

Personal Commentary on the New Zealand - India Free Trade Agreement

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Executive position

I provide this commentary from a Kiwi-first perspective. That is not a racial argument. It is a national-interest argument. I work with Indian professionals and Indian businesses by choice because they are skilled, capable and commercially valuable. My concern is with the New Zealand Government entering an agreement that appears to expand access to New Zealand's labour market, education system, services economy, capital flows and financial infrastructure while offering only modest, narrow and uneven benefits in return.

India negotiated for India. That is what competent governments do. New Zealand should have negotiated for New Zealand.

The New Zealand state exists for New Zealand citizens. Citizens are not merely another stakeholder group to be balanced against exporters, education providers, foreign workers, foreign students, diplomatic ambitions and multinational interests. We are the people for whom the New Zealand state exists. If an agreement makes life easier for foreign workers, foreign students, foreign investors, foreign service providers and selected export sectors, while making competition harder for New Zealand workers, students, taxpayers, renters and small businesses, then the Government has a duty to prove that the agreement serves New Zealanders first. On the material currently available, that case has not been made.

New Zealand does not have a shortage of foreigners willing to work here. New Zealand has a shortage of political courage to make this country worth staying in for its own citizens.

Recommended position for the submission

The RCR draft submission already identifies many of the correct areas of concern: immigration, unequal market access, manufacturing, foreign direct investment, labour-market pressure, sovereignty, financial technology/CBDC cooperation, dairy and horticulture. My recommendation is that the submission retain those themes, but sharpen the legal footing and overall thesis.

1. Do not present the FTA as merely a trade agreement. It should be described as a managed-access agreement affecting labour, education, capital, services, financial infrastructure, technology cooperation and domestic policy space.
2. Do not frame the critique as anti-India or anti-Indian. Frame it as pro-New Zealand, pro-citizen, pro-domestic-capacity, and pro-genuine free-market exchange.
3. Do not overclaim where the FTA preserves some policy discretion. Instead, identify where future policy levers are narrowed, where policy is treaty-locked, and where practical asymmetry makes the arrangement one-sided.
4. Demand clear disclosure of who benefits, who pays, who was consulted, and what safeguards exist for New Zealand citizens, workers, students, renters and small businesses.

5. Recommend that Parliament not ratify the agreement without amendment, side letters, safeguards, or a transparent public explanation answering the concerns below.

1. This is being sold as free trade, but it reads like managed decline

RCR draft - headline concerns: "Immigration. Unfair market access. Manufacturing. Foreign Direct Investment Clause. Labour market pressure. Sovereignty. Dairy and Horticulture."

Those categories are directionally correct. The central theme should be that this FTA is not simply removing barriers between private New Zealanders and private Indians who wish to trade. Much of it appears to be managed trade, managed migration, managed education access, managed investment promotion, managed financial integration, and managed cooperation across policy domains.

As a free-market capitalist, I support voluntary trade and investment. I already engage in voluntary commercial activity with Indian professionals through my own business. The problem is not private trade. The problem is politicians inserting the state into trade, labour mobility, capital flows and institutional cooperation, and then presenting that as "free trade". Genuine free trade would reduce government interference. This agreement appears to create new treaty-level government machinery.

NZ-India FTA, Article 17.5 - Committees and Subsidiary Bodies: "The following committees are hereby established: (a) Committee on Trade in Goods; (b) Committee on Rules of Origin; (c) Committee on Trade Facilitation; (d) Committee on Sanitary and Phytosanitary Measures; (e) Committee on Technical Barriers to Trade; (f) Committee on Trade in Services; (g) Committee on Trade and Sustainable Development; (h) Joint Agriculture Productivity Council; (i) Committee on Economic Cooperation and Technical Assistance; and (j) Committee on Biosecurity, Food and Primary Products. A Committee on Investment Promotion and Cooperation is also hereby established."

This matters because the agreement does not merely liberalise trade and step back. It creates ongoing policy organs, committees, working groups, review processes, action plans, technical cooperation, and financial integration objectives. Those may be useful in some circumstances. But Parliament should not pretend this is simple free trade. It is a managed institutional relationship between a small, high-cost, struggling country and a vastly larger, lower-cost, rising superpower.

2. New Zealand is not negotiating from domestic strength

The Government's public framing appears to treat New Zealand as though it is a wealthy, high-productivity, capital-rich economy with jobs, housing, educational capacity and public services to spare. That is not the New Zealand many citizens are living in.

Stats NZ, Labour Market Statistics: March 2026 quarter, released 6 May 2026: "New Zealand's seasonally adjusted unemployment rate was 5.3 percent in the March 2026 quarter."

Stats NZ, International Migration: June 2025, released 15 August 2025: "In the June 2025 year, migrants aged 18 to 30 years made up 27,200 (38 percent) of the 71,800 migrant departures of New Zealand citizens."

