TRADE AND INVESTMENT AGREEMENT BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF THE UNITED MEXICAN STATES

PREAMBLE

The Government of New Zealand and the Government of the United Mexican States, hereinafter referred to as the Parties: :

Desiring to enhance their friendship and spirit of cooperation and to further develop and strengthen trade and investment relations between the two countries;

Recognizing the mutual benefits that can be obtained from developing long term and stable trading and investment relationships;

Acknowledging their membership in the General Agreement on Tariffs and Trade (hereinatter referred to as the GATT);

Emphasizing their shared commitment to the successful implementation of the Uruguay Round of Multilateral Trade Negotiations;

Reaffirming the importance of promoting a more liberal and predictable environment for international trade and investment;

Considering the need to facilitate greater access to their respective markets and to avoid the establishment of new barriers to trade and investment;

Convinced of the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology and enhancing economic development;

Recognizing that foreign direct investment confers positive benefits on each country;

Seeking to establish an appropriate framework to consult on trade and investment related matters;

Believing that the establishment of a bilateral consultative mechanism will enhance economic cooperation between their countries;

HAVE AGREED as follows:

Article 1. COMMISSION ON TRADE AND INVESTMENT

1. The Parties hereby establish a Commission on Trade and investment (hereinafter referred to as the Commission) comprising the Ministerial level representatives of the Parties responsible for International trade or their designated deputies.

2. The Commission shall convene once a year, unless otherwise agreed. 3. The Commission shall:

(a) promote and encourage closer economic cooperation between the Parties;

(b) monitor and review trade and investment relations between the Parties and identify and promote opportunities for expanding such trade and investment relations; and

(c) serve as a forum for consultations between the Parties on specific bilateral trade and investment issues.

4, Private sector representatives may be invited to attend as advisers to the Commission meetings whenever both Parties agree that it is appropriate.

Article 2. COOPERATION

The Commission shall promote cooperation between the Parties by means such as:

(a) the organization of business meetings, trade missions, trade and industrial fairs and exhibitions and talks promoting bilateral trade and investment;

(b) the exchange of: (i) trade and investment information and statistics;

(ii) information related to industrial, commercial, sanitary and phytosanitary and other standards regarding goods and services traded between the two countries or with potential of being traded; .

(c) the provision of market surveys or other economic information by specialized institutions on foreign trade or international finance;

(d) the investigation of the factors affecting bilateral trade and investment, with the aim of suggesting action that would improve the terms and conditions of access to the markets of the parties;

(e) the identification and solution of the problems that hamper the effectiveness of bilateral economic cooperation; and

(f) the review of multilateral and regional trade developments of common interest in order to identity products or services with export potential or areas for investment or other economic cooperation and to facilitate trade between the Parties.

Article 3. AGENDA OF THE COMMISSION

1. Atits first session, the Commission shall consider the matters included in the "Immediate Action Agenda" set out in Annex 3.1.

2. The agenda for subsequent meetings of the Commission shall comprise the matters included in the "Immediate Action Agenda" and any additional issues affecting the trade and investment interests of either Party that are submitted by that Party for inclusion in the agenda.

3. The Commission may establish joint working groups to facilitate the work of the Commission.

Article 4. CONSULTATIONS

1. The Parties may consult at any time, at the request of either of them, on any matter affecting the operation or application of this Agreement or on trade or investment relations between them.

2. Arequest for consultations shall be accompanied by a written explanation of the subject to be discussed and consultations shall be held within thirty days of the request unless the requesting Party agrees to a later date.

3. The Parties may consult, regularly, on issues of mutual interest and concern which arise in multilateral discussions on trade and investment matters.

Article 5. GENERAL AGREEMENT ON TARIFFS AND TRADE

The Parties confirm that their rights and obligations as contracting parties to the GATT shall continue to govern trade relations between them. Nothing in this Agreement shall prejudice the rights and obligations of either Party under the GATT.

Article 6. AMENDMENTS

1. The Parties may agree on any modification of or addition to this Agreement, including to broaden its scope.

2. When so agreed, and approved in accordance with the applicable legal procedures of the Parties, a modification or addition shall constitute an integral part of this Agreement.

Article 7. TOKELAU

This Agreement shall not apply to Tokelau, unless the Parties exchange notes agreeing to the terms on which it shall so apply.

Article 8. ENTRY INTO FORCE

This Agreement shall enter into force on the date of the exchange of written notifications certifying the completion of necessary legal procedures by each Party.

Article 9. WITHDRAWAL

This Agreement shall remain in force for a period of five years from the date of its entry into force. Thereafter it shalt continue in force until the expiration of 180 days from the date on which one Party informs the other in writing of its intention to terminate the Agreement.

Article 10. ANNEXES

The Annex to this Agreement constitutes an integral part of this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governmenis, have signed this Agreement, the English and Spanish texts of which are equally authentic.

Done in duplicate at Marrakesh on this 14th day of April nineteen hundred and ninety four.

FOR THE GOVERNMENT OF NEW ZEALAND

Philip BURDON

MINISTER OF COMMERCE

FOR THE GOVERNMENT OF THE UNITED MEXICAN STATES

Puiu BURDON

Jaime SERRA PUCHE

SECRETARY OF TRADE AND INDUSTRIAL DEVELOPMENT

Annex 3.1. IMMEDIATE ACTION AGENDA

1. The Commission shall meet within 120 days of the entry into force of the Agreement to consider an "Immediate Action Agenda" comprising the following matters:

(a) implementation of the Uruguay Round. Review of bilateral issues;

(b) market access issues, including tariff and non-tariff measures in all sectors of interest to the Parties, in particular agriculture;

(c) standards related issues and sanitary and phytosanitary issues relevant to trade between the Parties;

(d) services and investment issues of mutual interest to the Parties; and

(e) multilateral and regional trade issues and related developments of mutual interest.

2. The inclusion of matters in this "Immediate Action Agenda" does not limit the ability of either Party to request consultations under Article 4 of the Agreement, nor does it prejudice the raising of new issues in the future.