

Annex 7
referred to in Chapters 8 and 9

Reservations for Future Measures

1. The Schedule of a Party sets out, pursuant to paragraph 2 of Article 79 and paragraph 2 of Article 110, the reservations taken by that Party with respect to specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

- (a) Article 73 or 107;
- (b) Article 74 or 108;
- (c) Article 77;
- (d) Article 78; or
- (e) Article 109.

2. Each reservation sets out the following elements:

- (a) "Sector" refers to the general sector in which the reservation is taken;
- (b) "Sub-Sector" refers to the specific sector in which the reservation is taken;
- (c) "Industry Classification" refers, where applicable, and only for transparency purposes, to the activity covered by the reservation according to domestic or international industry classification codes;
- (d) "Type of Reservation" specifies the obligations referred to in paragraph 1 for which the reservation is taken;
- (e) "Description" sets out the scope of the sector, sub-sector or activities covered by the reservation; and
- (f) "Existing Measures" identifies, for transparency purposes, existing measures that apply to the sector, sub-sector or activities covered by the reservation.

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

4. In accordance with paragraph 2 of Article 79 and paragraph 2 of Article 110, the obligations specified in the "Type of Reservation" element do not apply to the sectors, sub-sectors and activities identified in the "Description" element.

5. For the purposes of this Annex:

- (a) the term "JSIC" means Japan Standard Industrial Classification set out by the Statistics Bureau, Ministry of Internal Affairs and Communications, and revised on March 7, 2002; and
- (b) the term "CPC" means the Provisional Central Product Classification (Statistical paper Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

Schedule of Japan

- 1 Sector: All Sectors
- Sub-Sector:
- Industry
Classification:
- Type of
Reservation: National Treatment (Article 73)
Senior Management and Boards of
Directors (Article 78)
- Description: Investment
- When transferring or disposing of its equity interests in, or the assets of, a state enterprise or a governmental entity, Japan reserves the right to:
- (a) prohibit or impose limitations on the ownership of such interests or assets by investors of Chile or their investments;
 - (b) impose limitations on the ability of investors of Chile or their investments as owners of such interests or assets to control any resulting enterprise; or
 - (c) adopt or maintain any measure relating to the nationality of executives, managers or members of the board of directors of any resulting enterprise.
- Existing
Measures:

2 Sector: All Sectors

Sub-Sector:

Industry
Classification:

Type of
Reservation: National Treatment (Articles 73 and
107)

Senior Management and Boards of
Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in
Services

In the event where the supply of
telegraph services, postal services
and betting and gambling services,
manufacture of tobacco products,
manufacture of Bank of Japan notes,
minting and sale of coinage in Japan,
which are restricted to designated
enterprises or governmental entities,
are liberalized to those other than
the designated enterprises or
governmental entities, or in the
event where such designated
enterprises or governmental entities
no longer operate on a non-commercial
basis, Japan reserves the right to
adopt or maintain any measure
relating to those activities.

Existing
Measures:

3 Sector: All Sectors

Sub-Sector:

Industry
Classification:

Type of
Reservation: Most-Favored-Nation Treatment
(Articles 74 and 108)

Description: Investment and Cross-Boarder Trade in
Services

1. Japan reserves the right to
adopt or maintain any measure that
accords differential treatment to
countries under any bilateral or
multilateral agreement in force on,
or signed prior to, the date of entry
into force of this Agreement.

2. Japan reserves the right to
adopt or maintain any measure that
accords differential treatment to
countries under any bilateral or
multilateral agreement, other than
the agreement referred to in
paragraph 1, involving:

(a) aviation;

(b) fisheries; or

(c) maritime matters, including
salvage.

Existing
Measures:

4 Sector: All Sectors (New Services)

Sub-Sector:

Industry
Classification:

Type of
Reservation: National Treatment (Article 107)
Most-Favored-Nation Treatment
(Article 108)
Local Presence (Article 109)

Description: Cross-Border Trade in Services

Japan reserves the right to adopt or maintain any measure relating to new services other than those recognized or that should have been recognized owing to the circumstances at the time of entry into force of this Agreement by the Government of Japan.

