

CHAPTER 30

INSTITUTIONAL PROVISIONS

Article 30.1

Establishment of the Joint Committee

The Parties hereby establish a Joint Committee which may meet at the level of senior officials or Ministers, as mutually determined by the Parties.

Article 30.2

Functions of the Joint Committee

1. The Joint Committee shall:
 - (a) consider any matters relating to the implementation of this Agreement;
 - (b) review the general operation of this Agreement;
 - (c) consider any proposal to amend this Agreement that is referred to it;
 - (d) supervise the work of all subsidiary bodies established under this Agreement and oversee other activities conducted under this Agreement;
 - (e) consider ways to further enhance sustainable and inclusive trade and investment between the Parties; and
 - (f) consider any other matter that may affect the operation of this Agreement.
2. The Joint Committee may:
 - (a) establish additional subsidiary bodies, refer matters to any subsidiary bodies, and consider matters raised by any subsidiary bodies established under this Agreement;
 - (b) merge or dissolve any subsidiary bodies established under this Agreement in order to improve the functioning of this Agreement;
 - (c) develop arrangements for the implementation of the Agreement;
 - (d) seek to resolve differences or disputes that may arise regarding the interpretation or application of this Agreement;

- (e) adopt interpretations of this Agreement, which are binding on the Parties and subsidiary bodies established under this Agreement, including any panels established under Chapter 31 (Dispute Settlement);
- (f) seek the advice of business, civil society groups, union groups, and Māori in the case of New Zealand, other interested parties, and members of the public on any matter falling within the Joint Committee's functions;
- (g) consider and adopt, subject to completion of any necessary legal procedures by each Party, a modification to this Agreement of:
 - (i) Annex 2A (Schedule of Tariff Commitments);
 - (ii) Annex 3A (Product Specific Rules of Origin);
 - (iii) a Party's Schedule in Annex 16A (Government Procurement Schedules);
 - (iv) Annex 31A (Rules of Procedure) or Annex 31B (Code of Conduct);
 - (v) Appendix 7A-a (Oenological Practices Authorised Under the Laws and Regulations of New Zealand as Referred to in Subparagraph 18(b) of Section A of Annex 7A (Wine and Distilled Spirits)); or
 - (vi) Annex 22A (Environmental Goods List); and
- (h) take such other action in the exercise of its functions as the Parties may agree.

Article 30.3 **General Review**

1. The Parties shall undertake a general review of the Agreement with a view to furthering its objectives, every seven years following the date of its entry into force, unless the Parties agree otherwise.
2. The conduct of general reviews shall normally coincide with regular meetings of the Joint Committee.
3. In conducting a review pursuant to paragraph 1, the Joint Committee shall take into account:
 - (a) the work of all subsidiary bodies established under this Agreement;

- (b) relevant developments in international fora;
- (c) input sought from business, civil society groups, union groups, and Māori in the case of New Zealand, other interested parties, and members of the public.

Article 30.4
Decision-Making and Rules of Procedure of the Joint Committee

1. The Joint Committee shall take decisions on any matter within its functions by mutual agreement.
2. The Joint Committee shall meet within one year of the date of entry into force of this Agreement and then annually, or as otherwise mutually agreed by the Parties.
3. Meetings of the Joint Committee shall be co-chaired by representatives of the Parties and hosted alternately. Any necessary administrative support for the meetings of the Joint Committee shall be provided alternately.
4. Each Party shall be responsible for the composition of its delegation.
5. The Joint Committee and any subsidiary body established under this Agreement shall carry out its work through whatever means are appropriate, which may include electronic mail or videoconferencing.
6. The Joint Committee and any subsidiary body established under this Agreement may establish rules of procedures for the conduct of its work.

Article 30.5
Contact Points

1. Each Party shall, within 30 days of the date of entry into force of this Agreement, designate an overall contact point to facilitate communications between the Parties on any matter relating to this Agreement and notify the other Party of the contact details of that contact point. Each Party shall promptly notify the other Party of any change to those contact details.
2. Each Party shall promptly notify the other Party, in writing, of any changes to its overall contact point or any other contact point.
3. On the request of a Party, the overall contact point of the other Party shall identify the office or official responsible for a matter and assist, as necessary, in facilitating communication with the requesting Party.

