

**ANNEX 6**

**TEMPORARY ENTRY OF BUSINESS PERSONS  
SCHEDULE OF COMMITMENTS**

## SCHEDULE OF NEW ZEALAND

1. The following sets out New Zealand's commitments in accordance with Article 5 (Grant of Temporary Entry) of Chapter 14 (Temporary Entry of Business Persons) in respect of the temporary entry of business persons.
  
2. For greater certainty, New Zealand reserves the right to adopt or maintain any measure in respect of the supply of a service by a service supplier of Chinese Taipei through presence of natural persons of Chinese Taipei in New Zealand except as set out in these commitments.

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p><b>Business visitors</b> who are seeking temporary entry for the purpose of:</p> <p>(1) attending meetings or conferences, or engaging in consultations with business colleagues;</p> <p>(2) taking orders or negotiating contracts for an enterprise located in the other Party; or</p> <p>(3) undertaking business consultations concerning the establishment, expansion or</p>	<p>Entry for a period not exceeding in aggregate three months in any calendar year.</p>

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p>winding up of a business enterprise or investment in the other Party, or any related matter, but not with the intention of establishing or operating any business on the business visitor's own account.</p>	
<p><b>Intra-corporate transferee</b> means a senior manager or a specialist who is an employee of a service supplier or investor of a Party with a commercial presence in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.</p> <p><b>senior manager</b> means a natural person of Chinese Taipei within an organisation of Chinese Taipei who:</p> <p>(i) is a senior employee of that organisation with responsibility for the entire organisation's operations, or a substantial part of it, in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu;</p> <p>(ii) has proprietary information</p>	<p><b>Senior manager:</b></p> <p>Entry for a period of initial stay up to a maximum of three years for senior managers who have been employed by their employer for at least 12 months prior to their proposed transfer to New Zealand.</p> <p><b>Specialist:</b></p> <p>Entry for a period of initial stay up to a maximum of three years.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>of the organisation and receives only general supervision or direction from higher level executives or the board of directors or stockholders of the organisation; and</p> <p>(iii) supervises and controls the work of other supervisory, professional or managerial employees. This does not include a first-line supervisor unless the employees supervised are professionals, nor does this include an employee who primarily performs tasks necessary for the provision of the service or operation of an investment;</p> <p><b>specialist</b> means a natural person of Chinese Taipei within an organisation of Chinese Taipei who:</p> <p>(i) possesses knowledge at an advanced level of technical expertise;</p> <p>(ii) possesses proprietary</p>	

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p>knowledge of the organisation's service, research equipment, techniques or management; and</p> <p>(iii) is essential to the operation of the concerned service supplier's or investor's establishment in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.</p>	
<b>Installers or servicers</b>	Entry for periods not exceeding three months in any 12-month period.
<p><b>Independent Professional</b> means a self-employed services supplier working on a contractual basis, without a requirement for commercial presence, who must have: (i) a qualification resulting from three or more years of formal post-secondary school education leading to a recognised degree or diploma; and (ii) six or more years of experience. Both (i) and (ii) must be in the field in which the Independent Professionals wish to supply their professional</p>	<p>Only in respect of the services 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, and subject to economic needs tests, entry for a period of stay up to a maximum of twelve months.</p> <p>1. <u>BUSINESS SERVICES</u></p> <p>A. <u>Professional Services</u></p> <p>a Legal services (international</p>

Entry in the following categories only	Conditions (including duration of stay)
services. <sup>1</sup>	<p>and foreign law)</p> <p>f Integrated engineering services</p> <p>g Consultancy related to urban planning and landscape architectural services</p> <p>B. <u>Computer and Related Services</u></p> <p>e Maintenance and repair of office machinery and equipment including computers</p> <p>f Other Computer Services</p> <p>F. <u>Other Business Services</u></p> <p>c Management consultancy services</p> <p>d Services related to management consultancy</p> <p>f Services incidental to animal husbandry</p> <p>k Placement and supply services of Personnel</p> <p>p Photographic services</p> <p>s Convention services</p> <p>t Other (credit reporting, collection agency services, interior design, telephone</p>

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<sup>1</sup> These qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

