

Hon Damien O'Connor

MP for West Coast-Tasman

Minister of Agriculture

Minister for Biosecurity

Minister for Land Information

Minister for Rural Communities

Minister for Trade and Export Growth



The Rt Hon Anne-Marie Trevelyan MP
Secretary of State for International Trade
United Kingdom of Great Britain and Northern Ireland

28 February 2022

Dear Secretary of State

In connection with the signing of the Free Trade Agreement between New Zealand and the United Kingdom of Great Britain and Northern Ireland (“Agreement”), I have the honour to confirm the following understanding reached by the Government of New Zealand (“New Zealand”) and the Government of the United Kingdom of Great Britain and Northern Ireland (“the United Kingdom”) during the course of the negotiation of the Agreement:

1. New Zealand acknowledges the importance the United Kingdom attaches to the use of Scottish whisky localities including Campbeltown, Islay, Highland, Lowland, and Speyside, to ensure that descriptions of whisky do not mislead or deceive consumers.
2. New Zealand will not permit the sale of whisky labelled or advertised with representations of Scottish whisky localities, including Campbeltown, Islay, Highland, Lowland, or Speyside unless it has been wholly manufactured in Scotland, to the extent that the use of the representations is found to be misleading or deceptive under the terms of the New Zealand *Fair Trading Act 1986*, as amended or any successor legislation.

I have the honour of proposing that this letter and your letter in reply, will constitute an understanding between our two Governments in this matter which will come into effect on the date of entry into force of the Agreement.

Yours sincerely

Hon Damien O'Connor
Minister for Trade and Export Growth
New Zealand



Department for International Trade

The Rt Hon Anne-Marie Trevelyan MP
Secretary of State for International Trade
Department for International Trade
Old Admiralty Building
London
SW1A 2DY

The Honourable Damien O'Connor
Minister for Trade and Export Growth
New Zealand

T +44 (0) 20 7215 5000
E trevelyan@trade.gov.uk
W www.gov.uk/dit

28 February 2022

Dear Minister,

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

“In connection with the signing of the Free Trade Agreement between New Zealand and the United Kingdom of Great Britain and Northern Ireland (“Agreement”), I have the honour to confirm the following understanding reached by the Government of New Zealand (“New Zealand”) and the Government of the United Kingdom of Great Britain and Northern Ireland (“the United Kingdom”) during the course of the negotiation of the Agreement:

1. New Zealand acknowledges the importance the United Kingdom attaches to the use of Scottish whisky localities including Campbeltown, Islay, Highland, Lowland, and Speyside, to ensure that descriptions of whisky do not mislead or deceive consumers.
2. New Zealand will not permit the sale of whisky labelled or advertised with representations of Scottish whisky localities, including Campbeltown, Islay, Highland, Lowland, or Speyside unless it has been wholly manufactured in Scotland, to the extent that the use of the representations is found to be misleading or deceptive under the terms of the New Zealand *Fair Trading Act 1986*, as amended or any successor legislation.

I have the honour of proposing that this letter and your letter in reply, will constitute an understanding between our two Governments which will come into effect on the date of entry into force of the Agreement.”

I have the further honour to confirm that your letter and this letter in reply, will constitute an understanding between the Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland which will come into effect on the date of entry into force of the Agreement.

Yours sincerely,

THE RT HON ANNE-MARIE TREVELYAN MP
Secretary of State for International Trade
United Kingdom of Great Britain and Northern Ireland