

Annex 5 referred to in Chapter 5
Reservations for Future Measures

“Obligations under this Agreement” specifies the obligations under Articles 57 and 58 for which a non-conforming measure is maintained or may be adopted.

Reservations of Japan

Sector or Matter	Obligations under this Agreement
1. Aerospace Industry	National Treatment (Article 57)
2. Arms and Explosives Industry	National Treatment (Article 57)
3. Broadcasting Industry	National Treatment (Article 57)
4. Energy	National Treatment (Article 57)
5. Fisheries within the Territorial Sea, Internal Waters, Exclusive Economic Zone and Continental Shelf	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)
6. Land Transaction	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)
7. Maintenance, Designation or Elimination (including privatisation) of a Public Monopoly	National Treatment (Article 57)
8. Maintenance, Establishment or Disposal (including privatisation) of a State Enterprise	National Treatment (Article 57)
9. Public Law Enforcement and Correctional Services and Social Services	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)
10. Subsidies	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)

第5章中提到的附件5 未来措施的保留

“本协议项下的义务” 规定了第57条和第58条项下的义务，其中一项非符合措施被维持或可能被采用。

日本的保留

部门或事项	本协议项下的义务
1. 航空航天工业	国民待遇 (第57条)
2. 武器和炸药工业	国民待遇 (第57条)
3. 广播业	国民待遇 (第57条)
4. 能源	国民待遇 (第57条)
5. 内水内的渔业 领海, 内水 专属经济区 区域和大陆架	国民待遇 (第57条) 最惠国待遇 (第58条)
6. 土地交易	国民待遇 (第57条) 最惠国待遇 (第58条)
7. 维护、指定或消除 (包括私有化) 的公共垄断	国民待遇 (第57条)
8. 维护、建立或处置 (包括私有化) 的国有企业	国民待遇 (第57条)
9. 公共执法和 矫正服务 社会服务	国民待遇 (第57条) 最惠国待遇 (第58条)
10. 补贴	国民待遇 (第57条) 最惠国待遇 (第58条)

Reservations of Brunei Darussalam

Sector or Matter	Obligations under this Agreement
1. All Sectors - By virtue of royal decree or "titah" of His Majesty the Sultan and Yang Di-Pertuan of Negara Brunei Darussalam	National Treatment (Article 57) Note: Any amendment or modification of an existing measure or adoption of a new measure shall not be more restrictive to existing investors of Japan and their investments than the measure applied to such investors or investments immediately before such amendments or modification or adoption.
2. All Sectors - Commercialisation of projects, privatisation or divestment of assets owned by the Government	National Treatment (Article 57)
3. All Sectors - Licensing requirements	National Treatment (Article 57) Note: This reservation shall not include local equity requirements as provided for in Annex 4.
4. All Sectors - Transfer or disposal of equity interests or assets of a state enterprise, a government entity, or a government-linked company	National Treatment (Article 57)
5. All Sectors - Provision of subsidies or grants provided by Brunei Darussalam or the continued receipt of such subsidies or grants	National Treatment (Article 57)
6. All Sectors - Activities relating to food security and those utilising local resources	National Treatment (Article 57)
7. All Sectors - Land transactions	National Treatment (Article 57)
8. All Services Sectors -on condition that measures maintained or adopted do not constitute a violation of obligations under Chapter 6	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)

文莱达鲁萨兰的保留

部门或事项	本协议项下的义务
1. 所有行业——根据皇家法令或“敕令”苏丹陛下和阳国家元首文莱达鲁萨兰	国民待遇 (第57条) 注意：任何修改或现有措施或采用新措施采用新措施不得更多限制现有日本投资者和他们的投资超过适用于此类投资者或投资立即在作出此类修改或修改或采纳之前。
2. 所有行业 - 项目商业化, 私有化或政府拥有的资产剥离	国民待遇 (第57条)
3. 所有行业 - 许可要求	国民待遇 (第57条) 注意：本保留条款不包括本地股权要求，如附件4中所规定。
4. 所有行业 - 股权利益的转让或处置或国有企业的资产企业, 政府实体, 或政府关联公司	国民待遇 (第57条)
5. 所有行业 - 提供文莱达鲁萨兰或政府提供的补贴或拨款或继续接收此类补贴或拨款	国民待遇 (第57条)
6. 所有行业 - 活动与粮食安全相关的以及利用本地资源	国民待遇 (第57条)
7. 所有行业 - 土地交易	国民待遇 (第57条)
8. 所有服务业部门 -on 衡量条件维持或采用不构成违反第六章下的义务	国民待遇 (第57条) 最惠国待遇 (第58条)

9. All Sectors - ASEAN	Most-Favoured-Nation Treatment (Article 58) Note: If Brunei Darussalam enters into an ASEAN agreement on investment after the date of entry into force of this Agreement, it shall, upon the request of Japan, consider according to investors of Japan and their investments treatment no less favourable than that it accords, in like circumstances, to investors of a non-Party which is a member country of the ASEAN and their investments pursuant to such ASEAN agreement.
10. All Sectors - Trans-Pacific Strategic Economic Partnership Agreement	Most-Favoured-Nation Treatment (Article 58) Note: Most-Favoured-Nation Treatment may not be accorded to investors of Japan and their investments with respect to preferential treatment granted under the Trans-Pacific Strategic Economic Partnership Agreement, for a period of three years from the date of entry into force of this Agreement. Both Parties shall, upon the request of either Party, review this reservation before the expiry of the above mentioned three years period.
11. Fishery	National Treatment (Article 57) Note: This reservation shall not include local equity requirements as provided for in Annex 4.
12. Forestry - Logging and sawmilling	National Treatment (Article 57)
13. Mining and Quarrying - Oil and gas upstream activities	National Treatment (Article 57) Most-Favoured-Nation Treatment (Article 58)

9. 所有行业 - 东盟	最惠国待遇 (第58条) 注意: 如果文莱达鲁萨兰进入东盟投资协定生效日期之后本协定生效, 它将, 在日本的请求下, 根据考虑日本投资者和他们的投资不低于其给予优惠于它所提供的, 类似 circumstances, to 非缔约方投资者其为一成员国东盟的投资依照该东盟协议。
10. 所有行业 - 跨太平洋战略经济伙伴关系协定	最惠国待遇 (第58条) 注意: 最惠国待遇可能不给予日本投资者及其投资与优惠待遇 Trans-太平洋战略经济伙伴关系协定下授予的太平洋战略经济伙伴关系协定, 为期自三年生效日期本协定。双方应于任何一方要求时, 审查此项保留在期满前上述三年期间。
11. 渔业	国民待遇 (第57条) 注意: 此保留应不包括本地股权要求如所提供附件4中。
12. 林业 - 伐木和锯木	国民待遇 (第57条)
13. 采矿和采石 - 石油和天然气上游活动	国民待遇 (第57条) 最惠国待遇 (第58条)