

TRADE AGREEMENT
BETWEEN
THE GOVERNMENT OF NEW ZEALAND
AND
THE GOVERNMENT OF
THE KINGDOM OF THAILAND

The Government of New Zealand and the Government of the Kingdom of Thailand desiring to strengthen the relations existing between the two countries and to promote and expand trade relations between the two countries on the basis of equality and mutual benefit,

Have agreed as follows:

ARTICLE I

The Government of the Kingdom of Thailand and the Government of New Zealand shall take all appropriate measures, within the scope of the laws and regulations in force in each country, to facilitate, strengthen and diversify trade between the two countries.

ARTICLE II

1. The two Governments shall extend to each other most-favoured-nation treatment with respect to
 - (a) customs duties and charges of any kind imposed on or in connection with importation or exportation of products,
 - (b) the method of levying such duties and charges,
 - (c) all rules and formalities connected with importation or exportation,
 - (d) all internal taxes or other internal charges of any kind that may be imposed on or in connection with goods or products already imported and cleared through customs.

2. Any advantage, favour, privilege or exemption which has been or may hereafter be granted by either Government in regard to the matters referred to in paragraph 1 of this article to any product originating in or consigned to any third country shall immediately be accorded to the like product originating in or consigned to the territory of the other Government.

ARTICLE III

No prohibitions or restrictions, whether in the form of quantitative restrictions on imports or exports, foreign exchange controls, regulations or any other measures, shall be instituted or maintained by the Government of either country on the importation of any product from the territory of the other Government or on the exportation of any product consigned to the territory of the other Government except where the importation of the like product from all third countries or the exportation of the like product to all third countries is similarly prohibited or restricted.

ARTICLE IV

The provisions of Articles II and III of this Agreement shall not apply to:

- (a) any preferences or advantages which have been or may be accorded by the Government of New Zealand consistent with its relevant international rights and obligations to any present or former country or territory of the Commonwealth of Nations,
- (b) preferences or advantages which the Government of Thailand, consistent with its relevant international rights and obligations, grants or may grant to member countries of ASEAN,
- (c) tariff preferences or other advantages which either Government grants or may grant to facilitate border/frontier trade,

- (d) preferences or advantages accorded by either Government resulting from its association in a customs union or a free trade area, or in an interim agreement leading to the formation of a customs union or a free trade area,
- (e) any preferences or advantages extended by either Government to any third country or territory consistent with its rights and obligations as a contracting party to the General Agreement on Tariffs and Trade,
- (f) such measures as are taken by either Government in accordance with its rights and obligations under any international commodity agreement which is open to participation by both Governments.

ARTICLE V

The provisions of this Agreement shall not limit the right of either Government to apply prohibitions or restrictions of any kind which are directed to the protection of its essential security interests, or the protection of public health or the prevention of diseases and pests in animals or plants.

ARTICLE VI

1. In order to further the objectives of this Agreement each Government shall, as appropriate and subject to the laws and regulations of each country, encourage and facilitate:

- (a) the establishment of direct commercial contacts between firms, enterprises and organisations in the two countries in order to encourage cooperation and the interchange of commercial, industrial and technical representatives, groups and delegations between the two countries;
- (b) the negotiation of commercial agreements, arrangements and contracts, including investments on a joint venture basis, between firms, enterprises and organisations of the two countries;
- (c) the holding of, and participation in, trade fairs, trade exhibitions, and other promotional activities in its country by firms, enterprises and organisations of the two countries.

2. The decision by firms, enterprises and organisations to enter into any agreement, arrangement or contract shall be the responsibility of the firms, enterprises and organisations concerned. Similarly the performance of rights and obligations arising out of agreements, arrangements or contracts shall be the responsibility of the firms, enterprises and organisations which are parties thereto.

ARTICLE VII

1. Each Government shall, subject to the laws and regulations of its country, give favourable consideration to the exemption from the payment of customs duties and taxes on, and permit the re-exportation of, the following goods and articles imported temporarily from the territory of the other Government:

- (a) samples and other material for advertising purposes,

- (b) goods and articles for carrying out tests and demonstrations,
- (c) goods and articles for display at fairs and exhibitions,
- (d) tools and other instruments imported for erection and repair purposes.

2. Such goods, articles, samples, tools and other items referred to in paragraph 1 of this article shall not be disposed of in the country into which they are imported and shall be re-exported from that country unless the prior permission of the competent authorities of that country has been obtained and payment of the appropriate customs duties and taxes, if any, has been made.

ARTICLE VIII

All payments arising from trade and other transactions between the two countries shall be effected in mutually acceptable convertible currency and in accordance with the foreign exchange regulations in force in each country.

ARTICLE IX

The two Governments agree to consult together at any time at the request of either Government, on any matter affecting the operation or application of this Agreement or otherwise relating to trade between the two countries.

ARTICLE X

The two Governments may at any time, agree to revise or amend this Agreement.

ARTICLE XI

The termination of this Agreement shall have no effect on any commercial arrangements or contracts entered into by firms, enterprises and organisations of the two countries during the period that this Agreement was in force.

ARTICLE XII

The provisions of this Agreement shall not have effect for the Cook Islands, Niue and Tokelau until the expiration of one month from the date of notification by the Government of New Zealand to the Government of the Kingdom of Thailand that the Agreement shall be applied to those territories.

ARTICLE XIII

This Agreement shall come into force on the date of signature and shall remain in force until the expiration of a period of six months from the date on which either Government has received from the other written notice of its intention to terminate the Agreement.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments have signed the present Agreement.

Done at Wellington on this *10th* day of February 1981, in two original texts in the English and Thai languages, both texts being equally authentic.

FOR THE GOVERNMENT
OF NEW ZEALAND

FOR THE GOVERNMENT OF THE
KINGDOM OF THAILAND

Brian Talbot *Siddhi Sontakul*