Agreement ID : NEW ZEALAND-THAILAND
Short Name : New Zealand-Thailand FTA&EIA

Member Countries

New Zealand
Thailand

Total: 2 countries

New Zealand-Thailand Closer Economic Partnership Agreement

Status : Signed in **2005**. In force since 2005
Scope : Bilateral
Type : FTA & EIA
WTO Notification : GATT Art XXIV, GATS Art V 2005
Agreement text :
http://www.mfat.govt.nz/Trade-and-Economic-Relations/2-Trade-Relationships-and-Agreements/Thailand/Closer-Economic-Partnership-
Other links :
http://rtais.wto.org/rtadocs/31/TOA/English/1172766-v1-B2005-03_NZTS-200508.pdf
WTO consideration process :
http://docsonline.wto.org/imrd/gen_redirectsearchdirect.asp?RN=0&searchtype=browse&query=@meta_Symbol%22WT/REG207/3%22&language=1&ct=DDFEnglish

GOODS

Tariffs
Positive List
Tariff elimination by 2014 (see annexes for details)
Tariff elimination acceleration is encouraged.

Rules of Origin
Change in tariff classification

Value added minimum variable depending on the product

Specific process required

Contingency Measures
Anti - Dumping : Following WTO commitments
Countervailing Duties : Following WTO commitments
Safeguards : Specific requirements for bilateral safeguards

Standards : Calls for harmonization

Notes :
Reports from May 2011 suggested talks could begin at the end of the year.

SERVICES

WTO Notification (GATS Art. V) : Notified
Date of notification : 01/12/2005
Consideration Process : Under Consideration

Liberalization Approach :

Modes Covered

Specific Chapters on

Specific Sectors Excluded

Public Sectors carve-out :

Most Favoured Nation :

National Treatment :

Market Access :

Domestic Regulation :

Subsidies covered by services disciplines :

Denial of benefits for commercial presence :

Notes :
ARTICLE 8.1 Liberalisation of Trade in Services1. The Parties agree to conclude an agreement which liberalises trade in services between the Parties and which is consistent with Articles V.1 and V.3 of GATS. (See Article 8.1)

Link to schedules :

INVESTMENT

Scheduling Approach : Positive Lists

Definition of investment : Covers portfolio investment

Most Favoured Nation : Binding

National Treatment : Binding
NT provision applies to entry and establishment rights : **Yes**

Fair and Equitable Treatment : Not Featured

Expropriation : Binding

Board of Directors and executive personnel : Not Featured

Invester - State arbitration : Yes

Denial of Benefits :
ARTICLE 9.9 Denial of Benefits1. Subject to Paragraph 2 of this Article, a Party may, under its applicable laws and/or regulations, deny the benefits of this Chapter to an investor of the other Party that is a juridical person of such Party and to investments of such an investor where the Party establishes that the juridical person is owned or controlled by persons of a non-Party.2. For the purposes of promotion and protection of investment and subject to prior notification and consultation, a Party may deny the benefits of this Chapter to an investor of the other Party that is a juridical person of such Party and to investments of such an investor where the Party establishes that the juridical person is owned or controlled by persons of a non-Party and has no substantive business operations in the territory of the other Party.

Additional BIT exists between the parties : No
BIT list I :
Status:
BIT list II :
Status:

Notes :

Link to schedules :

TRADE FACILITATION

Customs procedures : **Yes** Article 3.1, 3.2, 3.3, and 3.4 of the Agreement
Customs valuation : **Yes** Article 3.6 of the Agreement
Trade regulations publication and administration : **No**
Use of ICT : **Yes** Article 3.12 of the Agreement
Mobility of business people : **No**
Freedom of transit : **No**
Transport and logistics : **No**
Trade finance : **No**

OTHER AREAS

Government Procurement : **Yes** http://www.mfat.govt.nz/Trade-and-Economic-Relations/0--Trade-archive/0--Trade-agreements/Thailand/0-cep
Investment : **Yes**
Competition Policy : **Yes**
Intellectual Property : **Yes** substantive, procedural obligations and cooperation. Very broad coverage. See more in Chapter 12 of the Agreemen
Dispute Settlement : **Yes**
Labor Mobility : **No**
Labor and Environmental Standards : **Yes** Arrangement on Environment. Both countries reaffirm commitment to high levels of environmental pr
Technical cooperation : **No**
Institutional mechanism : **No**

Notes :
Also includes a chapter on e-commerce.

RULES OF ORIGIN

Cumulation
Bilateral

Specific Process
Specific process required
Heading Change
A heading change may be required
De Minimis
10%
Minimum Content
Some products require a value percentage on top of the process requirement

Drawback
N.A.
HTTP Link
http://www.mft.govt.nz/tradeagreements/thainzcep/pdfs/nzthairulesoforiginannex.pdf

Notes :
Rules of Origin are very product specific. See Annex for details.http://www.mfat.govt.nz/downloads/trade-agreement/thailand/nzthairulesoforiginannex.pdf