

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 (National Treatment);
- (b) Article 3 (Most-Favoured-Nation Treatment); or
- (c) Article 6 (Prohibition of Performance Requirements).

2. Each Schedule entry sets out the following elements:

- (a) "Sector" refers to the sector for which the entry is made;
- (b) "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);
- (c) "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
- (d) "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.

Schedule of Japan

1 Sector:	Agriculture, Forestry and Fisheries (Plant Breeder's Rights)
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)

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

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

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

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

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

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 produces vaccine, serum, toxoid, antitoxin or some preparations similar to the aforementioned products, or blood products.

8 Sector: 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

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

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

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

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

- (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

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

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
	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 made, 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

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 made, or such permission or approval shall be granted, on the basis of reciprocity.

18 Sector: Transport

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

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

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

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

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 Côte d'Ivoire

1 Sector:	All
Obligations Concerned:	Prohibition of Performance Requirements (Article 6)
Measures:	Ordinance No. 2012-487 of June 7, 2012 relating to the Code of Investments, Article 26
Description:	The investor shall recruit, as a matter of priority, Ivorian labour and help to increase the qualifications of its local staff, particularly, through continuing training and the development of local competences through advanced training courses.

2 Sector: Oil

Obligations Concerned: Prohibition of Performance Requirements (Article 6)

Measures: Law No. 96-669 of August 29, 1996 relating to the Petroleum Code, as amended by Ordinance No. 2012-369 of April 18, 2012, Articles 53 new and 55

Description: 1. (Article 53 new) The holder of a Petroleum Contract and its subcontractors shall employ, as a matter of priority, Ivorian nationals, qualified for the necessities of their operations.

To this end, from the beginning of the Petroleum Operations, the holder of the Petroleum Contract shall:

- establish a training program for its Ivorian staff of all qualifications, under the conditions laid down in the Petroleum Contract; and
- finance a training program for the Ivorian oil administration civil servants of all qualifications, under the conditions specified in the Petroleum Contract.

2. (Article 55) The holder of a Petroleum Contract shall, in the case of commercial hydrocarbon production, allocate, by giving priority to meeting the needs of the Ivorian domestic market, a share of the production accruing to it. The terms and conditions of this obligation are specified in the Petroleum Contract, including the transfer price.

3 Sector:	Mines
Obligations Concerned:	National Treatment (Article 2)
Measures:	Law No. 2014-138 of March 24, 2014 relating to the Mining Code, Articles 7, 18, 53 and 65
Description:	<p>1. (Article 7) The granting of an operating permit obliges its holder to create a company under Ivorian law whose exclusive object is the exploitation of the deposit for which the permit has been issued.</p> <p>The operating permit is transferred to the company created under the conditions defined by decree.</p> <p>The granting of operating permits by the State entitles the State to contribution shares fixed to 10 percent of the capital of the operating company in exchange for distributed wealth and subsoil depletion, throughout the life of the mine. No financial contribution may be required from the State in respect of such contribution shares even in the event of a capital increase. In all cases, the State's share shall remain at least equal to 10 percent of the capital of the operating company.</p> <p>2. (Article 18) The research permit is granted by decree, subject to prior rights, to any Ivorian national or legal person under Ivorian law.</p> <p>3. (Article 53) Authorisation for semi-industrial mining exploitation is granted by order of the Minister in charge of Mines, subject to prior rights, and after consultation with the competent administrative authorities and the urban communes or rural communities concerned, to:</p>

- natural persons of Ivorian nationality;
- cooperative societies with majority Ivorian participation; or
- small and medium-sized enterprises under Ivorian law, the majority of capital of which is Ivorian.

The conditions for granting the semi-industrial mining exploitation authorisation are determined by decree.

4. (Article 65) Authorisation for artisanal mining exploitation shall be granted by order of the Minister in charge of Mines, subject to prior rights, and after consultation with the competent administrative authorities and the urban communes or rural communities concerned, to:

- natural persons of Ivorian nationality; or
- cooperative societies with majority Ivorian participation.

The conditions for granting the artisanal mining exploitation authorisation are determined by decree.