Article 30.6

Exchange of Information

Further to Article 2.16 (Data Sharing on Preference Utilisation – National Treatment and Market Access for Goods), the Parties shall endeavour to cooperate to facilitate the identification and exchange of other information relevant to the effective monitoring of the functioning of this Agreement. Such cooperation may include:

- (a) ad hoc discussions between expert-level representatives of the Parties;
- (b) entering into arrangements to exchange information identified pursuant to this paragraph; and
- (c) determining methods for interpreting and analysing that information.

Article 30.7

Domestic Engagement

1. Both Parties recognise the importance of promoting greater engagement and participation from a range of domestic stakeholders in the development and implementation of its trade policy.
2. In addition to this Chapter, there are provisions in other Chapters of this Agreement that seek to engage a range of domestic stakeholders in the operation and implementation of this Agreement, including where appropriate by consulting them and seeking their views. These include:
 - (a) Chapter 22 (Environment);
 - (b) Chapter 23 (Trade and Labour);
 - (c) Chapter 24 (Small and Medium-Sized Enterprises);
 - (d) Chapter 25 (Trade and Gender Equality);
 - (e) Chapter 26 (Māori Trade and Economic Cooperation); and
 - (f) Chapter 27 (Trade and Development).

Article 30.8

Inclusive Trade Sub-Committee

1. For the purposes of the effective implementation and operation of Chapter 24 (Small and Medium-Sized Enterprises), Chapter 25 (Trade and Gender

Equality), Chapter 26 (Māori Trade and Economic Cooperation), and Chapter 27 (Trade and Development), an Inclusive Trade Sub-Committee established under Article 30.9 (Sub-Committees) shall be composed of representatives of each Party or their designees, and with Māori in the case of New Zealand.

2. The functions of the Sub-Committee shall include:

- (a) monitoring and reviewing the implementation and operation of Chapter 26 (Māori Trade and Economic Cooperation), Chapter 27 (Trade and Development), and provisions in other Chapters of this Agreement, where appropriate, relating to trade and development, Chapter 24 (Small and Medium-Sized Enterprises), and Chapter 25 (Trade and Gender Equality), and provisions in other Chapters relating to the objectives of and commitments in Chapter 25 (Trade and Gender Equality);
- (b) making a recommendation or referring matters to the Joint Committee that the Sub-Committee considers appropriate, including for future cooperation set out in this Article;
- (c) with respect to Chapter 26 (Māori Trade and Economic Cooperation):
 - (i) providing a forum to facilitate discussions on cooperation activities in Chapter 26 (Māori Trade and Economic Cooperation), and the exchange of information on the lessons learned through such activities;
 - (ii) cooperating with other subsidiary bodies established under this Agreement, as appropriate, on issues that may be relevant to Chapter 26 (Māori Trade and Economic Cooperation Chapter);
 - (iii) considering input from relevant experts or representatives of relevant organisations to Sub-Committee meetings on issues relevant to Chapter 26 (Māori Trade and Economic Cooperation);
 - (iv) committee functions are to be carried out in a manner consistent with Te Tiriti o Waitangi/The Treaty of Waitangi in the case of New Zealand, and in a manner sensitive to tikanga Māori;¹
- (d) with respect to Chapter 27 (Trade and Development):

¹ “Tikanga Māori” refers to Māori protocols, customs, and normal practice.

- (i) mutually determining, facilitating and monitoring cooperative activities under Article 27.2 (Cooperation – Trade and Development), and discussing any relevant follow up actions;
 - (ii) sharing the outcomes of any monitoring conducted under Chapter 27 (Trade and Development);
 - (iii) cooperating with other subsidiary bodies established under this Agreement, as appropriate, to contribute to the advancement of trade and development outcomes under this Agreement; and
 - (iv) considering any recommendations received from the contact points established under Article 27.4 (Contact Points – Trade and Development);
- (e) with respect to Chapter 25 (Trade and Gender Equality),
 - (i) determining, facilitating, and monitoring the cooperative activities described in Article 25.5 (Cooperation – Trade and Gender Equality) including those which build the evidence base for interventions that address the barriers that may exist for women in international trade. The activities shall be carried out with the inclusive participation of women;
 - (ii) sharing the outcomes of any analysis, research, or monitoring conducted under Chapter 25 (Trade and Gender Equality);
 - (iii) cooperating with other subsidiary bodies established under this Agreement, including through joint meetings or by inviting any member of a body to a meeting of the Sub-Committee as the Sub-Committee considers appropriate, on issues relating to gender equality or women’s economic empowerment, while avoiding duplication of other bodies;
 - (iv) facilitating communication with and the participation of civil society, workers, women business owners, and entrepreneurs, and, in the case of New Zealand, wāhine Māori,² in the activities of the Inclusive Trade Sub-Committee, and seeking advice from appropriately qualified experts and stakeholders; and
 - (v) encouraging a gender perspective through the integration of gender-related monitoring, considerations, and activities across the implementation of this Agreement, including