Public Service Commission, Public Service annual analysis - year to June 2025: "There were 62,654 full-time equivalent (FTE) staff as at 30 June 2025. This is an annual decrease of 1.4% (or 883 FTEs) from 63,537 FTEs in June 2024."

Public administration is necessary, but it is not the source of national wealth. New Zealand's long-term prosperity depends on productive private enterprise: people building, exporting, inventing, producing, constructing, farming, servicing, risking capital, and employing others. If policy settings cause citizens to leave, businesses to fail, and young people to disengage, while the state continues to preserve or expand its own administrative machinery, the result is national decline dressed up as governance.

Before importing more labour through treaty pathways, the Government should explain why so many New Zealanders are leaving and why so many young New Zealanders cannot secure a viable future in their own country.

3. The projected gain is too small to justify the concessions

National Interest Analysis, section 1.2 - Estimated Economic Impact: "By 2037, approximately 10 years after entry into force when all tariff phasing is complete, annual GDP (in 2024 dollars) is expected to be 0.07% or \$401 million higher than non-FTA baseline GDP. Relative to the non-FTA baseline, these FTA-related gains are modelled to grow each year, reaching \$657.7 million (0.1%) by 2050, in part driven by expected growth of the Indian economy."

Even accepting the Government's modelling at face value, the projected GDP gain by 2037 is only 0.07%. That is not transformational. It is not even close. It is a marginal projected gain being used to justify permanent or long-term treaty commitments affecting immigration, education access, investment promotion, services, financial technology, payment infrastructure, agriculture cooperation and future regulatory discretion.

The submission should not deny that some exporters may benefit. Some will. The question is whether New Zealand citizens as a whole benefit. On that broader question, the Government has not made the case.

4. The US\$20 billion investment commitment is fundamentally backwards

RCR draft - Foreign Direct Investment Clause: "US\$20 billion of New Zealand investment to India within 15 years. The agreement includes a rebalancing clause allowing India to reimpose or raise tariffs, if New Zealand fails to meet its commitment to promote US\$20 billion in private-sector investment over 15 years."

National Interest Analysis, section 4.8.2 - Disadvantages: "Under the chapter, New Zealand has undertaken to promote foreign direct investment from investors of New Zealand into India with the aim of increasing such investment by US\$20 billion over a period of 15 years after the date of entry into force of the Agreement. The commitment to promote investment will require New Zealand to increase its efforts to promote India as an investment destination for New Zealand businesses."

National Interest Analysis, section 4.8.2 - Disadvantages: "If there is a difference of views between the Parties and if consultations do not resolve the matter, the Agreement allows India to impose proportionate remedial measures (rebalancing tariff concessions) if it determines New Zealand has not fulfilled its commitment under Article 9.2. If remedial measures are imposed, they are intended to be temporary and terminated once the investment objective has been achieved."

This should be one of the central objections. New Zealand is not a capital-rich empire looking for somewhere to deploy excess wealth. New Zealand is a small country facing domestic economic fragility, weak productivity, business pressure, infrastructure deficits, housing pressure, high public cost, and citizens leaving for better opportunities overseas.

India is an emerging global superpower with a population exceeding 1.4 billion, a deep skills base, enormous internal scale, and a rapidly growing economy. If any investment-promotion obligation were justified, logic would suggest it should be Indian capital being encouraged into New Zealand productive capacity, not New Zealand being treaty-committed to promote outward investment into India.

The issue is not whether private New Zealand businesses should be free to invest in India. They should be. The issue is why the New Zealand Government is placing treaty-level weight behind that investment direction at all. In a genuinely free market, private New Zealanders and private Indian firms should be free to trade and invest without politicians attempting to steer capital flows through international agreements.

The Government will likely say this is private-sector investment promotion, not taxpayer investment. That does not answer the concern. If it is merely aspirational, why is there a rebalancing consequence? If it has teeth, why is the New Zealand Government creating treaty pressure to promote capital export when New Zealand desperately needs capital formation at home?

5. Education access: New Zealand institutions must serve New Zealanders first

RCR draft - Immigration: "Uncapped student visas. Numerical caps like Canada's or Australia's national caps would breach the agreement."

NZ-India FTA, Annex 8F, paragraph 1: "Each Party agrees to grant visas, subject to the fulfilment of immigration requirements, to students of the other Party who have been accepted by recognised education institutions in their respective territories and to accord multi-entry visas to such students, valid for the duration of their studies."

NZ-India FTA, Annex 8F, paragraph 2: "Neither Party shall impose any numerical limits on the admission and entry of students from the other Party to recognised education institutions in their respective territory, subject to the fulfilment of the prescribed eligibility conditions of the relevant educational institutions."

NZ-India FTA, Annex 8F, paragraph 3: "Each Party agrees to allow students from the other Party studying in recognised education institutions in their respective territories to work for at least 20 hours per week in line with each Party's respective national policies on the work provisions of student visas."