Any services classified positively and explicitly in JSIC or CPC, at the time of entry into force of this Agreement should have been recognized by the Government of Japan at that time.

Japan reserves the right to adopt or maintain any measure relating to the supply of services in any mode of supply in which those services were not technically feasible at the time of entry into force of this Agreement.

Existing
Measures:

5	Sector:	Aerospace Industry																						
	Sub-Sector:	Aircraft Industry																						
		Space Industry																						
	Industry Classification:	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 271</td> <td>Manufacture of electrical generating, transmission, distribution and industrial apparatus</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 274</td> <td>Manufacture of electronic equipment</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 275</td> <td>Manufacture of electric measuring instruments</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 279</td> <td>Manufacture of miscellaneous electrical machinery equipment and supplies</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 28</td> <td>Manufacture of information and communication electronics equipment</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 29</td> <td>Manufacture of electronic parts and devices</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 304</td> <td>Manufacture of aircraft and parts</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 3059</td> <td>Manufacture of miscellaneous industrial trucks and parts and accessories</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 3099</td> <td>Manufacture of transportation equipment, n.e.c.</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 8711</td> <td>General machine repair shops, except construction and mining machinery</td> </tr> <tr> <td style="vertical-align: top; padding-right: 20px;">JSIC 872</td> <td>Electrical machinery, apparatus, appliances and supplies repair shop</td> </tr> </table>	JSIC 271	Manufacture of electrical generating, transmission, distribution and industrial apparatus	JSIC 274	Manufacture of electronic equipment	JSIC 275	Manufacture of electric measuring instruments	JSIC 279	Manufacture of miscellaneous electrical machinery equipment and supplies	JSIC 28	Manufacture of information and communication electronics equipment	JSIC 29	Manufacture of electronic parts and devices	JSIC 304	Manufacture of aircraft and parts	JSIC 3059	Manufacture of miscellaneous industrial trucks and parts and accessories	JSIC 3099	Manufacture of transportation equipment, n.e.c.	JSIC 8711	General machine repair shops, except construction and mining machinery	JSIC 872	Electrical machinery, apparatus, appliances and supplies repair shop
JSIC 271	Manufacture of electrical generating, transmission, distribution and industrial apparatus																							
JSIC 274	Manufacture of electronic equipment																							
JSIC 275	Manufacture of electric measuring instruments																							
JSIC 279	Manufacture of miscellaneous electrical machinery equipment and supplies																							
JSIC 28	Manufacture of information and communication electronics equipment																							
JSIC 29	Manufacture of electronic parts and devices																							
JSIC 304	Manufacture of aircraft and parts																							
JSIC 3059	Manufacture of miscellaneous industrial trucks and parts and accessories																							
JSIC 3099	Manufacture of transportation equipment, n.e.c.																							
JSIC 8711	General machine repair shops, except construction and mining machinery																							
JSIC 872	Electrical machinery, apparatus, appliances and supplies repair shop																							

	Note: The activities covered by the reservation under JSIC 271, 274, 275, 279, 28, 29, 3059, 3099, 8711 or 872 are limited to the activities related to aircraft industry and space industry.
Type of Reservation:	National Treatment (Articles 73 and 107) Performance Requirements (Article 77) Senior Management and Boards of Directors (Article 78) Local Presence (Article 109)
Description:	Investment and Cross-Border Trade in Services Japan reserves the right to adopt or maintain any measure relating to investments in aircraft industry and space industry. Japan reserves the right to adopt or maintain any measure relating to the supply of services in aircraft industry and space industry, including: (a) services based on technological inducement contracts for importing technology for development, production or use; (b) production services on fee or contract basis; (c) repair and maintenance services; and (d) space transportation services.
Existing Measures:	Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Articles 27 and 30 Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Articles 3 and 5

