Annex 8
Referred to in Chapter 8

Reservations for Measures
referred to in paragraph 1 of Article 90

Part 1
Schedule of India

1. The Schedule of India sets out, pursuant to paragraph 1 of Article 90, the reservations taken by India with respect to existing measures that do not conform with obligations imposed by:

(a) Article 85;

(b) Article 86; or

(c) Article 89.

2. Each reservation sets out the following elements:

(a) "Sector" refers to the general sector in which the reservation is taken;

(b) "Sub-Sector" refers to the specific sector in which the reservation is taken;

(c) "Industry Classification" refers, where applicable, and only for transparency purposes, to the activity covered by the reservation according to domestic or international industry classification codes;

(d) "Type of Reservation" specifies the obligations referred to in paragraph 1 for which the reservation is taken;

(e) "Measures" identifies the existing laws, regulations or other measures for which the reservation is taken. 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, with regard to the obligations referred to in paragraph 1, the non-conforming aspects of the existing measures for which the reservation is taken.

3. In the interpretation of a reservation, all elements of the reservation shall be considered. A reservation shall be interpreted in the light of the relevant provisions of Chapter 8 against which the reservation is taken, and the "Measures" element shall prevail over all other elements.

4. For the purposes of this Part:

(a) the term "ISIC" means the International Standard Industrial Classification of All Economic Activities adopted, at its seventh session on August 27, 1948 and revised on May 22, 1989, by the Economic and Social Council of the United Nations; and

(b) the term "NIC" means National Industrial Classification Code, 1987 as set out by the Central Statistical Organisation of the Government of India.