

Annex I
Existing Non-Conforming Measures referred to
in subparagraph 1(a) of Article 7

1. The Schedule of a Contracting Party sets out, pursuant to subparagraph 1(a) of Article 7, its existing measures that are not subject to some or all of the obligations imposed by:

- (a) Article 2;
- (b) Article 3; or
- (c) Article 6.

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 sub-sector for which the entry is made;
- (c) "Industry Classification", where referenced, and only for transparency purposes, refers to the activity covered by the non-conforming measure, according to domestic or international industry classification codes;
- (d) "Obligations Concerned" specifies the obligations referred to in paragraph 1 that, pursuant to subparagraph 1(a) of Article 7, do not apply to the listed measure(s);
- (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" sets out the non-conforming measure or provides a general non-binding description of the measure for which the entry is made.

3. In the interpretation of an entry, all elements of the entry shall be considered. An entry shall be interpreted in the light of the relevant provisions of this Agreement against which the entry is made, and the "Measures" element shall prevail over all the other elements.

4. For the purposes of this Annex, the term "JSIC" means Japan Standard Industrial Classification set out by the Ministry of Internal Affairs and Communications of Japan, and revised on October 30, 2013.

5. For the purposes of this Annex, the term "Classification of Economic Activity HD-011-2013" means Armenian Classification of Types of Economic Activity set out by the Ministry of Economy of the Republic of Armenia on September 19, 2013.

Schedule of Japan

- 1 Sector: Agriculture, Forestry and Fisheries
(Plant Breeder's Rights)
- Sub-Sector:
- Industry Classification: JSIC 0119 Miscellaneous crop farming
- JSIC 0243 Forest tree saplings nursery services
- JSIC 0413 Seaweed aquaculture
- JSIC 0415 Seed aquaculture
- Obligations Concerned: National Treatment (Article 2)
- Most-Favoured-Nation Treatment (Article 3)
- Measures: Seeds and Seedlings Law (Law No. 83 of 1998), Article 10
- Description: A foreign person who has neither a domicile nor residence (nor the place of business, in the case of a legal person) in Japan cannot enjoy plant breeder's rights or related rights except in any of the following cases:
- (a) where the country of which the person is a national or the country in which the person has a domicile or residence (or its place of business, in the case of a legal person) is a contracting party to the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as Revised at Geneva on November 10, 1972, on October 23, 1978, and on March 19, 1991;

(b) where the country of which the person is a national or the country in which the person has a domicile or residence (or its place of business, in the case of a legal person) is a contracting party to the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as Revised at Geneva on November 10, 1972, and on October 23, 1978 (hereinafter referred to in this Annex as "the 1978 UPOV Convention"), or a country in relation with which Japan shall apply the 1978 UPOV Convention in accordance with paragraph (2) of Article 34 of the 1978 UPOV Convention, and further provides the protection for plant genus and species to which the person's applied variety belongs; or

(c) where the country of which the person is a national provides Japanese nationals with the protection of varieties under the same condition as its own nationals (including a country which provides such protection for Japanese nationals under the condition that Japan allows enjoyment of the plant breeder's rights or related rights for the nationals of that country), and further provides the protection for plant genus and species to which the person's applied variety belongs.

2 Sector: Agriculture, Forestry and Fisheries, and Related Services (except Fisheries within the Territorial Sea, Internal Waters, Exclusive Economic Zone and Continental Shelf provided for in the entry No. 8 in the Schedule of Japan in Annex II)

Sub-Sector:

Industry Classification:	JSIC 01	Agriculture
	JSIC 02	Forestry
	JSIC 03	Fisheries, except aquaculture
	JSIC 04	Aquaculture
	JSIC 6324	Agricultural cooperatives
	JSIC 6325	Fishery and fishery processing cooperatives
	JSIC 871	Agriculture, forestry and fisheries cooperative associations, n.e.c.

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in agriculture, forestry and fisheries, and related services (except fisheries within the territorial sea, internal waters, exclusive economic zone and continental shelf provided for in the entry No. 8 in the Schedule of Japan in Annex II) in Japan.

3 Sector: Finance

Sub-Sector: Banking

Industry Classification: JSIC 622 Banks, except central bank

JSIC 631 Financial institutions for small-businesses

Obligations Concerned: National Treatment (Article 2)

Measures: Deposit Insurance Law (Law No. 34 of 1971), Article 2

Description: The deposit insurance system only covers financial institutions which have their head offices within the jurisdiction of Japan.

The deposit insurance system does not cover deposits taken by branches of foreign banks.

4 Sector: Heat Supply

Sub-Sector:

Industry Classification: JSIC 3511 Heat supply

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in the heat supply industry in Japan.

