, 516, 517, 518 ⁵) | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises are permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects.</p> <ol style="list-style-type: none"> 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> | <p>The foreign construction enterprises established in the China (Shanghai) Pilot Free Trade Zone (“FTZ”) may undertake the Chinese-foreign jointly constructed projects in Shanghai. Under such circumstances, these foreign construction enterprises will be exempted from the foreign investment ratio requirement in the projects.</p> |

⁴ Including dredging services relating to infrastructure construction.

⁵ Coverage of CPC 518 is limited only to the rental and leasing services of construction and/or demolition machines with operator which are owned and used by foreign construction enterprises in their supply of services.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

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| | <p>to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 percent but technically difficult to be implemented by Chinese construction enterprises alone.</p> <p>4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises and foreign construction enterprises with the approval of provincial government.</p> | | |

| 4. DISTRIBUTION SERVICES (as defined in Annex 2) | | | |
|--|-------------|-------------|---|
| A. Commission Agents' Services (excluding salt, tobacco) | (1) Unbound | (1) Unbound | Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access |
| B. Wholesale Trade Services ⁶ (excluding salt, tobacco) | (2) None | (2) None | |

⁶ The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

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|---|---|--|---|
| | (3) Wholly foreign-owned enterprises permitted. | (3) None | <p>or sector or sub-sector column, and provide subordinate services as defined in Annex 2.</p> <p>Foreign service suppliers are permitted to provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.</p> |
| C. Retailing Services (excluding tobacco) | <p>(1) Unbound except for mail order</p> <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises are permitted, except for:</p> <ul style="list-style-type: none"> - chain stores which sell products of | <p>(1) Unbound except for mail order</p> <p>(2) None</p> <p>(3) None</p> | <p>Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2.</p> <p>Foreign service suppliers</p> |

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| | <p>different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: books, newspapers, magazines, pharmaceutical products, pesticides, mulching films, processed oil, chemical fertilizers and products listed in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations.</p> | | <p>are permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.</p> |
| D. Franchising | <p>(1) None</p> <p>(2) None</p> | <p>(1) None</p> <p>(2) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| | (3) None | (3) None | |
| E. Wholesale or retail trade services away from a fixed location. | (1) None (2) None (3) None ⁷ | (1) None (2) None (3) None | |

| 5. EDUCATIONAL SERVICES | | | |
|--|-----------------------------|--|---|
| <p>(Excluding special education services e.g. military, police, political and party school education)</p> <p>A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190)</p> | (1) Unbound (2) None | (1) Unbound (2) None (3) Unbound | China will list on its Ministry of Education “Study Abroad” website www.jsj.edu.cn the eight New Zealand universities, the twenty Institutes of Technology and Polytechnics, Te Wananga o Aotearoa, Te Whare Wananga o Awanuiarangi |

⁷ See paragraph 310 of the Working Party Report on the Accession of China to the WTO.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|----------------------------------|--|
| <p>B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210)</p> <p>C. Higher education services (CPC 923)</p> <p>D. Adult education services (CPC 924, including non-academic training of beauty treatment, spa, and acupuncture)</p> <p>E. Other education services (CPC 929, including non-academic training in the following areas:</p> <ul style="list-style-type: none"> a. English language b. cooking c. handicraft | <p>(3) Joint schools will be established, with foreign majority ownership permitted.</p> | | <p>and Te Wananga o Raukawa, and the following six degree conferring Private Training Establishments duly approved and accredited by NZQA:</p> <p>Auckland Institute of Studies at St Helens,</p> <p>International Pacific College New Zealand,</p> <p>New Zealand College of Chiropractic,</p> <p>Pacific International Hotel Management School,</p> <p>Te Kura Toi Whakaari o Aotearoa: New Zealand Drama School, Whitecliff College of Arts and Design.</p> |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|---|
| | | | Both parties will jointly initiate work at the official level on evaluation of the quality assurance criteria for qualifications which include a distance delivery component. |

6. ENVIRONMENTAL SERVICES

(excluding environmental quality monitoring and pollution source inspection)

| | | | |
|---|--|----------|--|
| A. Sewage Services (CPC 9401) | (1) Unbound except for environmental consultation services | (1) None | |
| B. Solid Waste Disposal Services (CPC 9402) | (2) None | (2) None | |
| C. Cleaning Services of Exhaust Gases (CPC 9404) | (3) Wholly foreign-owned enterprises are permitted. | (3) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| <p>D. Noise Abatement Services (CPC 9405)</p> <p>G. Sanitation Services (CPC 9403)</p> <p>E. Nature and Landscape Protection Services (CPC 9406 excluding the construction and operation of Natural Reserves and Ramsar Sites)</p> <p>F. Other Environmental Protection Services (CPC 9409)</p> | <p>(1) Unbound except for environmental consultation services.</p> <p>(2) None</p> <p>(3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

| |
|------------------------------|
| 7. FINANCIAL SERVICES |
|------------------------------|

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| <p>A. All Insurance and Insurance-Related Services⁸</p> <p>(a) Life, health and pension/annuity insurance</p> <p>(b) None-life insurance</p> <p>(c) Reinsurance</p> <p>(d) Services auxiliary to insurance</p> | <p>(1) Unbound except for :</p> <p>(a) reinsurance;</p> <p>(b) international marine, aviation, and transport insurance; and</p> <p>(c) brokerage for large scale commercial risks, international marine, aviation, and transport insurance, and reinsurance.</p> <p>(2) Unbound for brokerage. Other, none.</p> <p>(3) A. Form of establishment</p> <p>Foreign non-life insurers are permitted to establish as a branch or as a wholly-owned subsidiary, with no form of establishment restrictions.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None, except for:</p> <ul style="list-style-type: none"> - Insurance institutions of New Zealand shall not engage in the statutory insurance business, except that insurance | |

