

Overview of the trans-Pacific Partnership (TPP)

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I □ The significance of the TPP

- New rules for 21st-century building

-TPP is model those areas as well as the duty of promoting the liberalization of services and investment, addition to a wide range of disciplines of intellectual property, e-commerce, and State-owned enterprises, environment, you can create rules for the 21st century.

-More great value chain to produce fast-growing Asia-Pacific region, people in the region, and contribute to increased exchanges of capital and information, region to region richest in the world.

- Medium-sized enterprises contributed to the development of medium-sized enterprises, regional

-That leads to the TPP, as well as large corporations, small and medium enterprises and local industries in the world's growth center in the Asia Pacific market, expanding the playing field becomes possible, inspired our country's economic growth.

-People, things to do, can and will adopt the vitality of the world scarcely can attract new investment in the country, capital, and information to to travel freely, not only in urban areas.

- Long-term and strategic significance

-Establish a new base for trade and investment with countries which share the universal values of freedom, democracy, human rights, law, provides a new standard of future world trade and investment rules.

-Deepening economic interdependence among countries in the Asia-Pacific region to share universal values and contribute to regional growth, prosperity and stability.

II □ Result of the market access negotiations

1. Goods market access

Access to the Japan market

1 USD:

(1) national trade items such as rice and rice flour

(1) to maintain the existing national trade system outside the tariff (if the U.S. 341 Yen / kg) maintenance.

(2) in the United States and Australia set country-specific frame of SBS.

United States: 50000 t (originally maintained three years)-> 70000 t (after 13 years)

: 10,000 Australian 0.6 t (originally maintained three years)-> 0.84 10,000 t (after 13 years))

* To promote substantial direct trading of imported to domestic demand and demand Japan to review the operation of the existing WTO framework of minimum access on the part of the then existing general imports about, medium grain, plan to change to the SBS system (60000 tons) machining only.

(2) preparations of rice and processed goods (commercial trade items)

Importer of rice powder preparation on the other hand tariff 5-or tariff rates, fewer imports and a reduction of 25% less material, tariff reduction and elimination.

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2 barley:

Wheat (1)

(1) to maintain the current state trading institutions, remain outside the tax rate (55 Yen / kg).

(2) establishes a national border in the United States, Australia, Canada (total 192000 t (initial) → 253000 t (7 years later) and SBS system).

(3) the WTO within the framework of the existing markup (the gains are levied upon importation by the Government) 9 years to 45 percent reduction and a new country-specific framework markup is also set to the same level. If only within the national framework, major brand name 5 non-wheat import markup 9 years 50% reduction level.

(4) for wheat products, flour preparation products to TPP borders or national border was established (45000 t (initially) to 60000 t (6 years later)), and wheat products are operating in a national trading system is still all national trade system operates. Also, macaroni, spaghetti, tariffs on nine years 60% reduction.

Barley (2)

(1) to maintain the current state trading institutions, remain outside the frame rate (39 Yen / kg).

(2) establish TPP frame (25000 t (originally)-65000 t (9 year) & SBS system).

(3) within the WTO framework of existing markup, 9 years to 45 percent reduction and the new TPP framework markup is also set to the same level.

(4) on the malt, within the scope of the tariff quota quantity of current national borders of the United States, Australia, Canada set (total 189000 t (initial) → 201000 t (11 years later)).

3 sweet resources crop:

Sugar (1)

(1) raw sugar and refined sugar, etc. while maintaining current sugar price adjustment system, measures below.

As long as a high sugar content (Brix 98.5 degrees or more and less than 99.3 degrees) of raw sugar for refining, small reduction adjustment to tariffs and tariff-free.

(A) importation in the tax-free limit in the test import for the development of new products, by utilizing the existing framework and adjustment-free money (raw sugar and refined sugar in 500 tons).

(2) set to TPP for the sweetened preparations. each item (total 62000 t (initial) → 96000 t (per item 6-11 years)).

(2) starch

Following measures on maintaining current sugar price adjustment system.

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(1) within the scope of the existing tariff quotas, establish TPP (7.5000 t).

(2) etc. from the TPP countries of the current imports small amounts of starch (corn starch, potato starch, etc.) about, set national borders (total 2.7000 t (initial) → 3.6000 t (per item 6-11 years later)).