5 Sector: Information and Communications

Sub-Sector: Telecommunications

Industry Classification: JSIC 3700 Head offices primarily engaged in managerial operations

JSIC 3711 Regional telecommunications, except wired broadcast telephones

JSIC 3731 Services incidental to telecommunications

Obligations Concerned: National Treatment (Article 2)

Prohibition of Performance Requirements (Article 6)

Measures: Law concerning Nippon Telegraph and Telephone Corporation, etc. (Law No. 85 of 1984), Articles 6 and 10

Description: 1. Nippon Telegraph and Telephone Corporation may not enter the name and address in its register of shareholders if the aggregate of the ratio of the voting rights directly and/or indirectly held by the persons set forth in subparagraphs (a) through (c) reaches or exceeds one-third:

- (a) a natural person who does not have Japanese nationality;
- (b) a foreign government or its representative; and
- (c) a foreign legal person or a foreign entity.

2. Any natural person who does not have Japanese nationality may not assume the office of member of the board of directors or auditor of Nippon Telegraph and Telephone Corporation, Nippon Telegraph and Telephone East Corporation and Nippon Telegraph and Telephone West Corporation.

6 Sector: Information and Communications

Sub-Sector: Telecommunications and Internet Based Services

Industry Classification: JSIC 3711 Regional telecommunications, except wired broadcast telephones

JSIC 3712 Long-distance telecommunications

JSIC 3719 Miscellaneous fixed telecommunications

JSIC 3721 Mobile telecommunications

JSIC 401 Services incidental to Internet

Note: The activities covered by this entry under JSIC 3711, 3712, 3719, 3721 or 401 are limited to the activities which are subject to the registration obligation under Article 9 of the Telecommunications Business Law (Law No. 86 of 1984).

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in telecommunications business and Internet based services in Japan.

7 Sector: Manufacturing

Sub-Sector: Drugs and Medicines Manufacturing

Industry Classification: JSIC 1653 Biological preparations

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in biological preparations manufacturing industry in Japan. For greater certainty, "biological preparations manufacturing industry" deals with economic activities in an establishment which mainly produces vaccine, serum, toxoid, antitoxin or some preparations similar to the aforementioned products, or blood products.

8	Sector:	Manufacturing	
	Sub-Sector:	Leather and Leather Products Manufacturing	
	Industry Classification:	JSIC 1189	Textile apparel and accessories, n.e.c.
		JSIC 1694	Gelatine and adhesives
		JSIC 192	Rubber and plastic footwear and its findings
		JSIC 2011	Leather tanning and finishing
		JSIC 2021	Mechanical and industrial leather products, except gloves and mittens
		JSIC 2031	Cut stock and findings for leather footwear
		JSIC 2041	Leather footwear
		JSIC 2051	Leather gloves and mittens
		JSIC 2061	Baggage
		JSIC 207	Handbags and small cases
		JSIC 2081	Fur skins
		JSIC 2099	Miscellaneous tanning leather products
		JSIC 3253	Sporting and athletic goods
	Note 1:	The activities covered by this entry under JSIC 1189 or 3253 are limited to the activities related to leather and leather products manufacturing.	

Note 2: The activities covered by this entry under JSIC 1694 are limited to the activities related to animal glue (nikawa) and gelatine manufacturing.

Obligations Concerned:

National Treatment (Article 2)

Measures:

Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description:

The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in leather and leather products manufacturing industry in Japan.

9 Sector: Matters Related to the Nationality
of a Ship

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Prohibition of Performance
Requirements (Article 6)

Measures: Ship Law (Law No. 46 of 1899),
Article 1

Description: The Japanese nationality shall be
given to a ship whose owner is a
Japanese national, or a company
established under Japanese laws and
regulations, of which all the
representatives and not less than
two-thirds of the executives
administering the affairs are
Japanese nationals.

10 Sector: Mining

Sub-Sector:

Industry Classification: JSIC 05 Mining and quarrying of stone and gravel

Obligations Concerned: National Treatment (Article 2)

Measures: Mining Law (Law No. 289 of 1950), Chapters 2 and 3

Description: Only a Japanese national or a Japanese legal person may have mining rights or mining lease rights.

11 Sector: Oil Industry

Sub-Sector:

Industry Classification:	JSIC 053	Crude petroleum and natural gas production
	JSIC 1711	Petroleum refining
	JSIC 1721	Lubricating oils and greases (not made in petroleum refineries)
	JSIC 1741	Paving materials
	JSIC 1799	Miscellaneous petroleum and coal products
	JSIC 4711	Ordinary warehousing, except refrigerated warehousing
	JSIC 4721	Refrigerated warehousing
	JSIC 5331	Petroleum
	JSIC 6051	Gasoline stations
	JSIC 6052	Fuel stores, except gasoline stations
	JSIC 9299	Miscellaneous business services, n.e.c.

