Article 7
Non-Governmental Bodies or State Enterprises

Each Contracting Party shall take such reasonable measures as may be available to it to ensure that any non-governmental bodies or state enterprises in its Area does not act in a manner inconsistent with the obligation of the Contracting Party under this Agreement in the exercise of powers delegated to them by central government, such as the power to grant import or export licenses, approve commercial transactions or impose quotas, fees or other charges.

Article 8
Reservations and Exceptions

1. Articles 3, 4, 6 and 12 shall not apply to:

(a) any existing non-conforming measure that is maintained by:

(i) with respect to Japan:

(A) the central government or a prefecture, as set out in its Schedule in Annex I; or

(B) a local government other than prefectures;

(ii) with respect to the Republic of Peru:

(A) the central government or a regional government, as set out in its Schedule in Annex I; or

(B) a local government;

(b) the continuation or prompt renewal of any non-conforming measure referred to in subparagraph (a); or

(c) an amendment or modification to any non-conforming measure referred to in subparagraph (a), provided that the amendment or modification does not decrease the conformity of the measure as it existed immediately before the amendment or modification, with Articles 3, 4, 6 and 12.

2. Articles 3, 4, 6 and 12 shall not apply to any measure that a Contracting Party adopts or maintains with respect to sectors, sub-sectors and activities set out in its Schedule in Annex II.

3. Neither Contracting Party shall, under any measure adopted after the date of entry into force of this Agreement and covered by its Schedule in Annex II, require an investor of the other Contracting Party, by reason of its nationality, to sell or otherwise dispose of an investment that exists at the time the measure becomes effective.

4. In cases where a Contracting Party makes an amendment or a modification to any existing non-conforming measure set out in its Schedule in Annex I or where a Contracting Party adopts any new or more restrictive measure with respect to sectors, sub-sectors or activities set out in its Schedule in Annex II after the entry into force of this Agreement, the Contracting Party shall, prior to the implementation of the amendment or modification or the new or more restrictive measure, or in exceptional circumstances, as soon as possible thereafter:

(a) notify the other Contracting Party of detailed information on such amendment, modification or measure; and

(b) hold, upon request by the other Contracting Party, consultations in good-faith with that other Contracting Party.

5. Each Contracting Party shall endeavour, where appropriate, to reduce or eliminate the reservations specified in its Schedules in Annexes I and II respectively.

6. Articles 3, 4, 6 and 12 shall not apply to any measure covered by the exceptions to, or derogations from, obligations under Articles 3 and 4 of the TRIPS Agreement, as specifically provided in Articles 3 through 5 of the TRIPS Agreement.

7. Articles 3, 4, 6 and 12 shall not apply to any measure that a Contracting Party adopts or maintains with respect to government procurement.

Article 9
Transparency

1. Each Contracting Party shall promptly publish, or otherwise make publicly available, its laws, regulations, administrative procedures and administrative rulings and judicial decisions of general application as well as international agreements which pertain to or affect investment activities.