² For greater certainty, “wāhine Māori” has the meaning given in Article 25.1 (Māori Terminology – Trade and Gender Equality).

through cooperation with other subsidiary bodies established under this Agreement, where appropriate;

- (f) with respect to Chapter 24 (Small and Medium-Sized Enterprises), consider any recommendations received from the contact points established under Article 24.5 (SME Contact Points – Small and Medium-Sized Enterprises); and
 - (g) performing any other functions as the Parties may decide.
- 3. The Sub-Committee shall meet within one year of the date of entry into force of this Agreement, and thereafter as mutually agreed by the Parties. The Sub-Committee shall be co-chaired by representatives of each Party and may meet physically or virtually as mutually agreed.
 - 4. The Sub-Committee may, on agreement of the Parties, hold a meeting to consider issues arising out of, exclusively, Chapter 25 (Trade and Gender Equality) or Chapter 27 (Trade and Development). In this case, only the representatives of the Parties responsible for the implementation and operation of the relevant Chapter may attend the meeting.
 - 5. Any decisions or reports of the Sub-Committee shall be adopted by mutual agreement of the representative of the Parties.
 - 6. The Sub Committee shall report to the Joint Committee with respect to its activities under this Article.

Article 30.9

Sub-Committees

- 1. The following sub-committees are hereby established under the auspices of the Joint Committee:
 - (a) the Trade in Goods Sub-Committee, the functions of which are set out in Article 2.17 (Trade in Goods Sub-Committee – National Treatment and Market Access for Goods);
 - (b) the Environment and Climate Change Sub-Committee, the functions of which are set out in Article 22.20 (Institutional Arrangements – Environment);
 - (c) the Inclusive Trade Sub-Committee, the functions of which are set out in Article 30.8 (Inclusive Trade Sub-Committee);
 - (d) the Labour Sub-Committee, the functions of which are set out in Article 23.17 (Labour Sub-Committee – Trade and Labour);

- (e) the Sanitary and Phytosanitary Measures Sub-Committee, the functions of which are set out in Article 5.18 (Sanitary and Phytosanitary Measures Sub-Committee – Sanitary and Phytosanitary Measures); and
- (f) the Services and Investment Sub-Committee, the functions of which are set out in Article 9.14 (Services and Investment Sub-Committee – Cross-Border Trade in Services).

Article 30.10 **Working Groups**

1. The following working groups are hereby established under the auspices of the Joint Committee:
 - (a) the Intellectual Property Working Group, the functions of which are set out in Article 17.14 (Intellectual Property Working Group – Intellectual Property); and
 - (b) the Government Procurement Working Group, the functions of which are set out in Article 16.22 (Government Procurement Working Group – Government Procurement).
2. The following working group is hereby established under the auspices of the Sanitary and Phytosanitary Measures Sub-Committee:
 - (a) the Animal Welfare Working Group, the functions of which are set out in Article 6.5 (Animal Welfare Working Group – Animal Welfare).
3. The following working groups are hereby established under the auspices of the Services and Investment Sub-Committee:
 - (a) the Financial Services Working Group, the functions of which are set out in Article 11.16 (Institutional – Financial Services); and
 - (b) the Professional Services Working Group, the functions of which are set out in Article 9A.9 (Professional Services Working Group – Professional Services and Recognition of Professional Qualifications).
4. The following working groups are hereby established under the auspices of the Trade in Goods Sub-Committee:
 - (a) the Rules of Origin and Customs and Trade Facilitation Working Group, the functions of which are set out in Article 3.17 (Rules of

Origin and Customs and Trade Facilitation Working Group – Rules of Origin and Origin Procedures); and

- (b) the Wine and Distilled Spirits Working Group, the functions of which are set out in Section C (General Provisions – Wine and Distilled Spirits).