⁸ Any further authorization provided to foreign insurers after accession under more favorable conditions than those contained in this schedule (including the extension of grandfathered investments through branching, sub-branching or any other legal form), will be made available to other foreign service suppliers which so requested.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|---|---|------------------------|
| | <p>Foreign life insurers are permitted 50 per cent foreign ownership in a joint venture with the partner of their choice.</p> <p>The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule.</p> <p>For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine, aviation, and transport insurance and reinsurance: wholly foreign owned subsidiary is permitted.</p> <p>For other brokerage services: Unbound.</p> | <p>institutions of New Zealand are permitted to undertake third party auto liability insurance.</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|--|----------------------------------|------------------------|
| | <p>Internal branching for an insurance firm is permitted.</p> <p>B. Business Scope</p> <p>Foreign non-life insurers are permitted to provide "master policy" insurance/insurance of large scale commercial risks, which has no geographic restrictions. In accordance with national treatment, foreign insurance brokers are permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable.</p> <p>Foreign non-life insurers are permitted to provide the full range of non-life insurance services to both foreign and domestic clients.</p> <p>Foreign insurers are permitted to</p> | | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|---|----------------------------------|------------------------|
| | <p>provide health insurance, individual/group insurance and pension/annuities insurance to foreigners and Chinese.</p> <p>Foreign insurers are permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued.</p> <p>C. Licenses</p> <p>Licenses are issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows:</p> <ul style="list-style-type: none"> - the investor shall be a foreign insurance company with more than 30 years of establishment | | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|----------------------------------|---|
| | <p>experience in a WTO member;</p> <ul style="list-style-type: none"> - it shall have a representative office for two consecutive years in China; - it shall have total assets of more than US \$5 billion at the end of the year prior to application, except for insurance brokers. <p>Insurance brokers shall have total assets of more than US\$ 200 million.</p> | | |
| <p>B. Banking and Other Financial Services</p> <p>(excluding insurance and securities)</p> <p>Banking services as listed below:</p> <p>(a) Acceptance of deposits and</p> | <p>(1) Unbound except for the following:</p> <ul style="list-style-type: none"> - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference | <p>(1) None</p> | <p>For financial leasing services, foreign financial leasing corporations are permitted to provide financial leasing service at the same time as domestic corporations.</p> |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| <p>other repayable funds from the public;</p> <p>(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction;</p> <p>(c) Financial leasing</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (including import and export settlement);</p> <p>(e) Guarantees and commitments;</p> <p>(f) Trading for own account or for account of customers: foreign exchange.</p> | <p>and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.</p> <p>(2) None</p> <p>(3) A. Geographic coverage</p> <p>For foreign currency and local currency business, there will be no geographic restriction.</p> <p>B. Clients</p> <p>For foreign currency business, foreign financial institutions are permitted to provide services in China without restriction as to clients.</p> <p>For local currency business, foreign financial institutions are permitted to provide services to Chinese enterprises.</p> | <p>(2) None</p> <p>(3) Except of prudential measures, foreign financial institution may do business, without restrictions or need for case-by-case approval, with foreign invested enterprises, non-Chinese natural persons, China natural persons and Chinese enterprises. Otherwise, none.</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|--|----------------------------------|------------------------|
| | <p>Foreign financial institutions are permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business.</p> <p>C. Licensing</p> <p>Criteria for authorization to deal in China's financial services sector are solely prudential (i.e. contain no economic needs test or quantitative limits on licenses). Existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses are eliminated.</p> <p>Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank</p> | | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|--|----------------------------------|------------------------|
| | <p>in China:</p> <ul style="list-style-type: none"> - total assets of more than US\$ 10 billion at the end of the year prior to filing the application. <p>Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China:</p> <ul style="list-style-type: none"> - total assets of more than US\$ 20 billion at the end of the year prior to filing the application. <p>Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank in China:</p> <ul style="list-style-type: none"> - total assets of more than US\$ 10 billion at the end of the year prior to filing the application. | | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|----------------------------------|------------------------|
| | <p>Qualifications for foreign financial institutions to engage in local currency business are as follows:</p> <ul style="list-style-type: none"> - one year business operation in China prior to the application, otherwise, none. | | |
| <ul style="list-style-type: none"> - Motor vehicle financing by non-bank financial institutions | <p>(1) Unbound except for the following:</p> <ul style="list-style-type: none"> - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, | <p>(1) Unbound</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| | <p>advice on acquisitions and on corporate restructuring and strategy.</p> <p>(2) None</p> <p>(3) None</p> | <p>(2) None</p> <p>(3) None</p> | |
| <p>- Other Financial Services as listed below:</p> <p>(k) Provision and transfer of financial information, and financial data processing and related software by supplier of other financial services;</p> <p>(l) Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e. contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|----------------------------------|------------------------|
| reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. | | | |
| - Securities | <p>(1) Unbound except for the following:</p> <p>(a) Foreign securities institutions may engage directly (without Chinese intermediary) in B share business</p> <p>(b) Foreign service suppliers which meet the requirement of China's relevant laws and regulations are permitted to provide the following services to Chinese Qualified Institutional Domestic Investors (QDII):</p> <ul style="list-style-type: none"> - Trading for account of QDII - Providing securities trading | (1) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|---|----------------------------------|------------------------|
| | <p>advice or portfolio management;</p> <ul style="list-style-type: none"> - Providing custody for overseas assets of QDII. <p>(2) None</p> <p>(3) (a) Unbound, except for the following:</p> <ul style="list-style-type: none"> - Representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. - Foreign service suppliers are permitted to establish joint ventures with foreign investment up to 49 per cent to conduct domestic securities investment fund management business. <p>Foreign securities institutions are</p> | <p>(2) None</p> <p>(3) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|--|----------------------------------|------------------------|
| | <p>permitted to establish joint ventures, with foreign minority ownership not exceeding 49 per cent, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds.</p> <p>(b) Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses).</p> | | |

| 8. HEALTH RELATED AND SOCIAL SERVICES | | | |
|--|--|--|--|
| <p>B. Social Services</p> <p>- Services for the aged (part of CPC 93311 and 93323)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Service suppliers of New Zealand are permitted to establish wholly foreign-</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|------------------------|
|---------------------|-----------------------------|----------------------------------|------------------------|

| | | | |
|--|---|--|--|
| | owned profit-making institutions for the aged in China. | | |
|--|---|--|--|

| 9. TOURISM AND TRAVEL RELATED SERVICES | | | |
|--|---|--|--|
| A. Hotels (including apartment buildings) and Restaurants (CPC 641-643) | (1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China. Wholly foreign-owned subsidiaries are permitted. | (1) None (2) None (3) None | |
| B. Travel Agency and Tour Operator (CPC 7471) | (1) None (2) None (3) None | (1) None (2) None (3) None except that joint ventures or wholly foreign-owned travel | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|------------------------|
|---------------------|-----------------------------|----------------------------------|------------------------|

