

PROTOCOL ON TRADE IN SERVICES TO THE AUSTRALIA NEW ZEALAND CLOSER ECONOMIC RELATIONS - TRADE AGREEMENT

AUSTRALIA AND NEW ZEALAND (called "the Member States"),

CONSCIOUS of their longstanding friendship and close historic, political, economic and geographic relationship;

RECOGNISING the development of a closer economic relationship since the commencement of the Australia New Zealand Closer Economic Relations - Trade Agreement, done in Canberra on 28 March 1983¹ (called "the Agreement") and the benefits of free trade in goods;

AWARE that this relationship will be strengthened and enhanced by expanding trade in services between the two countries through a widening of the Agreement;

MINDFUL that expanded and liberalised trade in services will assist the expansion of trade in goods;

BELIEVING in the advantages of a clearly established and secure liberal trading framework for trade in services to govern exchange of services and provide confidence to their industries to take investment and planning decisions;

DESIROUS of improving the efficiency and competitiveness of their service industry sector;

RECOGNISING their commitment to securing trade liberalisation and an outward looking approach to trade;

BELIEVING that a framework of rules for trade in services will lead to a more effective use of resources and an increased capacity to contribute to economic development through international exchanges and the promotion of closer links with other countries;

CONSCIOUS of their rights and obligations under the General Agreement on Tariffs and Trade² and other multilateral and bilateral agreements and arrangements;

DESIRING to conclude a Protocol to the Agreement to provide for the widening of the closer economic relationship to cover trade in services;

HAVE AGREED as follows:

Article 1

Objectives

The objectives of the Member States in concluding this Protocol to the Agreement are:

- (a) to strengthen the relationship between Australia and New Zealand;
- (b) to liberalise barriers to trade in services between the Member States;
- (c) to improve the efficiency and competitiveness of their service industry sectors and expand trade in services between the Member States;

澳大利亚新西兰更紧密经济关系贸易协定议定书

澳大利亚和新西兰（称为“成员国”），

意识到他们长期以来的友谊和紧密的历史、政治、经济和地理关系；

认识到自澳大利亚新西兰更紧密经济关系贸易协定于堪培拉于3月28日1983¹ 签署（称为“该协定”）以来，更紧密经济关系的发展以及货物自由贸易的益处；

意识到这一关系将通过扩大协定来加强和提升两国之间的服务贸易；

意识到扩大和自由化的服务贸易将有助于货物贸易的扩张；

相信一个明确建立和安全的自由贸易框架对于服务贸易的交换将是有利的，并为相关行业提供信心，以做出投资和规划决策；

渴望提高其服务业部门的生产效率和竞争力；

认识到他们致力于实现贸易自由化和开放型的贸易方式；

相信服务贸易的规则框架将导致资源的更有效利用，并增加通过国际交流及与其他国家加强联系来促进经济发展的能力；

意识到他们在关税及贸易总协定² 以及其他多边和双边协议和安排下的权利和义务；

希望缔结一项协定议定书，以将更紧密经济关系的范围扩大至涵盖服务贸易；

已同意如下：

第一条

目标

The 成员国缔结该协定议定书的目标是 :

- (a) 加强澳大利亚和新西兰之间的关系；
- (b) 自由化成员国之间服务贸易的壁垒；
- (c) 提高其服务业部门的效率和竞争力，并扩大成员国之间的服务贸易；

(d) to establish a framework of transparent rules to govern trade in services between the Member States;

(e) to facilitate competition in trade in services.

Article 2

Scope of Protocol

1. This Protocol shall apply to the provision of services in the Free Trade Area referred to in Article 2 of the Agreement.

2. The provisions of this Protocol shall apply subject to the foreign investment policies of the Member States.

3. This Protocol shall apply to any measure, in existence or proposed, of a Member State that relates to or affects the provision of a service by or on behalf of a person of the other Member State within or into the territory of the first Member State.

4. Except as otherwise provided in particular Articles, this Protocol shall not apply to the provision within or into the territory of one Member State of the services inscribed by that Member State in the Annex until such time as such services inscribed by it have been removed from the Annex in accordance with Article 10 of this Protocol.

Article 3

Definitions

Provision of services includes:

(a) the production, distribution, marketing, sale and delivery of a service; and

(b) for the purpose of the activities referred to in the previous sub-paragraph of this paragraph:

(d) 建立一套透明规则框架，以规范成员国之间的服务贸易；

(e) 促进服务贸易中的竞争。

第2条

议定书的范围

1. 本议定书适用于《协定》第2条所述自由贸易区内服务的提供。

2. 本议定书的各项规定应在不违反成员国外国投资政策的前提下适用。

3. 本议定书适用于任何与或影响另一成员国个人在第一成员国领土内或领土内向第一成员国提供或代表第一成员国个人提供服务有关的成员国现有或拟议的措施。

4. 除特别条款另有规定外，本议定书不适用于某成员方领土内或向某成员方领土提供的服务，除非该成员方已根据本议定书第10条的规定将其已列入附件的服务从附件中移除。

第3条

定义

服务提供包括：

(a) 服务的生产、分销、营销、销售和交付；以及(b)为本段前款所述活动之目的：