

**The EU – New Zealand FTA Committee on Investment, Services, Digital Trade, Government
Procurement and Intellectual Property, including Geographical Indications
IP formation**

Minutes

The first EU-New Zealand (NZ) *Committee on Investment, Services, Digital Trade, Government Procurement and Intellectual Property, including Geographical Indications*, in its **IP formation**, established under the EU-NZ Free Trade Agreement (FTA), took place on 20 February 2025.

Both Parties discussed the implementation of the IP Chapter of the FTA, in particular:

1. Copyright

- a) Information on actions by New Zealand to implement the transitional provisions, i.e.
 - Art. 18.13 FTA – Term of protection
 - Art. 18.14 FTA – Resale rights
 - Art. 18.17 FTA - Protection of technological measures
- b) General update on Copyright Review in New Zealand

NZ provided an update about its action to implement the transitional provisions provided in the Sub-section on copyright, i.e. Art. 18.13 on term of protection; Art. 18.14 on resale rights and Art 18.17 on protection of technological measures (TPMs).

Regarding **resale rights**, on 1 December 2024, New Zealand adopted a resale rights scheme which enables a five per cent royalty to be collected and paid to artists when eligible artworks are sold in the secondary market. A reciprocal agreement has been concluded with the UK. As a next step, a similar reciprocal agreement is going to be concluded with Australia. NZ has initiated bilateral discussions with some EU Member States regarding the conclusion of such reciprocal agreements.

Artist resale right information: [Artist Resale Royalty Scheme](#) | [Manatū Taonga](#) | [Ministry for Culture & Heritage](#)

When it comes to the implementation of the obligations concerning term of protection and TPMs as well as the general reform of NZ copyright law, at the beginning of 2025, the relevant Minister approved a two-stage work programme including: a) stage one - covering the reforms necessary to implement NZ FTA obligations (including term of protection and TPMs) along with a small number of other complementary and non-controversial reforms, b) stage two - other reforms to copyright law. Roundtable consultations, hosted by the relevant Minister, on stage one proposals for reforming the Act will occur with selected stakeholders in March 2025 and followed by public consultations on those reforms through the release of a discussion paper by mid-2025¹. The adoption of a bill consisting of stage one reforms is planned in 2026. The nature and scope of stage two reforms will likely be decided in mid-2026. The EU underlined the importance for creative industries of a prompt revision of the term of protection and TPMs legislation.

¹ After the Committee meeting, due to an appointment of a new Minister of Commerce and Consumer Affairs, the planned roundtable consultations have been cancelled while the new Minister is briefed, and decisions are sought on how to proceed with the reform.

2. Geographical indications

a) EU information on the policy developments

EU provided an overview of the policy developments from the time of conclusion of the FTA negotiations, with particular focus on the Regulation (EU) 2024/1143 that entered into force in 2024, providing a harmonised legal framework for all categories of agricultural GIs, strengthening *inter alia* the protection of the names as ingredients and in internet.

EU has informed NZ on the main features of the Craft and Industrial GI (CIGI) regulation (EU) 2023/2411 – a new regulatory framework that will become applicable at the end of 2025. The new framework allows the EU *sui generis* system to also protect GIs for craft and industrial products, filling a gap in the scope, until now limited to agricultural products.

b) Enforcement

NZ explained the procedures put in place following the legislative changes in relation to GIs triggered by the FTA commitments: nomination of GI enforcement officers within the Food Compliance Services team of MPI, border protection measures, trainings provided to NZ operators to raise awareness of rights and obligations, with particular attention for the GI names under phasing out or grandfathering.

NZ explained the procedures introduced to address infringements and shared its analysis of the market situation following the entry into force of the amended GI Act.

EU informed that it will provide NZ with some feedback received from EU GI right holders following the entry into force of the FTA and will invite them to raise any potential enforcement issue with the NZ competent authorities.

More information on GI enforcement in New Zealand can be found on a dedicated website: [Enforcing geographical indications | Intellectual Property Office of New Zealand](#)

3. Enforcement of IP

a) Website blocking – possible introduction of a dedicated site blocking remedy in New Zealand.

In response to EU question regarding a possible introduction of a dedicated website blocking remedy to ensure an effective enforcement of copyright and other IPRs, NZ informed that site blocking remedies are already available in NZ under its High Court Rules. At the same time, in the context of stage one reforms to the Copyright Act, consideration is being given to the introduction of specific provisions regarding website blocking.

b) Law enforcement of IP, including border enforcement.

In response to certain concerns raised by the EU regarding the effective enforcement of criminal offences for trade mark counterfeiting and copyright piracy, including border enforcement, NZ explained its efforts to ensure an effective enforcement of those offences and informed that the right holders have the possibility to make complaints with the IP Office.

More information on IP enforcement in New Zealand can be found on dedicated websites:

- Making a complaint about counterfeit goods or pirated works: [Enforcing | Intellectual Property Office of New Zealand](#)
- Reporting concerns about businesses engaging in misleading or deceptive trade practices: [Commerce Commission - Report a concern](#)

4. AoB

- a) Prospects of New Zealand accession to the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs, adopted at Geneva on 2 July 1999 (Art. 18.4(2c) of the FTA).

NZ informed that it is currently conducting an analysis of advantages and disadvantages, and cost and benefits, of its accession to the Geneva Act. The results of which are expected to be included in a public consultation paper on accession, for which approval would be sought to publish later this year.

- b) Update from the EU on their Member States' prospects of acceding to the Beijing Treaty

The EU informed that the considerations concerning the prospects of acceding to the Beijing Treaty are taking place in the Council of the EU. The discussions include, among other things, the existing differences at national level regarding certain rights granted to audiovisual performers, in particular the right of communication to the public, as well as questions regarding the implications of a future accession.

the European Union

New Zealand

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