4 Sector: Rural Land

Obligations Concerned: National Treatment (Article 2)

Measures: Law No. 98-750 of December 23, 1998 relating to the Rural Land Domain, Article 1

Description: Rural land is made up of all the land developed or not and whatever the nature of the value. It constitutes a national heritage to which any natural or legal person has access. However, only the Ivorian State, public authorities and nationals are authorised to be owner of the Rural Land.

5 Sector: Air Transport

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

Measures: Ordinance No. 2008-08 of January 23, 2008 relating to the Civil Aviation Code, Article 215

Description: The commercial transport of persons and goods between two points in the Republic of Côte d'Ivoire is reserved for Ivorian carriers subject to special and temporary derogations.

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 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 (National Treatment);
- (b) Article 3 (Most-Favoured-Nation Treatment); or
- (c) Article 6 (Prohibition of Performance Requirements).

2. Each Schedule entry sets out the following elements:

- (a) "Sector" refers to the sector for which the entry is made;
- (b) "Obligations Concerned" specifies the obligations referred to in paragraph 1 that, pursuant to paragraph 2 of Article 7, do not apply to the sectors or activities listed in the entry; and
- (c) "Description" sets out the scope or nature of the 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.

Schedule of Japan

1 Sector:	All
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 Côte d'Ivoire or their investments; (b) impose limitations on the ability of investors of the Republic of Côte d'Ivoire 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.

2 Sector: All

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.

3 Sector: All

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

Description: 1. Japan reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral agreement in force on, or signed prior to, the date of entry into force of this Agreement.

2. 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.

4 Sector: All

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 Côte d'Ivoire and their investments with respect to subsidies.

5 Sector: Aerospace Industry

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.

6 Sector: Arms and Explosives Industry

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.

7 Sector: Energy

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 electricity utility industry, gas utility industry and nuclear energy industry.

8 Sector:	Fisheries
Obligations Concerned:	National Treatment (Article 2) Most-Favoured-Nation Treatment (Article 3) Prohibition of Performance Requirements (Article 6)
Description:	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (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.

9 Sector: Information and Communications

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.

10 Sector: Land Transaction

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.

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

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,
child care and public housing.

12 Sector: Transport

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.

Schedule of the Republic of Côte d'Ivoire

- 1 Sector: Agriculture and Fisheries
- Obligations Concerned: National Treatment (Article 2)
Most-Favoured-Nation Treatment (Article 3)
Prohibition of Performance Requirements (Article 6)
- Description: The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure relating to the terms and conditions for carrying out activities related to the exploitation and the marketing of agricultural and fishery resources.

2 Sector: All

Obligations
Concerned: Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Côte d'Ivoire
reserves the right to adopt or
maintain any measure relating to the
rights and preferences granted to
enterprises in all sectors of
activity procuring services
exclusively or primarily in the
Ivorian market where they are
competitive in terms of their fair
market value, quality and delivery
time.

3 Sector: Information and Communication Technologies

Obligations Concerned: Prohibition of Performance Requirements (Article 6)

Description: The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure relating to requirements for the establishment and operation of enterprises in the information and communication technologies sector.

4 Sector: Cultural Goods

Obligations
Concerned: Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure relating to restrictions on the export of cultural goods produced in the Republic of Côte d'Ivoire in the cultural field of works of art and ancient handicrafts, literary and artistic productions, works of folklore, ritual objects and prehistoric and historical remains of cultural interest.

5 Sector: Food Products

Obligations
Concerned: Prohibition of Performance
Requirements (Article 6)

Description: The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure relating to restrictions on the export of agri-food products required primarily to meet the needs of the people of Côte d'Ivoire, unless these measures are applied to constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

6 Sector: All

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

Description: 1. The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral agreement in force on, or signed before, the date of entry into force of this Agreement;

2. The Republic of Côte d'Ivoire reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral agreement, present or future, which,

(a) establishes, strengthens or expands a free trade area or customs union; or

(b) relates to either:

(i) aviation;

(ii) fisheries; or

(iii) maritime matters, including rescue.