

Peking, 1 May 1976

Your Excellency,

I have the honour to refer to the Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China, signed at Peking on 9 October 1973 (hereinafter referred to as "the Trade Agreement"), and to the discussions that have taken place between representatives of our two Governments concerning the granting of most favoured nation treatment in respect of shipping.

On behalf of the New Zealand Government I should now like to propose that the Trade Agreement be amended by inserting immediately after Article V thereof the following new article which shall be considered as an integral part of and shall have the same duration as the Trade Agreement:

Article V (A)

Each Contracting Party shall grant most favoured nation treatment in the use of its ports and port facilities to the merchant vessels of the other Contracting Party, their crew members, cargoes and tonnage dues.

The Contracting Parties shall mutually recognise the nationality of vessels on the basis of the Certificate of Registry duly issued by the competent authorities of either Contracting Party in conformity with the laws and regulations in force in its country.

The Contracting Parties shall mutually recognise the Tonnage Certificate, or the

His Excellency Mr Chai Shu-fan,
Vice Minister,
Ministry of Foreign Trade,
The People's Republic of China.

/tonnage

tonnage particulars shown in the Certificate of Registry and other ship's certificates duly issued by the competent authorities of either Contracting Party, without remeasuring or resurveying or re-examining the vessels concerned. Where port charges are calculated and collected according to such ship's certificates these documents shall serve as the basis for the collection of those port charges.

The above provisions shall not apply to cabotage, pilotage, towing and similar services, or the unloading or transshipment of catches by the fishing vessels of either Contracting Party.

If the foregoing is acceptable to your Government, this letter and your reply to that effect shall constitute an agreement between our two Governments with effect from the date of your reply.

I avail myself, Excellency, of this opportunity to express the assurances of my highest consideration.

R.B. Atkins,
Ambassador Extraordinary and Plenipotentiary of
New Zealand to the People's Republic of China

Translation

Peking, 1 May 1976

Your Excellency,

I have the honour to acknowledge the receipt of your letter of 1 May 1976, the content of which reads as follows:

"I have the honour to refer to the Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China, signed at Peking on 9 October 1973 (hereinafter referred to as "the Trade Agreement"), and to the discussions that have taken place between representatives of our two Governments concerning the granting of most favoured nation treatment in respect of shipping.

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/The

His Excellency Mr R.B. Atkins,
Ambassador Extraordinary and Plenipotentiary of
New Zealand to the People's Republic of China,
PEKING.

The Contracting Parties shall mutually recognise the nationality of vessels on the basis of the Certificate of Registry duly issued by the competent authorities of either Contracting Party in conformity with the laws and regulations in force in its country.

The Contracting Parties shall mutually recognise the Tonnage Certificate, or the tonnage particulars shown in the Certificate of Registry and other ship's certificates duly issued by the competent authorities of either Contracting Party, without remeasuring or resurveying or re-examining the vessels concerned. Where port charges are calculated and collected according to such ship's certificates these documents shall serve as the basis for the collection of those port charges.

The above provisions shall not apply to cabotage, pilotage, towing and similar services, or the unloading or transshipment of catches by the fishing vessels of either Contracting Party.

If the foregoing is acceptable to your Government, this letter and your reply to that effect shall constitute an agreement between our two Governments with effect from the date of your reply."

On behalf of the Government of the People's Republic of China, I hereby confirm the agreement of my Government to the above-mentioned content of Your Excellency's letter.

Please accept, Your Excellency, the assurances of my highest consideration.

(Chai Shu-fan)
Vice Minister
Ministry of Foreign Trade
People's Republic of China