6	Sector:	Arms and Explosives Industry	
	Sub-Sector:	Arms Industry	
		Explosives Manufacturing Industry	
	Industry Classification:	JSIC 1791	Manufacture of explosives
		JSIC 271	Manufacture of electrical generating, transmission, distribution and industrial apparatus
		JSIC 274	Manufacture of electronic equipment
		JSIC 275	Manufacture of electric measuring instruments
		JSIC 279	Manufacture of miscellaneous electrical machinery equipment and supplies
		JSIC 28	Manufacture of information and communication electronics equipment
		JSIC 29	Manufacture of electronic parts and devices
		JSIC 303	Shipbuilding and repairing, and manufacture of marine engines
		JSIC 3059	Manufacture of miscellaneous industrial trucks and parts and accessories
		JSIC 3099	Manufacture of transportation equipment, n.e.c.
		JSIC 3281	Manufacture of ordnance and accessories

JSIC 8711 General machine repair shops, except construction and mining machinery

JSIC 872 Electrical machinery, apparatus, appliances and supplies repair shop

Note: The activities covered by the reservation under JSIC 271, 274, 275, 279, 28, 29, 303, 3059, 3099, 8711 or 872 are limited to the activities related to arms industry.

Type of Reservation:

National Treatment (Articles 73 and 107)

Performance Requirements (Article 77)

Senior Management and Boards of Directors (Article 78)

Local Presence (Article 109)

Description:

Investment and Cross-Border Trade in Services

Japan reserves the right to adopt or maintain any measure relating to investments in arms industry and explosives manufacturing industry.

Japan reserves the right to adopt or maintain any measure relating to the supply of services in arms industry and explosive manufacturing industry, including:

- (a) services based on technological inducement contracts for importing technology for development, production or use;
- (b) production services on fee or contract basis; and
- (c) repair and maintenance services.

Existing
Measures:

Foreign Exchange and Foreign Trade
Law (Law No. 228 of 1949), Articles
27 and 30

Cabinet Order on Foreign Direct
Investment (Cabinet Order No. 261 of
1980), Articles 3 and 5

7	Sector:	Energy
	Sub-Sector:	Electricity Utility Industry
		Gas Utility Industry
		Nuclear Energy Industry
	Industry Classification:	JSIC 0519 Miscellaneous metal mining (limited to nuclear materials)
		JSIC 2491 Manufacture of nuclear fuel
		JSIC 271 Manufacture of electrical generating, transmission, distribution and industrial apparatus
		JSIC 274 Manufacture of electronic equipment
		JSIC 275 Manufacture of electric measuring instruments
		JSIC 279 Manufacture of miscellaneous electrical machinery equipment and supplies
		JSIC 28 Manufacture of information and communication electronics equipment
		JSIC 29 Manufacture of electronic parts and devices
		JSIC 303 Shipbuilding and repairing, and manufacture of marine engines
		JSIC 3059 Manufacture of miscellaneous industrial trucks and parts and accessories

JSIC 3099 Manufacture of
 transportation
 equipment, n.e.c.

JSIC 331 Production, transmission
 and distribution of
 electricity

JSIC 3411 Gasworks

JSIC 3412 Gas distribution

JSIC 3413 Gas establishments (main
 office, office)

JSIC 8599 Miscellaneous waste
 treatment services

JSIC 8711 General machine repair
 shops, except
 construction and mining
 machinery

JSIC 872 Electrical machinery,
 apparatus, appliances
 and supplies repair shop

Note: The activities covered by the
 reservation under JSIC 271,
 274, 275, 279, 28, 29, 303,
 3059, 3099, 8599, 8711 or 872
 are limited to the activities
 related to nuclear energy
 industry.

Type of
Reservation: National Treatment (Articles 73 and
 107)

 Most-Favored-Nation Treatment
 (Article 108)

 Performance Requirements (Article 77)

 Senior Management and Boards of
 Directors (Article 78)

 Local Presence (Article 109)

Description: Investment and Cross-Border Trade in
 Services

Japan reserves the right to adopt or maintain any measure relating to investments or the supply of services in the energy industry listed in the "Sub-Sector" element.