Note 1: The activities covered by this entry under JSIC 1741, 1799, 4711, 4721 or 6052 are limited to those related to oil industry.

Note 2: The activities covered by this entry under JSIC 9299 are limited to those related to liquefied petroleum gas industry.

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in the oil industry in Japan. All organic chemicals such as ethylene, ethylene glycol and polycarbonates are outside the scope of the oil industry. Therefore, the prior notification under the Foreign Exchange and Foreign Trade Law is not required for the investments in the manufacture of these products.

12 Sector: Security Guard Services

Sub-Sector:

Industry Classification: JSIC 923 Guard services

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in security guard services in Japan.

13 Sector: Transport

Sub-Sector: Air Transport

Industry Classification: JSIC 4600 Head offices primarily engaged in managerial operations

JSIC 4611 Air transport

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment (Article 3)

Prohibition of Performance Requirements (Article 6)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Civil Aeronautics Law (Law No. 231 of 1952), Chapters 7 and 8

Description: 1. The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in air transport business in Japan.

2. Permission of the Minister of Land, Infrastructure, Transport and Tourism for conducting air transport business as a Japanese air carrier is not granted to the following natural persons or entities applying for the permission:

(a) a natural person who does not have Japanese nationality;

(b) a foreign country, or a foreign public entity or its equivalent;

- (c) a legal person or other entity constituted under the laws of any foreign country; and
- (d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which one-third or more of the directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which one-third or more of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

In the event that an air carrier becomes a natural person or an entity referred to in subparagraphs (a) through (d), the permission will lose its effect. The conditions for the permission also apply to companies, such as holding companies, which have substantial control over the air carriers.

3. A Japanese air carrier or a company having substantial control over such air carrier, such as a holding company, may reject the request from a natural person or an entity set forth in subparagraphs 2(a) through 2(c), who owns equity investments in such air carrier or company, to enter its name and address in the register of shareholders, in the event that such air carrier or company becomes a legal person referred to in subparagraph 2(d) by accepting such request.

4. Foreign air carriers are required to obtain permission of the Minister of Land, Infrastructure, Transport and Tourism to conduct international air transport business.

5. Permission of the Minister of Land, Infrastructure, Transport and Tourism is required for the use of foreign aircraft for air transportation of passengers or cargoes to and from Japan for remuneration.

6. A foreign aircraft may not be used for a flight between points within Japan.

14 Sector: Transport

Sub-Sector: Air Transport

Industry Classification: JSIC 4600 Head offices primarily engaged in managerial operations

JSIC 4621 Aircraft service, except air transport

Obligations Concerned: National Treatment (Article 2)

Prohibition of Performance Requirements (Article 6)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Civil Aeronautics Law (Law No. 231 of 1952), Chapters 7 and 8

Description: 1. The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in aerial work business in Japan.

2. Permission of the Minister of Land, Infrastructure, Transport and Tourism for conducting aerial work business is not granted to the following natural persons or entities applying for the permission:

- (a) a natural person who does not have Japanese nationality;
- (b) a foreign country, or a foreign public entity or its equivalent;
- (c) a legal person or other entity constituted under the laws of any foreign country; and

- (d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which one-third or more of the directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which one-third or more of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

In the event that a person conducting aerial work business becomes a natural person or an entity referred to in subparagraphs (a) through (d), the permission will lose its effect. The conditions for the permission also apply to companies, such as holding companies, which have substantial control over the person conducting aerial work business.

3. A foreign aircraft may not be used for a flight between points within Japan.

15 Sector: Transport

Sub-Sector: Air Transport (Registration of Aircraft in the National Register)

Industry Classification:

Obligations Concerned: National Treatment (Article 2)
Prohibition of Performance Requirements (Article 6)

Measures: Civil Aeronautics Law (Law No. 231 of 1952), Chapter 2

Description: 1. An aircraft owned by any of the following natural persons or entities may not be registered in the national register:

- (a) a natural person who does not have Japanese nationality;
- (b) a foreign country, or a foreign public entity or its equivalent;
- (c) a legal person or other entity constituted under the laws of any foreign country; and
- (d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which one-third or more of the directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which one-third or more of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

2. A foreign aircraft may not be registered in the national register.

16 Sector: Transport

Sub-Sector: Freight Forwarding Business
(excluding Freight Forwarding
Business Using Air Transportation)

