本文档由 funstory.ai 的开源 PDF 翻译库 BabelDOC v0.5.10 (http://yadt.io) 翻译，本仓库正在积极的建设当中，欢迎 star 和关注。

10. Measures applied by a Member State pursuant to this Article to goods originating in the territory of the other Member State shall be no more restrictive than measures of the same nature that apply to imports of the same goods from third countries in the usual and ordinary course of trade.

10. 成员国根据本条款对来自其他成员国领土的原产货物采取的措施，不得比通常和正常贸易过程中适用于从第三国进口相同货物的同类措施更为限制性。

11. In the event of severe material injury or demonstrable threat thereof arising from the operation of this Agreement in respect of any goods and occurring after the transition period applicable to those goods, the Member States shall, pursuant to paragraph 2 of Article 22 of this Agreement, consult promptly upon the written request of either to determine jointly whether remedial action is appropriate.

11. 如在本协议适用于有关货物的过渡期届满后，因本协议的适用而发生的任何货物严重物质损害或明显威胁，成员国应根据本协议第22条第2款的规定，在另一方提出书面请求时迅速磋商，共同确定是否采取补救措施。

Article 18
Exceptions

第18条例
外

Provided that such measures are not used as a means of arbitrary or unjustified discrimination or as a disguised restriction on trade in the Area, nothing in this Agreement shall preclude the adoption by either Member State of measures necessary:
(a) to protect its essential security interests;
(b) to protect public morals and to prevent disorder or crime;
(c) to protect human, animal or plant life or health, including the protection of indigenous or endangered animal or plant life;
(d) to protect intellectual or industrial property rights or to prevent unfair, deceptive, or misleading practices;
(e) to protect national treasures of artistic, historical, anthropological, archaeological, palaeontological or geological value;
(f) to prevent or relieve critical shortages of foodstuffs or other essential goods;
(g) to conserve limited natural resources;
(h) in pursuance of obligations under international commodity agreements;
(i) to secure compliance with laws and regulations relating to customs enforcement, to tax avoidance or evasion and to foreign exchange control;
(j) to regulate the importation or exportation of gold or silver;
(k) for the application of standards or of regulations for the classification, grading or marketing of goods; or
(l) in connection with the products of prison labour.

但前提是，这些措施未用作任意或不正当歧视的手段或伪装的贸易限制手段，本协议的任何规定均不得阻止任何成员国采取必要的措施：

(a) 保护其基本安全利益； (b) 保护公共道德，防止混乱或犯罪； (c) 保护人类、动物或植物的生命或健康，包括保护土著或濒危动物或植物生命； (d) 保护知识产权或工业产权，或防止不公平、欺骗性，

r

误导性做法；(e) 保护具有艺术、历史、人类学、考古学、古生物学或地质价值的国家珍宝；(f) 防止或缓解食品或其他必需品的严重短缺；(g) 保护有限的自然资源；(h) 履行国际商品协定的义务；(i) 确保遵守与海关执法、逃税和外汇管制相关的法律和法规；(j) 调节黄金或白银的进口或出口；(k) 应用标准或商品分类、分级或营销的法规；或 (l) 与囚犯劳动产品有关。

Article 19
Termination of earlier Agreements

Article 19
早期协定的终止

In so far as they were in force on the day immediately before the day on which this Agreement enters into force, the following Agreements shall terminate on the day of entry into force of this Agreement:
(a) Trade Agreement between the Commonwealth of Australia and the Dominion of New Zealand, dated 5 September 1933 as amended;ii2
(b) Exchange of Notes at Canberra on 30 September 1952 constituting an Agreement between the Government of New Zealand and the Government of Australia amending Article X of the Trade Agreement between the Dominion of New Zealand and the Commonwealth of Australia, dated 5 September 1933;

在它们于本协定生效前一天的当天仍然有效的情况下，以下协定应于本协定生效之日终止：

(a) 澳大利亚联邦与新西兰自治领之间的贸易协定，日期为1933年9月5日，经修订；ii2

(b) 1952年9月30日在堪培拉进行的换文，构成了一项协议，该协议由新西兰政府和澳大利亚政府签署，修改了新西兰自治领与澳大利亚联邦之间1933年9月5日签订的贸易协定中的第X条；

