

*EU-New Zealand Free Trade Agreement
Without prejudice*

Disclaimer: *In view of the Commission and New Zealand's respective transparency policies, the Commission and New Zealand are publishing the texts of the Agreement following the announcement of conclusion of the negotiations on 30 June 2022 (Brussels time).*

The texts are published in view of the public interest in the negotiations for information purposes only and they may undergo further modifications, including as a result of the process of legal revision. These texts are without prejudice to the final outcome of the Agreement between the EU and New Zealand.

The texts will be final upon signature. The Agreement will become binding on the Parties under international law only after completion by each Party of its internal legal procedures necessary for the entry into force of the Agreement.

CHAPTER [XX]

SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs)

ARTICLE X.1

Objectives

The Parties recognise the importance of Small and Medium-sized Enterprises (hereinafter referred to as “SMEs”) in the Parties’ bilateral trade and investment relations and affirm their commitment to enhance the ability of SMEs to benefit from this Agreement.

ARTICLE X.2

Information Sharing

1. Each Party shall establish or maintain a digital medium such as an SMEs specific website that allows the public in the EU and in New Zealand to easily access information regarding this Agreement, including:

- (a) a summary of this Agreement; and
- (b) information designed for SMEs that shall contain:

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- (i) a description of the provisions in this Agreement that each Party considers to be relevant to SMEs of both Parties; and
 - (ii) any additional information that each Party considers would be useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
2. Each Party shall provide access through the digital medium, such as through an internet link on a website, provided for in paragraph 1 to the:
 - (a) text of this Agreement, including all annexes, tariff schedules, and product-specific rules of origin;
 - (b) equivalent information of the other Party; and
 - (c) information from its government authorities and other appropriate entities that the Party considers would be useful to persons interested in trading, investing and doing business in that Party.
3. The information in paragraph 2(c) shall, as appropriate, include the following:
 - (a) customs regulations and procedures for importation, exportation and transit as well as relevant forms, documents and other related information required;
 - (b) regulations and procedures concerning intellectual property rights as required by Chapter [XX] (Intellectual Property);
 - (c) technical regulations and other matters as required by Chapter [XX] on Technical Barriers to Trade;
 - (d) sanitary and phytosanitary measures as required by Chapter/annex [XX] on Sanitary and Phytosanitary measures;

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- (e) rules on public procurement, a database containing public procurement notices and other relevant provisions contained in Chapter [XX] on Public Procurement;
- (f) business registration procedures; and
- (g) other information which the Party considers may be of assistance to SMEs.

4. Each Party shall provide access through the digital medium provided for in paragraph 1, such as through an internet link on a website to a searchable database or similar, to the following product-specific and generic information with respect to its market:

Tariff measures and tariff-related information

- (a) rates of customs duties and quotas, including most-favoured nation (MFN), rates concerning non MFN countries and preferential rates and tariff rate quotas;
- (b) excise duties;
- (c) taxes (value added tax/ sales tax);
- (d) customs or other fees, including other product specific fees;
- (e) rules of origin as provided for in Chapter XX on Rules of Origin;
- (f) duty drawback, deferral, or other types of relief that reduce, refund, or waive customs duties;
- (g) criteria used to determine the customs value of the good; and
- (h) other tariff measures;

Tariff nomenclature related non-tariff measures

- (i) information needed for import procedures; and

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- (j) information related to non-tariff measures or regulations.
5. Each Party shall regularly, or when requested by the other Party, update the information made available under this Article to ensure it is up-to-date and accurate.
6. Each Party shall ensure that information set out in this Article is presented in a form that is easy for SMEs to use. Each Party shall endeavour to make the information available in English.
7. No fee shall apply for access to the information provided under this Article for any person of either Party.

ARTICLE X.3

SME Contact Points

1. Each Party shall communicate to the other Party its SMEs Contact Point that will carry out the functions listed in this Article. The Parties shall promptly notify each other of any change of those contact details.
2. The SME Contact Points shall:
- (a) ensure that SMEs' needs are taken into account in the implementation of this Agreement so that SMEs of both sides can take advantage of new opportunities under this Agreement;
 - (b) ensure that the information referred to in Article X.2 (Information Sharing) is up-to-date and relevant for SMEs. Either Party may, through the SME Contact Point, suggest additional information that the other Party may include in the information to be provided in accordance with Article X.2 (Information Sharing);
 - (c) examine any matter relevant to SMEs in connection with the implementation of this Agreement, including:

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- (i) exchanging information and otherwise cooperating as appropriate to assist the Trade Committee of this Agreement in its task to monitor and implement the SME-related aspects of this Agreement;
 - (ii) assisting other Committees, Contact Points and Working Groups established by this Agreement in considering matters of relevance to SMEs;
- (d) report periodically on their activities, jointly or individually, to the Trade Committee of this Agreement for its consideration; and
- (e) consider any other matter arising under this Agreement pertaining to SMEs as the Parties may agree.

3. SME Contact Points shall meet as necessary and shall carry out their work through the communication channels decided by the Parties, which may include electronic mail, videoconferencing, or other means.

4. SME Contact Points may seek to cooperate with experts and external organisations, as appropriate, in carrying out their activities.

ARTICLE X.4

Non application of dispute settlement

Neither Party shall have recourse to dispute settlement under Chapter [X] (Dispute Settlement) for any matter arising under this Chapter.