

Implementing Arrangement 2

of the Agreement Between the Government of New Zealand

and

the Government of the People's Republic of China on Co-operation in

the Field of Conformity Assessment in Relation to Electrical and

Electronic Equipment and Components ("the Agreement")

Arrangement on the procedure for Technical Amendments to Schedules to the Implementing Arrangement 1 of the Agreement

In accordance with Article 3 of the Agreement the Responsible Authorities hereby conclude the following Implementing Arrangement.

Paragraph 1 General

- 1.1 This Implementing Arrangement sets out the procedure for making Technical Amendments to Schedules A.1, A.2, B or C to Implementing Arrangement 1 of the Agreement ("Implementing Arrangement 1"), additional to the procedure set out in Section 24 of Implementing Arrangement 1.
- 1.2 All other amendments to Implementing Arrangement 1 and its Schedules which are not Technical Amendments for the purpose of this Implementing Arrangement will be carried out in accordance with the provisions of Section 24 of Implementing Arrangement 1.

Paragraph 2 Terminology

For the purpose of this Implementing Arrangement:

Contact Points mean the contact points designated in Section 4 of Implementing Arrangement 1.

Responsible Authorities mean the responsible authorities designated in Section 4 of Implementing Arrangement 1.

Technical Amendment means an amendment to:

- (a) Update a product related standard or standards (including standard deviations and changes to China Compulsory Certification Implementation Rules) for Specified Products referred to in the "Applicable Standard" column of Schedules A.1 and A.2 of Implementing Arrangement 1, where such update(s) are required to maintain consistency between Schedules A.1 and A.2 and the product related standards applied domestically by New Zealand and/or China;

- (b) Update the applicable ISO/IEC Guide in Schedule B to Implementing Arrangement 1, paragraph 1(b) or Schedule C to Implementing Arrangement 1, paragraph 1(b), as the case may be; or to update, amend or replace the applicable special accreditation requirements listed in Schedule B, paragraph 1(d) (i) – (iv);
- (c) Correct errors of a typographical nature in Schedules A.1 and A.2 to Implementing Arrangement 1; or
- (d) The descriptions of products listed in the “Product Description” column of Schedules A.1 and A.2 to Implementing Arrangement 1, where such an amendment is purely technical in nature and does not alter the substance of the applicable standard to be applied to any product.

Paragraph 3 Process

- 3.1 The Responsible Authorities, through their Contact Points, may seek to make (a) Technical Amendment(s) to Schedules A.1, A.2, B or C, as the case may be, to Implementing Arrangement 1 at any time by an exchange of letters between the Responsible Authorities in the English and Chinese languages.
- 3.2 The Responsible Authorities will discuss any such proposed Technical Amendment in order to reach a mutual understanding prior to the exchange of letters outlined below.
- 3.3 The Responsible Authority initiating the Technical Amendment(s) (“the Initiating Responsible Authority”) will notify the proposed amendment(s) in writing to the other Responsible Authority (“the Receiving Responsible Authority”) through annexure of those amendments to the letter initiating the amendment. This letter will be substantially in the form set out in Schedule A to this Implementing Arrangement.
- 3.4 The notification will clearly identify the proposed Technical Amendment(s) and provide an explanation and justification for them. The notification will also include a date upon which it is proposed that the Technical Amendment(s) would come into effect.

- 3.5 On receipt of any such notification, the Receiving Responsible Authority will have 30 days to respond to the notification in writing. Should the Receiving Responsible Authority wish to accept the proposed Technical Amendment(s), it will do so by way of a letter in reply, substantially in the form set out in Schedule B to this Implementing Arrangement.
- 3.6 If the Receiving Responsible Authority accepts the proposed Technical Amendment(s), the Technical Amendment(s) will come into effect on such date or dates as jointly decided by the Responsible Authorities.
- 3.7 The Responsible Authorities will provide timely updates to the Schedules to Implementing Arrangement 1 amended by the process described in paragraphs 3.1 – 3.6 above by posting information, including the exchange of letters, in the English and Chinese language, on any relevant websites as follows:
- a. Where technical amendments result in significant deviation to the existing Schedule(s), within 30 days of entry into effect of the Technical Amendment; and
 - b. Update annually Schedules to Implementing Arrangement 1 taking into account all Technical Amendments which entered into effect in the preceding year.