National Interest Analysis, section 4.7.2 - Students' Mobility and Post-Study Work Visa Annex: "The FTA includes in-study work commitments for Indian students that guarantee the ability to work up to 20 hours per week while they are studying in New Zealand. This is within current policy settings (which allow students to work up to 25 hours per week) but will apply regardless of any future policy changes."

National Interest Analysis, section 4.7.2: "Paragraph 2 prevents both Parties from imposing numerical limits on the admission of students to recognised education institutes. New Zealand's current and longstanding policy settings do not impose numerical caps on international students. However, nothing in the NZ-India FTA would prevent New Zealand from reducing overall student numbers in the future by imposing tighter requirements on existing conditions, or introducing new conditions, so long as Indian students are not discriminated against relative to other countries."

This needs to be framed precisely. The FTA does not prevent New Zealand from tightening general, non-discriminatory student visa conditions. But it does remove a direct country-specific policy lever. New Zealand cannot impose numerical limits on the admission and entry of Indian students to recognised education institutions, subject to eligibility conditions, without risking inconsistency with the agreement.

That is a serious concession. New Zealand educational institutions are not merely private businesses. They exist within a system funded, subsidised, protected and legitimised by New Zealand taxpayers. Their first obligation should be to New Zealand citizens and residents.

If international students pay more, education providers have a financial incentive to prioritise international fee revenue over domestic educational access. That may help institutional balance sheets, but it does not necessarily serve the New Zealand public. A publicly supported education system should not be quietly reshaped to chase foreign fee revenue while young New Zealanders struggle to access training, employment and a viable future in their own country.

6. Student work rights and entry-level displacement

NZ-India FTA, Annex 8F, paragraph 4: "New Zealand agrees to maintain the following opportunities for students from India who have completed their full programme of study in New Zealand through recognised education institutions to work temporarily in New Zealand, subject to their fulfilment of all relevant immigration requirements: (a) upon completion of a bachelor's degree (including honours), periods of stay of up to two years; (b) upon completion of a master's by research or master's by coursework, periods of stay of up to three years; and (c) upon completion of a doctoral degree, periods of stay of up to four years."

NZ-India FTA, Annex 8F, paragraph 5: "New Zealand shall extend possible stays from two to three years for Indian students graduating in New Zealand with bachelor's degrees with First Class Honours in the STEM fields, including ICT fields."

The concern is not that Indian students work. The concern is that treaty-protected student work rights and post-study work pathways increase competition in the same entry-level labour market relied upon by young New Zealanders, low-skilled workers, new workers and people trying to re-enter the workforce.

At a time when New Zealand is losing its own citizens and young people are struggling, the Government should not be treaty-locking additional labour supply into precisely the part of the market where young Kiwis need their first opportunity. If the Government believes this is necessary, it should first explain why New Zealand has failed to train, retain and employ its own citizens.

Migrants often contribute to the local economy, and many do so substantially. But Parliament should still assess the full economic effect of imported labour. If wages are suppressed, local workers are displaced or never trained, and a meaningful portion of savings and investment flows offshore, the domestic benefit is not the same as building New Zealand-owned capability, New Zealand savings, New Zealand businesses and New Zealand families. A New Zealand citizen who is priced out, displaced, or forced overseas does not merely lose a job. He loses ground in his own only country.

7. “Shortage occupations” hide the real question: why are they shortages?

National Interest Analysis, Executive Summary: "As part of the Agreement, New Zealand has agreed to remove all tariffs on Indian imports from day one (in line with our recent FTAs). We have also provided temporary entry commitments for Indian services providers and business visitors working in New Zealand as well as 5,000 Temporary Employment Entry (TEE) visas, 4,400 of which are for Indians working in areas of recognised skill shortage (taken from Immigration New Zealand's 'Green List'). The other 600 TEE visas are for Indians working in iconic Indian occupations, such as Indian chefs and yoga teachers. These TEE visas are for three years."

National Interest Analysis, section 4.7.2 - Temporary Employment Entry Commitments: "New Zealand has committed to provide the equivalent of up to, on average, 1,667 temporary employment entry visas per year (5,000 at any one time), subject to specific conditions such as education and experience requirements. New Zealand has made commitments on 'skilled' workers (of, on average, 1,467 visas per year and up to a maximum of 4,400 places at any one time), which are taken from occupations on Immigration New Zealand's 'Green List', and 'iconic' Indian occupations (of, on average, 200 visa per year and up to a maximum of 600 places at any one time). These iconic occupations include yoga instructors, Ayush (traditional Indian medicine) practitioners, music teachers and Indian chefs."

NZ-India FTA, Annex 8L, Article 8L.2, paragraph 3: "Where New Zealand makes a commitment under paragraphs 1 and 2, it shall grant temporary employment entry to the extent provided for in that commitment, provided that such natural persons: (a) meet all relevant eligibility requirements for temporary employment entry into New Zealand; (b) are in possession of a genuine employment offer from an accredited employer in New Zealand; and (c) are otherwise qualified under all applicable immigration measures."