Existing
Measures:

Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Articles 27 and 30

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Articles 3 and 5

Specified Radioactive Waste Final Disposal Act (Law No. 117 of 2000), Chapter 5

8	Sector:	Fisheries										
	Sub-Sector:	Fisheries within the Territorial Sea, Internal Waters, Exclusive Economic Zone and Continental Shelf										
	Industry Classification:	<table border="0" style="width: 100%;"> <tr> <td style="width: 150px;">JSIC 031</td> <td>Marine fisheries</td> </tr> <tr> <td>JSIC 032</td> <td>Inland water fisheries</td> </tr> <tr> <td>JSIC 041</td> <td>Marine aquaculture</td> </tr> <tr> <td>JSIC 042</td> <td>Inland water aquaculture</td> </tr> <tr> <td>JSIC 8493</td> <td>Recreational fishing guide business</td> </tr> </table>	JSIC 031	Marine fisheries	JSIC 032	Inland water fisheries	JSIC 041	Marine aquaculture	JSIC 042	Inland water aquaculture	JSIC 8493	Recreational fishing guide business
JSIC 031	Marine fisheries											
JSIC 032	Inland water fisheries											
JSIC 041	Marine aquaculture											
JSIC 042	Inland water aquaculture											
JSIC 8493	Recreational fishing guide business											
	Type of Reservation:	<p>National Treatment (Articles 73 and 107)</p> <p>Most-Favored-Nation Treatment (Articles 74 and 108)</p> <p>Performance Requirements (Article 77)</p> <p>Senior Management and Boards of Directors (Article 78)</p> <p>Local Presence (Article 109)</p>										
	Description:	<p>Investment and Cross-Border Trade in Services</p> <p>Japan reserves the right to adopt or maintain any measure relating to investments or the supply of services in fisheries in the territorial sea, internal waters, exclusive economic zone and continental shelf of Japan.</p> <p>For the purposes of this reservation, the term "fisheries" means the work of taking and cultivation of aquatic resources, including the following fisheries related services:</p> <ul style="list-style-type: none"> (a) investigation of aquatic resources without taking such resources; (b) luring of aquatic resources; 										

- (c) preservation and processing of fish catches;
- (d) transportation of fish catches and fish products; and
- (e) provision of supplies to other vessels used for fisheries.

Existing
Measures:

Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Law for Regulation of Fishing Operation by Foreign Nationals (Law No. 60 of 1967), Articles 3, 4 and 6

Law concerning the Exercise of Sovereign Rights concerning Fisheries in the Exclusive Economic Zones (Law No. 76 of 1996), Articles 4, 5, 7, 8, 9, 10, 11, 12 and 14

9 Sector: Information and Communications

Sub-Sector: Broadcasting Industry

Industry Classification: JSIC 381 Public broadcasting, except cablecasting

JSIC 382 Private sector broadcasting, except cablecasting

JSIC 383 Cablecasting

Type of Reservation: National Treatment (Articles 73 and 107)

Performance Requirements (Article 77)

Senior Management and Boards of Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in Services

Japan reserves the right to adopt or maintain any measure relating to investments or the supply of services in broadcasting industry.

Existing Measures: Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Radio Law (Law No. 131 of 1950), Article 5

Broadcast Law (Law No. 132 of 1950), Articles 52-8 and 52-13

10 Sector: Land Transaction

Sub-Sector:

Industry
Classification:

Type of
Reservation: National Treatment (Article 73)
Most-Favored-Nation Treatment
(Article 74)

Description: Investment

With respect to the acquisition or lease of land properties in Japan, prohibitions or restrictions may be imposed by Cabinet Order on foreign nationals or legal persons, where Japanese nationals or legal persons are placed under identical or similar prohibitions or restrictions in the foreign country.

