Annex I

Reservations for Existing Measures and Liberalization Commitments

1. The Schedule of a Party sets out, pursuant to Articles 808 (Investment – Reservations and Exceptions) and 908 (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 (Investment – National Treatment), 903 (Cross-Border Trade in Services – National Treatment) or 1102 (Financial Services - National Treatment);

(b) Articles 804 (Investment - Most-Favoured-Nation Treatment), 904 (Cross-Border Trade in Services - Most-Favoured-Nation Treatment) or 1103 (Financial Services - Most-Favoured-Nation Treatment);

(c) Article 907 (Cross-Border Trade in Services - Local Presence);

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

(e) Article 806 (Investment - Senior Management and Boards of Directors); or

(f) Article 906 (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) **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 the non-conforming aspects of the existing measures 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, 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 903, 904 or 907 (Cross-Border Trade in Services – National Treatment, Most-Favoured-Nation or Local Presence) shall operate as a reservation with respect to Article 803, 804 or 807 (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.