

ANNEX I TO CHAPTER 13 (TRADE IN SERVICES)

Headnote

1. Where appropriate, non-conforming measures are referenced to the Provisional Central Product Classification ("CPC") as set out in Statistical Office of the United Nations Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991 ("CPC code") and on the basis of the Services Sectoral Classification List WTO document MTN.GNS/W/120.

2. The Schedule of a Party sets out, pursuant to Paragraph 1 of Article 7 (Application of Articles 4, 5, 6 and 12), a Party's existing measures that are not subject to some or all of the obligations imposed by:

- (a) Article 4 (Market Access);
- (b) Article 5 (National Treatment);
- (c) Article 6 (Local Presence); or
- (d) Article 12 (Most Favoured Nation Treatment).

For greater certainty, Article 4 (Market Access) only refers to non-discriminatory measures.

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

4. Each entry in a Party's Schedule sets out the following elements:

- (a) **Sector** refers to the sector in which the entry is made;

- (b) **Industry Classification** refers, for the purpose of clarity, and where applicable, to the activity covered by the entry according to the CPC code;
- (c) **Obligations concerned** specifies the obligation(s) referred to in Paragraph 2;
- (d) **Measures** identify 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
- (e) **Description** sets out the non-conforming measure to which the entry applies.

5. Where the title “cross-border services” is used in the Description element, the entry shall be read to apply to the cross-border mode (Mode 1), the consumption abroad mode (Mode 2), and the presence of natural persons mode (Mode 4) for supply of services.

6. Where the title “investment” is used in the Description element, the entry shall be read to apply only to the commercial presence mode (Mode 3) for supply of services.

7. Any aspects of such an entry which relate to investment in goods only, are retained solely for transparency purposes.

8. In accordance with Paragraph 1 of Article 7 (Application of Articles 4, 5, 6 and 12), the Articles of this Agreement specified in the Obligations concerned element of an entry do not apply to the measures identified in the Description element of that entry.

9. All elements of the entry shall be considered in their totality for the purposes of its interpretation.