



Treaty Series No. 13 (1967)

Trade Agreement

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of New Zealand

and Exchange of Letters regarding
Imports of Butter from New Zealand
into the United Kingdom

Wellington, 24 November 1966

[The Agreement and Exchange of Letters entered into force on 1 January 1967]

*Presented to Parliament by the Secretary of State for Commonwealth Affairs
by Command of Her Majesty
April 1967*

LONDON

HER MAJESTY'S STATIONERY OFFICE

PRICE 1s. 6d. NET

Cmnd. 3221

**TRADE AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF NEW ZEALAND**

The Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom Government") and the Government of New Zealand (hereinafter referred to as "the New Zealand Government") ;

Desiring to make further provision for trade between their two countries ;

Have agreed as follows :

ARTICLE I

The provisions of this Agreement shall be supplemental to and shall apply in modification of the provisions of the Trade Agreement between the New Zealand Government and the United Kingdom Government signed at Wellington on 12 August, 1959⁽¹⁾, (hereinafter referred to as "the 1959 Trade Agreement").

ARTICLE II

(1) The United Kingdom Government undertake that until 30 September, 1972, they will admit, without restriction of quantity, imports into the United Kingdom of the following New Zealand goods, namely—

- (a) beef, veal, lamb, mutton, and the edible offals thereof and chilled and frozen pork ; and
- (b) butter, cheese, skim and butter milk powders and casein.

(2) The United Kingdom Government undertake to consult with the New Zealand Government with a view to deciding on the arrangements to govern the import into the United Kingdom after 30 September, 1972, of the goods referred to in paragraph (1) of this Article. Such consultation shall commence not later than 30 September, 1970.

ARTICLE III

(1) Notwithstanding the provisions of Article II of this Agreement the United Kingdom Government may regulate imports of any goods referred to in that Article in pursuance of an obligation under an inter-governmental commodity agreement among all substantial supplying countries, or for the implementation of any other arrangement for the purpose of orderly marketing designed to prevent market disruption or the threat thereof which would involve both a restriction on the domestic production or marketing of such goods and the regulation of imports from all other substantial sources of supply of such goods.

(2) If at any time a situation should arise in which there was a question of invoking the provisions of paragraph (1) of this Article the United Kingdom Government shall consult with the New Zealand Government. This consultation shall cover the supply and demand position on the United Kingdom market and shall have as its objective the reaching of agreement

⁽¹⁾ Cmnd. 830.

on the substance of the regulatory arrangement to be applied to the import of the goods in question including the quantities to be admitted from New Zealand consistently with the possibility of concluding an effective inter-governmental commodity agreement or other arrangement contemplated in paragraph (1) of this Article.

(3) In the event of the United Kingdom Government invoking the provisions of paragraph (1) of this Article it would be their intention to provide an opportunity for the continuation of imports of the goods in question from New Zealand at levels not less than those achieved during a recent representative period prior to the introduction of the inter-governmental commodity agreement or other arrangement in question, and to afford a reasonable opportunity in the light of equitable claims of other suppliers of such goods for New Zealand to share in the growth of the United Kingdom market.

ARTICLE IV

(1) The New Zealand Government undertake to accord entry free of duty (other than revenue duty) to the United Kingdom goods specified in Schedule 1 to this Agreement.

(2) Notwithstanding the provisions of Article 6 of the 1959 Trade Agreement the New Zealand Government undertake to accord to the United Kingdom goods described in column 2 of Schedule 2 to this Agreement margins of preference not lower than those specified in respect thereof in column 3 of that Schedule except that, where in the case of any such goods the continued application of a margin of preference accorded at 28 June, 1966, results in a margin of preference lower than that otherwise required by this paragraph, the minimum margin of preference shall be such lower margin.

(3) Nothing in the foregoing provisions of this Article shall prevent the remission, reduction or temporary suspension of duty in accordance with paragraph 1 of Article 7 of the 1959 Trade Agreement on any goods, and accordingly the said Article 7 shall apply as if the references therein to Article 6 of the 1959 Trade Agreement included a reference to paragraph (2) of this Article.

