



Council of the  
European Union

Brussels, 8 June 2023  
(OR. en)

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**Interinstitutional File:**  
2023/0038 (NLE)

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**POLCOM 27**  
**SERVICES 7**  
**FDI 6**  
**COASI 39**

## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION on the conclusion, on behalf of the Union, of the  
Free Trade Agreement between the European Union and New Zealand

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**COUNCIL DECISION (EU) 2023/...**

**of ...**

**on the conclusion, on behalf of the Union, of the Free Trade Agreement  
between the European Union and New Zealand**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1), Article 100(2) and Article 207(4), first subparagraph, in conjunction with Article 218(6), second subparagraph, point (a)(v), and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>1</sup>,

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<sup>1</sup> OJ C ..., ..., p. ... / Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) 2023/...<sup>1+</sup>, the Free Trade Agreement between the European Union and New Zealand ('the Agreement') was signed on ...<sup>++</sup>, subject to its conclusion at a later date.
- (2) In accordance with Article 218(7) of the Treaty, it is appropriate to authorise the Commission to approve, on the Union's behalf, after consultation with the special committee appointed by the Council in accordance with Article 207(3) of the Treaty, modifications to the Agreement that are to be adopted by means of a simplified procedure pursuant to Article 14.4 or 18.33, or Article 24.3, point (h) or (i), of the Agreement.
- (3) The Agreement, in accordance with Article 27.6 thereof, does not, within the Union, confer rights or impose obligations on persons, other than those created between the Union and New Zealand under public international law.
- (4) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision (EU) 2023/... of ... on the signing, on behalf of the Union, of the Free Trade Agreement between the European Union and New Zealand (OJ L ..., ..., p. ...).

<sup>+</sup> OJ: please insert the number of the Council Decision contained in ST 6599/23 in the text and complete the relevant footnote.

<sup>++</sup> OJ: please insert the date of the Council Decision contained in ST 6599/23 in the text.

### *Article 1*

The Free Trade Agreement between the European Union and New Zealand ('the Agreement') is hereby approved on behalf of the Union.<sup>1+</sup>

### *Article 2*

For the purposes of Article 14.4 and Article 24.3, point (h), of the Agreement, modifications, rectifications or amendments as regards Annex 14 to the Agreement shall be approved by the Commission on the Union's behalf after consultation with the special committee appointed by the Council in accordance with Article 207(3) of the Treaty.

### *Article 3*

For the purposes of Article 18.33 and Article 24.3, point (i), of the Agreement, amendments to Annex 18-A or 18-B to the Agreement shall be approved by the Commission on the Union's behalf after consultation with the special committee appointed by the Council in accordance with Article 207(3) of the Treaty.

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<sup>1</sup> The text of the Agreement is published in ... [insert OJ reference].

<sup>+</sup> Delegations/OJ: see document ST 6601/23.

*Article 4*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 27.2(1) of the Agreement.<sup>1</sup>

*Article 5*

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Council*

*The President*

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<sup>1</sup> The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.