

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1975 Nr. 14

A. TITEL

*Verdrag nopens de Organisatie voor Economische Samenwerking
en Ontwikkeling,
met Aanvullende Protocollen en Memorandum;
Parijs, 14 december 1960*

B. TEKST

De tekst van Verdrag, Protocollen en Memorandum is geplaatst
in *Trb.* 1961, 42.

C. VERTALING

Zie *Trb.* 1961, 60.

D. PARLEMENT

Zie *Trb.* 1962, 28.

E. BEKRACHTIGING

Zie *Trb.* 1961, 60 en 125 en *Trb.* 1962, 28.

F. TOETREDING

Zie *Trb.* 1965, 19 en *Trb.* 1971, 145.

Behalve de aldaar genoemde Staten heeft voorts nog de volgende
Staat in overeenstemming met artikel 16 van het Verdrag een akte
van toetreding tot het Verdrag nedergelegd bij de Franse Regering:

Nieuw-Zeeland 29 mei 1973

G. INWERKINGTREDING

Zie *Trb.* 1961, 125, *Trb.* 1962, 28, *Trb.* 1965, 19 en *Trb.* 1971, 145.

De bepalingen van het Verdrag en van de andere akten van de Organisatie welke op het moment van toetreding in werking waren, voorzover in de hieronder afgedrukte Verklaring van Nieuw-Zeeland niet anders is bepaald, zijn op 29 mei 1973 voor Nieuw-Zeeland in werking getreden.

H. TOEPASSELIJKVERKLARING

Zie *Trb.* 1962, 28.

J. GEGEVENS

Zie *Trb.* 1961, 60 en 125, *Trb.* 1962, 28 en *Trb.* 1965, 19.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zie ook *Trb.* 1973, 156.

Voor de op 5 augustus 1955 te Parijs tot stand gekomen Europese Monetaire Overeenkomst zie ook *Trb.* 1973, 56.

Op 15 mei 1973 heeft de Raad van de Organisatie voor Economische Samenwerking en Ontwikkeling overeenkomstig artikel 16 van het Verdrag de Regering van Nieuw-Zeeland uitgenodigd tot het Verdrag toe te treden. De Engelse tekst van dit besluit luidt als volgt ¹⁾:

**Decision of the Council inviting the Government of New Zealand to
accede to the Convention on the Organisation for Economic
Co-operation and Development
(15th May 1973)**

The Council,

Having regard to the Convention on the Organisation for Economic Co-operation and Development of 14th December 1960 (hereinafter called the "Convention") and, in particular, to Articles 5 (a) and 16 thereof;

Having regard to the Statement by the Government of New Zealand of 14th April 1973 concerning the acceptance by the Government of New Zealand of the obligations of membership in the Organisation;

¹⁾ De Franse tekst is niet afgedrukt.

Considering that the Government of New Zealand is prepared to assume the obligations of membership in the Organisation;

Decides:

The Government of New Zealand is invited to accede to the Convention.

Bovenstaand besluit werd genomen nadat op 14 april 1973 door de Regering van Nieuw-Zeeland een Verklaring was afgelegd inzake de aanvaarding door de Regering van Nieuw-Zeeland van de verplichtingen van het Lidmaatschap van de Organisatie. De Engelse tekst van de Verklaring luidt als volgt ¹⁾:

**Statement by the Government of New Zealand concerning acceptance
by the Government of New Zealand of the obligations of
membership in the Organisation
(14th April 1973)**

The Government of New Zealand,

Having regard to the Convention on the Organisation for Economic Co-operation and Development of 14th December 1960 (hereinafter called the "Convention") and to Supplementary Protocols Nos. 1 and 2 to the Convention;

Having regard to Article 16 of the Convention which provides that the Council of the Organisation may invite any Government prepared to assume the obligations of membership to accede to the Convention;

States the following:

1. The Government of New Zealand shall, by the deposit of its instrument of accession to the Convention, assume the obligations of membership in the Organisation, accept the views and aims contained in the Report of the Preparatory Committee of the Organisation (December 1960) and accede to the Acts of the Organisation which shall be in force at the time of such deposit, except as otherwise specified in paragraphs 2 and 3 and the Annexes to the present Statement.

2. It is proposed that the following Acts of the Organisation shall not be applicable to the Government of New Zealand:

¹⁾ De Franse tekst is niet afgedrukt.