It is not enough for the Government to say these are shortage occupations. That phrase hides the real question: why are they shortages?

In many cases, shortages are the predictable result of domestic policy failure: high taxation, high compliance costs, housing unaffordability, weak training pathways, distorted education incentives, and regulatory burdens that make it difficult for New Zealand businesses to grow and employ New Zealanders. Before using an FTA to import more workers, the Government should first explain why New Zealand has failed to train, retain and employ its own citizens in these sectors.

This is particularly important in areas such as ICT, engineering, construction, teaching and health. New Zealand absolutely has ICT providers, engineers, builders, teachers, clinicians, support workers and technical graduates. The problem is that New Zealand workers and New Zealand businesses are required to operate under New Zealand's cost structure while competing against labour markets shaped by very different wage levels, compliance costs, regulatory burdens, housing costs and economies of scale.

New Zealand workers and businesses cannot be expected to operate under New Zealand's tax, wage, compliance, health and safety, employment, environmental and housing-cost structure, while simultaneously being told to compete directly with labour markets operating at a fraction of the cost. If the Government wants genuine competition, it must first stop making New Zealanders uncompetitive in their own country.

8. “Iconic Indian occupations” are not a substitute for domestic productive capacity

RCR draft - Immigration: "Specific visa pathways include quotas for Indian chefs, yoga instructors, music teachers, and traditional medicine practitioners."

NZ-India FTA, Appendix 8L-1, Section A - iconic Indian occupations: "Yoga instructors: Up to a maximum of 100 visas at any one time. Indian chefs: Up to a maximum of 250 visas at any one time. Music Teachers: Up to a maximum of 50 visas at any one time. Ayush Practitioners: Up to a maximum of 200 visas at any one time."

The inclusion of so-called “iconic Indian occupations” raises a serious national-interest question. New Zealand needs builders, engineers, infrastructure capacity, productive investment, high-value manufacturing, energy security, medical capacity, export resilience and domestic skills formation. It is not clear why a trade agreement should create protected entry pathways for occupations such as yoga instructors, music teachers, chefs and traditional medicine practitioners, especially where comparable services can already be supplied by New Zealanders or through ordinary immigration settings.

If there is a genuine labour shortage, the Government should identify it transparently through domestic labour-market policy. It should not embed occupational access into an international treaty. New Zealand

should be building things, training people, expanding productive capacity and making this country worth staying in for its own citizens. Services have value, but they are not a substitute for rebuilding the productive base of the country.

9. Temporary expertise should build Kiwi capability, not replace it

There is a constructive alternative. New Zealand could benefit from highly skilled Indian professionals with experience operating in a large, complex, fast-growing economy. There may be real value in structured secondments, training partnerships, technical exchanges, and fixed-term specialist placements where Indian expertise is used to train New Zealanders, improve systems and build domestic capability.

That is very different from creating labour-market access that risks displacing New Zealand workers or weakening wage bargaining power. Where New Zealand imports expertise, that expertise should leave New Zealand stronger. It should be tied to knowledge transfer, apprenticeships, training, local hiring, domestic capability uplift and measurable benefit to New Zealand citizens and residents.

Temporary entry should not become a quiet substitute for fixing the domestic policy failures that made New Zealanders uncompetitive in their own country.

10. Temporary entry, caps and labour-market tests

NZ-India FTA, Annex 8C, paragraph 2: *"This Annex shall not apply to measures affecting natural persons seeking access to the employment market of a Party, nor shall it apply to measures regarding citizenship, nationality, residence or employment on a permanent basis."*

NZ-India FTA, Article 8C.3, paragraph 4: *"In respect of the commitments on temporary entry in this Annex, neither Party shall: (a) adopt or maintain any limitations on the total number of each category of natural persons of the other Party to be granted temporary entry; or (b) require an economic needs test, including a labour market test, or other procedures of similar effect, as a condition for temporary entry except as provided for in Annex 8J ... or Annex 8K ..."*

National Interest Analysis, section 4.7.2: *"New Zealand has retained its right to apply an 'economic needs test', including a labour market test, to the temporary entry of Indian contractual services suppliers and Independent Professionals – businesspeople that are entering New Zealand to complete a short-term contract (Article 8C.3.4)."*

National Interest Analysis, section 4.7.2: *"As with all new visa categories, Immigration New Zealand expects this could lead to some increase in immigration fraud and/or non-compliance, as well as a potential increase in asylum claims."*

The agreement preserves some safeguards, but the public needs a plain-English schedule of exactly what is capped, what is uncapped, what requires a New Zealand employment offer, what requires an accredited employer, what requires wage parity, what allows offshore payment, what is subject to labour-market testing, and what can later become a route to residence or citizenship.

Before ratification, Parliament should require the Government to publish a category-by-category table showing every temporary entry and temporary employment pathway created, preserved or affected by the FTA. The answer cannot be buried in annexes and technical explanations. New Zealanders deserve to know, in plain English, what has been committed.