4 beef:

(1) avoiding the Elimination of tariffs with safeguards, will cut tariffs on.

38.5% (current) 27.5% (initially) → 20% (10-year) 9% (16 years later).

(2) safeguard:

(1) fire quantity (per year): 590000 t (initial) → 696000 t (10 year) 738000 t (16 years)

(Tariff 20% off 11 years since five years set the trigger quantity of each quarter. □

(2) safeguard tariff:38.5%(original)-> 30% (4th year)-20% (11 years)-18% (15 years)

16 year after safeguard tariffs, abolished without the four years between fire (safeguard is triggered if the following year no reduction), reduced by 1% each year.

3 years or more practically stopped imports livestock disease cases, practically lifted from inapplicability of up to 5 years (according to the relevant terms in the United States and Canada up 1/2018 at the end of month inapplicability).

5 pork:

(1) to maintain the difference between the tariff system and maintains the breakeven price (524 Yen / kg).

Annex (2) avoid the Elimination of tariffs.

An ad valorem duty (current 4.3%):2.2%(initially) → 0% (after 10 years)

Annex (currently 482 Yen / kg): 125 Yen / kg (initially) → 50 Yen / kg (after 10 years)

(3) the safeguard: (11 years) measures safeguard import surge in the back annex 4.0-2.2%, each 100-70 yen / kg to an ad valorem duty.

6 dairy products:

1. skim milk powder and butter.

(1) to maintain the current state trading institutions, remain outside the frame rate (29.8% + 985 Yen / kg 21.3% + 396 Yen / kg milk, butter, etc.).

(2) set the TPP frame (milk equivalent)

Skim milk powder (initially) 20659 t → t 24102 (6 years later)

(Products 3, 188 t → t 3719 equivalent)

Butter (initially) 39341 t → t 45898 (6 years later)

(Products 3, 188 t → t 3719 equivalent)

Total 60000 t (initial)-> 70000 t (6 years later)

Whey (2)

Most likely competing with skimmed-milk powder for the tariff elimination period for the term of up to 21 years and safeguard measures.

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(3) cheese

(1) maintain the current tariff mozzarella, Camembert, etc.

(2) set the tariff elimination period extended until 16 years old cheddar, Gouda, cream cheese, etc..

(3) for processed cheese on country frame for small amounts, shredding cheese ingredients for fresh cheese set conditional tariff-free quotas for domestic use.

7 5 item non-agricultural products:

(1) to abolish customs duties within the framework of red beans and kidney beans, but remain outside the tax. About, konjac and canned pineapple cut outside the tax rate to 15 percent.

Neither maintains a tariff rate quota.

(2) in addition, for some chicken, eggs, orange juice, Apple, etc. items 11 years or tariff elimination period beyond that set.

(3) the measures safeguards about horse racing, orange.

8 forest products:

(1) for greater growth in imports or imports of recent years are (sawn from plywood from Malaysia, NZ, Canada, Chile and Viet Nam, as well as Canada). the tariff elimination period until the 16 year long and safeguard measures.

(2) in addition, the agreement outlines disciplines for trade in illegally felled timber.

9 marine products:

(1) for horse mackerel and mackerel 12-16 year long term tariff elimination period, tuna a major, major prairie, other, Buri, regarding the Japanese flying squid made set each of the tariff elimination period of 11 years.

(2) algae (seaweed, kelp, etc.) about the reduce tariffs to 15 percent.

(3), our current fishing subsidies are not applicable to prohibited subsidies, maintain the policy decision.

10 Alcohol, tobacco & salt:

(1) wine by the bottle for 8 years, sake, shochu tariff elimination period of 11 years set.

(2) cigarette tobacco (currently the provisional tax free is) about the tariff a tariff-free. Set the tariff elimination period up to 11 years for cigar tobacco.

(3) set the tariff elimination period up to 11 years for salt.

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< 11 countries access to the market:

1. Agriculture, forestry and fishery products

Won the Elimination of tariffs on all product of exports of Japanese agriculture, forestry and fishery products and foods (beef, rice, seafood, tea, etc.). Specifically, earning the following measures.

Between (1) for the beef of the United States for the Elimination of tariffs in its 15 year 20 of the current United States exports-tariff-free quota of 40 times (3000 t (initial) → 6250 t (last year)), the amount.

