- The promotion of film and television production in New Zealand and the promotion of local content on public radio and television, and in films.
- The holding of shares in the co-operative dairy company arising from the amalgamation authorised under the *Dairy Industry Restructuring Act 2001* (DIRA) or any successor body; and the disposition of assets of that company or its successor bodies.
- The export marketing of fresh kiwifruit to all markets other than Australia.
- Specification of the terms and conditions for the establishment and operation of any government endorsed allocation scheme for the rights to the distribution of export products falling within the HS categories covered by the Agreement on Agriculture to markets where tariff quotas, country-specific preferences, or other measures of similar effect are in force; and the allocation of distribution rights to wholesale trade service suppliers pursuant to the establishment or operation of such an allocation scheme.
- The establishment or implementation of mandatory marketing plans for the export marketing of products derived from agriculture, beekeeping, horticulture, arboriculture, arable farming, and the farming of animals, where there is support within the relevant industry for such a plan.
- Statutorily protected educational terms and titles.
- The supply of adoption services.
- Hospital services and maternity and midwife services, to the extent they are provided by the private sector.
- Gambling, betting, and prostitution services.
- Cultural heritage of national value, public archives, library and museum services, and services for the preservation of historical or sacred sites or historical buildings.
- Maritime cabotage, certain port services, the establishment of registered companies for the purpose of operating a fleet under the New Zealand flag, the registration of vessels in New Zealand, and the regulation and entry of ships crews to New Zealand.
- Wholesale and retail trade services of tobacco products and alcoholic beverages for public health or social policy purposes.
- The supply of compulsory social insurance for personal injury caused by accident, work related gradual process disease and infection, and treatment injury, as well as the supply of disaster insurance for residential property for replacement cover up to a defined statutory maximum.
- Any taxation measure with respect to the sale, purchase, or transfer of residential property.

ANNEX II
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES

THE PHILIPPINES

EXPLANATORY NOTES

1. The classification of services in this Schedule is based on the Services Sectoral Classification list (MTN.GNS/W/120 dated 10 July 1991) and is in accordance with the definition in the 1991 UN Provisional Central Product Classification (CPC), unless otherwise specified.

2. The use of the following against individual CPC codes indicates that:

   "*" – the service specified is a component of a more aggregated CPC item specified elsewhere in the Services Sectoral Classification List

   "**" – the specific commitment for that code does not extend to the total range of services covered under the code.

3. The scheduling of commitments in this Schedule follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L 92, dated 28 March 2001). The guidelines shall not, however, be construed as being legally binding.

4. This Schedule is made in accordance with Article 8.7 (Schedules of Specific Commitments) in relation to paragraph 2 of Article 8.3 (Scheduling of Commitments) with the undertaking to submit and maintain a Transparency List in lieu of Most-Favoured-Nation commitment. Upon transition to the Schedule of Non-Conforming Measures in accordance with Article 8.12 (Transition), the Philippines after due consultation with its relevant agencies and stakeholders, and in accordance with this Agreement and the *1987 Philippine Constitution* and relevant laws, will identify five subsectors to be subjected under the obligation of Article 8.6 (Most-Favoured-Nation Treatment).

5. With respect to the provision on further liberalization, the Philippines after due consultation with its relevant agencies and stakeholders, and in accordance with this Agreement and the *1987 Philippine Constitution* and relevant laws, will identify seven subsectors after a grace period of five years upon the date of entry into force of this Agreement for the Philippines.

6. The entry "Unbound" means the Philippines remains free to introduce or maintain measures inconsistent with the obligations under this Agreement.

7. The entry Unbound* means unbound due to lack of technical feasibility.

8. In this Schedule, reference is made to the *1987 Philippine Constitution*, hence, commitments are to be construed in accordance with the *1987 Philippine Constitution*.