11. Intra-corporate specialists and offshore wage enforcement risks

RCR draft - Immigration: *"Indian companies can bring in unlimited workers labelled "Specialists". No cap, labour market test, or wage floor."*

NZ-India FTA, Annex 8K, New Zealand schedule - Intra-Corporate Transferees: *"Intra-Corporate Transferees comprise an Executive, Manager or a Specialist: (a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and (b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the Intra-Corporate Transferee."*

NZ-India FTA, Annex 8K, New Zealand schedule - Specialist definition: *"Specialist means a natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or*

management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand."

National Interest Analysis, section 4.7.2 - Contractual Service Suppliers: *"However, there are practical challenges in ensuring compliance with such obligations as these workers will be paid by their home employer in India."*

The RCR draft's concern is directionally correct, but it should be tightened. The strongest point is not simply that "specialists" exist. It is that the public needs to know how New Zealand will prevent this category from becoming a broad labour-access channel into ordinary commercial roles. The definition includes advanced skills and proprietary knowledge, but the enforcement question is critical.

If workers are paid offshore by their home employer, if labour-market testing is limited or unavailable for some categories, and if New Zealand businesses already face higher domestic costs, then Parliament must explain how New Zealand workers will be protected from displacement, wage suppression, or unfair competition.

12. Citizenship, allegiance and democratic participation

New Zealand citizenship should not be treated as an administrative upgrade, a travel convenience, or a strategic option. For many New Zealanders, myself included, New Zealand is not one country among several. It is my only country. I do not have a second passport, a fallback political community, or another nation whose institutions I can rely on if New Zealand fails.

NZ Government, Govt.nz - Dual citizenship: *"New Zealand allows dual and multiple citizenship. The other country or countries you are a citizen of may have different rules."*

Government of India, Ministry of External Affairs, Overseas Citizenship of India Scheme: *"OCI is not to be misconstrued as dual citizenship. OCI does not confer political rights."*

Government of India, Ministry of External Affairs, Lok Sabha Question No. 3152, 13 December 2024: *"Dual citizenship is not permitted as per the provisions of Article 9 of the Constitution of India read with Section 9 of the Citizenship Act, 1955."*

Other countries understand the importance of citizenship, allegiance, political rights and national control. India is entitled to protect the meaning of Indian citizenship. New Zealand is equally entitled to protect the meaning of New Zealand citizenship.

That does not mean New Zealand should be closed. It means that entry, residence, citizenship and democratic participation must be structured around genuine allegiance, contribution, integration and long-term commitment to New Zealand. A person born in New Zealand must spend eighteen years growing up inside this country before they can fully participate in its democracy. That time is not merely delay. It is civic formation. It is the process of living under New Zealand law, attending New Zealand schools, absorbing New Zealand norms, contributing to New Zealand communities and developing a stake in this country's future.

If migrants are to join that same political community, the standard should not be casual or transactional. New Zealand should welcome people who genuinely commit to this country, but citizenship should require clear allegiance, meaningful residence, contribution, integration and commitment to New Zealand as a home, not merely a useful jurisdiction.

13. Working holiday reciprocity appears materially weak

RCR draft - Immigration: *"1,000 working holiday visas a year for young Indians coming to New Zealand. Zero for young New Zealanders."*

National Interest Analysis, Executive Summary: *"In addition, New Zealand will allow up to 1,000 young Indian graduates per year (aged 18 to 30) access to a Working Holiday Scheme visa to work while holidaying in New Zealand, subject to certain safeguards."*

The RCR draft should avoid overclaiming if India has a future contingent arrangement. The stronger point is that practical reciprocity appears weak. New Zealand provides a concrete inbound pathway. Any equivalent outbound benefit to New Zealanders appears either limited, contingent or of far lower likely uptake. Even if formal reciprocity eventually exists, the real-world flows are likely to be highly asymmetric.

That matters. Nominal reciprocity is not the same as practical reciprocity. Far more Indian citizens are likely to seek work and study opportunities in New Zealand than New Zealand citizens are likely to seek comparable opportunities in India. The Government should have addressed that obvious asymmetry directly rather than pretending that formal symmetry equals real-world balance.

14. Market access: India protected India; New Zealand did not protect New Zealand

RCR draft - Unfair market access: "India phases out tariffs on New Zealand over 10 years and permanently excludes 30% of tariff lines, while New Zealand lifts 100% of tariff lines immediately. Huge market access disparities emerge."

National Interest Analysis, Executive Summary: "As part of the Agreement, New Zealand has agreed to remove all tariffs on Indian imports from day one (in line with our recent FTAs)."

National Interest Analysis, Table 1 - India's tariff commitments for New Zealand goods: "Elimination on entry into force: Tariff lines 30.0%, Trade value 54.1%. Subtotal: duty-free access after 10 years: Tariff lines 65.6%, Trade value 82.2%. Subtotal: tariffs eliminated or reduced: Tariff lines 70.0%, Trade value 95.4%. Excluded: Tariff lines 30.0%, Trade value 4.6%."

