

ANNEX 19D

APPLICATION TO SUB-CENTRAL STATE-OWNED ENTERPRISES AND DESIGNATED MONOPOLIES

Pursuant to paragraph 12 of Article 19.2 (Scope), the following obligations shall not apply with respect to a state-owned enterprise owned or controlled by a sub-central level of government and a designated monopoly designated by a sub-central level of government.²⁷

- (a) for New Zealand:
 - (i) paragraph 1 of Article 19.4 (Non-Discriminatory Treatment and Commercial Considerations);
 - (ii) paragraph 2 of Article 19.4 (Non-Discriminatory Treatment and Commercial Considerations);
 - (iii) subparagraphs 1(a) and 2(a) of Article 19.6 (Non-Commercial Assistance), with respect to the production and sale of a good in competition with a like good produced and sold by a covered investment in the territory of New Zealand;
 - (iv) subparagraphs 1(b), 1(c), 2(b), and 2(c) of Article 19.6 (Non-Commercial Assistance);
 - (v) paragraph 3 of Article 19.6 (Non-Commercial Assistance); and
 - (vi) paragraph 1 of Article 19.9 (Transparency);
- (b) for the United Kingdom:
 - (i) paragraph 1 of Article 19.4 (Non-Discriminatory Treatment and Commercial Considerations);
 - (ii) paragraph 2 of Article 19.4 (Non-Discriminatory Treatment and Commercial Considerations);
 - (iii) subparagraphs 1(a) and 2(a) of Article 19.6 (Non-Commercial Assistance), with respect to the production and sale of a good in competition with a like good produced and sold by a covered investment in the territory of the United Kingdom;

²⁷ For the purposes of this Annex, “sub-central level of government” means the regional level of government and the local level of government of a Party.

- (iv) subparagraphs 1(b), 1(c), 2(b), and 2(c) of Article 19.6 (Non-Commercial Assistance);
- (v) paragraph 3 of Article 19.6 (Non-Commercial Assistance);
and
- (vi) paragraph 1 of Article 19.9 (Transparency).