Existing
Measures: Alien Land Law (Law No. 42, 1925),
Article 1

11 Sector: Security Guard Services

Sub-Sector:

Industry Classification: JSIC 906 Guard services

Type of Reservation: National Treatment (Article 107)
Local Presence (Article 109)

Description: Cross-Border Trade in Services

Japan reserves the right to adopt or maintain any measure relating to the supply of security guard services.

Existing Measures: Security Business Law (Law No. 117 of 1972), Articles 4 and 5

12 Sector: Public Law Enforcement and
Correctional Services and Social
Services

Sub-Sector:

Industry
Classification:

Type of
Reservation: National Treatment (Articles 73 and
107)

Most-Favored-Nation Treatment
Articles 74 and 108)

Performance Requirements (Article 77)

Senior Management and Boards of
Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in
Services

Japan reserves the right to adopt or
maintain any measure relating to
investments or the supply of services
in public law enforcement and
correctional services, and in social
services such as income security or
insurance, social security or
insurance, social welfare, public
education, public training, health
and child care.

Existing
Measures:

Schedule of Chile

1	Sector:	All Sectors
	Sub-Sector:	
	Industrial Classification:	
	Type of Reservation:	National Treatment (Article 73) Most-Favored-Nation Treatment (Article 74)
	Description:	Investment Chile reserves the right to adopt or maintain any measure relating to the ownership or control of land within five kilometers of the coastline that is used for agricultural activities. Such measure could include a requirement that the majority of each class of stock of a Chilean juridical person that seeks to own or control such land be held by Chilean persons or by persons residing in Chile for 183 days or more per year.
	Existing Measures:	Decree Law 1939, Official Gazette, November 10, 1977, Rules for acquisition, administration and disposal of State owned assets, Title I (<i>Decreto Ley 1939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I</i>)

2 Sector: All Sectors

Sub-Sector:

Industrial
Classification:

Type of
Reservation: National Treatment (Article 73)

Senior Management and Boards of
Directors (Article 78)

Description: Investment

Chile, when selling or disposing of its equity interests in, or the assets of, an existing state enterprise or an existing governmental entity, may prohibit or impose limitations on the ownership of such interests or assets, and on the ability of owners of such interests or assets to control any resulting enterprise, by investors of Japan or of a non-Party or their investments. With respect to such a sale or other disposition, Chile may adopt or maintain any measure relating to the nationality of individuals appointed to senior management positions or members of the board of directors.

For the purposes of this reservation:

- (a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes nationality requirements described in this reservation shall be deemed to be an existing measure; and

- (b) "state enterprise" means an enterprise owned or controlled through ownership interests by Chile and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing state enterprise or governmental entity.

Existing
Measures:

3 Sector: All Sectors

Sub-Sector:

Industrial
Classification:

Type of
Reservation: Most-Favored-Nation Treatment
(Articles 74 and 108)

Description: Investment and Cross-Border Trade in
Services

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force on, or signed prior to, the date of entry into force of this Agreement.

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force or signed after the date of entry into force of this Agreement involving:

- (a) aviation;
- (b) fisheries; or
- (c) maritime matters, including salvage.

Existing
Measures:

4 Sector: Communications

Sub-Sector: Local Basic Telecommunication Services and Networks; One Way Satellite Broadcasting of Digital Telecommunication Services, Whether These Involve Direct Home Television Broadcasting, Direct Broadcasting of Television Services and Direct Audio Broadcasting; Supplementary Telecommunication Services, and Limited Telecommunication Services

Industrial Classification:

Type of Reservation: National Treatment (Article 107)

Most-Favored-Nation Treatment (Article 108)

Local Presence (Article 109)

Description: Cross-Border Trade in Services

Chile reserves the right to adopt or maintain any measure related to cross-border trade in local basic telecommunication services and networks; one way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services and direct audio broadcasting; supplementary telecommunication services, and limited telecommunication services.