Industry Classification: JSIC 4441 Collect-and-deliver
freight transport

JSIC 4821 Freight transport,
except collect-and-
deliver freight
transport

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Measures: Freight Forwarding Business Law
(Law No. 82 of 1989), Chapters 2
through 4

Enforcement Regulation of Freight
Forwarding Business Law (Ministerial
Ordinance of the Ministry of
Transport No. 20 of 1990)

Description: The following natural persons or
entities are required to be
registered with, or to obtain
permission or approval of, the
Minister of Land, Infrastructure,
Transport and Tourism for conducting
freight forwarding business using
international shipping. Such
registration shall be permitted, or
such permission or approval shall be
granted, on the basis of
reciprocity:

(a) a natural person who does not
have Japanese nationality;

(b) a foreign country, or a foreign
public entity or its
equivalent;

- (c) a legal person or other entity constituted under the laws of any foreign country; and
- (d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which one-third or more of the directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which one-third or more of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

17 Sector: Transport

Sub-Sector: Freight Forwarding Business (only Freight Forwarding Business Using Air Transportation)

Industry Classification: JSIC 4441 Collect-and-deliver freight transport

JSIC 4821 Freight transport, except collect-and-deliver freight transport

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment (Article 3)

Prohibition of Performance Requirements (Article 6)

Measures: Freight Forwarding Business Law (Law No. 82 of 1989), Chapters 2 through 4

Enforcement Regulation of Freight Forwarding Business Law (Ministerial Ordinance of the Ministry of Transport No. 20 of 1990)

Description: 1. The following natural persons or entities may not conduct freight forwarding business using air transportation between points within Japan:

- (a) a natural person who does not have Japanese nationality;
- (b) a foreign country, or a foreign public entity or its equivalent;
- (c) a legal person or other entity constituted under the laws of any foreign country; and

- (d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which one-third or more of the directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which one-third or more of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

2. The natural persons or entities referred to in paragraph 1 are required to be registered with, or to obtain permission or approval of, the Minister of Land, Infrastructure, Transport and Tourism for conducting freight forwarding business using international air transportation. Such registration shall be permitted, or such permission or approval shall be granted, on the basis of reciprocity.

18 Sector: Transport

Sub-Sector: Railway Transport

Industry Classification: JSIC 421 Railway transport
JSIC 4851 Railway facilities services

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27
Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: 1. The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in railway transport industry in Japan.
2. The manufacture of vehicles or parts and components for the railway transport industry is not included in railway transport industry. Therefore, the prior notification under the Foreign Exchange and Foreign Trade Law is not required for the investments in the manufacture of these products.

19 Sector: Transport

Sub-Sector: Road Passenger Transport

Industry Classification: JSIC 4311 Common omnibus operators

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: 1. The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in omnibus industry in Japan.

2. The manufacture of vehicles or parts and components for omnibus industry is not included in omnibus industry. Therefore, the prior notification under the Foreign Exchange and Foreign Trade Law is not required for the investments in the manufacture of these products.

20 Sector: Transport

Sub-Sector: Water Transport

Industry Classification: JSIC 452 Coastwise transport
JSIC 453 Inland water transport
JSIC 4542 Coastwise ship leasing

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27
Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in the water transport industry in Japan. For greater certainty, "water transport industry" refers to oceangoing/seagoing transport, coastwise transport (i.e. maritime transport between ports in Japan), inland water transport and ship leasing industry. However, oceangoing/seagoing transport industry and ship leasing industry excluding coastwise ship leasing industry are exempted from the prior notification requirement.

21 Sector: Transport

Sub-Sector: Water Transport

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment
(Article 3)

Measures: Ship Law (Law No. 46 of 1899),
Article 3

Description: Unless otherwise specified in laws
and regulations of Japan, or
international agreements to which
Japan is a party, ships not flying
the Japanese flag are prohibited
from entering ports in Japan which
are not open to foreign commerce and
from carrying cargoes or passengers
between ports in Japan.

22 Sector: Water Supply and Waterworks

Sub-Sector:

Industry Classification: JSIC 3611 Water for end users,
except industrial users

Obligations Concerned: National Treatment (Article 2)

Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description: The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in water supply and waterworks industry in Japan.

Schedule of the Republic of Armenia

1 Sector: All

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Measures: Schedule of Specific Commitments in Service under the WTO Agreement (GATS/SC/137, 2004 (I. Horizontal Commitments))

Description: Only legal entities constituted under Armenian legislation are eligible for subsidisation, irrespective of their capital ownership.

