ANNEX 16-D
APPLICATION TO SUB-CENTRAL
STATE-OWNED ENTERPRISES AND DESIGNATED MONOPOLIES

Pursuant to Article 16.9.2, the following obligations shall not apply with respect to a state-owned enterprise owned or controlled by a sub-central level of government and a designated monopoly designated by a sub-central level of government:28

(a) for Australia:

(i) Article 16.4.1(a) and (b);

(ii) Article 16.4.2;

(iii) Article 16.6.1(a) and Article 16.6.2(a), with respect to the production and sale of a good in competition with a like good produced and sold by a covered investment in the territory of Australia;

(iv) Article 16.6.1(b) and (c), and Article 16.6.2(b) and (c); and

(v) Article 16.10.1.

(b) for Peru:

(i) Article 16.4.1(a) and (b);

(ii) Article 16.4.1(c)(i);

(iii) Article 16.4.2;

(iv) Article 16.6.1(a) and Article 16.6.2(a), with respect to the production and sale of a good in competition with a like good produced and sold by a covered investment in the territory of Peru;

(v) Article 16.6.1(b) and (c), and Article 16.6.2(b) and (c); and

(vi) Article 16.10.1.

28 For the purposes of this Annex, “sub-central level of government” means the regional level of government and the local level of government of a Party.