ANNEX I

EXPLANATORY NOTES

1. The Schedule of a Party to this Annex sets out, pursuant to Article 8.12 (Non-Conforming Measures) and Article 9.7 (Non-Conforming Measures), a Party’s existing measures that are not subject to some or all of the obligations imposed by:

   (a) Article 8.4 (National Treatment) or Article 9.3 (National Treatment);

   (b) Article 8.5 (Most-Favoured-Nation Treatment) or Article 9.4 (Most-Favoured-Nation Treatment);

   (c) Article 8.10 (Performance Requirements);

   (d) Article 8.11 (Senior Management and Boards of Directors);

   (e) Article 9.5 (Market Access); or

   (f) Article 9.6 (Local Presence).

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 obligations referred to in paragraph 1 that, pursuant to Article 8.12.1(a) (Non-Conforming Measures) and Article 9.7.1(a) (Non-Conforming Measures), do not apply to the listed measure(s) as indicated in the introductory note for each Party’s Schedule;

   (d) **level of government** indicates the level of government maintaining the listed measures;

   (e) **measures** identifies the laws, regulations or other measures for which the entry is made. 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; 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.

3. Article 9.6 (Local Presence) and Article 9.3 (National Treatment) are separate disciplines and a measure that is only inconsistent with Article 9.6 (Local Presence) need not be reserved against Article 9.3 (National Treatment).