

# House of Representatives

# Supplementary Order Paper

Tuesday, 23 October 2018

## Trans-Pacific Partnership Agreement (CPTPP) Amendment Bill

### *Proposed amendment*

Golriz Ghahraman, in Committee, to move the following amendment:

#### *Clause 6A*

After the *Part 2 heading* (page 4, after line 15), insert:

#### **6A New Part 1AA**

After section 2, insert

#### **Part 1AA**

#### **Prohibition on including new countries in CPTPP or TPP without protection from investor-state dispute settlement**

#### **2A Prohibition on including new countries in CPTPP without protection from investor-state dispute settlement**

- (1) The Executive must not agree to any country joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership unless New Zealand has negotiated and signed a binding instrument with that country in which that country agrees that its investors shall not have recourse to investor-state dispute settlement against New Zealand under any existing or future agreements between the two countries.
- (2) For the avoidance of doubt, this section does not apply to any of the original signatories to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (signed on 8 March 2018 in Santiago, Chile).

**Proposed amendments to  
Trans-Pacific Partnership Agreement (CPTPP)  
Amendment Bill**

SOP No 140

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**2B Prohibition on including new countries in TPP without protection from investor-state dispute settlement**

- (1) The Executive must not agree to any country joining the Trans-Pacific Partnership Agreement unless New Zealand has negotiated and signed a binding instrument with that country in which that country agrees that its investors shall not have recourse to investor-state dispute settlement against New Zealand under any existing or future agreements between the two countries.
- (2) For the avoidance of doubt, this section does not apply to any of the original signatories to the Trans-Pacific Partnership Agreement (signed on 4 February 2016 in Auckland, New Zealand).

**Explanatory note**

This Supplementary Order Paper amends the Trans-Pacific Partnership Agreement (CPTPP) Amendment Bill. It will ensure that New Zealand cannot agree to any new state joining the CPTPP or TPP unless investors from the new state have no recourse to investor-state dispute settlement against New Zealand.