

(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日在惠灵顿签订，以及同日伴随的换文，涉及：(i) 该协定第3、4、5、8和10条及附件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，构成澳大利亚联邦政府与新西兰政府之间的协定，修改了1933年9月5日签订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和第2段；(e) 1975年4月11日在堪培拉和惠灵顿进行的换文，构成新西兰政府与澳大利亚政府之间的协定，涉及适用于在优惠关税安排下进入每个国家的、在另一国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进行的换文，构成澳大利亚政府与新西兰政府之间的协定，涉及延长1965年8月31日在惠灵顿签订的新西兰-澳大利亚自由贸易协定的保证期限；iv4

根据1933年9月5日签订的《澳大利亚联邦与新西兰自治领之间的贸易协定》（经修订）修正第IV条第1、2款；（e）1975年4月11日在堪培拉和惠灵顿交换的函件，构成新西兰政府和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、在另一国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，构成澳大利亚政府和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信函，构成新西兰政府和澳大利亚政府之间关于关税和关税优惠的协议；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进一步延长1977年11月25日协议的协议vi6。

第20条 早期协定的过渡措施

1. 任何根据新西兰-澳大利亚自由贸易协定第3条7款申请的个别公司之间的贸易安排，该安排于1965年8月31日在惠灵顿达成，并在本协定生效前立即生效，可根据以下条件继续根据本协议适用：

(a) 当安排提交续签时，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，根据本协议第4条定义的关税或根据本协议第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，除非成员国相互确定此类增加是合理的，因为这将导致本协议自由化条款的显著加速，或涉及合理化提案。

2. Where provision had been made for exclusive access for goods pursuant to the New Zealand-Australia Free Trade Agreement, done at Wellington on 31 August 1965 in connection with Schedule A of that Agreement, a Member State shall, notwithstanding paragraph 22 of Article 5 of this Agreement, continue to allocate such access as determined by the exporting Member State provided that:

- (a) allocations are for licensing periods commencing before 1 January 1985;
- (b) more than one exporter wishes to utilise the access available; and
- (c) the availability of such access is insufficient to satisfy the requirements of interested exporters.

3. The Member States, noting that arrangements relating to certain forest products had existed under the New Zealand-Australia Free Trade Agreement, done at Wellington on 31 August 1965, and related agreements, agree that the provisions set out in Annex F of this Agreement shall apply to the goods referred to in that Annex.

Article 21
Customs harmonisation

The Member States recognise that the objectives of this Agreement may be promoted by harmonisation of customs policies and procedures in particular cases. Accordingly the Member States shall consult at the written request of either to determine any harmonisation which may be appropriate.

Article 22
Consultation and review

1. In addition to the provisions for consultations elsewhere in this Agreement, Ministers of the Member States shall meet annually or otherwise as appropriate to review the operation of the Agreement.
2. The Member States shall, at the written request of either, promptly enter into consultations with a view to seeking an equitable and mutually satisfactory solution if the Member State which requested the consultations considers that:
 - (a) an obligation under this Agreement has not been or is not being fulfilled;
 - (b) a benefit conferred upon it by this Agreement is being denied;
 - (c) the achievement of any objective of this Agreement is being or may be frustrated; or
 - (d) a case of difficulty has arisen or may arise.
3. The Member States shall undertake a general review of the operation of this Agreement in 1988. Under the general review the Member States shall consider:
 - (a) whether the Agreement is bringing benefits to Australia and New Zealand on a reasonably equitable basis having regard to factors such as the impact on trade in the Area of standards, economic policies and practices, co-operation between industries, and Government (including State Government) purchasing policies;
 - (b) the need for additional measures in furtherance of the objectives of the Agreement to facilitate adjustment to the new relationship;

2. 如根据于1965年8月31日在惠灵顿签署的新西兰-澳大利亚自由贸易协定（该协定与该协定附件A有关）已为商品提供独家准入权，则成员国应，不顾本协定第5条第22段的规定，继续分配由出口成员国确定的此类准入权，前提是：

- (a) 分配用于在1985年1月1日之前开始的许可期；
- (b) 多个出口商希望利用可用的准入；以及
- (c) 这种准入的可用性不足以满足相关出口商的要求。

3. 成员国注意到，关于某些森林产品的安排曾存在于1965年8月31日在惠灵顿签署的新西兰-澳大利亚自由贸易协定1以及相关协议下，同意本协定附件F中规定的规定应适用于该附件中提到的货物。

第2条 0 临时措施与早期协
议相关

成员国认识到，在本协定的目标可以通过在特定情况下协调海关政策和程序来促进。因此，成员国应根据任何一方的书面要求进行磋商，以确定任何适当的协调。

第2条 2 磋商和审查

1. 除了本协定其他地方规定的磋商条款外，成员国部长应每年或根据适当情况举行会议，以审查协定的执行情况。
2. 各成员国应根据另一方的书面请求，迅速进行磋商，以期寻求公平且相互满意的解决方案，如果请求磋商的成员国认为：
 - (a) 本协定项下的义务尚未得到履行或正在被不履行；
 - (b) 本协定授予其的利益正在被拒绝；
 - (c) 本协定的目标正在被或可能被阻碍实现；或
 - (d) 出现了困难情况或可能出现困难情况。
3. 各成员国应在1988年对本协定的运行情况进行一般审查。在一般审查中，各成员国应考虑：
 - (a) 是否该协定正在以合理的公平基础为澳大利亚和新西兰带来利益，考虑到诸如对地区贸易的影响等因素，包括标准、经济政策和实践、产业间合作以及政府（包括州政府）采购政策；
 - (b) 为促进本协定的目标而采取额外措施的需要，以便利适应新的关系；