

NEW ZEALAND'S SCHEDULE OF COMMITMENTS FOR TEMPORARY ENTRY FOR BUSINESS PERSONS

1. The following sets out New Zealand's commitments in accordance with Article 12.4 (Grant of Temporary Entry) in respect of the temporary entry of business persons.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors New Zealand extends its commitments under this category to any Party that has made commitments in its Schedule in the category of Business Visitors or Service Sales Persons.	
<u>Definition:</u> Business Visitors comprise a business person: (a) who is seeking temporary entry to New Zealand for the purpose of: (i) attending meetings or conferences, or engaging in consultations with business colleagues; (ii) taking orders or negotiating contracts for an enterprise located in the territory of another Party, but not selling goods or providing services to the general public; or (iii) undertaking business consultations or negotiations concerning the establishment, expansion or winding up of a business enterprise or investment in New Zealand, or any related matter; (b) who is not seeking to enter the labour market of New Zealand; and (c) whose principal place of business,	Entry for a period not exceeding in aggregate three months in any calendar year.

actual place of remuneration and predominant place of accrual of profits remain outside New Zealand.	
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Description of Category	Conditions and Limitations (including length of stay)
B. Intra-Corporate Transferees New Zealand extends its commitments under this category to any Party that has made commitments in its Schedule in the category of Intra-Corporate Transferees.	
<u>Definition:</u> Intra-Corporate Transferees comprise an Executive, Manager or a Specialist: (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the Intra-Corporate Transferee. For the purposes of this definition, Executive means a business person who primarily directs the management of an enterprise, exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors or stockholders of the enterprise. An executive would not directly perform tasks related to the actual provision of the service or the operation of the enterprise. Executives must have been employed by their employer for at least 12 months prior to their proposed transfer to New Zealand. For the purposes of this definition, Manager means a business person who will be responsible for or directs the entire or a substantial part of the operations of the enterprise in New Zealand, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the enterprise; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish	<u>Executives and Managers:</u> Entry for a period of initial stay up to a maximum of three years.

goals and policies of the entire or a substantial part of the operations of the enterprise. Managers must have been employed by their employer for at least 12 months prior to their proposed transfer to New Zealand. For the purposes of this definition, Specialist means a business person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications and suitability for the position.	<u>Specialists</u>: Entry for a period of initial stay up to a maximum of three years.
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Description of Category	Conditions and Limitations (including length of stay)
C. Installers and Servicers New Zealand extends its commitments under this category to any Party that has made commitments in its Schedule in the category of Installers and Servicers, Contractual Service Suppliers, Independent Professionals, Professionals or Technicians.	
<u>Definition:</u> Installers and Servicers comprise a business person who is an Installer or Servicer of machinery or equipment, in situations when installation or servicing by the supplying company is a condition of purchase of the machinery or equipment. An Installer / Servicer cannot perform services which are not related to the service activity which is the subject of the contract.	Entry for periods not exceeding three months in any 12-month period.

Description of Category	Conditions and Limitations (including length of stay)
D. Independent Professionals New Zealand extends its commitments under this category to any Party that has made commitments in its Schedule in the category of Independent Professionals, Contractual Service Suppliers, Installers and Servicers, Professionals or Technicians.	
<u>Definition:</u> Independent Professionals means a self-employed business person with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An Independent Professional must have: (a) a qualification resulting from at least three years of formal post-secondary school education leading to a degree or diploma recognised as comparable to the domestic standard in New Zealand; and (b) at least six years of experience. Both (a) and (b) must be in the field in which the Independent Professional wishes to supply their professional services. Only in respect of the service sectors set out in New Zealand's Schedule of Specific Commitments in the WTO (as currently set out in GATS/SC/62, GATS/SC/62/Suppl.1, and GATS/SC/62/Suppl.2) and the additional service sectors set out below. 1. <u>BUSINESS SERVICES</u> A. <u>Professional Services</u> - a Legal services (international and foreign law) - f Integrated engineering services	Entry for a period of stay up to a maximum of 12 months and subject to economic needs tests.

g Consultancy related to urban planning and landscape architectural services B. <u>Computer and Related Services</u> e Maintenance and repair of office machinery and equipment including computers f Other computer services F. <u>Other Business Services</u> c Management consultancy services d Services related to management consultancy f Services incidental to animal husbandry k Placement and supply services of Personnel p Photographic services s Convention services t Other (credit reporting, collection agency services, interior design, telephone answering and duplicating services) 5. <u>EDUCATIONAL SERVICES</u> E. <u>Other education services</u> - Language training provided in private specialist language institutions; - Tuition in subjects taught at the primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system.	
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6.	<u>ENVIRONMENTAL SERVICES</u>	
A.	<u>Waste Water Management</u>	
B.	<u>Waste Management</u>	
C.	<u>Sanitation and similar services</u>	
D.	<u>Protection of ambient air and climate: consultancy only</u>	
E.	<u>Noise and vibration abatement: consultancy only</u>	
F.	<u>Protection of biodiversity and landscape: consultancy only</u>	
G.	<u>Other environmental and ancillary services: consultancy only</u>	

2. Notwithstanding the commitments set out above, New Zealand reserves the right to adopt or maintain any measure in cases of labour or management disputes, and also with respect to ships' crews.

3. With respect to audio-visual services, New Zealand immigration instructions stipulate a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration, independent promoters, agents or producers and the relevant performing artists' unions.