National Interest Analysis, section 4.1.2: "Overall, 30% of India's tariff lines were excluded from tariff liberalisation. While this is higher than in New Zealand's other FTAs, it is the same percentage as under the Australia-India ECTA."

This is one of the strongest points. India protected India. That is not a criticism of India. That is what a competent government should do. The criticism is that New Zealand appears not to have negotiated with the same seriousness for New Zealanders.

The Government presents the agreement by current trade value, which makes the outcome look more balanced. But by tariff line, India preserves a broad protective position across 30% of lines, while New Zealand removes tariffs on Indian imports from day one. That is not balanced liberalisation. It is asymmetric liberalisation.

The submission should be precise: the excluded 30% of tariff lines does not mean 30% of current New Zealand export value is excluded. The NIA says the excluded lines are 4.6% by current trade value. But that does not answer the structural point. India preserves future policy space across a wide range of tariff lines. New Zealand does not appear to have preserved equivalent defensive leverage.

15. Trade remedies and dispute settlement

RCR draft - Unfair market access: "India can slap "anti-dumping" tariffs back on our exports if it claims New Zealand is selling too cheaply. India runs more of these cases than any country in the world and the deal gives New Zealand no way to dispute."

NZ-India FTA, Article 5.11 - Non-Application of Dispute Settlement: "Neither Party shall have recourse to dispute settlement under Chapter 19 (Dispute Settlement) for any matter arising under Section A or B of this Chapter."

This point should be tightened. Anti-dumping duties are not permission to dump. They are a remedy against alleged dumping or unfair pricing. The better argument is that the FTA excludes anti-dumping, countervailing and global safeguard matters from the FTA's Chapter 19 dispute settlement process.

That matters because trade remedies are often where the real commercial fight happens. For New Zealand exporters, tariff preferences may be less valuable if trade remedy measures are later used and the FTA's central dispute mechanism is unavailable for those sections. For New Zealand producers, the question is whether New Zealand has the practical capacity and political will to use defensive tools as effectively as India is likely to use them.

16. Manufacturing and productive capacity

RCR draft - Manufacturing: "New Zealand manufacturers are forced to compete with cheaper labour in India under the FTA with zero market protection."

This should be reframed as productive-capacity failure. New Zealand cannot regulate its own producers into high-cost fragility and then expose them to competition from jurisdictions with vastly different labour costs, compliance burdens and production scale while calling the result free trade. That is not free trade. It is managed asymmetry.

New Zealand's objective should be to build domestic productive capacity. That means training New Zealanders, supporting New Zealand businesses, reducing regulatory burdens, making work worthwhile, restoring affordable housing, encouraging capital formation at home, and ensuring that New Zealanders can compete from a position of strength rather than engineered weakness.

Where international expertise is useful, it should be used to strengthen New Zealanders, not replace them. Temporary entry should be linked to training, knowledge transfer, domestic apprenticeships, technical partnerships and measurable uplift in local capability.

17. Services access and concentrated beneficiaries

RCR draft - Unfair market access: *"Phone and internet providers, banks, electricity generation, ports, airports, doctors and dentists, private schools, universities, audit firms, aged care, newspapers and law firms can now be operated by Indian companies on the same terms as Kiwi companies, subject to the same licensing and regulatory requirements New Zealand operators face."*

This issue requires careful verification sector by sector against the services schedules and non-conforming measures. However, the underlying concern is valid: if the agreement opens broad areas of the New Zealand services economy while New Zealand operators remain burdened by New Zealand's domestic cost structure, the practical effect may be to increase foreign competition without fixing the reasons domestic firms are struggling.

Where the concentrated benefits of an agreement accrue to specific exporters, education providers, immigration-linked sectors, or large firms, while the diffuse costs are borne by workers, students, taxpayers, renters and small businesses, Parliament should require full transparency about who asked for the agreement, who shaped it, and who stands to gain.

The public should not be asked to accept broad labour-market, education, investment and regulatory commitments on trust while only a narrow class of commercial beneficiaries can clearly identify the upside.

18. CBDC and payment-system integration should not be normalised through an FTA

RCR draft - Sovereignty: *"The FTA includes retail CBDC implementation as a bilateral cooperation objective."*

NZ-India FTA, Article 8A.11, paragraph 4: *"To enhance the accessibility and convenience of cross-border payments between India and New Zealand, the Parties shall collaborate towards the: (a) development of Real Time Payments ("RTP") infrastructure to facilitate domestic payments interoperability as well as support real-time cross-border remittances and cross-border merchant payments in a reasonable time; and (b) integration of Fast Payment Systems ("FPS") to enable real-time cross-border remittances and cross-border merchant payments through respective infrastructure."*

NZ-India FTA, Article 8A.14(j): *"engage in an in-depth study, design and implementation of central bank digital currency (CBDC) in both retail and cross-border payments area."*

The submission should not claim that the FTA itself creates a New Zealand CBDC. That would be too easy to dismiss. The stronger and more accurate point is that the FTA places CBDC study, design, implementation and cross-border payment integration into a treaty-level cooperation framework with India. That is a serious direction-of-travel signal.