2 Sector: All

Sub-Sector:

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Measures: Constitution as amended in 2015,
Article 60

Land Code (Law no. HO-185 of 2001),
Article 4

Description: Foreign nationals and stateless
persons shall not enjoy the right of
ownership and obtain property rights
over land, except for the cases
prescribed by law.

3 Sector: Transportation and Storage
Facilities

Sub-Sector: Air Transport Activities

Industry Classification: Classification of Economic Activity
HD-011-2013
51- Air Transport Activities

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Aviation" (Law no. HO-81-N
of 2007), Article 43

Description: For the purpose of the air transport
flights safety, the authorised body
for the technical regulation issues
an air operator certificate in
accordance with procedure
established by the Government of the
Republic of Armenia, exclusively:

- (a) to the legal entities
registered in the Republic of
Armenia, with at least 51
percent shares owned by the
nationals of the Republic of
Armenia and/or to legal
entities established and
registered in the Republic of
Armenia; and
- (b) to authorised bodies of the
Government of the Republic of
Armenia.

In the interests of the Republic of
Armenia, the authorised body for the
technical regulation can apply
exceptions from the abovementioned
terms, if there are special reasons
and the air operator will be based
in the Republic of Armenia.

4 Sector: Transportation and Storage
Facilities

Sub-Sector: Air Transport Activities

Industry Classification: Classification of Economic Activity
HD-011-2013
51- Air Transport Activities

Obligations Concerned: Prohibition of Performance
Requirements (Article 6)

Measures: Law "On Aviation" (Law no. HO-81-N
of 2007), Article 35

Description: The crew members of aircrafts
registered in the Republic of
Armenia shall be nationals of the
Republic of Armenia, unless
authorised body makes another
decision as an exception.

5 Sector: Culture, Leisure and Recreation

Sub-Sector: Gambling-related Activities

Industry Classification: Classification of Economic Activity
HD-011-2013
92.00.3- Organisation of Lottery Activities

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Lotteries" (Law no. HO-3-N of 2003), Article 4

Description: Only commercial organisations, the founders of which are nationals of the Republic of Armenia and/or legal entities established in the Republic of Armenia, can operate lotteries in the Republic of Armenia.

6 Sector: All

Sub-Sector:

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Measures: Government Decree no. 1441-N of
2011, Annex 2, paragraph 3

Description: In the Republic of Armenia, only the
nationals of the Republic of Armenia
who have received a certification of
qualification from the state
authorised body can do cartography,
geodesy, measurement and land
management.

7 Sector: Professional, Scientific and
Technical Activities

Sub-Sector: Legal Activities

Industry Classification: Classification of Economic Activity
HD-011-2013
69.1- Legal Activities

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Notary" (Law no. HO-274 of
2001), Article 10

Description: Only the nationals of the Republic
of Armenia can be assigned to the
position of the notary.

8 Sector: Administrative and Auxiliary
Activities

Sub-Sector: Security and Investigations

Industry Classification: Classification of Economic Activity
HD-011-2013
80.1- Private Security Activities

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Private Security Activities"
(Law no. HO-6-N of 2012), Article 12

Description: Only the nationals of the Republic
of Armenia have the right to obtain
the status of bodyguard and guard
and to exercise the functions of
bodyguard and guard (including use
of weapons and special means).

9 Sector: Information and Communication

Sub-Sector: Production of Film, Video Television Programs, Musical and Other Audio Recording, Organising and Broadcasting of Television and Radio Programs

Industry Classification: Classification of Economic Activity
HD-011-2013
60- Organising and Broadcasting of Television and Radio Programs

Obligations Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment (Article 3)

Measures: Law "On Television and Radio" (Law no. HO-97 of 2000), Articles 16 and 55.1

Description: A private multiplexor shall be a legal entity established in the Republic of Armenia. The share of participation of foreign capital shall not be more than or equal to 50 percent of the shares required for adoption of decisions of the private multiplexor, and the television and radio company. A larger share can be defined by international agreements.

10 Sector: Financial and Insurance Activities

Sub-Sector:

Industry Classification of Economic Activity
Classification: HD-011-2013
64- Financial Services

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Banks and Banking" (Law no. HO-68 of 1996), Articles 4 and 14

Description: Banking activities shall be provided only by a legal entity and/or a branch established and licensed in the Republic of Armenia.

11 Sector: Financial and Insurance Activities

Sub-Sector:

Industry Classification: Classification of Economic Activity
HD-011-2013
65- Insurance Services

Obligations Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment (Article 3)

Measures: Law "On Insurance and Insurance Activities" (Law no. HO-177-N of 2007), Articles 1 and 47

Description: Insurance service shall be provided only by a legal entity and/or a branch established and registered in the Republic of Armenia.