(2) for the United States of America, in five-year tariffs.

(3) also, in recent years, significant growth in exports of Viet Nam-fishery products for all raw fish such as yellowtail, mackerel, mackerel and frozen fish, immediate tariff elimination for.

(4) information about alcoholic beverages, whole contracting tariffs. In particular, for the sake of the United States and Canada, immediate elimination.

2. Industrial products

For industrial products, 11 countries across the 99. Achieve the Elimination of tariffs of 9 percent of the items.

Also look at exports (11 months for countries total about 19000000000000 yen), 99. 9 percent achieved. (Immediate percentage of elimination is a 76. 6%)

00 per EPA's 未締結 United States and Canada, NZ force at TPP, tax-free percentage of industrial products

-United States: 39%-67%

-Canada: 47% to 68%

-NZ: 79% to 98%

To rise immediately. (In the three countries total about 7800000000000 yen)

United States

And achieved 100 percent of industrial goods exports (\$ 1000000000000) tariffs as a whole.

-Automobile parts (total value less than 2000000000000 Yen: current tax rate to 2. 5%) to respect the agreed to more than 8% of immediate abolition. It's a higher level than the contents of the KORUS FTA.

< Immediate elimination rate >

-U. s.-Japan (TPP): item number: 87. 4 percent, the value of exports: 81. 3%

-KORUS FTA: item number: 83. 0 percent and exports: 77. 5%

-Passenger cars (current tax rate 2. 5%) are from 15 years cuts started, half in 20 years and 22 years at 0. Cut up to 5 percent, eliminated in 25 years.

And as a result of the United States parallel negotiations rules concerning non-tariff measures in automobile industry and safeguard measures, dispute settlement procedures U.S. concessions stipulated in the table as an appendix.

-Flagship area second only to automobile electronics, industrial machinery, chemicals, achieved elimination of more than 99% of exports.

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Canada

And achieved 100 percent of industrial goods exports (\$ 1000000000000) tariffs as a whole.

-Passenger cars (approximately 3% of exports: current tax rate 6. 1%) for a fifth year eliminated. It's a high level outweigh the contents have already finished negotiations Canada EUFTA (8th eliminated).

-Automotive (current tax rate to 6. 0 percent) the immediate elimination of less than 9 percent of exports from Japan.

< Immediate elimination rate >

-Canada (TPP): number of items: 95. 4 percent, the trade volume: 87. 5%

-Loading FTA: item number: 72. 2 percent, the trade volume: 59... 1%

And rules concerning safeguard measures in the automotive field, dispute resolution provisions as Appendix Canada schedule.

-Chemical the main field behind the car, consumer electronics, industrial machinery, achieved elimination of more than 99% of exports.

New Zealand

-Immediate elimination of more than 98% of the value of exports of industrial products. Until the 8th wholly free of the rest.

Australia

- Exports about 1000000000000 yen of the bilateral economic partnership in 82... 94 6% immediately abolished, but exceeded by the TPP. 2% of immediate agreement on the Elimination of all forms. Especially the mainstay of passenger cars, buses, trucks (less than 5% of exports: current tax rate 5%) for immediate elimination of the car is 100%. Achieve digging deep from the bilateral economic partnership (75% of the exports to immediate elimination).

Viet Nam

- Achieve 10-year elimination in Viet Nam EPA eventually 92 percent of exports of industrial products tariffs that are planned, however, in addition to this agreement, particularly high exports concern 3000 cc Super cars (current, protected by high tariffs of less than 70%) for.

Note: u. s.-Japan Auto parallel negotiations (major general)

-Ensure transparency and enforcement standards development process

-Set period of 12 months or more until the mandate concerning the compulsory standards requires substantial changes in car design, etc..

-Ensure greater transparency in the operation of the Council compulsory standards concerning.

- Harmonization of regulations

-Standards of the United States for Japan not harmonized with the UN criteria for standards of Japan and cars if Japan is strict with equal or greater fit to the standards of the United States are deemed to conform to the standards of Japan (Japan's standards are not).

-PHP (Preferential Handling Procedure): preferential handling procedure for imported vehicles

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-Apply to PHP in the form does not eliminate the PHP car from financial incentives.