| | | | |
|--|--|--|--|
| | | agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei. | |
|--|--|--|--|

| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services) | | | |
|---|---|--|--|
| D. Other entertainment services (only limited to CPC 96191, 96192) | (1) Unbound (2) Unbound (3) New Zealand services suppliers will be permitted to establish performance brokerage institutions or business entities of performance place in the form of joint ventures or contractual joint ventures with Chinese partners. New Zealand investment in the joint venture shall be no more than 49 per | | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| | <p>cent.</p> <p>The Chinese party shall have the decision-making power in the contractual joint ventures.</p> <p>The performance brokerage institutions can engage in commercial performance in the form of intermediation, commission agency and agency.</p> <p>The business entities of performance place can hold commercial performance in their own place.</p> | | |
| <p>D. Sporting and other recreational services</p> <p>(only limited to CPC 96411, 96412, 96413, excluding golf and E-Sports)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None for CPC 96411, 96412, 96413,</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|------------------------|
|---------------------|-----------------------------|----------------------------------|------------------------|

| | | | |
|--|---|--|--|
| | <p>excluding golf and E-Sports.</p> <p>For E-Sports, wholly foreign-owned enterprises will be allowed. Economic needs tests are required.</p> | | |
|--|---|--|--|

| 11. TRANSPORT SERVICES | | | |
|---|--|--|--|
| <p>A. Maritime Transport Services</p> <p>- International transport (freight and passengers)</p> <p>(CPC 7211 and 7212 less cabotage transport services)</p> | <p>(1) (a) Liner shipping (including passenger transportation): None</p> <p>(b) Bulk, tramp and other international shipping (including passenger transportation): None</p> <p>(2) None</p> <p>(3) None.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None.</p> | <p>The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|--|
| | | | <p>disposal</p> <p>5. Port Captain's services</p> <p>6. Navigation aids</p> <p>7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies</p> <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth and berthing services.</p> |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| H. Auxiliary Services (a) Maritime cargo-handling services (CPC 741) | (1) Unbound* (2) None (3) None. | (1) Unbound* (2) None (3) None | |
| (c) Customs clearance services for marine transport | (1) Unbound* (2) None (3) None | (1) Unbound* (2) None (3) None | |
| (d) Container station and depot services | (1) Unbound* | (1) Unbound* | |

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| | (2) None (3) None. | (2) None (3) None | |
| (e) Maritime agency services | (1) None (2) None (3) None | (1) None (2) None (3) None | |
| B. Internal Waterways Transport (b) Freight transport (CPC 7222) | (1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound | (1) Limitations as indicated under market access column (2) None (3) Unbound | |
| C. Air Transport Services | (1) Unbound* | (1) Unbound* | |

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| (d) Aircraft repair and maintenance services (CPC 8868) | (2) None (3) Services suppliers of New Zealand are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. | (2) None (3) None | |
| - Selling and marketing of air transport services | (1) None (2) None (3) New Zealand enterprises, which are designated to operate as per the bilateral air services agreements, can establish offices in China. | (1) None (2) None (3) None | |
| - Computer Reservation System (CRS) Services | (1) (a) Foreign computer reservation systems may provide services to Chinese aviation enterprises and | (1) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|--|----------------------------------|------------------------|
| | <p>aviation agents by connecting through a Chinese computer reservation system.</p> <p>(b) Foreign Computer Reservation System may provide services to representative offices and sales offices established in the destination cities in China by foreign aviation enterprises which have the right to engage in business according to the bilateral aviation agreements.</p> <p>(c) Direct access to and use of foreign computer reservation systems by aviation agents are subject to approval of the General Administration of Civil Aviation of China (CAAC).</p> <p>(2) None</p> <p>(3) Foreign service suppliers are permitted to establish joint venture enterprises with Chinese Computer Reservation System in China. The Chinese side shall hold controlling shares or be in a</p> | <p>(2) None</p> <p>(3) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| | dominant position in the joint ventures. Licenses for the establishment of joint ventures are subject to economic needs test. | | |
| Airport Operation Services ⁹ | (1) Unbound* (2) None (3) Unbound | (1) Unbound* (2) None (3) Unbound | |
| Ground Handling Services ¹⁰ | (1) Unbound* (2) None | (1) Unbound* (2) None | |

⁹ As defined in Article 1.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

¹⁰ As defined in Article 1.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--------------------------------------|--|--|------------------------|
| | (3) Service suppliers of New Zealand are permitted to establish joint venture enterprises to supply ground handling services. | (3) Unbound | |
| Specialty Air Services ¹¹ | <p>(1) None</p> <p>(2) None</p> <p>(3) New Zealand service providers are permitted to set up joint venture training institutions in China to provide pilot training services. The Chinese side shall hold controlling shares in the joint venture training institutions.</p> <p>The legal representation of the joint venture training institution shall be a Chinese citizen.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p> | |

¹¹ As defined in Article 1. Specialty Air Services do not include projects related to national security.

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| E. Rail Transport Services | (1) None | (1) None | |
| F. Road Transport Services | (2) None | (2) None | |
| <ul style="list-style-type: none"> - Freight transportation by rail (CPC 7112) - Freight transportation by road in trucks or cars (CPC 7123) | (3) Wholly foreign-owned subsidiaries are permitted. | (3) None | |
| <ul style="list-style-type: none"> - Maintenance and repair services of motor vehicles (CPC 61120) | <ul style="list-style-type: none"> (1) None (2) None (3) Wholly foreign-owned subsidiaries are permitted. | <ul style="list-style-type: none"> (1) None (2) None (3) None | |
| Passenger Transportation | (1) Unbound | (1) Unbound | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| <ul style="list-style-type: none"> - Urban and suburban regular transportation (CPC 71211) - Urban and suburban special transportation (CPC 71212) - Interurban special transportation (CPC 71214) | <p>(2) Unbound</p> <p>(3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Economic needs tests are required.</p> | <p>(2) Unbound</p> <p>(3) None</p> | |
| <p>Passenger Transportation</p> <ul style="list-style-type: none"> - Interurban regular transportation (CPC 71213) | <p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Economic needs tests are required.</p> | <p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> | |
| <p>H. Services Auxiliary to all Modes of Transport</p> <ul style="list-style-type: none"> - Storage and warehousing services (CPC 742) | <p>(1) Unbound</p> <p>(2) None</p> | <p>(1) Unbound</p> <p>(2) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|---|------------------------|
| | (3) Wholly foreign-owned subsidiaries permitted. | (3) None | |
| - Freight forwarding agency services (CPC 748) | <p>(1) None</p> <p>(2) None</p> <p>(3) Foreign freight forwarding agencies which have at least three consecutive years' experience are permitted to set up freight forwarding agency joint ventures in China, with wholly foreign-owned subsidiaries permitted.</p> <p>Operation term of the joint ventures shall not exceed 20 years.</p> <p>After one year operating in China, the joint venture can set up branches.</p> <p>A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---------------------|-----------------------------|----------------------------------|------------------------|
|---------------------|-----------------------------|----------------------------------|------------------------|

