ANNEX I

EXPLANATORY NOTES

*This Annex of CPTPP remain unchanged in comparison with that of TPP (according to WTO Center-VCCI)*

1. The Schedule of a Party to this Annex sets out, pursuant to Article 9.12 (Non-Conforming Measures) and Article 10.7 (Non-Conforming Measures), a Party’s existing measures that are not subject to some or all of the obligations imposed by:

   (a) Article 9.4 (National Treatment) or Article 10.3 (National Treatment);
   (b) Article 9.5 (Most-Favoured-Nation Treatment) or Article 10.4 (Most-Favoured-Nation Treatment);
   (c) Article 9.10 (Performance Requirements);
   (d) Article 9.11 (Senior Management and Boards of Directors);
   (e) Article 10.5 (Market Access); or
   (f) Article 10.6 (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) **Industry Classification**, where referenced, refers to the activity covered by the non-conforming measure, according to the provisional CPC codes as used in the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991);
   (d) **Obligations Concerned** specifies the obligations referred to in paragraph 1 that, pursuant to Article 9.12.1(a) (Non-Conforming Measures) and Article 10.7.1(a) (Non-Conforming Measures), do not apply to the listed measure(s) as indicated in the introductory note for each Party’s Schedule;
   (e) **Level of Government** indicates the level of government maintaining the listed measures;
   (f) **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

(g) **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 10.6 (Local Presence) and Article 10.3 (National Treatment) are separate disciplines and a measure that is only inconsistent with Article 10.6 (Local Presence) need not be reserved against Article 10.3 (National Treatment).