Description: Investment liberalisation and Cross-border trade in services

1. Japan reserves the right to adopt or maintain any measure that accords less favourable treatment to services, service suppliers, covered enterprises or entrepreneurs of the European Union to any extent than any treatment that Japan accords to services, service suppliers, enterprises or entrepreneurs of a third country, provided that Japan is obliged to accord any treatment to services, service suppliers, enterprises or entrepreneurs of the third country under any bilateral or multilateral agreement in force on, or signed prior to, the date of entry into force of this Agreement except for the TPP Agreement[1](hereinafter, such bilateral or multilateral agreement is referred to in this reservation as "the pre-existing agreement").

2. To the extent that Japan's right provided for in paragraph 1 is not prejudiced, provided that the TPP Agreement is in force on, or prior to, the date of entry into force of this Agreement, with respect to the treatment that is accorded to services, service suppliers, enterprises or entrepreneurs of a TPP member[1] by the TPP Agreement irrespective of whether Japan has become, remains or ceases to be a party to any of the pre-existing agreement, no less favourable treatment than that treatment is accorded by Japan to services, service suppliers, covered enterprises or entrepreneurs of the European Union in like circumstances.[2]

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[1] For the purposes of this reservation, "the TPP Agreement" means the Trans-Pacific Partnership Agreement signed in Auckland on February 4, 2016 or any other international agreement related to services and investments which:

(a) provides services, service suppliers, enterprises or entrepreneurs with the substantially equivalent liberalisation and protection to those of the Trans-Pacific Partnership Agreement signed in Auckland on February 4, 2016; and

(b) is signed by all of the following states: Japan, Australia, New Zealand, Peru, Singapore, Malaysia, Viet Nam, Canada, Mexico, Brunei Darussalam and Chile.

[1] For the purposes of this reservation, "the TPP member" means any state or separate customs territory for which the TPP Agreement enters into force.

[2] For greater certainty, this reservation does not include subsequent reviews, amendments or liberalisation under the framework of those agreements, to the extent that any treatment to services, service suppliers, enterprises or entrepreneurs of a third country under the pre-existing agreement referred to in paragraph 1 is newly accorded as a result of those subsequent reviews, amendments or liberalisation.