

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).