Annex I

Headnote

1. The Schedule of a Party sets out, pursuant to Article 809 (Investment - Non-Conforming Measures) and Article 906 (Cross-Border Trade in Services - Non-Conforming Measures), the reservations taken by that Party with respect to existing measures by a Party that do not conform with obligations imposed by:

(a) Articles 803, 902 (Investment, Cross-Border Trade in Services - National Treatment);

(b) Articles 804, 903 (Investment, Cross-Border Trade in Services - Most-Favoured-Nation Treatment);

(c) Article 905 (Cross-Border Trade in Services - Local Presence);

(d) Article 807 (Investment - Performance Requirements);

(e) Article 808 (Investment - Senior Management and Boards of Directors);

(f) Article 904 (Cross-Border Trade in Services - Market Access);

and, in certain cases, sets out commitments for immediate or future liberalization.

2. Each reservation sets out the following elements:

(a) **Sector** refers to the general sector in which the reservation is taken;

(b) **Sub-Sector** refers to the specific sector in which the reservation is taken;

(c) **Industry Classification** refers, where applicable, to the activity covered by the reservation according to domestic industry classification codes;

(d) **Type of Reservation** specifies the obligation referred to in paragraph 1 for which a reservation is taken;
(e) **Measures** identifies the laws, regulations or other measures, as qualified, where indicated, by the **Description** element, for which the reservation is taken. A measure cited in the **Measures** element:

(i) means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and

(ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure;

(f) **Description** sets out commitments, if any, for liberalization on the date of entry into force of this Agreement, and the remaining non-conforming aspects of the existing measures for which the reservation is taken.

3. In the interpretation of a reservation, all elements of the reservation, with the exception of Industry Classification, shall be considered. A reservation shall be interpreted in the light of the relevant provisions of the Articles against which the reservation is taken. To the extent that:

(a) the **Measures** element is qualified by a liberalization commitment from the **Description** element, the **Measures** element as so qualified shall prevail over all other elements; and

(b) the **Measures** element is not so qualified, the **Measures** element shall prevail over all other elements, unless any discrepancy between the **Measures** element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the **Measures** element should prevail, in which case the other elements shall prevail to the extent of that discrepancy.
4. Where a Party maintains a measure that requires a service provider be a citizen, permanent resident or resident of its territory as a condition to the provision of a service in its territory, a reservation for that measure taken with respect to Article 902, 903 or 905 (Cross-Border Trade in Services – National Treatment, Most-Favoured Nation Treatment or Local Presence) shall operate as a reservation with respect to Article 803, 804 or 807 (Investment - National Treatment, Most-Favoured Nation Treatment or Performance Requirements) to the extent of that measure.

5. The listing of a measure in this Annex is without prejudice to a future claim that Annex II may apply to the measure or some application of the measure.

6. For purposes of this Annex:

**CPC** means Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991; and

**SIC** means Standard Industrial Classification (SIC) numbers as set out in Statistics Canada, Standard Industrial Classification, fourth edition, 1980.