

No. 5782

**NEW ZEALAND
and
FEDERAL REPUBLIC OF GERMANY**

**Trade Agreement (with annex and exchanges of letters).
Signed at Bonn, on 20 April 1959**

**Exchange of letters constituting an agreement completing
the German text of the above-mentioned Trade Agree-
ment. Bonn, 15 June 1959, and London, 18 June 1959**

**Exchange of letters constituting an agreement amending the
above-mentioned Trade Agreement. London, 10 and
24 March 1960**

Official texts: English and German.

Registered by New Zealand on 4 August 1961.

**NOUVELLE-ZÉLANDE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord commercial (avec annexe et échanges de lettres).
Signé à Bonn, le 20 avril 1959**

**Échange de lettres constituant un accord modifiant le texte
allemand de l'Accord commercial susmentionné. Bonn,
15 juin 1959, et Londres, 18 juin 1959**

**Échange de lettres constituant un avenant à l'Accord com-
mercial susmentionné. Londres, 10 et 24 mars 1960**

Textes officiels anglais et allemand.

Enregistrés par la Nouvelle-Zélande le 4 août 1961.

No. 5782. TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY. SIGNED AT BONN, ON 20 APRIL 1959

The Government of New Zealand and the Government of the Federal Republic of Germany,

desiring by the encouragement of closer economic relations to strengthen the bonds of friendship existing between their two peoples,

having negotiated with each other at Bonn from 2 February, 1959 to 20 April, 1959 through their duly authorized representatives,

have agreed as follows :

Article I

The Government of New Zealand and the Government of the Federal Republic of Germany shall facilitate as far as possible the exchange of goods and services between their two countries. To this end each Government will endeavour to minimize the effect of its import restrictions still in force on the commercial and economic interests of the other.

Article II

(a) The Government of the Federal Republic of Germany will authorize the importation of those commodities originating in New Zealand which are set forth in the Annex² to this Agreement as follows :

- (i) During the period from 1 April 1959 to 31 March 1960 inclusive, to amounts not less than those specified in the Annex;
- (ii) During each succeeding twelve-monthly period, to amounts not less than those determined for that period and substituted in the Annex in accordance with the procedure established by Article III of this Agreement.

(b) The provisions of paragraph (a) of this Article shall not be interpreted in such a way as to preclude the Government of the Federal Republic of Germany :

- (i) from authorizing the importation of those commodities originating in New Zealand which are set forth in the Annex to this Agreement to amounts in

¹ Deemed to have come into force on 1 April 1959, in accordance with article VIII (a).

² See p. 132 of this volume.

excess of those specified in the Annex or from time to time specified therein in accordance with the procedure established by Article III of this Agreement,

(ii) from removing quantitative restrictions on the importation of any commodity set forth in the Annex to this Agreement.

(c) The omission from the Annex to this Agreement of a commodity which is subject to the requirement of an import licence will not in itself preclude the issue of a licence for the importation of that commodity originating in New Zealand to such an amount as may be agreed upon in the particular case.

Article III

(a) At least once during each of the twelve-monthly periods referred to in Article II (a) of this Agreement representatives of the two Governments shall enter into consultations for the purpose of reviewing the amounts specified in the Annex to this Agreement.

(b) As from the commencement of the next succeeding twelve-monthly period, the amounts which may be agreed upon in the course of the review, in relation to the commodities set forth in the Annex shall be regarded as having been substituted for the amounts so specified.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this Article, the two Governments may, prior to the end of any twelve-monthly period, agree by an Exchange of Notes that all or any of the amounts specified in the Annex shall continue to apply during the next succeeding twelve-monthly period.

Article IV

In conducting the annual review of the amounts specified in the Annex to this Agreement and in considering requests for quotas in respect of other commodities of interest to New Zealand the Government of the Federal Republic of Germany will endeavour to accord expanding access to the German market for the commodities set forth in the Annex and for other commodities originating in, and of interest to, New Zealand.

Article V

(a) The Government of New Zealand and the Government of the Federal Republic of Germany agree that at the request of either Government they will enter into consultations with a view to avoiding or eliminating any difficulties which could arise in the development of trade between New Zealand and the Federal Republic of Germany or in the implementation of this Agreement as a result of the development of common policies in the European Economic Community. The two Governments agree that in such consultations they will be guided by the principles laid down in paragraph 4 of Article XXIV of the

General Agreement on Tariffs and Trade¹ that such common policies should not have the effect of raising barriers to trade between New Zealand and the Federal Republic of Germany.

(b) Both Governments agree that at the request of either Government they will also enter into consultations with a view to resolving any difficulties which may arise in the implementation of this Agreement as a result of any other international obligations of either Government.

Article VI

This Agreement shall not apply to the Cook Islands (including Niue), the Tokelau Islands or the Trust Territory of Western Samoa.

Article VII

This Agreement shall apply to *Land Berlin* provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of New Zealand within three months from the date of entry into force of this Agreement.

Article VIII

(a) This Agreement shall be deemed to have come into force on 1 April 1959 and shall remain in force until 31 March 1961. Thereafter it shall remain in force until the expiry of three months from the date on which either Government receives from the other written notice of that Government's intention to terminate the Agreement.

(b) This Agreement supersedes the arrangements recorded in the Agreed Minute of discussions on commercial relations between the representatives of the Government of the Federal Republic of Germany and the Government of New Zealand, signed at Wellington on 11 May 1955, as subsequently amended.

DONE at Bonn, on 20 April 1959, in duplicate in the English and German languages, both texts being equally authentic.

For the Government of New Zealand :

G. R. LAKING

For the Government of the Federal Republic of Germany :

Günther HARKORT

¹ See footnote 1, p. 308 of this volume.

A N N E X

<i>Item No.</i>	<i>German Commodity Index No.</i>	<i>Commodity</i>	<i>Quota</i>
1	0201·42	Beef, frozen	6,500 tons
2	0201·55	Mutton and lamb, frozen	500,000 DM = 250 tons
3	0402·11	Full cream milk powder	p.m.
4	0402·13	Skim milk powder	p.m.
5	ex 0402·19	Buttermilk powder for fodder purposes .	750 tons
6	0403·10	Butter	p.m.
7	0404·11	Cheese (cheddar)	No restriction within the global quota
8	0406·00	Honey	No restriction within the global quota
9	0515·90	Bloodmeal and dried blood for fodder pur- poses	600,000 DM
10	0702·10 20 30 90	Frozen vegetables	250,000 DM
11	0806·19 0806·39	Apples and pears, fresh	3,500,000 DM
12	1203·21 27 ex 1203·59	Red clover, white clover and other grass seeds	1,000,000 DM
13	ex 1602·19 50	Canned meat	750,000 DM = 250 tons
14	1603·00	Meat extract	1,000,000 DM
15	ex 2002·19 55 56 59	Canned vegetables	250,000 DM