(4) Nothing in this Article or in Article 6 of the 1959 Trade Agreement shall require the New Zealand Government to consult the United Kingdom Government before reducing any margins of preference which exceed the minimum margins required under this Agreement.

ARTICLE V

(1) The following shall cease to have effect—

(a) Article 5 of the 1959 Trade Agreement ; and

(b) the Joint Declaration of the New Zealand and United Kingdom Governments relating to the import into the United Kingdom of New Zealand meat made in London on 14 February, 1952.⁽²⁾

(2) The provisions of the Agreement between the New Zealand and United Kingdom Governments signed at Ottawa on 20 August, 1932,⁽³⁾ in so

⁽²⁾ Cmnd. 3170.

⁽³⁾ Cmd. 4174.

far as they relate to the import of meat into the United Kingdom and are inconsistent with the provisions of this Agreement are replaced by this Agreement.

ARTICLE VI

(1) This Agreement shall come into force on 1 January, 1967, and, subject to the provisions of paragraphs (2), (3) and (4) of this Article, shall remain in force while the 1959 Trade Agreement remains in force and shall terminate when that Agreement terminates.

(2) Notwithstanding the provisions of paragraph 3 of Article 19 of the 1959 Trade Agreement, notice of intention to terminate the 1959 Trade Agreement as modified and supplemented by this Agreement shall not be given by either Government to take effect before 1 January, 1970; thereafter subject to the provisions of paragraphs (3) and (4) of this Article the provisions of paragraph 3 of the said Article 19 shall apply.

(3) Article II of this Agreement shall remain in force until 30 September, 1972.

(4) Article 13 of the 1959 Trade Agreement shall remain in force in relation to butter until 30 September, 1972.

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

DONE in duplicate at Wellington this twenty-fourth day of November one thousand nine hundred and sixty-six.

For the Government of the United Kingdom of Great Britain and Northern Ireland: For the Government of New Zealand:

J. L. READING.

J. R. MARSHALL.

SCHEDULE 1

(The items in this Schedule are in the form set out in the publication entitled "The Customs Tariff of New Zealand" as at 1 July, 1962, as amended to 28 June, 1966.)

<i>Tariff Item Number</i>	<i>Tariff Description of Goods</i>
	Acyclic alcohols and their halogenated, sulphonated, nitrated, or nitrosated derivatives:
	Other acyclic alcohols:
512.220.1	Butyl alcohol
Ex 512.220.9	Other kinds (excluding ethyl alcohol), viz., iso octanol
	Amine-function compounds:
512.710.2	Non-gaseous
512.810.0	Organo-sulphur compounds
	Heterocyclic compounds, including nucleic acids:
512.850.9	Other kinds

<i>Tariff Item Number</i>	<i>Tariff Description of Goods</i>
514.210.1	Metallic or ammonium salts or peroxy salts: Sodium sulphides
	Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of a kind known as optical bleaching agents, substantive to the fibre; natural indigo:
531.010.1	Water soluble
531.010.9	Other
	Chemical derivatives of natural rubber: Powder, granules, flakes, blocks, lumps, and similar bulk forms:
581.922.2	Other
	Cotton yarn and thread, bleached, dyed, or mercerised, not put up for retail sale:
651.410.1	Sewing threads
	Cotton yarn and thread put up for retail sale:
651.420.1	Sewing threads

SCHEDULE 2

(The items in this Schedule are in the form set out in the publication entitled "The Customs Tariff of New Zealand" as at 1 July, 1962, as amended to 28 June, 1966.)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Tariff Item Number</i>	<i>Tariff Description of Goods</i>	<i>Margin of Preference</i>
	Petroleum and shale oils, other than crude, but excluding partly refined petroleum and topped crude of item 331.020.0 and the products of items 332.911.1 to 332.911.9; lubricating preparations n.e.i., containing not less than 70 per cent. by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:	
	Lubricating oils and greases; other lubricating preparations containing not less than 70 per cent. by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:	
	Lubricating oils; other lubricating preparations containing not less than 70 per cent. by weight of petroleum or shale oils:	
	Other kinds:	
332.510.3	In bulk in ships' bottoms	8d. per gal.
	In containers:	
332.510.6	Of a capacity of more than 1 gal.	8d. per gal.
332.510.7	Of a capacity of 1 gal.	8d. per gal.
	Acyclic alcohols and their halogenated, sulphonated, nitrated, or nitrosated derivatives:	
	Other acyclic alcohols:	
Ex 512.220.9	Other kinds (excluding ethyl alcohol), viz., iso octanol	20 per cent. ad val.
	Amine-function compounds:	
512.710.2	Non-gaseous	10 per cent. ad val.
512.810.0	Organo-sulphur compounds	10 per cent. ad val.
	Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of a kind known as optical bleaching agents, substantive to the fibre; natural indigo:	

