

# Hon Todd McClay

Minister of Agriculture  
Minister of Forestry  
Minister for Hunting and Fishing  
Minister for Trade  
Associate Minister of Foreign Affairs



29 APR 2024

COR TM0940

Luke Nottage  
luke.nottage@sydney.edu.au

Dear Luke Nottage

Thank you for your letter of 10 April 2024.

I have read with interest your advocacy for the use of an EU-style permanent investment court in our trade agreement negotiations (or re-negotiations).

Recent NZ free trade agreements do not include provisions for investor state disputes or the EU-style investment court, and the Government continues to hold concerns about these provisions.

We continue to monitor discussions occurring in a range of fora regarding an EU style permanent investment court and remain open to new ideas to address issues related to ISDS. The Government also recognises the importance of considering the full range of tools available to help secure strong investment outcomes, and to avoid discrimination against investors as part of a balanced negotiated outcome.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Todd McClay'.

Hon Todd McClay  
**Minister for Trade**