| | | | |
|---|--|--|--|
| | for two years. | | |
| <ul style="list-style-type: none"> - Freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services) | <ul style="list-style-type: none"> (1) None (2) None (3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US\$ 350,000 in registered capital. <p>Wholly foreign-owned subsidiaries are permitted</p> | <ul style="list-style-type: none"> (1) None (2) None (3) None | |

| 12. OTHER SERVICES NOT INCLUDED ELSEWHERE | | | |
|---|--|--|--|
| <ul style="list-style-type: none"> - Specialty design services (CPC 87907) | <ul style="list-style-type: none"> (1) None (2) None | <ul style="list-style-type: none"> (1) None (2) None | |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| | (3) None | (3) None | |
| - Hairdressing and other beauty services (CPC 9702) | (1) None (2) None (3) None | (1) None (2) None (3) None | |

Appendix 1
Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that:

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and

- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time; or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of

and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

WORLD TRADE

S/GBT/W/2/Rev.1

16 January

1997

ORGANIZATION

(97-0173)

Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:
 - (a) encompasses local, long distance and international services for public and non-public use;
 - (b) may be provided on a facilities-basis or by resale; and
 - (c) may be provided through any means of technology(e.g., cable¹, wireless, satellites).

¹Including all types of cable.

2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

WORLD TRADE

S/GBT/W/2/Rev.1

16 January

1997

ORGANIZATION

(97-0173)

Original:

English

Group on Basic Telecommunications

CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

Appendix 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

Appendix 3

Insurance: Definition of "Master Policy"

Master policy is the policy that provides blanket coverage for the same legal person's property and liabilities located in different places. Master policy may only be issued by the business department of an insurer's head office or that of its authorized province-level branch offices. Other branches are not allowed to issue master policy.

Master policy business with the state key construction projects as its subject-matter insured. If investors on the state key construction projects (i.e., projects that are so listed and annually announced by the State Development and Planning Commission) meet either of the following requirements, they may purchase master policy from insurers that are located in the same place as the investors' legal persons do.

The investment on the subject-matter insured is all from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the investor accounts for over 15 per cent of the total investment.

The investment is partially from abroad, and partially from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the Chinese investor accounts for over 15 per cent for the total domestic investment.

For those projects that draw investment all from abroad, every insurer may provide coverage in the form of master policies.

Master policy covering different subjects-matter insured of the same legal person. For those subjects-matter insured located in different places and owned by the same legal person (excluding financial, railway, and post and telecommunications industries and enterprises), master policy may be issued on the basis of either of the following conditions.

For the sake of payment of premium tax, insurance companies incorporated where the legal person or accounting unit of the insurance applicant is located are allowed to issue master policy.

If over 50 per cent of insurance amount of the subject-matter insured is from a larger or medium sized city, then insurers in that city

are allowed to issue master policy, no matter whether the insurance applicant's legal person or accounting unit is located in the city.

Motor insurance, credit insurance, employer liabilities insurance, statutory insurance, and other insurance business excluded by the CIRC cannot be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

China Commitments under Article 7(3) of Chapter 9 (Trade in Services)

I. Horizontal Limitations

In terms of ratchet (R) commitments, the following rights are reserved by China:

- (a) China reserves the right to adopt or maintain any measure with respect to the supply of service by presence of natural persons.
- (b) China's R commitments do not apply its Horizontal Commitments.
- (c) China remains unbound for all subsidies to domestic services suppliers except those committed by China in its WTO accession.

II. Sectoral Coverage of Ratchet (R) Commitments:

| 1. BUSINESS SERVICES | |
|---|-------------|
| A. Professional Services | |
| (a) legal services (CPC 861, excluding Chinese law practice) | Ratchet (R) |
| (c) taxation services (CPC 8630) | Ratchet (R) |
| (d) architectural services (CPC 8671) | Ratchet (R) |
| (e) engineering services (CPC 8672) | Ratchet (R) |
| (g) urban planning services (except general urban planning) (CPC 8674) | Ratchet (R) |
| B. Computer and Related Services (Computer and related services do not cover the economic activity consisting of the provision of content services which require computer and related services as means of supply) | |
| Consultancy services related to the installation of computer hardware (CPC 841) | Ratchet (R) |
| F. Other Business Services | |
| (c) Management Consulting services (CPC 865) | Ratchet (R) |
| (e) Technical testing and analysis services (CPC 8676) | Ratchet (R) |

| | |
|--|-------------|
| (f) Services incidental to forestry (CPC 8814) | Ratchet (R) |
| (o) Building-cleaning services (CPC 874) | Ratchet (R) |
| (q) Packaging services (CPC 876) | Ratchet (R) |
| (s) Convention services (CPC 87909) | Ratchet (R) |
| (t) Translation and interpretation services (CPC 87905) | Ratchet (R) |
| - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886) | Ratchet (R) |
| 2. COMMUNICATION SERVICES | |
| B. Courier Services (CPC 75121, except for those specifically reserved to Chinese postal authorities by the related law at the time of China's accession to WTO on December 11th 2001) | Ratchet (R) |
| D. Audiovisual Services | |
| - Cinema Theatre Services | Ratchet (R) |
| 4. DISTRIBUTION SERVICES (as defined in Appendix 2) | |
| D. Franchising | Ratchet (R) |
| 9. TOURISM AND TRAVEL RELATED SERVICES | |
| A. Hotels (including apartment buildings) and Restaurants (CPC 641-643) | Ratchet (R) |
| 11. TRANSPORT SERVICES | |
| E. Rail Transport Services | Ratchet (R) |
| F. Road Transport Services | |
| Passenger Transportation | Ratchet (R) |
| - Interurban regular transportation (CPC 71213) | |
| - Freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services | Ratchet (R) |

**Annex 8 Part B: New Zealand Schedule of Specific Commitments
on Services**

ATTACHMENT A

NOTES TO THE SCHEDULE

1. Specific commitments in this schedule are prepared in accordance with the WTO Secretariat paper entitled "Scheduling of Initial Commitments on Trade in Services: Explanatory Note" (MTN.GNS/W/164). The classification of sectors in this schedule is based on the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office, while the ordering reflects the classification system used by the WTO Secretariat in MTN.GNS/W/120. In the context of CPC listings in the schedule, the use of ** against individual CPC listings indicates that the service specified constitutes only part of the total range of activities covered by the CPC concordance.