The Responsible Authorities will inform one another in writing once these processes are complete.

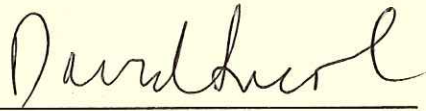
Paragraph 4
Entry Into Effect And Termination

- 4.1 This Implementing Arrangement will come into effect on the date of signature by both the Responsible Authorities.
- 4.2 In the event of termination of the Agreement, this Implementing Arrangement will terminate on the same date.

SIGNED in two copies in the English and Chinese languages, both texts being equally valid.

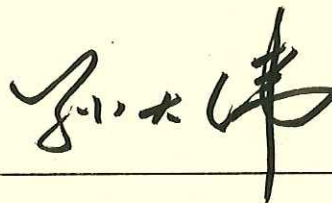
**For the Ministry of Business,
Innovation and Employment
of New Zealand**

**For the Certification and
Accreditation Administration
of the People's Republic of
China**



David Smol
Chief Executive

14th day of August 2013



Sun Dawei
Chief Administrator

7th day of August 2013

Schedule A: Template initiating letter seeking Technical Amendments to the Schedules to Implementing Arrangement 1

[Date]

[Address of Receiving Responsible Authority Contact Point]

Dear [Receiving Responsible Authority Contact Point name]

I have the honour to refer to the Agreement Between the Government of New Zealand and the Government of the People's Republic of China on Co-operation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components (the "Agreement") annexed to the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China (the "Parties") signed in Beijing on 7 April 2008.

I am pleased to confirm, on behalf of the [New Zealand/China] [Initiating Responsible Authority], that [New Zealand/China], in accordance with paragraph 3 of Implementing Arrangement 2 to the Agreement, seeks Technical Amendments to Schedule[s] [•] to Implementing Arrangement 1 to the Agreement and that the following understandings have been reached between the Responsible Authorities.

Schedule[s] [•] to Implementing Arrangement 1 of the Agreement will be amended as set out in annexes to this letter.

The objectives of the Technical Amendments sought are:

[Insert objectives]

I have the further honour to notify that [New Zealand/China] has completed the domestic procedures necessary to give effect to these amendments in accordance with Section 24(2) of the Implementing Arrangement 1 to the Agreement.

In accordance with paragraph 3.6 of Implementing Arrangement 2 to the Agreement, if the Technical Amendment[s] proposed in this letter [is/are] accepted, the Technical Amendment[s] will come into effect on [the date on which the [New Zealand/China] [Initiating Responsible Authority] receives a reply from the [New Zealand/China] [Receiving Responsible Authority]] / [insert date agreed between New Zealand and Chinese Responsible Authorities].

[Contact point sign off]
[Initiating Responsible Authority]

Schedule B: Template reply letter confirming Technical Amendments to the Schedules to Implementing Arrangement 1

[Date]

[Address of Initiating Responsible Authority Contact Point]

Dear [Initiating Responsible Authority Contact Point name]

I have the honour to acknowledge receipt of your letter of [date of initiating letter], which reads as follows:

[Insert text of initiating letter]

I am pleased to accept, on behalf of the [New Zealand/China] [Receiving Responsible Authority], the Technical Amendments to Schedule[s] [•] to Implementing Arrangement 1 to the Agreement as set out in annexes to your letter of [date of initiating letter].

I have the further honour to notify that [New Zealand/China] has completed the domestic procedures necessary to give effect to these amendments in accordance with Section 24(2) of the Implementing Arrangement 1 to the Agreement.

In accordance with paragraph 3.6 of Implementing Arrangement 2 to the Agreement, and per your letter, the Technical Amendment[s] will come into effect on [the date on which the [New Zealand/China] [Initiating Responsible Authority] receives our reply] / [insert date agreed between New Zealand and Chinese Responsible Authorities].

[Contact point sign off]

[Receiving Responsible Authority]