- Decision of the Council Governing the Employment of Nationals of Member Countries [Doc. No. C(56) 258 and subsequent amendments]
 - Recommendation of the Council on the Movement and Employment of Foreign Manpower [Doc. No. C(60) 113 (Final)]
 - Resolution of the Council concerning the Administrative and Technical Regulations Hampering Trade: Application and Supervision of National Safety Regulations for Welded Gas Cylinders [Doc. No. C/M(60) 25 (Final), Item 239]
 - Recommendation of the Council concerning Government Assistance to the Shipbuilding Industry [Doc. No. C(69) 73].
3. The Government of New Zealand wishes to make the following remarks regarding some of the Acts to which it proposes to accede:
- Recommendation of the Council on the Simplification and Standardisation of Import Procedures – 19th July 1966 [Doc. No. C(66) 95].

Remarks:

The New Zealand Government reserves the right not to apply the following provisions of the Annex to the Recommendation:

Paragraph 4: New Zealand requires the seller of goods to complete an origin declaration in a form prescribed by the New Zealand customs regulations and reserves the right to verify origin.

Paragraph 5: New Zealand requires the following: a customs invoice and a certificate of origin, both of which may be combined into a certificate of value and origin, and a packing declaration; New Zealand considers that its measures requiring a declaration of condition of timber used in wooden packing cases, as well as agricultural, arms and dangerous drugs permits are taken in conformity with Articles XX and XXI of the GATT, as provided in paragraph 1 of the Annex.

- Recommendation of the Council on Procedure for the Registration of Pharmaceutical Specialities – 25th September 1962 [Doc. No. C(61) 106 (Final) amended by Doc. No. C(63) 45 (Final)].

Remarks:

New Zealand reserves the right under paragraph 1 of the Recommendation not to apply paragraph 2 of the Annex; New Zealand also reserves the right under paragraph 2 of the Recommendation to decline recognition of a national registration where the standards of registration procedures are less than the standards imposed in New Zealand.

- Recommendation of the Council on Procedure for Labelling Pharmaceutical Specialities - 2nd April 1963 [Doc. No. C(63)57].

Remarks:

The New Zealand Government reserves the right not to apply items 3, 4, 9, 10 and 11 of the list contained in the Annex; existing law and practice broadly coincide with these items but the minor legal changes necessary to implement them will be sought.

- Recommendation of the Council concerning the Avoidance of Double Taxation - 30th July 1963 [Doc. No. C(63)113];
- Recommendation of the Council concerning the Avoidance of Double Taxation with Respect to Taxes on Estates and Inheritances - 28th June 1966 [Doc. No. C(66)50 (Final)].

Remarks on each of these Acts:

New Zealand is prepared to have regard to the provisions of the draft Conventions when negotiating new or revised agreements with Member countries on the understanding that this does not constitute acceptance of any particular provision of either draft Convention. New Zealand is prepared to provide the Organisation with the text of its new or revised double taxation agreements with other Member countries and to notify the Organisation of the reasons for not adopting certain of the model provisions when this is applicable.

- Decision of the Council concerning Administrative Facilities in Favour of International Tourism - 20th February 1968 [Doc. No. C(68)32].

Remarks:

The New Zealand Government reserves the right not to apply the following provisions of the Annex to the Decision:

Section 1, Article 2: in respect of cameras; either two still cameras or one still camera and one miniature cinematograph camera are allowed;

Article 5(c): the authorisation is limited to 200 cigarettes or 1/2 lb tobacco or 50 cigars or an assortment up to one half pound.

- Recommendation of the Council concerning Administrative Formalities Relating to International Tourism - 20th February 1968 [Doc. No. C(68)34].
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Remarks:

The New Zealand Government reserves the right not to apply the following provisions of the Annex to the Recommendation:

Section C: Paragraph 1;

Section D: Paragraphs 1, 2 and 3; the New Zealand Government will study the question of the progressive development of visa abolition for OECD Member countries and for other countries for tourist purposes;

Section E: Paragraph 2.

- Recommendation of the Council on Government Action to Promote Tourism - 20th February 1968 [Doc. No. C (68) 35].

Remarks:

The New Zealand Government reserves the right, under paragraph 11, to levy, on travellers departing by air, a departure tax of NZ \$ 2.00 to assist in developing airport facilities.

4. If the Government of New Zealand should wish to abstain from, or make a remark in respect of, any additional Acts of the Organisation not mentioned in paragraphs 2 and 3 above, the Government of New Zealand would wish to enjoy the right, for a period of six months from the date of deposit of the instrument of accession, to submit the matter to the Council of the Organisation for decision.