Overseas Investment

2. An "overseas person" is defined as an individual not normally resident in New Zealand; a company not incorporated in New Zealand; a New Zealand-incorporated company in which 25 per cent or more of any class of shares or 25 per cent or more of the voting power is held by overseas persons; or a nominee of the overseas person, whether or not the nominee is himself/herself an overseas person.

Maritime Transport Services

3. Cabotage: 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.

4. 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.

5. 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.

6. 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.

ATTACHMENT B
REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services⁹.

Definitions

Users mean service consumers and service suppliers.

Essential facilities¹⁰ mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and

(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or

(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anticompetitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;

9 This applies only to suppliers of basic telecommunications services and not to end-users of such services.

10 This definition of "essential facilities" will be applied only to the extent consistent with New Zealand's competition policy regime, which regulates the activities of "dominant suppliers".

(b) using information obtained from competitors with anti-competitive results;

and

(c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided:

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;

(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and

- (b) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

(a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and

(b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures¹² for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

¹² Such procedures may be administered by means of a variety of mechanisms, including laws and regulations, public tendering process and consultative processes.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---------------------------------------|------------------------------|--|------------------------|
| I. HORIZONTAL COMMITMENTS | | | |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | | 3) Overseas Investment Office (OIO) approval is required for the following investments by an "overseas person". ^{14 15} <ul style="list-style-type: none"> (a) acquisition or control of 25 per cent or more of the shares or voting power in a company where either the consideration for the transfer or the value of the assets of the company exceeds \$NZ10 million; (b) the establishment of new business in New Zealand where the total expenditure in setting up the business exceeds \$NZ10 million; (c) the acquisition of the assets of the business where the total consideration paid or payable for the assets exceeds \$NZ10 million; (d) the issue or allotment of shares where the 25 per cent threshold | |

¹⁴ See Attachment A.2

¹⁵ In accordance with Articles 5 of Chapter 9 (Trade in Services), 137(2) and 139 of the Agreement, China is entitled to the monetary screening thresholds of \$100 million for government investors and \$200 million for non-government investors in the circumstances set out under the Overseas Investment Act 2005 and the Overseas Investment (CPTPP) Amendment Regulations 2018.

Modes of supply: 1)Cross-border supply 2) Consumption abroad 3) Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|------------------------------|---|------------------------|
| | | <p>has already been exceeded or will be exceeded as a result of the issue and where the total consideration paid or payable exceeds \$NZ10 million.</p> <p>OIO consent is required, regardless of the dollar value of the investment, for acquisition or control of certain classes of land that are regarded as sensitive or require specific approval according to New Zealand's overseas investment regime.</p> <p>Unbound for enterprises currently in State ownership.</p> | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|-----------------------------|---|--|-------------------------------|
| | <p>1), 2), 3), New Zealand remains unbound with respect to:</p> <p>(a) the provision of public law enforcement and correctional services; and</p> <p>(b) the following, to the extent that they are social services established for a public purpose: child care; health; income security and insurance; public education; public housing; public training; public transport; public utilities; social security and insurance; or social welfare.</p> | | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|------------------------------|-----------------------------------|------------------------|
| II. SECTOR SPECIFIC COMMITMENTS | | | |
| 1. BUSINESS SERVICES | | | |
| A. <u>Professional Services</u> | | | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | | |
|--|-------------------|---------|---------|---------|
| (a) Legal Services, in respect of the following areas of law: (CPC 861) | Domestic Law | 1) None | 2) None | 3) None |
| | | 2) None | 1) None | 2) None |
| | | 3) None | 3) None | |
| | International law | 1) None | 1) None | |
| | | 2) None | 2) None | |
| | | 3) None | 3) None | |
| | Foreign law | 1) None | 1) None | |
| | | 2) None | 2) None | |
| | | 3) None | 3) None | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|--|-------------------------------|-------------------------------|--|
| | | | |
| (b) Accounting, auditing and book-keeping services (CPC 862) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (c) Taxation services Tax preparation, tax planning and consulting services (CPC 86301-86303) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (d) Architectural services (CPC 8671) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (e) Engineering services | 1) None | 1) None | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|---|-------------------------------|-------------------------------|--|
| (CPC 8672) | 2) None 3) None | 2) None 3) None | |
| (f) Integrated Engineering Services (CPC 8673) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (g) Consultancy related to Urban Planning & Landscape Architecture (CPC 8674**) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (i) Veterinary services (CPC 9320) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| <u>B. Computer and Related</u> | | | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|--|-------------------------------|-------------------------------|--|
| <u>Services</u> | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (a) Consultancy services related to the installation of computer hardware (CPC 841) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (b) Software implementation Services (CPC 842) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (c) Data processing services (CPC 843) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (d) Data base services (CPC 844) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|--|-------------------------------|-------------------------------|--|
| (e) Maintenance and repair of office machinery and equipment including computers (CPC 845) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (e) Other Computer Services (CPC 849) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| <u>D. Real Estate Services</u> | | | |
| (a) Involving own or leased Property (CPC 821) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (b) On a fee or contract basis (CPC 822) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| <u>E. Rental/Leasing of Equipment without</u> | | | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|--|--|--|--|
| <p><u>Crew</u></p> <p>Transport and non transport (CPC 8310)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |
| <p>F. <u>Other Business Services</u></p> <p>(a) Advertising services (CPC 871)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |
| <p>(c) Management consulting services (CPC 865)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|---|-------------------------------|--|--|
| (d) Services related to Management consulting (CPC 866) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (f) Services incidental to agriculture, hunting and forestry (CPC 8811, 8813, 8814) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (f) Services incidental to animal husbandry (CPC 8812) | 1) None 2) None 3) None | 1) None 2) None 3) Access to the national dairy herd testing database is only given where it is judged to be in the interests of the New Zealand industry. | |
| (k) Placement and supply services of Personnel (CPC 872) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | |
|---|-----------------------------------|-----------------------------------|---|
| | | | |
| (o) Cleaning of buildings and similar activities (CPC 874) | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |
| (p) Photographic Services (CPC 875) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (s) Convention services (CPC 87909**) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (t) Credit reporting services (CPC 87901) | 1) None 2) None 3) None | 1) None 2) None 3) None | The Privacy Act 1993 establishes New Zealand's regulatory framework for the treatment of personal information, in general accordance with the Recommendation of the Council of the OECD Concerning Guidelines |