Foreign insurance companies may, without establishing a branch or subsidiary legal entity in the Republic of Armenia, perform insurance activities through a public offering only if they are registered in countries that are parties to the international agreements (of which the Republic of Armenia is also a member) consistent with the WTO Agreement; such legal entity may only perform insurance covering the following risks:

- (a) maritime shipping, civil aviation, spaceship launching and freight (including satellites); such insurance may cover transportable goods, transporting vehicle and any liability arising out of such transportation, both altogether and separately;
- (b) international freight carriage; and
- (c) reinsurance and retrocession and other services related to reinsurance.

12 Sector: Financial and Insurance Activities

Sub-Sector:

Industry Classification: Classification of Economic Activity
HD-011-2013
66- Finance and Insurance

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Securities Market" (Law no. HO-195-N of 2007), Articles 3, 25, 43 and 49

Description: Investment services in the meaning of law "On Securities Market" of the Republic of Armenia shall be provided only by a legal entity and/or a branch established and registered in the Republic of Armenia.

13 Sector: Financial and Insurance Activities

Sub-Sector:

Industry Classification of Economic Activity
Classification: HD-011-2013
66- Finance and Insurance

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Investment Funds" (Law no. HO-245-N of 2010), Article 55 and 60
Regulation 10/01 of the Central Bank Board, (Regulation no. 116-N of 2011), Article 38

Description: Fund management service shall be provided only by a legal entity and/or a branch established in the Republic of Armenia.

14 Sector: Financial and Insurance Activities

Sub-Sector:

Industry Classification: Classification of Economic Activity
HD-011-2013
64.92.1- Pawnbroker Activity

Obligations Concerned: National Treatment (Article 2)

Measures: Law "On Pawnshops and Pawnbrokerage"
(Law no. HO-43-N of 2003), Article 3

Description: Only legal persons and sole proprietors established in the Republic of Armenia can engage in pawnbrokerage activity in the Republic of Armenia.

Annex II
Non-Conforming Measures referred to
in paragraph 2 of Article 7

1. The Schedule of a Contracting Party sets out, pursuant to paragraph 2 of Article 7, the specific sectors, sub-sectors or activities for which that Contracting Party may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

- (a) Article 2;
- (b) Article 3; or
- (c) Article 6.

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 sub-sector for which the entry is made;
- (c) "Industry Classification", where referenced, and only for transparency purposes, refers to the activity covered by the non-conforming measure, according to domestic or international industry classification codes;
- (d) "Obligations Concerned" specifies the obligations referred to in paragraph 1 that, pursuant to paragraph 2 of Article 7, do not apply to the sectors, sub-sectors or activities listed in the entry;
- (e) "Description" sets out the scope or nature of the sectors, sub-sectors or activities covered by the entry; and
- (f) "Existing Measures", where specified, identifies, for transparency purposes, a non-exhaustive list of existing measures that apply to the sectors, sub-sectors or activities covered by the entry.

3. In the interpretation of an entry, all elements of the entry shall be considered. The "Description" element shall prevail over all other elements.

4. For the purposes of this Annex, the term "JSIC" means Japan Standard Industrial Classification set out by the Ministry of Internal Affairs and Communications of Japan, and revised on October 30, 2013.

5. For the purposes of this Annex, the term "Classification of Economic Activity HD-011-2013" means Armenian Classification of Types of Economic Activity set out by the Ministry of Economy of the Republic of Armenia on September 19, 2013.

Schedule of Japan

1 Sector:	All
Sub-Sector:	
Industry Classification:	
Obligations Concerned:	National Treatment (Article 2) Prohibition of Performance Requirements (Article 6)
Description:	When transferring or disposing of its equity interests in, or the assets of, a state enterprise or a governmental entity, Japan reserves the right to: (a) prohibit or impose limitations on the ownership of such interests or assets by investors of the Republic of Armenia or their investments; (b) impose limitations on the ability of investors of the Republic of Armenia or their investments as owners of such interests or assets to control any resulting enterprise; or (c) adopt or maintain any measure relating to the nationality of executives, managers or members of the board of directors of any resulting enterprise.
Existing Measures:	

2 Sector: All

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or maintain any measure relating to investment in telegraph services, postal services, betting and gambling services, manufacture of tobacco products, manufacture of Bank of Japan notes and minting and sale of coinage in Japan.

