**LIST A**

**EXPLANATORY NOTES**

1. This List sets out, pursuant to Article 10.8 (Reservations and Non-Conforming Measures), Lao PDR's existing measures that are not subject to some or all of the obligations imposed by:

   (a) Article 10.3 (National Treatment);

   (b) Article 10.6 (Prohibition of Performance Requirements); or

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

2. Each entry in this List sets out the following elements:

   (a) **Sector** refers to the sector or sectors for which the entry is made;

   (b) **Subsector** refers to the specific subsector for which the entry is made;

   (c) **Industry Classification** refers to the activities covered by the entry according to:

      (i) International Standard Industrial Classification (ISIC) Revision 3 for manufacturing, agriculture, fishery, forestry, mining and quarrying;

      (ii) If the entry does not exactly conform to the ISIC, Lao PDR specified the coverage of the entry, as necessary and appropriate;

   (d) **Level of Government** indicates the level of government maintaining the listed measures;

   (e) **Obligations Concerned** specifies the obligations referred to in paragraph 1 that, pursuant to Article 10.8 (Reservations and Non-Conforming Measures), do not apply to the listed measures;

   (f) **Description** sets out the non-conforming measure for which the entry is made; and

   (g) **Source of Measure** means the laws, regulations, or other measures that are the source of the non-conforming measure for which the entry is made. A measure cited in the Source of Measure element:

      (i) means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and

      (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure.

3. This List and List B pursuant to Article 10.8 (Reservations and Non-Conforming Measures) follow the negative list with two list approach as follows:

   (a) this List sets out commitments in relation to existing non-conforming measures which are subject to standstill obligations but not subject to ratchet mechanism; and

   (b) List B sets out policy flexibility in relation to measures in sectors, subsectors and activities.

4. Lao PDR may maintain any non-conforming measures other than those set out in this List provided that the non-conforming measures are in effect on the date of entry into force of this Agreement, and that Lao PDR notifies other Parties of the non-conforming measures within a period of 24 months of the date of entry into force of this Agreement.

5. In the interpretation of an entry, all elements of an entry shall be considered. The Description element shall prevail over all the other elements.

6. These Explanatory Notes shall form part of the Lao PDR's Schedule of Reservations and Non-Conforming Measures for Investment.