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Tariff Item Number</i>	<i>Tariff Description of Goods</i>	<i>Margin of Preference</i>
531.010.1	Water soluble Woven fabrics of cotton, unbleached, not mercerised, n.e.i.: Not containing sheep's or lambs' wool or fine animal hair:	10 per cent. ad val.
652.130.9	Other kinds Other woven fabrics of cotton (bleached, dyed, mer- cerised, printed, or otherwise finished): Other woven fabrics of cotton, other than in the grey, n.e.i.:	15 per cent. ad val.
652.291.3	Other kinds: Canvas and duck Bed linen (except plain pillowcases), table linen, toilet linen, and kitchen linen:	15 per cent. ad val.
656.911.1	Plain: Bed sheets Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw eyes); rivets, cotters, cotter-pins, washers and spring washers: Of iron or steel: Screws:	15 per cent. ad val.
694.210.6	Other Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within item 695.250.0:	20 per cent. ad val.
696.011.1	Other knives: Kitchen and table knives	12½ per cent. ad val.
698.300.1	Chain and parts thereof, of iron or steel: Transmission chain and chains	20 per cent. ad val.
698.300.2	Other chain and chains	20 per cent. ad val.
	Machine tools for working metal or metallic carbides, not being tools for working in the hand, or gas- operated welding, brazing, cutting, or surface- tempering appliances:	
715.100.1	As may be determined by the Minister Other:	10 per cent. ad val.
715.100.3	Lathes	10 per cent. ad val.
715.100.4	Wire-drawing machines	10 per cent. ad val.
715.100.9	Other machines	10 per cent. ad val.
	Motor vehicles for the transport of persons, goods, or materials (including sports motor vehicles, other than those of items 732.910.1 to 732.910.5): Other transport vehicles:	
	Unassembled in accordance with the determinations of the Minister under section 16 of the Customs Acts Amendment Act 1934:	
	Of a rated gross laden weight not exceeding 10,000 lb.:	
732.300.1	Vans	16¼ per cent. ad val.
732.300.2	Other vehicles	16¼ per cent. ad val.
732.300.3	Of a rated gross laden weight exceeding 10,000 lb.	16¼ per cent. ad val.

**EXCHANGE OF LETTERS
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF NEW ZEALAND REGARDING IMPORTS
OF BUTTER FROM NEW ZEALAND INTO THE
UNITED KINGDOM**

No. 1

*The United Kingdom Acting High Commissioner at Wellington to the New
Zealand Deputy Prime Minister and Minister of Overseas Trade*

*British High Commission,
Wellington.*

Dear Mr. Marshall,

24 November, 1966.

In the course of the negotiations between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of New Zealand which resulted in the signature to-day of an Agreement between our two Governments (hereinafter referred to as "the 1966 Trade Agreement") supplementing and modifying the Trade Agreement signed at Wellington on 12 August, 1959, (hereinafter referred to as "the 1959 Trade Agreement") the quota arrangements for the importation of butter into the United Kingdom were discussed.

2. I would recall that, recognising the value to New Zealand of Article 13 of the 1959 Trade Agreement as demonstrated by the quota scheme which is applied to imports of butter into the United Kingdom, the United Kingdom Government have agreed in Article VI (4) of the 1966 Trade Agreement that that Article shall remain in force in relation to New Zealand butter until 30 September, 1972, notwithstanding the earlier termination of any other provisions of the 1959 Trade Agreement.

