

No. 18558

**NEW ZEALAND
and
INDONESIA**

**Trade Agreement. Signed at Wellington on 19 September
1978**

Authentic text: English.

Registered by New Zealand on 17 April 1980.

**NOUVELLE-ZÉLANDE
et
INDONÉSIE**

**Accord commercial. Signé à Wellington le 19 septembre
1978**

Texte authentique : anglais.

Enregistré par la Nouvelle-Zélande le 17 avril 1980.

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA

The Government of New Zealand and the Government of the Republic of Indonesia,

Desiring 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 New Zealand and the Government of the Republic of Indonesia 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 unconditional most-favoured-nation treatment, consistent with the rights and obligations of the two Governments as Contracting Parties to the General Agreement on Tariffs and Trade, with respect to customs duties and charges of any kind imposed on or in connection with importation or exportation of products or imposed on the international transfer of payments for imports and exports, and with respect to the method of levying such duties and charges, with respect to all rules and formalities connected with importation or exportation, and with respect to 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 immunity 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 be immediately and unconditionally 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 in the case of restrictions which are made applicable to the like products of all third countries in the same circumstances.

Article IV. The provisions of articles II and III of this Agreement shall not apply:

- (a) To 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;

¹ Came into force on 23 February 1979, the date of the exchange of notes between the two Governments confirming the approval of the Agreement by their respective authorities, in accordance with article XI.

- (b) To special preferences or other advantages which the Government of the Republic of Indonesia consistent with its relevant international rights and obligations may grant to member countries of ASEAN;
- (c) To tariff preferences or other advantages which either Government grants or may grant to facilitate border/frontier trade;
- (d) To special preferences or other 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; and
- (e) Any preferences or advantages extended by either Government to any third country or territory consistent with the rights and obligations of that Government as a Contracting Party to the General Agreement on Tariffs and Trade or under any international commodity agreement to which it may be a Party.

Article V. 1. Each Government agrees that the nationality of merchant vessels registered in the territory of the other Government shall be recognised, when such vessels are in its ports, upon presentation of documents and certificates issued by the competent authorities in conformity with the legislation in force in the other country, and that such vessels, together with their masters, crews and cargoes, shall be accorded treatment in the use of ports and of their facilities equal to that accorded to merchant vessels registered in any other foreign country.

2. The provisions of this article shall not apply to coastal (including interin-sular) shipping, pilotage, towing and similar services, and the offloading or transshipment of catches by fishing vessels of either country.

Article VI. 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 to the protection of public health or the prevention of diseases and pests in animals or plants.

Article VII. All payments arising from trade between the two countries shall be effected in freely convertible currencies acceptable to both Governments in accordance with the foreign exchange controls, laws and regulations in force in each country.

Article VIII. 1. The two Governments agree, subject to and to the extent permitted by the laws and regulations in force in their respective countries, to facilitate:

- (a) The holding of trade fairs and exhibitions in their respective countries; and
- (b) Visits of businessmen and trade delegations to their respective countries.

2. The two Governments shall, subject to and to the extent permitted by the laws and regulations in force in their respective countries, give favourable consideration to the exemption from the payment of import duty and other charges on articles for display in fairs and exhibitions as well as samples of goods for advertising purposes which have been imported temporarily from the territory of the other Government. Such articles and samples shall not be disposed of in the country into which they are imported without the prior permission of the competent authorities of that country and the payment of the appropriate import duty, and other charges, if any.

Article IX. The two Governments shall consult together at any time, on any matter affecting the operation, application or amendment of this Agreement or otherwise relating to trade between the two countries.

Article X. 1. 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 Republic of Indonesia that the Agreement shall be applied to those territories.

2. The provisions of this Agreement shall apply to all parts of the Indonesian territory as defined in its laws and regulations.

Article XI. This Agreement shall come into force on the date of an exchange of notes between the two Governments confirming the approval of the Agreement by their respective authorities and shall remain in force for a period of one year. Thereafter it 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 19th day of September 1978, in two original texts in the English language, both texts being equally authentic.

For the Government
of New Zealand:
BRIAN TALBOYS

For the Government
of the Republic of Indonesia:
Dr. MOCHTAR KASUMAATMADJA