Existing Measures: Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II, III, V and VI (*Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI*)

5 Sector: Communications

Sub-Sector: Local Basic Telecommunication Services and Networks; One Way Satellite Broadcasting of Digital Telecommunication Services, Whether These Involve Direct Home Television Broadcasting, Direct Broadcasting of Television Services and Direct Audio Broadcasting; Supplementary Telecommunication Services, and Limited Telecommunication Services

Industrial Classification:

Type of Reservation: National Treatment (Articles 73)

Most-Favored-Nation Treatment (Article 74)

Performance Requirements (Article 77)

Senior Management and Boards of Directors (Article 78)

Description: Investment

Chile reserves the right to adopt or maintain any measure related to the investors of Japan or to their investments in local basic telecommunication services and networks; one way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services and direct audio broadcasting; supplementary telecommunication services, and limited telecommunication services.

Existing Measures: Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II, III, V and VI (*Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI*)

6 Sector: Issues Involving Minorities

Sub-Sector:

Industrial
Classification:

Type of
Reservation: National Treatment
(Articles 73 and 107)

Most-Favored-Nation Treatment
(Articles 74 and 108)

Performance Requirements (Article 77)

Senior Management and Boards of
Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in
Services

Chile reserves the right to adopt or
maintain any measure according rights
or preferences to socially or
economically disadvantaged
minorities.

Existing
Measures:

7 Sector: Issues Involving Indigenous Peoples

Sub-Sector:

Industry
Classification:

Type of
Reservation: National Treatment (Articles 73 and
107)

Most-Favored-Nation Treatment
(Articles 74 and 108)

Performance Requirements
(Article 77)

Senior Management and Boards of
Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in
Services

Chile reserves the right to adopt or
maintain any measure denying
investors of Japan and their
investments or service suppliers of
Japan any rights or preferences
provided to indigenous peoples.

Existing
Measures:

8 Sector: Education

Sub-Sector:

Industry Classification: CPC 92 Education services

Type of Reservation: National Treatment (Article 107)
Most-Favored-Nation Treatment (Article 108)
Local Presence (Article 109)

Description: Cross-Border Trade in Services

Chile reserves the right to adopt or maintain any measure relating to natural persons who supply educational services, including teachers and auxiliary personnel supplying educational services in elementary education, kindergarten, pre-school, special education, primary and high school education, professional, technical, and university education, including educational establishments of any kind as well as sponsors of educational establishments, schools, lyceums, academies, training centers, professional and technical institutes, and/or universities.

This reservation does not apply to the supply of services related to second-language training, corporate, business, and industrial training and skill upgrading, which include consulting services relating to technical support, advice, curriculum, and program development in education.

Existing Measures:

9 Sector: Government Finances

Sub-Sector:

Industry CPC 91112 Financial and fiscal
Classification: services

Type of National Treatment (Article 73)
Reservation:

Description: Investment

Chile reserves the right to adopt or maintain any measure related to the acquisition, sale, or disposal by Japanese nationals of bonds, treasury securities, or any other type of debt instruments issued by the Central Bank of Chile (*Banco Central de Chile*) or the Government of Chile. This reservation is not intended to affect the rights of Japanese financial institutions (banks) established in Chile to acquire, sell, or dispose of such instruments when required for the purposes of regulatory capital.

Existing
Measures:

10 Sector: Fisheries

Sub-Sector: Fishing-Related Activities

Industry Classification: CPC 882 Services incidental to fishing

CPC 04 Fish and other fishing products

Type of Reservation: National Treatment (Articles 73 and 107)

Most-Favored-Nation Treatment (Articles 74 and 108)

Description: Investment and Cross-Border Trade in Services

Chile reserves the right to control the activities of foreign fishing, including fish landing, first landing of fish processed at sea, and access to Chilean ports (port privileges).

Chile reserves the right to control the use of beaches, land adjacent to beaches (*terrenos de playas*), water-columns (*porciones de agua*), and seabed lots (*fondos marinos*) for the issuance of maritime concessions. For greater certainty, "maritime concessions" do not cover aquaculture.

