

ANNEX TO THE PROTOCOL ON TRADE IN SERVICES (AS OF 1988)

SERVICES INSCRIBED BY NEW ZEALAND

(Where an activity is described further, the exemption in terms of Article 2.4 of this Protocol applies to the description only.)

AVIATION

Airways Services: Airways Corporation has a monopoly on: control of en route control; approach and departure; flight information services; aerodrome control service; aerodrome flight information service.

International carriers flying cabotage: This is a world-wide restriction and no country in the world has granted cabotage uplift rights to another country. Were the New Zealand Government to decide to do this it would be illegal, by way of treaty, to grant that right exclusively to Australia (this would be counter to the Convention on International Civil Aviation, Chicago 1944).¹³

COMMUNICATIONS

Radio and Television Broadcasting: Access problem as broadcasting, including "narrowcasting" (broadcasts to sections of the public, usually involving encryption), is not permitted without a warrant issued by the Broadcasting Tribunal and, in the case of television, without express approval of the Minister of Broadcasting. Foreign ownership of television and radio stations is restricted (refer to the Broadcasting Act 1976). In April 1988 the Government announced its intention to deregulate the provision of broadcasting services but to retain restrictions (as yet undefined) on overseas ownership.

Shortwave and Satellite Broadcasting: Access problems. The operation of Shortwave radio services is restricted to the Broadcasting Corporation of New Zealand under the Broadcasting Act 1976. With satellite broadcasting the restrictions on the provision of broadcasting/narrowcasting services using satellite apply as above.

Telecommunications: Telecom has a statutory monopoly on the provision and operation of telecommunications networks. However the provision of value added services using circuits leased from Telecom is generally permitted. The network monopoly will be removed on 1 April 1989.

POSTAL SERVICES

New Zealand Post Limited has a statutory monopoly on the carriage of letters weighing 500 grammes or less. The main exemption to the monopoly is that anyone is able to carry letters of 500 grammes or less provided they charge a minimum fee of \$(NZ)1.75 per letter. The monopoly is subject to review.

SHIPPING

Coastal Shipping: Ships trading in coastal waters must comply with the requirements applied to coastal ships by the Shipping and Seamen Act 1952. In the absence of suitable New Zealand tonnage employment of foreign ships may be authorised provided convention certificates are in order, the equivalent of local wages is paid to the crew and manning complies with flag state requirements.

Stevedoring: Industrial negotiations to liberalise the 1970 FOL guidelines and an amendment to the Waterfront Industry Act 1976 would be required to enable LCL containers to be handled off wharf by other than port union members.

SERVICES INSCRIBED BY AUSTRALIA

(Where an activity is described further, the exemption in terms of Article 2.4 of this Protocol applies to the description only.)

服务贸易协定制定书附件（截至1988年）

新西兰列入的服务

(如果一项活动有进一步描述，则本议定书第2.4条的规定仅适用于该描述。)

航空

空中交通服务：航空线路公司对以下服务享有垄断权：航线管制；进近和离场；飞行信息服务；机场管制服务；机场飞行信息服务。

国际沿海运输承运人：这是一项全球性限制，世界上没有任何国家已向其他国家授予沿海运输提升权。如果新西兰政府决定这样做，那么通过条约授予澳大利亚该权利将是非法的（这将违反芝加哥1944年国际民用航空公约）。¹³

电信

无线电和电视广播：获取问题，因为广播，包括“窄播”（向公众的特定部分广播，通常涉及加密），未经广播法庭签发的许可证是不允许的，并且在电视的情况下，未经广播部长明确的批准也不允许。电视和广播电台的外国所有权受到限制（参考1976年广播法）。1988年4月，政府宣布其意图解除广播服务的提供管制，但保留对海外所有权的限制（目前尚未定义）。

短波和卫星广播：获取问题。短波无线电服务的运营在1976年广播法下仅限于新西兰广播公司。在卫星广播的情况下，使用卫星提供广播/窄播服务的限制与上述相同。

电信：电信在电信网络的提供和运营上拥有法定垄断。然而，使用电信租赁的电路提供增值服务通常是允许的。网络垄断将于1989年4月1日取消。

邮政服务

新西兰邮政有限公司对重量不超过500克的信件运输拥有法定垄断权。垄断的主要豁免规定是，任何人都可以承运重量不超过500克的信件，前提是每封信收取最低费用\$(NZ)1.75。该垄断权将接受审查。

航运

沿海航运：在沿海水域航行的船舶必须遵守《1952年航运与水法》对沿海船舶的规定。如果没有合适的新西兰吨位，在公约证书齐全、支付相当于当地工资的报酬以及船员配备符合船旗国要求的情况下，可以授权使用外国船舶。

装卸作业：为了使拼箱集装箱能够在码头外由非港口工会成员处理，需要进行工业谈判以放宽1970年FOL指南，并对《1976年港口工业法》进行修正。

澳大利亚列入的服务

(如果一项活动有进一步描述，则本议定书第2.4条的规定仅适用于该描述。)

³ UKTS 1953 No. 8 (Cmd. 8742); SP 148 p. 38; UNTS 15 p. 295.

