Section 2

1 Sector: All Sectors

Sub-Sector:

Industry Classification:

Type of Reservation: Market Access (Article 9.3)

National Treatment (Articles 9.4 and 14.3)

Senior Management and Boards of Directors (Article 14.8)

Description: Trade in Services and Investment

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 Australia or their investments;

(b) impose limitations on the ability of investors of Australia 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 Sectors

Sub-Sector:

Industry Classification:

Type of Reservation: Market Access (Article 9.3)

National Treatment (Articles 9.4 and 14.3)

Local Presence (Article 9.6)

Senior Management and Boards of Directors (Article 14.8)

Description: Trade in Services and Investment

1. Japan reserves the right to adopt or maintain any measure relating to investments in or the supply of 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, which are restricted to designated enterprises or governmental entities.

2. In the event where the supply of 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, which are restricted to designated enterprises or governmental entities, are liberalised to those other than the designated enterprises or governmental entities, or in the event where such designated enterprises or governmental entities no longer operate on a non-commercial basis, Japan reserves the right to adopt or maintain any measure relating to those activities.

Existing Measures: Telecommunications Business Law (Law No. 86 of 1984) Supplementary Provisions, Article 5