

Annex 9 referred to in Chapter 6  
Lists of Most-Favoured-Nation Treatment Exemptions in relation to Article 82

Part 1  
List of Japan

Sector or sub-sector	Description of measure indicating its inconsistency with Article 82	Intended duration	Conditions creating the need for the exemption <sup>1</sup>
Maritime freight forwarding services	An operation permit or governmental registration for maritime freight forwarding services (including services related to multimodal transport services <sup>2</sup> ) is granted only to firms of those countries in which Japanese firms are eligible for such permit or qualified for such registration.	Termination of this measure shall be considered depending upon the outcome of future negotiations for trade liberalization.	Need to ensure that Japanese firms have satisfactory access to the supply of maritime freight forwarding services (including services related to multimodal transport services) in Indonesia.
International shipping services (including passenger transportation and freight transportation services)	Restriction or prohibition of a) entry in Japanese ports and b) loading or unloading of cargoes in Japanese ports for a designated period may be imposed as a countermeasure on operators of vessels who belong to a country in which interests of Japanese operators continue to be substantially damaged, in spite of prior notification of taking such measure, under unfavourable treatment imposed on them by that country or by local authorities or similar entities of that country.	Termination of this measure shall be considered depending upon the outcome of future negotiations for trade liberalization.	Need to ensure favourable treatment for Japanese vessels operators in Indonesia.

1 Description in this column shall be construed as information provided for reference purposes that does not form a part of commitments.

2 The term "multimodal transport services" means freight transport services combining international maritime transport and road/railroad transport, provided on 'door to door' basis by a multimodal transport operator (as defined in Note to the Specific Commitments in the Sectors of Maritime Transport Services and Maritime Auxiliary Transport Services in the Schedule of Specific Commitments of Japan in Part 1 of Annex 8).

Energy Services	With respect to the supply of services in the Electricity Utility Industry, Gas Utility Industry and Nuclear Energy Industry, excluding services supplied under subparagraph (u) (iii) of Article 77, preferential treatment may be accorded to the service suppliers of a non-Party.	Indefinite	Need to secure an efficient and stable supply of energy.
Fisheries related services	<p>With respect to the supply of services in fisheries in the territorial sea, internal waters, exclusive economic zone and continental shelf of Japan, including the following fisheries related services, preferential treatment may be accorded to the service suppliers of a non-Party:</p> <ul style="list-style-type: none"> <li>(a) investigation of aquatic resources without taking such resources;</li> <li>(b) luring of aquatic resources;</li> <li>(c) preservation and processing of fish catches;</li> <li>(d) transportation of fish catches and fish products; and</li> <li>(e) provision of supplies to other vessels used for fisheries.</li> </ul>	Indefinite	Need to ensure conservation and management of fishery resources.

Part 2  
List of Indonesia

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Sector or sub-sector	Description of measure indicating its inconsistency with Article 82	Intended duration	Conditions creating the need for the exemption <sup>1</sup>
<p>All Sectors, and Commitments under ASEAN Framework Agreement on Services</p> <p>except:</p> <p>Construction and Related Engineering Services</p> <p>Construction work for building (CPC 512 except CPC 51210)</p> <p>Construction work for civil engineering (CPC 513)</p> <p>Assembly and erection of prefabricated construction (CPC 514)</p> <p>Pre-erection work at construction system (CPC 511 except CPC 51110 and 51113)</p> <p>Steel binding and erection (including welding) (CPC 51550)</p> <p>Renting services related to equipment for construction or demolition of building or civil engineering works, with operator (CPC 518)</p> <p>Foundation work including pile driving (CPC 51510)</p>	<p>Most-favoured-nation treatment may not be accorded with respect to all measures affecting trade in services in all modes of supply.</p>	<p>Indefinite</p>	<p>This exemption is required to take into account the different trade and development circumstances among different countries.</p>

<sup>1</sup> Description in this column shall be construed as information provided for reference purposes that does not form a part of commitments.

Gas fitting construction work (CPC 51630) Fire alarm construction work (CPC 51642) Burglar alarm system construction work (CPC 51643) Lift and escalator construction work (CPC 51691) Non Banking Financial Services Insurance Securities			
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