

## ANNEX IV

### SCHEDULE OF NEW ZEALAND

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| <b>Obligations Concerned:</b>              | Article 17.6.1(b) (Non-commercial Assistance)<br>Article 17.6.2(b) (Non-commercial Assistance)   |
| <b>Entity:</b>                             | All existing and future state-owned enterprises.   |
| <b>Scope of Non-Conforming Activities:</b> | New Zealand, or any of its state-owned enterprises or state-enterprises, may provide non-commercial assistance to the Entity for the supply of construction, operation, maintenance or repair services of physical infrastructure supporting communications between New Zealand and other Parties. |

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| <b>Obligations Concerned:</b>              | Article 17.6.1(b) (Non-commercial Assistance)<br>Article 17.6.2(b) (Non-commercial Assistance)   |
| <b>Entity:</b>                             | All existing and future state-owned enterprises.   |
| <b>Scope of Non-Conforming Activities:</b> | <p>New Zealand, or any of its state-owned enterprises or state-enterprises, may provide non-commercial assistance to the Entity for the supply of air transport services and maritime transport services to the extent that they provide a connection for New Zealand to the rest of the world, provided that non-commercial assistance for the supply of air transport services:</p> <ul style="list-style-type: none"> <li>(a) is provided in order to maintain ongoing operations; and</li> <li>(b) does not cause: <ul style="list-style-type: none"> <li>(i) share of the service; or</li> <li>(ii) a significant price undercutting by the service supplied by the Entity as compared with the price in the same market of a like service supplied by a service supplier of another Party, or significant price suppression, price depression or lost sales in the same market.</li> </ul> </li> </ul> |

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| <b>Obligations Concerned:</b>              | Article 17.6.1(a) (Non-commercial Assistance) with respect to the production and sale of goods in competition with a like good produced and sold by a covered investment in the territory of New Zealand.                  |
|  | Article 17.6.2(a) with respect to the production and sale of goods in competition with a like good produced and sold by a covered investment in the territory of New Zealand.  |
| <b>Entity:</b>                             | Solid Energy New Zealand Limited   |
| <b>Scope of Non-Conforming Activities:</b> | New Zealand, or any of its state-owned enterprises or state enterprises may provide non-commercial assistance to Solid Energy New Zealand Limited for the production and sale of coal within the territory of New Zealand. |
| <b>Measures:</b>                           | Deed of indemnity between Solid Energy New Zealand Limited and the Crown dated September 2014.   |