* Unbound due to lack of technical feasibility.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | | | Governing the Protection of Privacy and Transborder Flows of Personal Data. |
|--|-------------------------------|-------------------------------|---|
| (t) Collection agency services (CPC 87902) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (t) Translation services (CPC 87905**) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (t) Interior Design Services (CPC 87907**) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (t) Telephone Answering Services (CPC 87903) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (t) Duplicating Services (CPC 87904) | 1) None 2) None | 1) None 2) None | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

| | 3) None | 3) None | |
|---|-------------------------------|-------------------------------|--|
| (t) Mailing list compilation and mailing services (CPC 87906) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| (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 | 1) None 2) None 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|---|--|
| 2. COMMUNICATION SERVICES | | | |
| <p>C. <u>Telecommunication Services</u></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</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) The shareholding by any single overseas entity in Chorus Limited is limited to 49.9 per cent. At least half of Board directors are required to be New Zealand citizens.</p> | <p>The principles set forth in the attached reference paper are incorporated in this schedule to the extent they are commitments additional to the obligations flowing from Part I and II, Article XXVIII and the Annex on Telecommunications of the General Agreement on Trade in Services in respect of the Article XVI and XVII commitments on telecommunication services contained herein.</p> |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|------------------------------|-----------------------------------|------------------------|
| <p>(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</p> | <p>1) None</p> | <p>1) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|-------------------------------|--|------------------------|
| <p>(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>Paging services (CPC 75291)</p> <p>Teleconferencing services (CPC 75292)</p> <p>Personal Communications</p> | <p>2) None</p> <p>3) None</p> | <p>2) None</p> <p>3) The shareholding by any single overseas entity in Chorus Limited is limited to 49.9 per cent. At least half of Board directors are required to be New Zealand citizens.</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|---|------------------------|
| Services (CPC 75213*) Cellular services (CPC 75213*) Trunked radio system services (CPC 7523**, CPC 75213*) Mobile data services (CPC 7523**) | | | |
| <u>D. Audiovisual Services</u> | | | |
| Production, distribution, exhibition and broadcasting of audiovisual works (CPC 9611-9613, | 1) None 2) None 3) None | 1),3) The Broadcasting Commission has a statutory obligation to promote Māori language and culture and allocates a proportion of its funding for this purpose. Te Reo Whakapuaki Iirangi (the Māori Broadcasting Funding Agency) | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| CPC 96192**,CPC 7524, CPC 753) | | <p>allocates government funding for the promotion of Māori language and culture.</p> <p>Government assistance to the film industry through the New Zealand Film Commission is limited to New Zealand films as defined in Section 18 of the New Zealand Film Commission Act 1978.</p> <p>2) None</p> | |
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | |
| A. <u>General Construction</u> <u>Work for Buildings</u> | <p>1) None for consultancy services</p> <p>2) None</p> | <p>1) None for consultancy services</p> <p>2) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|-------------------------------|
| (CPC 512, CPC 515) | 3) None | 3) None | |
| <u>B. General Construction</u> <u>Work for Civil</u> <u>Engineering</u> (CPC 513) | 1) None for consultancy services 2) None 3) None | 1) None for consultancy services 2) None 3) None | |
| <u>C. Installation and Assembly Work</u> (CPC 514, CPC 516) | 1) None for consultancy services 2) None 3) None | 1) None for consultancy services 2) None 3) None | |
| <u>D. Building Completion and Finishing Work</u> (CPC 517) | 1) None for consultancy services 2) None 3) None | 1) None for consultancy services 2) None 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| <p>E. <u>Other</u></p> <p>Site preparation: new construction (other than pipelines) (CPC 511)</p> <p>Maintenance and repair of fixed structures</p> | <p>1) None for consultancy services</p> <p>2) None</p> <p>3) None</p> <p>1) None for consultancy services</p> <p>2) None</p> <p>3) None</p> | <p>1) None for consultancy services</p> <p>2) None</p> <p>3) None</p> <p>1) None for consultancy services</p> <p>2) None</p> <p>3) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|-----------------------------------|------------------------|
| Renting Services related to Equipment for Construction or Demolition of Buildings or Civil Engineering, with Operator (CPC 518) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| 4. DISTRIBUTION SERVICES | | | |
| A. <u>Commission Agents' Services</u> (CPC 6211, excluding CPC 62111, CPC 62112, and such services relating to CPC 2613-2615) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| B. <u>Wholesale Trade</u> (CPC 622, excluding CPC 6221, CPC 6222 and such services) | 1) None 2) None | 1) None 2) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|-----------------------------------|------------------------|
| relating to CPC 2613-2615) | 3) None | 3) None | |
| C. <u>Retail Trade</u> (CPC 631, CPC 632, CPC 6111, CPC 6113 and CPC 6121) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| 5. EDUCATION SERVICES | | | |
| Primary, Secondary, and Tertiary education in private institutions (CPC 921, CPC 922, CPC 923) Other Education in respect of the following services only: | 1) None 2) None 3) None | 1) None 2) None 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|------------------------------|-----------------------------------|------------------------|
| <p>Language training provided in private specialist language institutions;</p> <p>Language assessment services provided through private Chinese language testing centres;</p> <p>Tuition in subjects taught at the primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system¹⁶.</p> <p>(CPC 929**)</p> | | | |

¹⁶ Examples of these services might include the provision of extension or remedial tuition in relation to Maths, Science or History.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| 6. ENVIRONMENTAL SERVICES¹⁷ | | | |
| <p>A. Waste water management:</p> <p>(i) consultancy relating to waste water management;</p> <p>(ii) for all other aspects of this service: those contracted by private industry only.</p> <p>(CPC 9401**)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

