

Annex I

GLOSSARY OF TRADE TERMS

Acronym/Term	Description
Doha round	The Doha round is the latest round of trade negotiations among the WTO membership, which commenced in November 2001. Its aim is to achieve major reform of the international trading system through the introduction of lower trade barriers and revised trade rules.
domestic regulation	The topic of domestic regulation arises in GATS and in FTAs to address how a party will make and administer any measures affecting trade in services – e.g. that such measures are administered in a reasonable, impartial and objective manner. These provisions are concerned with ‘how’ a government regulates the services sector, rather than prescribing the content of the regulations themselves.
FTA	Free Trade Agreement
GATS	WTO General Agreement on Trade in Services
GATS-plus	Rules (text) or market access outcomes that build on the outcomes achieved in the GATS.
market access offer	Means the schedule of country-specific conditions that have been agreed to liberalise market conditions for trade in services. At the conclusion of the negotiations, final offers become legally binding and specify the conditions under which trade in services is granted.
market access commitment	The market access commitment is a general obligation for a party not to impose quantitative limitations on the ability to supply a service in a country, such as limitations on the number of service suppliers, or economic output from a particular services sector. It also restricts the imposition of requirements that enterprises operating in services sectors do so through a certain legal form.
MFN / Most-Favoured Nation (treatment)	A services and investment commitment to not discriminate against services, service suppliers, investors or investments of one country in favour of services, service suppliers, investors or investments from

s6(b)(i)

s9(2)(c)

s6(b)(i)

Acronym/Term	Description
	another country
national treatment commitment	The national treatment commitment in the core text is to treat foreign goods, services, investors and suppliers no less favourably than the domestic equivalent.
negative list	Under a negative list agreement, parties list all of the measures that do not conform to the core obligations agreed in the main body of the agreement.
OECD	Organisation for Economic Cooperation and Development
plurilateral agreement	Plurilateral agreements involve several, but not all the members of the World Trade Organisation (WTO). For example, the Government Procurement Agreement includes 41 out of 157 WTO members.
positive list	Under a positive list agreement, parties list all of the commitments, set out by sector, which conform to the core obligations agreed in the main body of the agreement.
ratchet mechanism	A ratchet mechanism may apply to a commitment made by a party under an agreement as a means of capturing further domestic liberalisation. It effectively binds in any future unilateral liberalisation of the relevant commitment.
revised GATS offer	An improvement of a member's existing GATS market access offer that was tabled as part of the Doha round but has not been agreed or implemented.
temporary entry	Temporary entry refers to measures allowing individuals to temporarily travel from their own country to supply services in another country (e.g. highly skilled professionals or consultants). Temporary entry is not about permanent residence or employment. It may also be referred to as mode 4 or the movement of natural/business persons.

Annex II

s6(a)
s6(b)(i)

s9(2)(j)

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S 6(a)
S 6(b)(i)

S 9(2)(j)

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Annex III

s 6(a)
s 6(b)(i)

s 9(2)(j)

s 6(a)

s 9(2)(j)

s 6(a)

s 9(2)(j)

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Annex IV

S9(2)(3)

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§ 9(2)(j)

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S9(2)(3)

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NEW ZEALAND
FOREIGN AFFAIRS & TRADE



22 November 2013

Minister of Trade

For action by 28 November 2013

Trade in Services Agreement (TiSA): Tabling of Initial Market Access Offer

SUBMISSION Issue

PURPOSE To seek approval to submit an initial market access offer in the plurilateral Trade in Services Agreement (TiSA) negotiations

59(2)(3)

COMMENTS TiSA participants have agreed to exchange initial market access offers in November 2013.

Recommended referrals

For referral to:

Prime Minister

Minister of Finance

For Consultation by 28 November 2013

For Consultation by 28 November 2013

Contact details

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Minister's Office comments

Signed / Referred

Date: ___ / ___ / ___

TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL MARKET ACCESS OFFER

Key points

- In February 2013 Cabinet approved an initial negotiating mandate for New Zealand's participation in the plurilateral Trade in Services Agreement (TiSA) negotiations (EGI (13) 16). § 9(2)(j)

- Solid progress has been made since February on a 'core' TiSA text § 6(b)(ii)

- Officials have prepared an initial New Zealand offer that aligns with EGI (13) 16.

§ 9(2)(j)

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TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
MARKET ACCESS OFFER

Recommendations

It is recommended that you:

- 1 **Note** New Zealand officials will table an initial market access offer in Yes / No the Trade in Services Agreement negotiations this month;

s 9(2)(j)

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s 9(2)(j)

Martin Harvey

for Secretary of Foreign Affairs and Trade

TRADE IN SERVICES AGREEMENT (TiSA): TABLING OF INITIAL MARKET ACCESS OFFER

Report

TiSA Process

Negotiations towards a Trade in Services Agreement (TiSA) with 23 other WTO members¹ formally commenced in June this year.

2 Discussions over the last few months on the core text, which lays the foundation for the market access commitments, have made good progress. Alongside the core text, TiSA will build upon GATS provisions and develop additional rules in areas of priority interest to participants. Proposals for new and enhanced disciplines currently include Domestic Regulation Air Transport Services

s 6(b)(i)

Professional Services; Telecommunications/ E-commerce; Financial Services; Maritime Transport Services; Mode 4 (Temporary Entry); and Transparency.

3 Together with these new rules, TiSA participants are expected to table high quality services market access offers

s 9(2)(j)

TiSA participants have agreed to exchange initial market access offers this month.

s 9(2)(j)

4 Consistent with the expectations of all TiSA Parties, New Zealand will need to make a credible initial offer

s 9(2)(j)

s 6(b)(i)

s 9(2)(j)

¹ Australia, Canada, Chile, Colombia, Costa Rica, the EU (comprising 28 member states), Hong Kong China, Iceland, Israel, Japan, Korea, Liechtenstein, Mexico, Norway, Pakistan, Panama, Paraguay, Peru, Chinese Taipei, Switzerland, Turkey, and the US.

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TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
MARKET ACCESS OFFER

§ 9(2)(j)

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TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
MARKET ACCESS OFFER

Annex A

S6(b)(i)

Services schedules give access across up to 12 broad sectors. These sectors are: business services; communication services; construction and related engineering services; distribution services; education services; environmental services; financial services; health related and social services; tourism and travel related services; recreational, cultural and sporting services; transport services; and other services not included elsewhere.

S6(b)(i)

There are some services sectors and/or subsectors in which we do not make market access commitments

S9(2)(j)

Additionally, we must explicitly state in our offer every instance in which regulation does or could in the future result in foreign services suppliers being accorded less favourable treatment when compared to like domestic service suppliers.

The following provides a broad overview of the areas in which we make these market access and national treatment commitments.

S9(2)(j)

S9(2)(j)

TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
MARKET ACCESS OFFER

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TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
MARKET ACCESS OFFER

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TRADE IN SERVICES AGREEMENT (TISA): TABLING OF INITIAL
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§ 9(2)(j)

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