Questions of central bank digital currency, programmable money, financial surveillance, privacy, cash access and monetary sovereignty should be debated openly by New Zealanders as domestic constitutional and economic questions. They should not be normalised through the technical annexes of a trade agreement.

19. International frameworks and treaty creep

RCR draft - Sovereignty: *"Multiple international frameworks including UN, ILO and UNESCO frameworks are written into the FTA, including UNDRIP, Paris Agreement, and UN 2030 Agenda. New Zealand courts use international treaty references when interpreting domestic law. New Zealanders never voted on any of this."*

NZ-India FTA, Article 12.8, paragraphs 1 and 2: *"The Parties recognise the importance of achieving, the objectives of the United Nations Framework Convention on Climate Change ... and the goals of the Paris Agreement ... The Parties reaffirm their commitment to implement their respective obligations and commitments under the UNFCCC and the Paris Agreement."*

NZ-India FTA, Article 12.14 - Non-application of Dispute Settlement: *"Neither Party shall have recourse to dispute settlement under Chapter 19 (Dispute Settlement) for any matter arising under this Chapter."*

NZ-India FTA, Article 13.2, paragraph 2(a): *"The Parties, subject to their respective reservations, affirm the following: (a) the United Nations Declaration on the Rights of Indigenous Peoples, adopted in New York on 13 September 2007 and their respective positions made on that Declaration."*

NZ-India FTA, Article 13.6 - Non-Application of Dispute Settlement: *"Neither Party shall have recourse to dispute settlement under Chapter 19 (Dispute Settlement) for any matter arising under this Chapter."*

The RCR draft should avoid overclaiming that New Zealand categorically cannot change its Paris or UNDRIP position without breaching the FTA. The stronger point is treaty creep. The FTA imports broad international political frameworks into a trade agreement, turning matters that should be debated domestically into ongoing treaty cooperation objectives.

Even where provisions are excluded from Chapter 19 dispute settlement, they can still create diplomatic expectations, bureaucratic work programmes, interpretive pressure and future policy inertia. That is enough to warrant serious scrutiny.

20. Primary industries: market access linked to building future competitors

RCR draft - Dairy and Horticulture: *"New Zealand must commercialise India's apple, kiwifruit, apiculture and honey industries (our own competitors) by assisting India's plant variety rights regime, sharing packhouse and cold-chain expertise, establishing research and authentication centres in India, and much more."*

NZ-India FTA, Annex 2B, paragraphs 2 to 4: *"The Parties take note of Chapter 14 ... and the action plans therein agreed between the Parties, particularly for Apples ... Honey ... and Kiwifruit ... India has agreed to provide tariff rate quotas ("TRQs") and market access to New Zealand for goods listed in paragraph 2 ... The TRQs and the market access offered are subject to New Zealand's actions to fulfil its obligations under the respective action plans ... New Zealand shall ... ensure that resources and support are made available to fulfil its commitments under those action plans. Such resources or support by New Zealand is excluded from investment by New Zealand in accordance with Chapter 9."*

NZ-India FTA, Annex 2B, paragraph 9: *"If no resolution is reached, India may notify New Zealand of its intention to rebalance the concessions offered by it and may suspend the market access referred to in paragraph 3 for the relevant product, as appropriate, in whole or in part."*

NZ-India FTA, Annex 14A, Article 14A.3, paragraph 4: *"Under the Kiwifruit Action Plan, New Zealand shall work with Indian kiwifruit sector partners to support efforts aimed at enhancing kiwifruit production and fruit quality in India."*

NZ-India FTA, Annex 14A, Article 14A.3, paragraph 5: *"New Zealand shall collaborate with India's policy makers to enhance India's regulatory framework, particularly in the areas of plant variety rights and intellectual property protection ... Strategic Role in India's Supply Chain Resilience - enhancing and managing the supply of apples in India through improvements in packhouse and cool store design and management for efficiency, cold chain dynamics for longer term storage, efficiency gains for processing facilities, food safety guidance, opportunities for exchanges, targeted formalised training options and business immersion."*

NZ-India FTA, Annex 14A, Article 14A.4, paragraph 3: *"The Parties note the progress in the discussions on the development and towards finalisation of the Apiculture and Honey Cooperation Action Plan to support the development of India's honey industry through targeted programmes and enhanced cooperation, including on honey research, quality assurance, and market development."*

This is a major strategic problem. New Zealand appears to be receiving limited, conditional access in some primary sectors while also agreeing to help improve India's productive capacity in areas where Indian producers may become future competitors.

