8. The list of reservations below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures where they do not constitute a market access or a national treatment limitation within the meaning of Articles 8.7, 8.8, 8.15, and 8.16. Those measures (e.g. the need to obtain a licence, universal service obligations, the need to have recognised qualifications in regulated sectors, the need to pass specific examinations, including language examinations, and any non-discriminatory requirements that certain activities may not be carried out in protected zones or areas), even if not listed, apply in any case.

9. For greater certainty, for the European Union, the obligation to grant national treatment does not entail the requirement to extend to natural or juridical persons of Japan the treatment granted in a Member State, pursuant to the TFEU, or to any measure adopted pursuant to that Treaty, including their implementation in the Member States, to:

(i) natural persons; or residents of a Member State; or

(ii) juridical persons constituted; or organised under the law of another Member State; or of the European Union and having their registered office, central administration or principal place of business in a Member State.

Such national treatment is granted to juridical persons which are constituted or organised under the law of a Member State or the European Union and have their registered office, central administration or principal place of business in a Member State, including those which are owned or controlled by natural or juridical persons of Japan.

10. For greater certainty, non-discriminatory measures do not constitute a market access limitation within the meaning of Articles 8.7 and 8.15 for:

(a) a measure requiring the separation of the ownership of infrastructure from the ownership of the goods or services provided through that infrastructure to ensure fair competition, for example in the fields of energy, transportation and telecommunications;

(b) a measure restricting the concentration of ownership to ensure fair competition;

(c) a measure seeking to ensure the conservation and protection of natural resources and the environment, including a limitation on the availability, number and scope of concessions granted, and the imposition of a moratorium or ban;

(d) a measure limiting the number of authorisations granted because of technical or physical constraints, for example telecommunications spectra and frequencies; or

(e) a measure requiring that a certain percentage of the shareholders, owners, partners, or directors of an enterprise be qualified or practice a certain profession such as lawyers or accountants.

11. Measures affecting cabotage in maritime transport services are not listed in this Schedule as they are excluded from the scope of Section B of Chapter 8, pursuant to subparagraph 2(a) of Article 8.6 and Section C of Chapter 8, pursuant to subparagraph 2(a) of Article 8.14.