

## **Anexo 9.A**

This Annex lists exemptions from the application of competition law to all commercial activities in accordance with Article 9.2 and which may affect the benefits arising from this Agreement. It does not include exemptions from the application of competition law that are within the scope of other Chapters of this Agreement.

### **New Zealand**

#### **Specific exemptions from New Zealand Commerce Act**

1. *Pharmaceuticals subsidies by Pharmac* (Section 53 of *New Zealand Public Health and Disability Act 2000*) – The Act exempts certain agreements relating to the purchase and subsidising of pharmaceuticals from Part II of the Commerce Act (restrictive trade practices).
2. *Export arrangements* (Section 44(1)(g)) - "Export arrangements" that relate exclusively to the export of goods from New Zealand or exclusively to the supply of services wholly outside New Zealand are exempt from the Commerce Act (Part II on restrictive trade practices), under conditions of due notification to the Commerce Commission.
3. *Agricultural Producer Boards* – Limited exemptions from Part II of the Commerce Act (restrictive trade practices) are contained in the *Meat Board Act 2004* and the *Pork Industry Board Act 1997*. These exemptions relate to arrangements for setting levies by the Boards for the purpose of funding their industry-good activities (e.g. market promotion and research). In the case of the Meat Board, the exemption extends to the Board's administration of export tariff quota arrangements.