

ANNEX 8G

HEALTH-RELATED SERVICES AND TRADITIONAL MEDICINE SERVICES

Article 8G.1 Scope and Objectives

1. The Parties recognise the importance of health-related services and traditional medicine services and the facilitation of trade in such services.
2. The Parties agree to facilitate trade in health-related services and traditional medicine services.
3. For the purposes of this Annex:
 - (a) Health-related services, to the extent they are not a social services established for a public purpose, include:
 - (i) Medical and dental services (CPC 9312);
 - (ii) Services provided by midwives and nurses (CPC 93191**);
 - (iii) Services provided by physiotherapists and para-medical personnel (CPC 93191**);
 - (iv) Hospital services (CPC 9311);
 - (v) Other Human Health Services (CPC 9319, other than 93191); and
 - (vi) Other human health services n.e.c. (CPC 93199); and
 - (b) Traditional Medicine Services include any service related to the practice of Rongoā Māori, Ayurveda, Siddha, Unani, and Sowa-Rigpa fields of medicine.

Article 8G.2 Qualification and Licensing Requirements

1. Where a Party imposes licensing or qualification requirements for the supply of health-related services or traditional medicine services, it shall ensure:

- (a) that any fees charged for the completion of relevant licensing or qualification procedures are reasonable, transparent, and do not in themselves restrict the supply of a service;
 - (b) within a reasonable period of time after the submission of an application considered complete under its laws and regulations, inform the applicant of the decision concerning the application;
 - (c) to the extent practicable, establish an indicative time frame for processing of an application;
 - (d) on request of the applicant, provide, without undue delay, information concerning the status of the application;
 - (e) if a Party considers an application incomplete for processing under its laws and regulations, inform the applicant that the application is incomplete within a reasonable period of time, and on request of the applicant, identify, where practicable, all the additional information that is required to complete the application, and provide the opportunity to remedy deficiencies within a reasonable time frame;
 - (f) if an application is terminated or denied, to the extent possible and without undue delay, inform the applicant in writing of the reasons for such action. The applicant shall have the possibility of resubmitting, at its discretion, a new application;
 - (g) to the extent permissible under its laws and regulations, do not require physical presence of the applicant in the territory of a Party for the submission of an application for a licence or qualification;
 - (h) endeavour to accept applications in electronic format under the equivalent conditions of authenticity as paper submissions, in accordance with its laws and regulations; and
 - (i) where they deem appropriate, accept copies of documents authenticated in accordance with its laws and regulations, in place of original documents.
2. Each Party shall provide adequate procedures to verify the competence of professionals of the other Party. If licensing or qualification requirements include the completion of an examination, each Party shall, to the extent practicable, ensure that:
- (a) the examination is scheduled at reasonable intervals;
 - (b) a reasonable period of time is provided to enable interested persons to submit an application; and

- (c) having regard to the cost and administrative burden involved, encourage its competent authorities to use electronic means for the conduct of such examinations and to provide opportunities to taking such examinations in the home country of the applicant.
3. Where a competent authority considers it relevant, it shall give due consideration to relevant experience of the applicant and membership in a relevant association in the territory of other Party.
4. Each Party shall, to the extent practicable, avoid requiring an applicant to approach more than one competent authority for each application. If a service is within the jurisdiction of multiple competent authorities, multiple applications may be required.
5. If a Party imposes licensing or qualification requirements for the supply of a health-related service or traditional health service, it shall ensure that its competent authorities, to the extent practicable, permit submission of an application at any time throughout the year. If a specific time period for applying exists, the Party shall ensure that its competent authorities allow a reasonable period for the submission of an application.

Article 8G.3 Facilitating Medical Value Travel

1. Each Party shall not impose requirements that restrict or prohibit insurance coverage in respect of health-related and traditional medicine services.
2. Each Party shall endeavour to expedite the processing of an immigration visa in accordance with its laws and regulations, in respect of natural persons of the other Party who are seeking health-related and traditional medicine services in the territory of the first Party.

Article 8G.4 Traditional Medicine Services

1. The Parties shall cooperate on matters relating to trade in traditional-medicine services, including on research and development.
2. The Parties shall encourage strengthened engagement between their relevant professional bodies and authorities for recognition and accreditation of practitioners and therapists of traditional medicine services.

3. Where a Party requires registration or licencing of practitioners and therapists of traditional medicine services of the other Party based on specific qualification criteria, including experience or certification requirements, the Party shall encourage its relevant bodies to recognise the qualifications, including education or experience, licences or certifications, obtained in the other Party.
4. Each Party shall, to the extent practicable, publish information concerning standards and criteria for the licensing and certification of practitioners of traditional medicine services, including information concerning the appropriate regulatory or other body to consult on these standards and criteria.

Article 8G.5 Health-Related Standards

1. The Parties shall encourage their relevant health regulators and accreditation bodies to collaborate, where appropriate, on health standards, including potential methods of harmonisation of such standards.
2. In relation to natural persons supplying health-related and traditional medicine services, a Party shall, where appropriate, endeavour to conduct an assessment of requisite educational qualifications with the objective of achieving harmonisation of such requirements with the other Party.

Article 8G.6 Temporary Employment Entry of Healthcare professionals

The Parties acknowledge the important contribution to each Party made by healthcare professionals of the other Party. New Zealand's commitments in respect of the temporary employment entry of natural persons of India in the healthcare sector are set out in Annex 8L (Schedule of Specific Commitments on Temporary Employment Entry - New Zealand).

Article 8G.7 Training and Capacity Building

The Parties shall encourage collaboration for providing or facilitating training programs that can contribute to capacity building in the other Party.

Article 8G.8
Joint Research and Development

The Parties shall encourage collaboration between their relevant organisations or relevant regulators for the purposes of research and development of traditional medicine.

Article 8G.9
Working Group on Health-related Services and Traditional Medicine Services

1. The Parties hereby establish a Working Group on Health-related Services and Traditional Medicine Services (“Working Group”) composed of representatives of each Party.
2. Unless otherwise agreed by the Parties, the Working Group shall meet once a year, or without undue delay at the request of either Party. The meetings shall take place in India or in New Zealand alternately or by any other appropriate means of communication, as agreed by the representatives of the Parties.
3. With respect to issues relating to this Annex, the Working Group shall:
 - (a) monitor and review the implementation and operation of this Annex;
 - (b) consider and discuss technical issues arising from the implementation of this Annex, without prejudice to Chapter 19 (Dispute Settlement);
 - (c) adopt decisions or make recommendations;
 - (d) conduct the preparatory work necessary to support the functions of the Joint Commission, including when the Joint Commission adopts decisions or recommendations; and
 - (e) provide a forum for the Parties to exchange information, discuss best practices and share implementation experiences.
4. The Working Group may decide on its own rules of procedure, in the absence of which the Rules of Procedure of the Joint Commission shall apply *mutatis mutandis*.
5. The Working Group shall report to the Committee on Trade in Services established under Article 8.23 (Committee on Trade in Services) on the results and conclusions from each of its meetings.