

House of Representatives

Supplementary Order Paper

Wednesday, 23 July 2008

New Zealand–China Free Trade Agreement Bill

Proposed amendments

Hon Phil Goff, in Committee, to move the following amendments:

Clause 2

To omit *subclause (1)* (lines 6 and 7 on page 3) and substitute the following subclause:

- (1) **Parts 1 and 4** come into force on 1 October 2008.

Clause 18

To omit this clause (lines 6 to 23 on page 8) and substitute the following clause:

18 Regulations

- (1) Section 134 is amended by inserting the following subsection after subsection (1C):
“(1D) The power to regulate in relation to interfering equipment, susceptible equipment, or other equipment under subsection (1)(g) includes the power to regulate in relation to such equipment that is, or may be, exported from New Zealand pursuant to the Conformity Cooperation Agreement.”
- (2) Section 134 is amended by adding the following subsections:
“(3) The Conformity Cooperation Agreement (including any amendments made to that agreement in accordance with it) and any standards or rules referred to in the Conformity Cooperation Agreement may be incorporated by reference in regulations made in reliance on **subsection (1D)**.
“(4) The provisions of **Schedule 8** apply to material incorporated by reference in regulations made in reliance on **subsection (1D)**.
“(5) In this section, **Conformity Cooperation Agreement** means the Agreement between the Government of New Zealand and the Government of the People’s Republic of China on Cooper-

ation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components, which is Annex 14 of the Free Trade Agreement between the Government of New Zealand and the Government of the People’s Republic of China done at Beijing on 7 April 2008.”

Clause 28

To insert the following subclause after *subclause (5)* (after line 36 on page 11):

(5A) Section 169 is amended by inserting the following subsection after subsection (2B):

“(2C) In subsections (2), (2A), and (2B), **official standard** may be treated as including, for the purposes of **subsections (1)(2)(b) and (c), (7A), and (8)(aa) and (c)**, the Conformity Cooperation Agreement (including any amendments made to that agreement in accordance with it) and any standards or rules referred to in the Conformity Cooperation Agreement.”

Explanatory note

This Supplementary Order Paper amends the New Zealand–China Free Trade Agreement Bill.

The amendment to *clause 2* means that *Parts 1 and 4* will come into force on 1 October 2008 rather than by Order in Council.

The amendments to *clauses 18 and 28* clarify,—

- in relation to the amendments to the Radiocommunications Act 1989 made by *Part 3* of the Bill, that regulations made in reliance on *new section 134(1D)* may incorporate by reference a certain part of the New Zealand–China Free Trade Agreement (including any amendments to it) and may also incorporate by reference standards or rules referred to in that part of the Agreement:
- in relation to the amendments to the Electricity Act 1992 made by *Part 5* of the Bill, that regulations made in reliance on the Bill’s amendments to section 169 of that Act may also incorporate by reference those same documents.