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PROTOCOL AMENDING THE TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND

The Government of Canada and the Government of New Zealand,

Declaring their resolve to facilitate and expand trade and commercial relations between their respective countries,

Desiring to amend the Trade Agreement signed at Ottawa and Wellington on 23 April 1932⁽¹⁾, as amended by subsequent Exchanges of Letters,

Have agreed as follows:

ARTICLE 1

Paragraph 2 of Article 1 of the Agreement is amended by adding:

“The Government of Canada will seek through administrative arrangements to minimise difficulties to New Zealand exporters arising from the requirements of this paragraph and will consult with the Government of New Zealand in this regard.”

ARTICLE 2

Articles IV and V of the Agreement are deleted and replaced by the following Article:

“1. The Government of Canada, in the application of its anti-dumping legislation and regulations, shall accord to goods the growth, produce or manufacture of New Zealand treatment no less favourable than that accorded to goods the growth, produce or manufacture of countries signatory to the Agreement on implementation of Article VI of the General Agreement on Tariffs and Trade.

2. Goods the growth, produce or manufacture of Canada imported into New Zealand shall not be subject to the imposition of duties under New Zealand's anti-dumping legislation and regulations except in the circumstances described in paragraph 4 of this Article.

3. If the Government of New Zealand considers that any goods being imported from Canada are within the meaning of New Zealand's legislation being dumped or subsidized and the importation of such goods is causing or may cause material injury to New Zealand's producers of like or directly competitive goods, or is likely materially to retard the establishment of an industry to produce or manufacture like or directly competitive goods, the Government of New Zealand shall after notice has been given in writing consult with the Government of Canada to consider measures to prevent such injury or retardation and shall take full account of any representations made during such consultations.

4. If a solution satisfactory to the Government of New Zealand does not result in 60 days from the commencement of such consultations, the

⁽¹⁾ Treaty series 1932 No. 2.