New Zealand producers are already burdened by New Zealand's tax, labour, environmental, health and safety, resource management, animal welfare and compliance systems. Indian producers do not face the same cost structure. It is unreasonable to regulate New Zealand producers into high-cost fragility and then

ask them to help build competitor capacity overseas in exchange for conditional access that India can suspend if New Zealand is judged not to have delivered.

21. Dairy and beef exclusions

RCR draft - Dairy and Horticulture: "Core dairy is permanently excluded. All meat except sheep meat, which India doesn't produce, is permanently excluded."

National Interest Analysis, section 4.17.2 - Dairy Consultations: "This side letter confirms that if India offers tariff concessions on core dairy products classified in HS headings 0401-0406 (such as liquid milk or cream, milk powders, cheese, or butter, etc) as part of a trade agreement in force with a comparable non-Party, upon New Zealand's request, India agrees to consult on whether to offer similar treatment to New Zealand in the Agreement as part of and during the review of the Agreement."

This is not equivalent to actual dairy access. It is a consultation mechanism triggered if India gives comparable access to someone else. That may have value, but it is not the same as New Zealand securing meaningful dairy access now. For a country whose export strength has historically included dairy and primary production, this should be treated as a serious limitation.

Again, India protected India. The question is why New Zealand did not protect New Zealand with comparable seriousness.

22. What Parliament should require before ratification

Parliament should not ratify the agreement unless the Government provides clear answers and, where necessary, secures amendments, side letters or safeguards. At minimum, Parliament should require:

1. A full plain-English schedule of all temporary entry, temporary employment, student, post-study work, services and working holiday pathways created, preserved or affected by the agreement, including caps, wage rules, labour-market tests, employer requirements, partner/dependent rights, and residence/citizenship implications.
2. A detailed explanation of why New Zealand has failed to train, retain and employ its own citizens in listed shortage occupations before treaty-locking additional labour access from India.
3. A formal domestic capability-building requirement for any temporary specialist entry, including knowledge transfer, apprenticeships, local hiring, training obligations and measurable uplift to New Zealand citizens and residents.
4. Removal, amendment or substantial clarification of the US\$20 billion investment-promotion commitment and the related rebalancing risk.
5. Clear protection of New Zealand's right to adopt future domestic labour-market tests, wage floors, numerical limits and sector-specific safeguards where required in the national interest.
6. A sector-by-sector analysis of which New Zealand firms, education providers, exporters, immigration-linked sectors and lobby groups are expected to gain the largest direct commercial benefit.
7. A public assessment of the impact on young New Zealanders, entry-level workers, renters, students, small businesses, domestic manufacturers and primary producers.
8. A carve-out confirming that CBDC design, payment-system integration, programmable money, cash access and monetary sovereignty remain subject to future domestic democratic decision-making.
9. A clear statement on whether temporary pathways can transition to residence, citizenship, public-sector employment or democratic participation, and whether the Government believes those settings serve the long-term interests of New Zealand citizens.

Conclusion

This FTA may benefit selected exporters, education providers, immigration-linked sectors, diplomatic relationship-building and firms positioned to operate in India. But it is far less clear how it benefits New

Zealand citizens as workers, students, taxpayers, renters, small-business owners, young people, or citizens trying to build a future in their own country.

This agreement appears to have been negotiated from a fantasy version of New Zealand: a wealthy, confident, high-productivity economy with capital, jobs, housing, infrastructure, education capacity and public services to spare. That is not the country New Zealanders are living in.

Real New Zealand is facing unemployment, youth disengagement, business pressure, weak productivity, unaffordable housing, growing welfare dependence, and a private sector struggling under tax, regulation and compliance cost. Against that reality, the Government must explain why it is treaty-locking new pathways for foreign labour, foreign students, outward investment promotion, payment-system integration and competitor-building cooperation, while the projected GDP gain by 2037 is only 0.07%.

The issue is not that New Zealand lacks people willing to enter its labour market. The issue is that New Zealand is failing to retain, train, employ, house and reward its own citizens. New Zealand does not have a shortage of foreigners willing to work here. New Zealand has a shortage of political courage to make this country worth staying in for its own citizens.

India negotiated for India. That is what competent governments do. New Zealand should have negotiated for New Zealand.

Source documents and reference basis

- Free Trade Agreement between the Government of New Zealand and the Government of the Republic of India, signed 27 April 2026, as uploaded to this chat.
- NZ-India FTA National Interest Analysis, as uploaded to this chat.
- RCR FTA Submission Document.docx, as uploaded to this chat. Existing RCR draft points are quoted where expressly marked as "RCR draft".
- Stats NZ, Labour Market Statistics: March 2026 quarter, released 6 May 2026.
- Stats NZ, International Migration: June 2025, released 15 August 2025.
- Public Service Commission, Public Service annual analysis - year to June 2025.
- NZ Government, Govt.nz, Dual citizenship guidance.
- Government of India, Ministry of External Affairs, Overseas Citizenship of India Scheme and Lok Sabha Question No. 3152, 13 December 2024.