Entry in the following categories only	Conditions (including duration of stay)
	<p>answering, duplicating services)</p> <p>5. <u>EDUCATIONAL SERVICES</u></p> <p>E. <u>Other education services</u></p> <ul style="list-style-type: none"> <li>- Language training provided in private specialist language institutions;</li> <li>- Tuition in subjects taught at the primary and secondary levels, provided by private specialist institutions operating outside the New Zealand compulsory school system.</li> </ul> <p>6. <u>ENVIRONMENTAL SERVICES</u></p> <p>A. <u>Waste Water Management</u></p> <p>B. <u>Waste Management</u></p> <p>C. <u>Sanitation and similar services</u></p> <p>D. <u>Protection of ambient air and climate</u>: consultancy only</p> <p>E. <u>Noise and vibration abatement</u>: consultancy only</p> <p>F. <u>Protection of biodiversity and landscape</u>: consultancy only</p> <p>G. <u>Other environmental and ancillary services</u>: consultancy only</p>

3. Notwithstanding the commitments set out above, New Zealand reserves the right to adopt or maintain any measure in cases of labour/management disputes, and also with respect to ships' crews.
  
4. With respect to audiovisual services, the New Zealand immigration instructions, authorised under the Immigration Act 2009, stipulates 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.

## SCHEDULE OF CHINESE TAIPEI

1. The following sets out Chinese Taipei's commitments in accordance with Article 5 (Grant of Temporary Entry) of Chapter 14 (Temporary Entry of Business Persons) in respect of the temporary entry of business persons.
  
2. For greater certainty, Chinese Taipei reserves the right to adopt or maintain any measure in respect of the supply of a service by a service supplier of New Zealand through presence of natural persons of New Zealand in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu except as set out in these commitments.

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p><b>Business visitors</b>            who are seeking temporary entry for the purpose of:</p> <p>(1) attending meetings or conferences, or engaging in consultations with business colleagues;</p> <p>(2) taking orders or negotiating contracts for an enterprise located in the other Party; or</p> <p>(3) undertaking business consultations concerning the establishment, expansion or winding up of a business enterprise or investment in the other Party, or any related</p>	<p>Entry and stay for a period not exceeding 90 days.</p>

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p>matter, but not with the intention of establishing or operating any business on the business visitor's own account.</p>	
<p><b>Intra-corporate transferee</b> means a natural person of New Zealand who has been employed by a juridical person of New Zealand for a period of not less than one year and who seeks temporary entry to provide services as a responsible person, a senior manager or a specialist through its branch or subsidiary or affiliate established in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.</p> <p><u>Responsible person:</u> Definition: a board director, the general manager, a branch manager or a department head appointed by the board with the authority to sign for the employing entity.</p> <p><u>Senior manager:</u></p>	<p>Entry for a period of initial stay up to a maximum of three years that may be renewed for one-year periods indefinitely.</p>

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p>Definition: a head or a supervisor who has the authority to appoint or remove the personnel or to make such recommendation, and has the power to make decisions over the day-to-day operation.</p> <p><u>Specialist:</u>  Definition: a natural person within an organization who possesses knowledge at an advanced level of expertise and who possesses proprietary knowledge of the organization's services, research equipment, techniques, or management. (Specialists may include, but are not limited to, members of licensed professions.)</p>	
<b>Installers or servicers</b>	Entry and stay for a period not exceeding 90 days.
<b>Independent Professional</b> means a natural person who is self-employed with advanced technical or professional skills, without the requirement for a	In respect of the services sectors set out in Chinese Taipei's Schedule of Specific Commitments in the WTO (as currently set out in GATS/SC/136/Rev.1) and subject to economic needs tests, entry and stay for a period not exceeding one

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p>commercial presence, working under a valid contract in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.</p> <p>An independent professional shall meet the requirement of advanced technical or professional skills if he or she meets one of following requirements:</p> <ul style="list-style-type: none"> <li>i. certificate or operation qualification required by laws or regulations of Chinese Taipei;</li> <li>ii. master's degree or bachelor's degree with a requirement of more than two years working experiences in the relevant field; or</li> <li>iii. more than five years working experiences in the relevant field and have demonstrated outstanding performances, such as presentation of diploma, certificate, or award.</li> </ul>	<p>year.</p> <p>In addition, a New Zealand licensed lawyer is allowed temporary entry and stay for periods, each of no more than 30 days in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, for provision of advice on New Zealand law and the practice of international law. Such entry is subject to the economic needs tests.</p>

3. Notwithstanding the commitments set out above, Chinese Taipei reserves the right to adopt or maintain any measure in cases of labour/management disputes.