Existing
Measures:

3 Sector: All

Sub-Sector:

Industry
Classification:

Obligations
Concerned: Most-Favoured-Nation Treatment
(Article 3)

Description: Japan reserves the right to adopt or
maintain any measure that accords
differential treatment to countries
under any bilateral or multilateral
agreement involving:

(a) aviation;

(b) fisheries; or

(c) maritime matters, including
salvage.

Existing
Measures:

4 Sector: All

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Description: National Treatment and Most-Favoured-Nation Treatment may not be accorded to investors of the Republic of Armenia and their investments with respect to subsidies.

Existing
Measures:

5 Sector: Aerospace Industry

Sub-Sector: Aircraft Industry

Space Industry

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or
maintain any measure relating to the
investment in aircraft industry and
space industry.

Existing
Measures: Foreign Exchange and Foreign
Trade Law (Law No. 228 of 1949),
Articles 27 and 30

Cabinet Order on Foreign Direct
Investment (Cabinet Order No. 261
of 1980), Articles 3 and 5

6 Sector: Arms and Explosives Industry

Sub-Sector: Arms Industry

Explosives Manufacturing Industry

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or
maintain any measure relating to the
investment in the arms industry and
explosives manufacturing industry.

Existing
Measures: Foreign Exchange and Foreign
Trade Law (Law No. 228 of 1949),
Articles 27 and 30

Cabinet Order on Foreign Direct
Investment (Cabinet Order No. 261
of 1980), Articles 3 and 5

7 Sector: Energy

Sub-Sector: Electricity Utility Industry
Gas Utility Industry
Nuclear Energy Industry

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)
Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or
maintain any measure relating to
investment in the energy industry
listed in the "Sub-Sector" element.

Existing
Measures: Foreign Exchange and Foreign
Trade Law (Law No. 228 of 1949),
Articles 27 and 30

Cabinet Order on Foreign Direct
Investment (Cabinet Order No. 261
of 1980), Articles 3 and 5

8 Sector: Fisheries

Sub-Sector: Fisheries within the Territorial Sea, Internal Waters, Exclusive Economic Zone and Continental Shelf

Industry Classification: JSIC 031 Marine fisheries
 JSIC 032 Inland water fisheries
 JSIC 041 Marine aquaculture
 JSIC 042 Inland water aquaculture
 JSIC 8093 Recreational fishing guide business

Obligations Concerned: National Treatment (Article 2)
 Most-Favoured-Nation Treatment (Article 3)
 Prohibition of Performance Requirements (Article 6)

Description: Japan reserves the right to adopt or maintain any measure relating to investment in fisheries in the territorial sea, internal waters, exclusive economic zone and continental shelf of Japan.

For the purposes of this entry, the term "fisheries" means the work of taking and cultivation of aquatic resources, including the following fisheries related activities:

- (a) investigation of aquatic resources without taking such resources;
- (b) luring of aquatic resources;
- (c) preservation and processing of fish catches;
- (d) transportation of fish catches and fish products; and
- (e) provision of supplies to other vessels used for fisheries.

Existing
Measures:

Foreign Exchange and Foreign
Trade Law (Law No. 228 of 1949),
Article 27

Cabinet Order on Foreign Direct
Investment (Cabinet Order No. 261
of 1980), Article 3

Law for Regulation of Fishing
Operation by Foreign Nationals (Law
No. 60 of 1967), Articles 3, 4 and 6

Law concerning the Exercise of
Sovereign Rights concerning
Fisheries in the Exclusive Economic
Zones (Law No. 76 of 1996), Articles
4, 5, 7, 8, 9, 10, 11, 12 and 14

9 Sector: Information and Communications

Sub-Sector: Broadcasting Industry

Industry Classification: JSIC 380 Establishments engaged in administrative or ancillary economic activities

JSIC 381 Public broadcasting, except cablecasting

JSIC 382 Private-sector broadcasting, except cablecasting

JSIC 383 Cablecasting

Obligations Concerned: National Treatment (Article 2)

Prohibition of Performance Requirements (Article 6)

Description: Japan reserves the right to adopt or maintain any measure relating to investment in broadcasting industry.

Existing Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Radio Law (Law No. 131 of 1950), Chapter 2

Broadcast Law (Law No. 132 of 1950), Chapters 5 and 8

10 Sector: Land Transaction

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment (Article 3)

Description: With respect to the acquisition or lease of land properties in Japan, prohibitions or restrictions may be imposed by Cabinet Order on foreign nationals or legal persons, where Japanese nationals or legal persons are placed under identical or similar prohibitions or restrictions in the foreign country.

Existing Measures: Alien Land Law (Law No. 42 of 1925), Article 1

11 Sector: Public Law Enforcement and
Correctional Services and Social
Services

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or
maintain any measure relating to
investment in public law enforcement
and correctional services, and in
social services such as income
security or insurance, social
security or insurance, social
welfare, primary and secondary
education, public training, health
and child care.

