

ANNEX IV

EXPLANATORY NOTES

*This Annex of CPTPP remain unchanged in comparison with that of TPP (according to WTO Center-VCCI)

1. The Schedule of a Party to this Annex sets out, pursuant to Article 17.9.1 (Party-Specific Annexes), the non-conforming activities of a state-owned enterprise or designated monopoly, with respect to which some or all of the following obligations shall not apply:

- (a) Article 17.4 (Non-discriminatory Treatment and Commercial Considerations); and
- (b) Article 17.6 (Non-commercial Assistance).

2. Each Schedule entry sets out the following elements:

- (a) **Obligations Concerned** specifies the obligations referred to in paragraph 1 that, pursuant to Article 17.9.1 (Party-Specific Annexes), shall not apply to the non-conforming activities of the state-owned enterprise or designated monopoly, as set out in paragraph 3;
- (b) **Entity** identifies the state-owned enterprise or designated monopoly that undertakes the non-conforming activities for which the entry is made;
- (c) **Scope of Non-conforming Activities** provides a description of the scope of non-conforming activities of the state-owned enterprise or designated monopoly for which the entry is made; and
- (d) **Measures** identifies, for transparency purposes, a non-exhaustive list of the laws, regulations or other measures pursuant to which the state-owned enterprise or designated monopoly engages in the non-conforming activities for which the entry is made.

3. In accordance with Article 17.9.1 (Party-Specific Annexes), the articles of this Agreement specified in the **Obligations Concerned** element of an entry shall not apply to the non-conforming activities (identified in the **Scope of Non-conforming Activities** element of that entry) of the state-owned enterprise or designated monopoly (identified in the **Entity** element of that entry).