¹⁷ New Zealand's commitments on environmental services exclude the collection, purification and distribution of water, including water for human use.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| <p>B. Waste Management</p> <p>Refuse disposal services:</p> <p>(i) consultancy relating to refuse disposal;</p> <p>(ii) for all other aspects of this service: those contracted by private industry only.</p> <p>(CPC 9402**)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |
| <p>Sanitation and similar services:</p> | <p>1) None</p> <p>2) None</p> | <p>1) None</p> <p>2) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| <p>(i) consultancy relating to sanitation and similar services;</p> <p>(ii) for all other aspects of this service: those contracted by private industry only.</p> <p>(CPC 9403**)</p> | <p>3) None</p> | <p>3) None</p> | |
| <p>C. Protection of ambient air & climate:</p> <p>(i) consultancy relating to the protection of ambient air &</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| <p>climate;</p> <p>(ii) for all other aspects of this service: those contracted by private industry only.</p> <p>(CPC 9404**)</p> | | | |
| <p>D. Remediation & cleanup of soil & water:</p> <p>(i) consultancy relating to the remediation & cleanup of soil & water;</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|-----------------------------------|------------------------|
| (ii) for all other aspects of this service: those contracted by private industry only. (CPC 9406**) ¹⁸ | | | |
| E. Noise & vibration abatement: (i) consultancy relating to noise & vibration abatement; (ii) for all other aspects of this service: those contracted by | 1) None 2) None 3) None | 1) None 2) None 3) None | |

¹⁸ New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| <p>private industry only.</p> <p>(CPC 9405**)</p> | | | |
| <p>F. Protection of biodiversity & landscape:</p> <p>(i) consultancy relating to protection of biodiversity & landscape;</p> <p>(ii) for all other aspects of this service: those contracted by private industry only.</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| (CPC 9406**)¹⁹ | | | |
| <p>G. Other environmental & ancillary services:</p> <p>(i) consultancy relating to other environmental & ancillary services;</p> <p>(ii) for all other aspects of these service: those contracted by private industry only.</p> <p>(CPC 9409**)</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> | |

¹⁹ New Zealand's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services with respect to consultancy.

Modes of supply: 1)Cross-border supply 2) Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| 7. FINANCIAL SERVICES | | | |
| <ol style="list-style-type: none"> <li data-bbox="315 483 1832 547">1. New Zealand undertakes its specific commitments on Financial Services in accordance with the provisions of the WTO GATS "Understanding on Commitments in Financial Services" (the Understanding). <li data-bbox="315 647 1895 711">2. These commitments on financial services are subject to the general limitations contained in the "Horizontal Commitments" section of this Schedule. <li data-bbox="315 812 1877 876">3. Market access and national treatment commitments in Modes (1) and (2) are bound to the extent of the obligations in paragraphs B.3 and B.4 of the Understanding. <li data-bbox="315 976 1823 1040">4. The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated Article 2(a) of the GATS Financial Services Annex. <li data-bbox="315 1141 1912 1353">5. Mode 3 commitments are subject to the provisions of the Financial Reporting Act 1993 and the Companies Act 1993. These require overseas companies to prepare financial statements on an annual basis comprising a balance sheet, a profit and loss statement and (if required by an applicable financial reporting standard approved by the Accounting Standards Review Board) a statement of cash flows. The Acts also require such financial statements in relation to an overseas company's New Zealand business. The Acts require the following companies to deliver annual audited financial statements to the Registrar of Companies for registration: (a) issuers | | | |

Modes of supply: 1)Cross-border supply 2) Consumption abroad 3)Commercial presence

(i.e. those which have raised investment from the public); (b) overseas companies; (c) subsidiaries of companies or bodies corporate incorporated outside New Zealand; (d) companies in which 25 per cent or more of the shares are held or controlled by : (i) a subsidiary of a company of body corporate incorporated outside New Zealand or a subsidiary of that subsidiary; (ii) a company or body corporate outside New Zealand; or (iii) a person not ordinarily resident in New Zealand.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|-----------------------------------|------------------------|
| A. <u>Insurance and Insurance-related services</u> | | | |
| (a) Life insurance services (CPC 8121) | 3) None | 3) None | |
| (b) Non-life insurance services (CPC 8129) | 1), The Accident 3) Compensation Act 2001 provides for compulsory worker's compensation insurance via | 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|--|-----------------------------------|------------------------|
| | <p>levies on vehicle owners, employers, employees and the self-employed. The Act is administered by the Accident Compensation Corporation (ACC).</p> <p>1), The Earthquake Commission is</p> <p>3) the sole insurer of residential property disaster insurance for replacement cover up to NZ\$100,000 per dwelling and NZ\$20,000 on personal property. These amounts may be increased by regulation.</p> <p>1),2)Unbound for marketing and</p> <p>3) sales related to products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261.</p> | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|-----------------------------------|------------------------|
| (c) Reinsurance and retrocession (CPC 81299) | 3) None | 3) None | |
| (d) Insurance intermediation, such as brokerage and agency services (CPC 8140**) | <p>1), The Accident</p> <p>3) Compensation Act 2001 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 Compensation Corporation (ACC).</p> <p>1), Under the Wheat Producers Levy</p> <p>3) Act 1987 (or regulations enacted under the Commodities Levy Act 1990), United Wheat growers (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</p> | 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|-----------------------------------|------------------------|
| | <p>amount of this insurance.</p> <p>1),2),3) Unbound for loss of products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261.</p> | | |
| (e) Services Auxiliary to Insurance, such as consultancy, actuarial, risk assessment and claim settlement services (CPC 8140**) | 3) None | 3) None | |
| <p><u>B. Banking and other Financial Services</u> (excluding insurance)²⁰</p> <p>(a) Acceptance of deposits and other</p> | 3) None | 3) None | |