- Special transitional safeguard measures

Strengthen the transitional safeguard measures – TPP agreement in General: availability (up to 10 years tariff elimination), invocation count (can fire multiple times), movement duration (2 years + 0/924), etc.

-A special accelerated alternative dispute resolution procedures

Compared to alternative dispute resolution procedures in General – TPP agreement, reduce the time to begin talks and Panel report issued.

-Whereas the United States violated the agreement by Japan (snapback) hike to the most favoured nation (MFN) tariff and the tariff reduction time delay (after defeat) possible. Japan whereas the violation of agreements with the United States on a scale equivalent to the measures of the United States, tariff hike of non-taxable items.

2. Goods other than market access

(1) services and investment

Enumerate the measures underpinning the regulation and liberalization targets on improving market access, all principles of service and investment sectors and areas. Advanced easing of regulations and elimination from the viewpoint of Japan firms ' overseas business development and clarify the status quo and improve transparency.

* The relaxation of restrictions on foreign investment in the retail industry including convenience stores were in the main area of interest from our industry as a concrete result of the individual.

Example: Viet Nam

After the TPP effective date on opening convenience stores, supermarkets and retail distribution industries after a grace period of five years throughout Viet Nam economic demand test (Economic Needs Test) (See note) repeal.

Note: opening examination system based on the number of store locations and local scale, etc.

(Example) Malaysia

Relaxation of restrictions on foreign investment to retailers (convenience store) (ban on foreign contributions to convenience stores to stake limit 30%)

Improved transparency, and easing procedures for the retail industry

* Example of deregulation and more foreign investment

Example: Viet Nam

-Relaxation of telecommunications of foreign capital adequacy requirements (65% to 75%, etc.)

- Relaxation of the foreign capital adequacy requirements for banks (15% to 20%, etc.)

(Example) Malaysia

Number of branches of foreign banks limit expansion (8 branches-16 branch)

-Principles removal of foreign bank branches outside new ATM placement restrictions

- Relaxation of the reinsurance business from State-owned reinsurance purchase obligation (purchase rate across the Board 30% to 2.5%)

Elimination of the foreign capital adequacy requirements for credit rating agencies (current up to 49%)

-Very limited reserves on the new economic policy. Clarify the retained content.

Example: Canada

-Raising of the prior review of the investment threshold (369 million Canada dollar → 1500000000 Canada dollars)

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* Cool promotion failure can be culture-related regulations were limited.

Example: Canada

And no regulations for audio video content offered online foreign.

Example: Viet Nam

-Theatre, live music, etc entertainment service foreign deregulation's (current maximum 49% to 51%), relaxation of domestic film override.

(2) Government procurement.

-Japan companies in Viet Nam, Malaysia, and Brunei Darussalam government procurement market access opportunities for the first time defined as international commitments.

-Existing international commitments over the Agency open government procurement market is the United States, Australia, Canada, Singapore.

-Reduced base amount of financing from existing international agreements targeted are Australia, Chile, and Peru.

(3) temporary entry of business stakeholders

-Concerning the categories of natural persons for all countries other than Singapore and the United States accept the temporary entry and stay and stay, exceeded WTO GATS commitments.

(Example) achieve the lengthening of the period of stay permitted for Canada, Malaysia and Peru. Australia, Canada, Mexico, Chile, promises to spouses baby categories short term business visitors other than natural persons are also allowed to stay the same person.

III □ Summary of rules

Chapter 2. National treatment and goods market access

According to the schedule of the international trade in goods, the Elimination of tariffs, provided that the basic rules on transparency of national treatment and import and export restrictions, re manufactured goods handling, import and export procedures, administrative fees and procedures, export taxes, goods trade. In addition, prescribed information related to trade in agricultural goods, export subsidies, export restrictions, etc.

Also on the schedule in the annex to this chapter provided detailed, individual items of each item's tariff elimination or reduction of the tariff quota safeguards, etc..

Could be for example the following benefits by the rules of this chapter.

(1) prohibition of establishment of export taxes and maintenance

Principle be lifted by export tax * Malaysia (oil, palm oil, timber, fish, etc.) and Viet Nam (mineral resources, etc.).

(2) transparency of import procedures

Establishes a procedure for the import permit or to modify the existing procedures is effective 60 days

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Defines the efforts required prior to reporting and response obligations reasonable questions from Parties (respond within 60 days).

