

## **SERVICES INSCRIBED BY AUSTRALIA AND NEW ZEALAND**

(Where an activity is described further, the exemption in terms of Article 2.4 of this Protocol applies to the description only.)

### NEW ZEALAND INSCRIPTIONS

#### Aviation

- Airways Services: Airways Corporation has a monopoly on: en route control: approach and departure; and flight information service.

International carriers flying cabotage: This is a world-wide restriction and no country in the world has granted cabotage uplift rights to another country. Were the New Zealand Government to decide to do this it would be illegal, by way of treaty, to grant that right exclusively to Australia (this would be counter to the Convention on International Civil Aviation, Chicago 1944).

#### Communications

- Telecommunications: the Articles of Association of the Telecom Corporation of New Zealand Limited, which can only be amended with the consent of the Government, limit the shareholding by any single overseas entity to 49.9 percent.

#### Postal Services

- New Zealand Post has a statutory monopoly on the carriage of letters weighing 200 grams or less. The main exemption to the monopoly is that anyone is able to carry letters 200 grams or less provided they charge a minimum fee of \$(NZ).80 per letter.

#### Shipping

- Coastal Shipping: Ships trading in coastal waters must comply with the requirements applied to coastal ships by the Shipping and Seamen Act 1952. In the absence of suitable New Zealand tonnage employment of foreign ships may be authorised provided convention certificates are in order, the equivalent of local wages is paid to the crew and manning complies with flag state requirements.

### AUSTRALIAN INSCRIPTIONS

(Where an activity is described further, the exemption in terms of Article 2.4 of this Protocol applies to the description only.)

## TELECOMMUNICATIONS

Provision and maintenance of public telecommunications facilities for use within Australia and for use between Australia and other countries. In this context telecommunications facilities comprise:

- Reserved line links and facilities ancillary to reserved line links, within the meaning of the Telecommunications Act 1991 (The Act)
- Public payphones

Supply of telecommunications services by satellite based facilities within Australia or between Australia and a place outside Australia, except in accordance with the eligible service providers class licence issued by AUSTEL under Part 10 of the Act.

Supply of Public Mobile Telecommunications Services within the meaning of the Act, except in accordance with the eligible services class licence issued by AUSTEL under Part 10 of the Act.

Supply of eligible services by use of interconnected radiocommunications networks, except in accordance with the eligible services class licence issued by AUSTEL under Part 10 of the Act.

Restrictions imposed on the foreign ownership and control of carrier licensees by conditions of their licences and the Foreign Acquisitions and Takeovers Act 1975.

Only two general carrier licenses within the meaning of the Act will be issued before 30 June 1997.

Only three Public Mobile Telecommunications Services licenses within the meaning of the Act will be issued before mid 1995.

## AIRPORT SERVICES

Access to provision of airport services is in general subject to policies of the Commonwealth, the Federal Airports Corporation and local airports owned and operated by local state authorities and bodies.

## DOMESTIC AIR SERVICES

Two airlines policy in force until October 1990. Thereafter, foreign investment in established Australian domestic airlines or new domestic airline business will generally be permitted (subject to normal FIRB guidelines except where the applicant is a foreign international airline operating services to Australia, in which case the level of investment will be limited to less than 15 per cent in any one domestic operator). State governments hold powers to regulate intrastate aviation on economic and public interest grounds.

## INTERNATIONAL AVIATION: PASSENGER AND FREIGHT SERVICES

Scheduled passenger and freight services between Australia and New Zealand are governed by the provisions of an intergovernmental air services agreement which has treaty status. It requires both sides to designate and licence their airlines operating such services.

Applications for non-scheduled (charter) passenger and freight services from New Zealand to Australia are approved where compatible with published policy criteria.

## COASTAL SHIPPING

Cabotage policy.

## BROADCASTING AND TELEVISION

Limits on foreign ownership as set out in the Broadcasting Act 1942.

## BROADCASTING AND TELEVISION (SHORT-WAVE AND SATELLITE BROADCASTING)

## BASIC HEALTH INSURANCE SERVICES

## THIRD PARTY INSURANCE

## WORKERS COMPENSATION INSURANCE

## POSTAL SERVICES

The Australian Postal Corporation (Australia Post) has the exclusive right to carry letters for reward within Australia and between Australia and places outside Australia. The Australian Postal Corporation Act 1989, in Section 30, sets out a number of exceptions to the reserved services (exclusive rights) of Australia Post. The main exceptions are letters weighing more than 500 grams and the carriage of letters where the charge or fee is at least ten times the standard postal article rate.

12 January 1992