5. If the Government of New Zealand should propose that one or more Acts of the Organisation concerning programmes of common interest to a limited number of Members or relating to special activity sectors should apply to New Zealand, the Government of New Zealand would wish its proposals to be considered by the Council.

6. The Government of New Zealand endorses the objectives of the Code of Liberalisation of Current Invisible Operations and the Code of Liberalisation of Capital Movements and is prepared to accept the rights, obligations and commitments arising therefrom. The Government of New Zealand proposes to lodge reservations in accordance with paragraph b) of Article 2 of the two Codes. The texts of these reservations are set out in Annexes I and II to the present Statement.

7. The Government of New Zealand is prepared to conclude with the Organisation an Agreement on Privileges and Immunities of the Organisation in New Zealand in accordance with the provisions of paragraph (d) of Supplementary Protocol No. 2 to the Convention.

8. Since the Government of New Zealand will be entitled, from the date of its accession to the Convention, to participate in the work of the Organisation in the field of agriculture, as in other fields, on the same basis as other Members of the Organisation, the Government of New Zealand will, from the date of its accession, regard the Agreement between the Organisation for Economic Co-operation and Development and the Government of New Zealand concerning the Participation of New Zealand in the Work of the Organisation in the Field of Agriculture, concluded on 25th June 1970, as terminated. The Government of New Zealand agrees to take part in financing the activities for the period 1st January 1973 to the date of the accession of the Government of New Zealand to the Convention, in an amount to be fixed by common agreement between the Government of New Zealand and the Organisation.

ANNEX I

Reservations to be included in Annex B to the Code of Liberalisation of Current Invisible Operations

In adhering to the Code of Liberalisation of Current Invisible Operations, the Government of New Zealand would require derogation from the provisions of its Article 2(a) in connection with four items. The resulting reservations might be formulated as follows:

A/5 Patents, designs, trade marks and inventions.

The reservation applies only in cases where the products involved are included in the restricted import list and are to be offered on the domestic market; it also applies to franchise agreements.

D/3 Life assurance, Annex I to Annex A, Part I, paragraph 2 (b).

D/4 All other insurance, Annex I to Annex A, Part I, paragraphs 4 and 6.

D/6 Insurance business operations abroad, Annex I to Annex A, Part III, paragraphs 2 and 6.

ANNEX II

**Reservations to be included in Annex B to the
Code of Liberalisation of Capital Movements**

In adhering to the Code of Liberalisation of Capital Movements, the Government of New Zealand would require derogation from the provisions of its Article 2 (a) in connection with sixteen items. The resulting reservations might be formulated as follows:

I. Reservations

List A, I/A, B:

Direct Investment:

- In the country concerned by non-residents;
- Abroad by residents.

List A, III/B2:

Admission of securities to capital markets:

- Introduction of foreign securities on a recognised domestic security market.

List A, IV/A1 and 2, B1:

Buying and selling of securities:

- Purchase by non-residents of securities quoted on a recognised security market;
- Sale by non-residents of securities quoted on a recognised security market;
- Purchase abroad by residents, of securities quoted on a recognised security market.

The reservation applies only to foreign securities.

The reservation applies only to foreign securities.

List A, V/A1 and 2, B1:

Buying and selling of collective investment securities:

- Purchase by non-residents
- Sale by non-residents;
- Purchase abroad by residents.

The reservation applies only to foreign collective investment securities.

The reservation applies only to foreign collective investment securities.

List B, III/B1:

Admission of securities to capital markets:

- Issue of foreign securities through placing or public sale on the domestic capital market.

List B, IV/A3 and 4, B3:

Buying and selling of securities:

- Purchase by non-residents of securities not quoted on a recognised security market;
- Sale by non-residents of securities not quoted on a recognised security market;
- Purchase abroad, by residents, of securities not quoted on a recognised security market.

The reservation applies only to foreign securities.

The reservation applies only to foreign securities.

List B, VI/A1, B1:

Operations in real estate:

- Building or purchase by non-residents;
- Building or purchase abroad by residents.

The reservation applies only to the purchase by foreigners (irrespective of their place of residence) of rural farm land, scenic reserve land and offshore islands.

List B, IX/B:

Financial credits and loans:

- Credit and loans granted by residents to non-residents.

II. Notes concerning Payments Channels: None

Uitgegeven de *derde* februari 1975.

De Minister van Buitenlandse Zaken,
M. VAN DER STOEL.