ANNEX I

Reservations for Existing Measures

1. The Schedule of a Party sets out, under Articles 9.09 (Investment – Reservations and Exceptions) and 10.07 (Cross-Border Trade in Services – Reservations), the reservations taken by that Party for existing measures of a Party that do not conform with obligations imposed by:

   (a) Articles 9.04 (Investment – National Treatment) or 10.03 (Cross-Border Trade in Services – National Treatment);

   (b) Articles 9.05 (Investment – Most-Favoured-Nation Treatment) or 10.04 (Cross-Border Trade in Services – Most-Favoured-Nation Treatment);

   (c) Article 10.06 (Cross-Border Trade in Services – Local Presence);

   (d) Article 9.07 (Investment – Performance Requirements);

   (e) Article 9.08 (Investment – Senior Management and Boards of Directors); or

   (f) Article 10.05 (Cross-Border Trade in Services – Market Access).

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 industry classification codes;

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

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

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

(f) Description sets out the non-conforming aspects of the existing measure for which the reservation is taken. It may also set out commitments for liberalization.

3. In the interpretation of a reservation, all elements of the reservation, with the exception of Industry Classification, are considered. The Measure element prevails over other elements, unless a discrepancy between the Measure element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the Measure element prevails, in which case the other elements prevail to the extent of that discrepancy. A reservation is interpreted in the light of the relevant provisions of the Articles against which the reservation is taken.

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 10.03, 10.04 or 10.06 (Cross-Border Trade in Services – National Treatment, Most-Favoured-Nation or Local Presence) operates as a reservation with respect to Article 9.04, 9.05 or 9.07 (Investment – National Treatment, Most-Favoured-Nation 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.