Existing Measures: Decree Law 2.222, Official Gazette, May 31, 1978, Navigation Law, Titles I, II, III, IV and V (*Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación Títulos I, II, III, IV y V*)

D.F.L. 340, Official Gazette, April 6, 1960, about Maritime Concessions (*D.F.L. 340, Diario Oficial, abril 6, 1960, sobre Concesiones Marítimas*)

Supreme Decree 660, Official Gazette, November 28, 1988, Maritime Concession Act (*Decreto Supremo 660, Diario Oficial, noviembre 28, 1988, Reglamento de Concesiones Marítimas*)

Supreme Decree 123 of the Ministry of Economic Affairs, Development and Reconstruction, Vice-Ministry of Fishing, Official Gazette, August 23, 2004, On Use of Ports (*Decreto Supremo 123 del Ministerio de Economía, Fomento y Reconstrucción, Subsecretaría de Pesca, Diario Oficial, agosto 23, 2004, Sobre Uso de Puertos*)

- 11 Sector: Cultural Industries
- Sub-Sector:
- Industrial
Classification:
- Type of
Reservation: Most-Favored-Nation Treatment
(Articles 74 and 108)
- Description: Investment and Cross-Border Trade in
Services
- Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any existing or future bilateral or multilateral international agreement with respect to cultural industries, such as audiovisual cooperation agreements. For greater certainty, for the purposes of this reservation, government supported subsidy programs for the promotion of cultural activities are not subject to the limitations or obligations of this Agreement.
- "Cultural industries" means persons engaged in any of the following activities:
- (a) publication, distribution, or sale of books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing;
 - (b) production, distribution, sale, or display of recordings of movies or videos;
 - (c) production, distribution, sale, or display of music recordings in audio or video format;
 - (d) production, distribution, or sale of printed music scores or scores readable by machines; or

- (e) radiobroadcasts aimed at the public in general, as well as all radio, television and cable television-related activities, satellite programming services, and broadcasting networks.

Existing
Measures:

12 Sector: Social Services

Sub-Sector:

Industrial Classification: CPC 913 Compulsory social security services

CPC 92 Education services

CPC 93 Health and social services

Type of Reservation: National Treatment (Articles 73 and 107)

Most-Favored-Nation Treatment (Articles 74 and 108)

Performance Requirements (Article 77)

Senior Management and Boards of Directors (Article 78)

Local Presence (Article 109)

Description: Investment and Cross-Border Trade in Services

Chile reserves the right to adopt or maintain any measure with respect to the supply of public law enforcement and correctional services, and the following services to the extent that they are social services established or maintained for reasons of public interest: income security or insurance, social security or insurance, social welfare, public education, public training, health care, and child care.

Existing Measures:

13 Sector: Environmental Services

Sub-Sector:

Industrial Classification: CPC 94 Sewage and refuse disposal, sanitation and other environmental protection services

Type of Reservation: National Treatment (Article 107)
Most-Favored-Nation Treatment (Article 108)
Local Presence (Article 109)

Description: Cross-Border Trade in Services

Chile reserves the right to adopt or maintain any measure imposing the requirement that the production and distribution of drinking water, the collection and disposal of waste water, and sanitation services, such as sewage systems, waste disposal, and waste water treatment may only be provided by juridical persons incorporated under Chilean law or created in accordance with the requirements established by Chilean law.

This reservation shall not apply to consultancy services retained by the said juridical persons.

Existing Measures:

14 Sector: Construction Services

Sub-Sector:

Industrial Classification: CPC 51 Construction work
CPC 52 Constructions

Type of Reservation: National Treatment (Article 107)
Local Presence (Article 109)

Description: Cross-Border Trade in Services

Chile reserves the right to adopt or maintain any measure with respect to the supply of construction services by foreign juridical persons or legal entities imposing requirements of residence, registration, and/or any other form of local presence, or imposing the obligation of giving financial security for work as a condition for the supply of construction services.

Existing Measures: