Annex I: Explanatory Note – Text of the 2023 Canada - Ukraine Free Trade Agreement

The 2017 CUFTA will remain in force until entry into force of the 2023 modernized agreement. Until such time, please refer to the 2017 CUFTA text for information on the existing trade agreement between Canada and Ukraine.

1. The Schedule of a Party to this Annex sets out, pursuant to Articles 17.18 (Non-Conforming Measures) and 18.7 (Reservations), a Party’s existing measures that are not subject to some or all of the obligations imposed by:

   • (a) Article 17.6 (National Treatment) or 18.3 (National Treatment);
   • (b) Article 17.7 (Most-Favoured-Nation Treatment) or 18.4 (Most-Favoured-Nation Treatment);
   • (c) Article 17.12 (Performance Requirements);
   • (d) Article 17.13 (Senior Management and Boards of Directors); or
   • (e) Article 18.5 (Market Access).

2. Each Schedule entry sets out the following elements:

   • (a) **Sector** refers to the sector for which the entry is made;
   • (b) **Sub-Sector**, where referenced, refers to the specific subsector for which the entry is made;
   • (c) **Obligations Concerned** specifies the obligation(s) referred to in paragraph 1 that, pursuant to Articles 17.18 (Non-Conforming Measures) and 18.7 (Reservations), do not apply to the non-conforming aspects of the law, regulation, or other measure, as set out in paragraph 3;
   • (d) **Level of Government** indicates the level of government maintaining the scheduled measure(s);
• (e) **Measures** identifies the laws, regulations, or other measures for which the entry is made. A measure cited in the **Measures** element:
  
  o (i) means the measure as amended, continued, or renewed as of the date of entry into force of this Agreement, and
  
  o (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and

• (f) **Description**, as indicated in the introductory note for each Party’s Schedule, either sets out the non-conforming measure or provides a general non-binding description of the measure for which the entry is made.