LIST B

EXPLANATORY NOTES

1. This List sets out, pursuant to Article 10.8 (Reservations and Non-Conforming Measures), the specific sectors, subsectors or activities for which Cambodia may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

   (a) Article 10.3 (National Treatment);

   (b) Article 10.4 (Most-Favoured-Nation Treatment);

   (c) Article 10.6 (Prohibition of Performance Requirements); and

   (d) Article 10.7 (Senior Management and Board of Directors).

2. Cambodia reserves the right to maintain and to add, for policy flexibility, to this List any non-conforming measure at all levels of government that existed prior to but was not listed in this List at the date of entry into force of this Agreement, for a period of 24 months from the date of entry into force of this Agreement, against the above-mentioned obligations. Cambodia shall notify the other Parties of any such maintenance or addition in this List, through the Depositary. Such maintenance or addition will take effect on the date of such notification.

3. Each reservation in this List shall set out the following elements, where applicable:

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

   (b) **Level of Government** indicates the level of government maintaining the measures for which a reservation is taken. For the purposes of the Level of Government element, National Administration refers to Central Government and Sub-National Administration refers to Capital/Provinces, Khans/Municipalities/Districts and Sangkats/Communes;

   (c) **Type of Obligation** refers to the obligations of Article 10.3 (National Treatment), Article 10.4 (Most-Favoured-Nation Treatment), Article 10.6 (Prohibition of Performance Requirements), and Article 10.7 (Senior Management and Board of Directors), as the case may be, which do not apply to the measures for which a reservation is taken;

   (d) **Description of Measure** refers to a measure that does not conform to Article 10.3 (National Treatment), Article 10.4 (Most-Favoured-Nation Treatment), Article 10.6 (Prohibition of Performance Requirements), and Article 10.7 (Senior Management and Board of Directors) for which a reservation is taken; and

   (e) **Source of Measure** refers to existing measures that apply to the sector, subsector, or activity covered by the reservations and are identified for the transparency purpose only.

4. In the interpretation of a reservation, all elements of a reservation shall be considered. The Description of Measure element shall prevail over all other elements.

5. These Explanatory Notes shall form part of Cambodia's reservations in this List.