

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 1965¹, 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. 根据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（该协定与该协定的附件A相关），如果对商品提供了独家准入权，成员国应当，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) 分配是在1985年1月1日之前开始的许可期内；(b) 多个出口商希望利用可用的准入权；以及

(c) 此类准入权的可用性不足以满足相关出口商的要求。

3. 成员国注意到，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及其相关协定中，并同意本协定附件F中规定的规定应适用于该附件中提到的商品。

第2条 1 海关协调

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，成员国应当应任何一方书面要求进行磋商，以确定任何适当的协调。

第2条 2 磋商和审查

1. 除本协定其他地方规定的磋商条款外，成员国部长们应每年或根据需要举行会议，以审查协定的执行情况。

2. 如要求磋商的成员国认为：本协定项下的义务未得到履行或正在被不履行；本协定授予其的利益正在被拒绝；本协定的任何目标正在被或可能被阻碍；或出现或可能出现困难情况，成员国应根据任何一方的书面要求，迅速进行磋商，以期寻求公平且相互满意的解决方案。

(a) 本协定项下的义务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) 本协定的任何目标正在被或可能被阻碍；或 (d) 出现或可能出现困难情况。

3. 各成员国应于1988年对该协定进行一般审查。在一般审查中，各成员国应考虑：(a) 该协定是否在考虑到标准、经济政策和实践、产业间合作以及政府（包括州政府）采购政策等因素对地区贸易的影响的情况下，为澳大利亚和新西兰带来合理公平的利益；(b) 为促进协定目标的实现，是否有必要采取额外措施，以促进适应新的关系；

(c) the need for changes in Government economic policies and practices, in such fields as taxation, company law and standards and for changes in policies and practices affecting the other Member State concerning such factors as foreign investment, movement of people, tourism, and transport, to reflect the stage reached in the closer economic relationship;

(d) such modification of the operation of this Agreement as may be necessary to ensure that quantitative import restrictions and tariff quotas within the meaning of Article 5 of this Agreement on goods traded in the Area are eliminated by 30 June, 1995; and

(e) any other matter relating to this Agreement.

4. For the purpose of this Agreement, consultations between the Member States shall be deemed to have commenced on the day on which written notice requesting the consultations is given.

Article 23
Territorial application

This Agreement shall not apply to the Cook Islands, Niue and Tokelau, nor to any Australian territory other than internal territories unless the Member States have exchanged notes agreeing the terms on which this Agreement shall so apply.

Article 24
Association with the Agreement

1. The Member States may agree to the association of any other State with this Agreement.
2. The terms of such association shall be negotiated between the Member States and the other State.

Article 25
Status of Annexes

The Annexes of this Agreement are an integral part of this Agreement.

Article 26
Entry into force

This Agreement shall be deemed to have entered into force on 1 January 1983.
IN WITNESS WHEREOF the undersigned, duly authorised, have signed this Agreement.

DONE in duplicate at Canberra this twenty-eighth day of March One thousand nine hundred and eighty-three.

FOR AUSTRALIA: FOR NEW ZEALAND:
[Signed] [Signed]

LIONEL BOWEN L. J. FRANCIS

(c) 政府经济政策和实践需要进行的改变，特别是在税收、公司法、标准等领域的改变，以及影响其他成员国关于外国投资、人员流动、旅游业和运输等因素的政策和实践的变更，以反映更紧密的经济关系所达到的阶段；

(d) 对本协定之运作进行的必要修改，以确保根据本协定第5条在本地区内交易的货物所适用的数量性进口限制和关税配额于1995年6月30日予以消除；以及 (e) 与本协定有关的任何其他事项。

4. 根据本协定，成员国之间的磋商应自书面通知要求磋商之日起视为已经开始。

第23条 领土适用范围

本协定不适用于库克群岛、纽埃和托克劳，也不适用于澳大利亚除内部领土以外的任何领土，除非成员国已交换备忘录，就本协定应以此方式适用达成协议。

第24条 与协定关联

1. 成员国可以同意将任何其他国家与该协定关联。
2. 该加入的条款应由成员国和其他国家之间进行谈判。

第25条 附件的地位

本协议的附件是本协议的组成部分。

第26条 生效

本协议应视为于1983年1月1日生效。为此，以下签署人经正式授权，签署本协议。

于1983年3月二十八日在堪培拉签署本协议正本两份。

FOR 澳大利亚: FOR 新西兰:[签字] [签字]

利奥内尔·鲍恩 L. J. 弗朗西斯