ANNEX III

SCHEDULE OF RESERVATIONS AND NON-CONFORMING MEASURES FOR INVESTMENT

MYANMAR

LIST A

EXPLANATORY NOTES

1. This List sets out pursuant to Article 10.8 (Reservations and Non-Conforming Measures), Myanmar's existing measures that do not conform to the obligation under:

   (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. This List sets out the following elements:

   (a) **Sector** refers to the sectors for which the non-conforming measure is taken;

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

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

      (i) the Central Product Classification (CPC) of the United Nations Statistics Division Version 2.1; or

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

   (d) **Level of Government** means the level of government either Central or Regional which maintains the measure for which an entry is taken;

   (e) **Type of Obligation** refers to the obligations which do not apply to the listed measures;

   (f) **Description of Measure** refers to measure that do 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), as the case may be, which do not apply to the listed measures;

   (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.