Existing
Measures:

12 Sector: Transport

Sub-Sector: Air Transport

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Prohibition of Performance
Requirements (Article 6)

Description: Japan reserves the right to adopt or
maintain any measure with respect to
investment in airports or airport
operation services.

For the purposes of this entry, the
term "airport operation services"
means the supply of air terminal,
airfield and other airport
infrastructure operation services on
a fee or contract basis. Airport
operation services do not include air
navigation services.

Existing
Measures:

Schedule of the Republic of Armenia

- 1 Sector: Transportation and Storage Facilities
- Sub-Sector: Air Transport Activities
- Industry Classification: Classification of Economic Activity
HD-011-2013
51- Air Transport Activities
- Obligations Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment (Article 3)
Prohibition of Performance Requirements (Article 6)
- Description: The Republic of Armenia reserves the right to adopt or maintain any measure with respect to investment in airports or airport operation services in accordance with its laws and regulations, provided that such measure shall conform with Article 3, except for measure that accords differential treatment to investors of the countries which are parties to the Treaty on the Eurasian Economic Union.
- For the purposes of this entry, the term "airport operation services" means the supply of air terminal, airfield and other airport infrastructure operation services on a fee or contract basis. Airport operation services do not include air navigation services.
- Existing Measures:

2 Sector: Postal Services

Sub-Sector:

Industry
Classification:

Obligations Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Armenia reserves the right to adopt or maintain any measure relating to investment in postal services in accordance with its laws and regulations, provided that such measure shall conform with Article 3, except for measure that accords differential treatment to investors of the countries which are parties to the Treaty on the Eurasian Economic Union.

Existing
Measures:

3 Sector: Fisheries

Sub-Sector: Fisheries in the Internal Waters

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Armenia reserves the right to adopt or maintain any measure relating to investment in fisheries in the internal waters of the Republic of Armenia in accordance with its laws and regulations, provided that such measure shall conform with Article 3, except for measure that accords differential treatment to investors of the countries which are parties to the Treaty on the Eurasian Economic Union.

For the purposes of this entry, the term "fisheries" means the work of taking and cultivation of aquatic resources, including the following fisheries related activities:

- (a) investigation of aquatic resources without taking such resources;
- (b) luring of aquatic resources;
- (c) preservation and processing of fish catches;
- (d) transportation of fish catches and fish products; and
- (e) provision of supplies to other vessels used for fisheries.

Existing
Measures:

4 Sector: Arms and Explosives Industry

Sub-Sector: Arms Industry

Explosives Manufacturing Industry

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Armenia reserves the right to adopt or maintain any measure relating to investment in the arms industry and explosives manufacturing industry in accordance with its laws and regulations, provided that such measure shall conform with Article 3, except for measure that accords differential treatment to investors of the countries which are parties to the Treaty on the Eurasian Economic Union.

Existing
Measures:

5 Sector: Public Law Enforcement and
Correctional Services and Social
Services

Sub-Sector:

Industry
Classification:

Obligations National Treatment (Article 2)
Concerned:

Most-Favoured-Nation Treatment
(Article 3)

Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Armenia reserves the
right to adopt or maintain any
measure relating to investment in
public law enforcement and
correctional services, and in social
services except for social welfare,
primary and secondary education,
public training, health and child
care, in accordance with its laws
and regulations, provided that such
measure shall conform with Article
3, except for measure that accords
differential treatment to investors
of the countries which are parties
to the Treaty on the Eurasian
Economic Union.

Existing
Measures:

6 Sector: Energy

Sub-Sector: Electricity Utility Industry
Gas Utility Industry

Industry
Classification:

Obligations
Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment
(Article 3)
Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Armenia reserves the
right to adopt or maintain any
measure relating to investment in
energy industry listed in the "Sub-
Sector" element, in accordance with
its laws and regulations, provided
that such measure shall conform with
Article 3, except for measure that
accords differential treatment to
investors of the countries which are
parties to the Treaty on the
Eurasian Economic Union.

Existing
Measures:

7 Sector: Financial and Insurance Activities

Sub-Sector:

Industry
Classification:

Obligations Most-Favoured-Nation Treatment
Concerned: (Article 3)

Description: With regard to investment in financial services, the Republic of Armenia reserves the right to adopt or maintain any measure that accords differential treatment to countries in the economic unions to which the Republic of Armenia is also a party. For the purpose of this entry, the term "financial services" means insurance and insurance-related services as well as banking and other financial services.

Existing
Measures: