

CPTPP Environment Chapter – Guidelines for Public Submissions

1. Background

The Environment Chapter of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) requires each Party to the Agreement to provide for the receipt and consideration of written submissions from persons of that Party regarding implementation of the Environment Chapter. Parties are also required to respond to such submissions in a timely manner, in accordance with their domestic procedures; as well as to make the submission and response publicly available, for example by posting on an appropriate website. (Article 20.9.1)

To facilitate the receipt of written submissions from the public, each Party is to make readily accessible its procedures for the receipt and consideration of such written submissions, which may include requirements for these submissions to be eligible for consideration. (Article 20.9.2).

These Guidelines set out New Zealand's procedures and criteria for the submission, acceptance and consideration of public submissions under the Environment Chapter of the CPTPP.

2. Making Submissions

New Zealand persons may lodge written submissions on any matter regarding the implementation of the CPTPP Environment Chapter. In doing so, these submissions must:

- be in writing, in English, and be filed by electronic email transmission or mail delivery to the Environment Chapter contact point listed below. A hard copy submission should be accompanied by an electronic version (including attachments), unless this is not practicable;
- identify clearly the person or organisation filing the submission (including the name, title, address, telephone number, and email address of the submitter) and be signed and dated;
- concern an issue directly relevant to the CPTPP Environment Chapter, and explain the specific nature of the issue the submitter seeks to have considered, including how and to what extent it affects trade or investment between the CPTPP Parties;
- provide sufficient information to allow for the review of the submission, including any documentary evidence on which the submission may be based;
- indicate whether the matter has been communicated in writing previously to the relevant authorities of the Party concerned and the Party's response, if any;
- ensure that the issue raised is not the subject of ongoing judicial or administrative proceedings.

3. Receipt and Acceptance of Submissions

The address for the receipt of submissions will be the New Zealand CPTPP Environment Committee contact point:

FTA Implementation Unit
Trade Negotiations Division
Ministry of Foreign Affairs and Trade
Private Bag 18-901, Wellington 6160
Email: cptpp@mfat.govt.nz

The contact point will promptly acknowledge receipt of the submission. Following receipt, the contact point will assess the submission and decide whether to accept it for consideration, normally within 30 days of receipt of the submission, unless circumstances require an extension of this time. While the submission is being assessed, the contact point may communicate with the submitter and request any additional information or clarification necessary to consider the substance of the submission.

Submissions will only be accepted if they are determined to meet the criteria set out in section 2 above.

If the contact point determines that the submission should be accepted, it will promptly notify the submitter and will advise the process to be adopted for consideration of the submission. In cases where the contact point determines that the submission should not be accepted, a written advice to this effect, including the reasons for the decision to decline the submission, will be provided to the submitter.

4. Consideration and Outcome of Submissions

Once a submission has been accepted, the contact point will assess the submission and report on the issues raised. During this process, the contact point may request additional information from the submitter and may also, as appropriate, consult with other agencies or individuals with expertise in the issues raised.

A response to the submission will normally be provided to the submitter within 180 days from the date the submission was accepted for review, unless circumstances warrant an extension to this timeframe. The submission and the response provided will be made publicly available on a relevant public website. (Article 20.9.1).