3. In the light of the foregoing the United Kingdom Government now make the following proposals—

- (a) for so long as the United Kingdom Government continue to operate a butter quota scheme in pursuance of Article 13 of the 1959 Trade Agreement, they shall consult the New Zealand Government before the beginning of each butter quota year about the supply of butter to the United Kingdom market. Such consultations shall cover the prospects for total supply and demand and the quantities both in total and from New Zealand which the United Kingdom Government propose to allow to be imported during the following butter quota year. Bearing in mind the desirability of achieving arrangements equitable to producers and consumers, the United Kingdom Government, in deciding these quantities, shall have regard to the objective of the quota arrangements to prevent material injury to New Zealand producers arising from the competition of dumped or subsidised exports from third countries ;

- (b) the United Kingdom Government shall license for importation from New Zealand in any butter quota year not less than 170,000 tons of butter and shall aim to provide a reasonable opportunity, in the light of equitable claims of other suppliers, for New Zealand to share in any growth in imports of butter into the United Kingdom ;
- (c) if during any butter quota year the United Kingdom Government consider that, consistently with the objective of the quota arrangements, additional imports over and above those determined at the outset of that quota year are needed, they shall consult with the New Zealand Government on the additional imports that they propose to license and shall provide an opportunity for the supply of additional imports of New Zealand butter ;
- (d) the United Kingdom Government shall consult the New Zealand Government on any proposal to alter the butter quota arrangements during the currency of the undertakings set out in Article II of the 1966 Trade Agreement.

4. The United Kingdom Government also propose that the New Zealand Government shall, so long as the United Kingdom Government continue to operate a butter quota scheme—

- (a) waive the operation of Article 3 of the 1959 Trade Agreement which accords to New Zealand butter imported into the United Kingdom a margin of preference not lower than 15/- per cwt.; and
- (b) waive the operation of Article II of the 1966 Trade Agreement in respect of the admission without restriction of quantity of imports of New Zealand butter into the United Kingdom.

5. I am also able to confirm that—

- (a) the United Kingdom Government have no intention of removing import restrictions on butter so long as the circumstances on account of which they were imposed remain ; and
- (b) the United Kingdom Government do not intend to depart from their present policy of not encouraging the expansion of milk production in the United Kingdom for manufacturing purposes.

6. I suggest that if these proposals are acceptable to the Government of New Zealand, this Letter and your reply to that effect shall constitute an Agreement between our two Governments which shall enter into force on 1 January, 1967, and shall terminate and replace the Exchange of Letters dated 15 May, 1963,⁽⁴⁾ between the Government of the United Kingdom and the Government of New Zealand recording an Agreement relating to the import of butter into the United Kingdom.

Yours sincerely,

J. L. READING.

⁽⁴⁾ Cmnd. 3170.

No. 2

*The New Zealand Deputy Prime Minister and Minister of Overseas Trade
to the United Kingdom Acting High Commissioner at Wellington*

*Office of the Minister of Overseas Trade,
Wellington.*

Dear Mr. Reading,

24 November, 1966.

I am writing to acknowledge receipt of your Letter of today's date which reads as follows—

[As in No. 1]

I have pleasure in advising that these proposals are acceptable to the Government of New Zealand, which therefore regards your Letter and this reply as constituting an Agreement between our two Governments which shall enter into force on 1 January, 1967, and shall terminate and replace the Exchange of Letters dated 15 May, 1963, between the Government of New Zealand and the Government of the United Kingdom recording an Agreement relating to the import of butter into the United Kingdom.

Yours sincerely,

J. R. MARSHALL.

Printed and published by
HER MAJESTY'S STATIONERY OFFICE

To be purchased from
49 High Holborn, London w.c.1
423 Oxford Street, London w.1
13A Castle Street, Edinburgh 2
109 St. Mary Street, Cardiff
Brazennose Street, Manchester 2
50 Fairfax Street, Bristol 1
35 Smallbrook, Ringway, Birmingham 5
7-11 Linenhall Street, Belfast 2
or through any bookseller

Printed in England