³ 1953年英国航运条约第8号（命令8742）；第148期特别出版物第38页；联合国条约系列第15卷第295页。

TELECOMMUNICATIONS

Provision of the basic public switched telecommunications networks within Australia and internationally.

Provision of basic international network facilities.

The shared use and resale of simple carriage of all traffic over private telecommunications networks.

Provision of the following services:

- public switched data
- public switched text and video
- public switched Integrated Services Digital Networks (ISDN)
- leased circuits
- mobile telephones

Provision of payphone services.

Provision and maintenance of public telephones.

Provision of the first standard telephone instrument in customers' premises.

BANKING

Establishment of foreign-owned branch or subsidiary operations or of representative offices.

Legislative limits on shareholdings in Australian banks.

AIRPORT SERVICES

Access to provision of airport services is in general subject to policies of the Commonwealth, the Federal Airports Corporation and local airports owned and operated by local state authorities and bodies.

DOMESTIC AIR SERVICES

Two airlines policy in force until October 1990. Thereafter, foreign investment in established Australian domestic airlines or new domestic airline business will generally be permitted (subject to normal FIRB guidelines except where the applicant is a foreign international airline operating services to Australia, in which case the level of investment will be limited to less than 15 per cent in any one domestic operator). State governments hold powers to regulate intrastate aviation on economic and public interest grounds.

INTERNATIONAL AVIATION: PASSENGER AND FREIGHT SERVICES

Scheduled passenger and freight services between Australia and New Zealand are governed by the provisions of an intergovernmental air services agreement which has treaty status. It requires both sides to designate and license their airlines operating such services.

Applications for non-scheduled (charter) passenger and freight services from New Zealand to Australia are approved where compatible with published policy criteria.

COASTAL SHIPPING

Cabotage policy.

CONSTRUCTION, ENGINEERING AND GENERAL CONSULTANCY

Government preferences for Australian companies.

电信

在澳大利亚和国际上提供基本的公共交换电信网络。

提供基本国际网络设施。

在私人电信网络上对所有交通的简单传输的共享使用和转售。

提供以下服务：

- 公共交换数据 - 公共交换文本和视频 - 公共交换综合业务数字网（ISDN） - 租用电路 - 移动电话

提供付费电话服务。

公共电话的提供和维护。

在客户场所提供第一台标准电话仪器。

银行业

设立外国分支机构、子公司运营或代表处。

澳大利亚银行持股的立法限制。

机场服务

提供机场服务的权利通常受联邦、联邦机场公司以及由地方州政府拥有的地方机场的政策约束。

国内航空服务

直到1990年10月，有两项航空公司政策在实施。此后，对澳大利亚现有国内航空公司的外国投资或新国内航空公司业务通常将被允许（除非申请人是一家经营澳大利亚服务的外国国际航空公司，在这种情况下，投资水平将限制在任何一家国内运营商低于15%）。州政府有权根据经济和公共利益对州内航空进行监管。

国际航空：客运和货运服务

澳大利亚和新西兰之间的定期客运和货运服务受一项具有条约地位的政府间航空服务协定的规定管辖。该协定要求双方指定并许可其经营此类服务的航空公司。

来自新西兰到澳大利亚的非定期（包机）客运和货运服务的申请，如果与已发布的政策标准相一致，则会被批准。

沿海航运

沿海航运政策。

建设、工程和一般咨询

政府对澳大利亚公司的偏好。

BROADCASTING AND TELEVISION

Limits on foreign ownership as set out in the Broadcasting Act 1942.

BROADCASTING AND TELEVISION (SHORT-WAVE AND SATELLITE BROADCASTING)

BASIC HEALTH INSURANCE SERVICES

THIRD-PARTY INSURANCE

WORKERS COMPENSATION INSURANCE

POSTAL SERVICES

The Australian Postal Commission has a statutory monopoly on the carriage of letters weighing 500 grams or less. The main exemption to the monopoly is that anyone is able to carry letters of 500 grams or less within Australia provided that they charge at least ten times the standard postal article rate.

广播和电视

广播法1942中规定的对外国所有权的限制。

广播和电视（短波和卫星广播）

基本健康保险服务

第三方保险

工人赔偿保险

邮政服务

澳大利亚邮政委员会对重量500克或更轻的信件运输拥有法定垄断。垄断的主要豁免是，任何人在澳大利亚内运输重量500克或更轻的信件，只要其收费至少是标准邮政物品费率的十倍，即可不受限制。