(c) New Zealand-Australia Free Trade Agreement, done at Wellington on 31 August 1965 and the accompanying Exchanges of Letters of the same date relating to:
(i) Articles 3, 4, 5, 8 and 10 and Schedule A of that Agreement;
(ii) import duties levied on New Zealand goods imported into Australia and on Australian goods imported into New Zealand; and
(iii) the inclusion of raw sugar within the scope of that Agreement;
(d) Exchange of Letters at Canberra on 27 April 1970 constituting an Agreement between the Government of the Commonwealth of Australia and the Government of New Zealand amending paragraphs 1 and 2 of Article IV of the Trade Agreement between the Commonwealth of Australia and the Dominion of New Zealand, dated 5 September 1933 as amended;
(e) Exchange of Letters at Canberra and Wellington on 11 April 1975 constituting an Agreement between the Government of New Zealand and the Government of Australia concerning the rules of origin applying to admission to each country, under preferential tariff arrangements, of goods produced or manufactured in the other country;iii3
(f) Exchange of Letters at Canberra and Wellington on 29 June 1977 constituting an Agreement between the Government of Australia and the Government of New Zealand concerning the extension of the assured duration of the New Zealand-Australia Free Trade Agreement, done at Wellington on 31 August 1965;iv4
(g) Exchange of Letters at Canberra and Wellington on 25 November 1977 constituting an Agreement between the Government of New Zealand and the Government of Australia on tariffs and tariff preferences;v5 and
(h) Exchange of Letters at Wellington and Canberra on 18 November 1981 constituting an Agreement between the Government of Australia and the Government of New Zealand further extending the Agreement of 25 November 1977vi6.

Article 20
Transitional measures relating to earlier agreements

1. Any arrangement concerning trade between individual firms which had applied under Article 3:7 of the New Zealand-Australia Free Trade Agreement, done at Wellington on 31 August 1965, and which was in effect on the day immediately before the day on which this Agreement enters into force may continue to apply under this Agreement subject to the following:
(a) when the arrangement is submitted for renewal, it remains acceptable to both Member States under the normal criteria mutually determined by the Member States for such arrangements;
(b) either tariffs within the meaning of Article 4 of this Agreement or quantitative import restrictions or tariff quotas within the meaning of Article 5 of this Agreement would in the absence of the arrangement apply to the goods which are imported under the arrangement; and
(c) the level of trade under any such arrangement shall not be increased above the level of trade specified in that arrangement which was valid on 14 December 1982 except where the Member States mutually determine that such an increase is justified because it would result in significant acceleration of the liberalisation provisions of this\ Agreement or a rationalisation proposal is involved.

(c) 新西兰-澳大利亚自由贸易协定，于1965年8月31日在惠灵顿签署，以及同一天的相关换文，涉及：(i) 该协定第3、4、5、8和10条以及附件A；(ii) 对进口到澳大利亚的新西兰商品和进口到新西兰的澳大利亚商品征收的进口关税；以及(iii) 将原糖纳入该协定范围；(d) 1970年4月27日在堪培拉进行的换文，构成了一项协议，该协议由澳大利亚联邦政府和新西兰政府签署，

w

新西兰修订1933年9月5日签署的澳大利亚联邦与新西兰自治领之间贸易协定第IV条的第1段和第2段；(e) 1975年4月11日在堪培拉和惠灵顿交换的函件，构成新西兰政府与澳大利亚政府之间的一项协议，关于在优惠关税安排下，适用于向每个国家进口的、在对方国家生产或制造的货物的原产地规则；iii3 (f) 1977年6月29日在堪培拉和惠灵顿交换的函件，构成澳大利亚政府与新西兰政府之间的一项协议，关于延长新西兰-澳大利亚自由贸易协定的保证期限，该协定于1965年8月31日在惠灵顿签署；iv4

(g) 1977年11月25日在堪培拉和惠灵顿交换的函件，构成新西兰政府与澳大利亚政府之间关于关税和关税优惠的一项协议；v5和

(h) 1981年11月18日在惠灵顿和堪培拉交换的信函，构成澳大利亚政府和新西兰政府之间的一项协定，进一步延长了1977年11月25日的协定vi6。

第2条 0 与早期协定相关的过渡措施

1. 根据《新西兰-澳大利亚自由贸易协定》第3条7项适用于个别公司之间的任何安排，该安排于1965年8月31日在惠灵顿达成，并在本协定生效前有效，可根据以下规定继续适用本协定：

(a) 当该安排提交续签时，根据成员国共同确定的此类安排的正常标准，该安排对两个成员国仍然可接受；

(b) 如果没有该安排，根据本协定第4条定义的关税或根据本协定第5条定义的数量性进口限制或关税配额将适用于根据该安排进口的商品；和

(c) 任何此类安排下的贸易水平不得高于该安排中于1982年12月14日有效的贸易水平，除非成员国相互决定此类增加是合理的，因为它将导致本协定自由化条款的显著加速，或涉及合理化提案。