²⁰ As defined in paragraph 5 (a) (v)-(xvi) of the WTO GATS Financial Services Annex.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| <p>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</p> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| <p>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>(i) money market instruments (cheques, bills, certificates of deposits etc) (CPC 81339**)</p> <p>(ii) foreign exchange (CPC 81333)</p> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| <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</p> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|------------------------------|-----------------------------------|------------------------|
| <p>(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</p> <p>(CPC 8132)</p> <p>(h) Money broking</p> <p>(CPC 81339**)</p> <p>(i) Asset management, such as cash or portfolio management; all forms of collective investment</p> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|------------------------------|-----------------------------------|------------------------|
| <p>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</p> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| 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) | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|-----------------------------------|------------------------|
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|-----------------------------------|------------------------|
| A. <u>Hotels and Restaurants</u> (CPC 641-643) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| B./ <u>Travel Agencies, Tour</u> C. <u>Guides and Tour Operator Services</u> (7471, 7472) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| 11. TRANSPORT SERVICES | | | |
| A. <u>Maritime Transport Services</u> International Transport (freight and | General conditions applicable to all maritime service sectors: marketing and sales of maritime transport services for products covered under CPC 01, 02, 211, 213-216, 22, 2399 and 261; unbound. 1) None | 1) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|---|-------------------------------|
| passengers) (CPC 7211 and CPC 7212 less cabotage - as defined in Attachment A. 3) | 2) None 3) Unbound for establishment of registered company for the purpose of operating a fleet under the New Zealand flag. | 2) None 3) Unbound as described in the market access column. | |
| <u>Maritime Auxiliary Services</u> | | | |
| Storage and warehousing Services (CPC 742) | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|-----------------------------------|-----------------------------------|------------------------|
| Maritime freight forwarding services (as defined in Attachment A.4) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| Container Station and Depot Services (as defined in Attachment A.5) | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |
| Maritime Agency Services (as defined in Attachment A.6) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

* Unbound due to lack of technical feasibility.
 * Unbound due to lack of technical feasibility.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|------------------------------------|-------------------------------------|--|-------------------------------|
| • <u>C. Air Transport Services</u> | | | |

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|-----------------------------------|------------------------|
| Selling and marketing of air transport services ²¹ | 1)2) &3) Unbound for products covered under CPC01, 02, 211, 213-216, 22, 2399 and 261. | 1) None 2) None 3) None | |
| Computer reservation system services ²² (CPC 7523**) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

²¹ As defined in paragraph 6(b) of the GATS Annex on Air Transport Services.

²² As defined in paragraph 6(c) of the GATS Annex on Air Transport Services.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-----------------------------------|-----------------------------------|------------------------|
| Aircraft repair and maintenance services ²³ | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |
| Airport Operation Services ²⁴ (CPC74610**, excl Navigation aids) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| Other supporting services for air transport (CPC 74690** excl firefighting and fire – prevention services) | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |

²³ As defined in paragraph 6 (a) of the GATS Annex on Air Transport Services.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

²⁴ As defined in Article 1.

* Unbound due to lack of technical feasibility.

* Unbound due to lack of technical feasibility.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|-----------------------------------|------------------------|
| Specialty Air Services ²⁵ | 1) Unbound 2) Unbound 3) Unbound, except 100% permitted for foreign equity | 1) None 2) None 3) None | |
| Ground handling services ²⁶ | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |
| Airfreight Storage and warehousing services (CPC 742**) | 1) Unbound* 2) None 3) None | 1) Unbound* 2) None 3) None | |

²⁵ As defined in Article 1.

²⁶ As defined in Article 1.

* Unbound due to lack of technical feasibility.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|-----------------------------------|------------------------|
| Airport management services ²⁷ | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| E. <u>Rail Transport Service</u> (CPC 711) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| F. <u>Commercial Road Transport Services</u> (<u>passenger, goods, rental and vehicle recovery</u>) (712 except 71235) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

²⁷ For the purposes of this Agreement airport management services refers to activities relating to the management oversight of the airport including but not limited to determining; landing charges, aircraft parking fees, terminal user charges.

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3)Commercial presence

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|-------------------------------|-----------------------------------|------------------------|
| | | | |
| G. <u>Pipeline Transport</u> (CPC 713) | 1) None 2) None 3) None | 1) None 2) None 3) None | |
| 12. OTHER SERVICES NOT INCLUDED ELSEWHERE | | | |
| Washing, cleaning and dyeing services (CPC 9701) | 1) None 2) None 3) None | 1) None 2) None 3) None | |

New Zealand Commitments under Article 7(3) of Chapter 9 (Trade in Services)

1. This schedule contains the subsectors with commitments on ratchet, for the purposes of Article 7(3) of Chapter 9 (Trade in Services), for modes 1, 2 and 3.
2. For greater certainty, New Zealand's ratchet commitments do not apply to measures with respect to the supply of service by presence of natural persons.
3. Ratchet does not apply to any of New Zealand's horizontal commitments.

New Zealand sectoral coverage under Article 7(3) of Chapter 9 (Trade in Services):

| | |
|--|-------------|
| F. Other Business Services | |
| (f) Services incidental to animal husbandry (CPC 8812) | Ratchet (R) |
| 2. COMMUNICATION SERVICES | |
| C. <u>Telecommunication Services</u> | |
| (a) Voice telephone services (CPC 7521) | Ratchet (R) |
| Packet-switched data transmission services (CPC 7523**) | Ratchet (R) |
| Circuit-switched data transmission services (CPC 7523**) | Ratchet (R) |
| Telex services (CPC 7523**) | Ratchet (R) |
| Telegraph services (CPC 7522) | Ratchet (R) |
| Facsimile services (CPC 7521**, CPC 7529**) | Ratchet (R) |
| Private leased circuit services (CPC 7522**, CPC 7523**) | Ratchet (R) |
| Electronic mail (CPC 7523**) | Ratchet (R) |
| Voice mail (CPC 7523**) | Ratchet (R) |

| | |
|---|-------------|
| On-line information and data-base retrieval (CPC 7523**) | Ratchet (R) |
| Electronic data interchange (EDI) (CPC 7523**) | Ratchet (R) |
| Enhanced/value-added facsimile services (CPC 7523**) | Ratchet (R) |
| Code and protocol conversion | Ratchet (R) |
| On-line information and/or data processing (CPC 843**) | Ratchet (R) |
| Other Paging services (CPC 75291) | Ratchet (R) |
| Teleconferencing services (CPC 75292) | Ratchet (R) |
| Personal Communications Services (CPC 75213*) | Ratchet (R) |
| Cellular services (CPC 75213*) | Ratchet (R) |
| Trunked radio system services (CPC 7523**, CPC 75213*) | Ratchet (R) |
| Mobile data services (CPC 7523**) | Ratchet (R) |