(3) transparency of the procedures for export

If you establish a new export permit procedures or stipulated the obligation to modify the existing procedures at least announce within 30 days after the enforcement.

(4) strengthening the discipline of export restrictions of food

Food export restrictions, the application period to principles 6 months, that contribute to the enhancement of food security country of importation have not stipulated in the WTO agreement is expected.

Chapter 3. Rules of origin and origin procedures

Determine the requirements to be recognized within the TPP would be subject to tariffs on tariff elimination and reduction of preferential treatment for imported products, native products and preferential treatment for certification procedures, etc..

Could be for example the following benefits by the rules of this chapter.

(1) unification of the rules of origin of Japan 12 which the TPP preferential tax rate applicable (relaxation of the burden of the business system available)

(2) by the exporter, producer or importer to create certificates of origin is introduced (facilitation of international trade procedures)

(3) the realization of the full cumulative system

Employed TPP, to the sum of the value added-processing of multiple parties, to determine the origin of the full cumulative system. Japan signed the EPA even adopt fully cumulative system in Mexico and Peru.

(Reference) full cumulative system schematic

(4) the ease of utilizing regional FTA origin cargo (easing of the burden of proof)

Have the burden to prove about whether or not the origin of the goods is maintained in the FTA between the two countries, during the transport of the products through no. 3 country, to the Customs authorities in the importing. On the other hand, becomes the origin of the goods is maintained as you move within the region of all the parties, the regional FTA all the parties deemed to be one of the TPP.

If, on the rules of origin of the automobile, with additional standard deduction method for finished vehicles, is 55%. Also, if done within TPP at any one of the machining process for certain parts of the 7 items (see note), agreement on a clear marked if granted the origin of system have been introduced.

Added value criteria based on deduction if you are 45 %~55% and depending on the item, and on auto parts, basically, selective tariff classification change and added value criteria.

Also, processed within the TPP was agreement on a clear record for components on additional standard deduction method for more than 45 percent of any one even if the origin of granted.

Note: tempered glass, laminated glass, passenger vehicle, body of lorry, bumpers, door, axle

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Chapter 4. Textiles and textile products

National treatment concerning the goods market access chapters, rules of origin and origin procedures and trade remedies with the prescribed rules of origin on textiles in the TPP regional and trade, and emergency measures (safeguard measures). Regarding the review of cooperation between the Contracting Parties, rules of origin or emergency measures, as well as a violation of customs laws and regulations pertaining to the products being prescribed.

Chapter 5. Customs and trade facilitation

To ensure the application of predictability, consistency and transparency in customs procedures, as well as on provisions ensure the speeding up of procedures such as harmonization of international standards, promoting cooperation between the Contracting Parties, the customs, administrative and judicial review.

Could be for example the following benefits by the rules of this chapter.

- (1) rapid customs clearance (to ensure compliance with customs law period required (as far as possible from the arrival of goods within 48 hours) to allow custody)
- (2) express cargo (under normal circumstances, after the submission of the documents required for customs clearance within 6 hours custody allowed)
- (3) at the written request of the importer, exporter or producer of the Customs (tariff classification, origin, etc.) (150 days to respond)
- (4) automated (endeavor can import and export procedures to complete electronically in a single point of contact)

Chapter 6. On trade remedies

In addition stipulates that can temporarily take emergency measures (transitional safeguard measures) to prevent serious damage to the domestic industry by imports, have provisions concerning the anti-dumping measures and countervailing duties measures.

Transitional safeguard measures for contracting a certain transitional period (3 years from agreement coming into effect. However, tariffs for certain products is longer than that period over gradual elimination period for the product is never done) of between the stipulated that can raise the tariff to the level of, or temporarily suspend tariff concessions under this agreement, if it is causing serious damage or may cause on the domestic industry to produce products that import products has soared as a result of the reduction of customs duties under this agreement or to eliminate the conflict of similar or directly.

Form is not from the perspective of promoting transparency and proper procedures for anti-dumping measures and countervailing duties measures determine the WTO rights and obligations, as well as mandatory provisions, stipulates specific procedures for validating information face-to-face.

Expected effects, safeguard measures, on the prohibition of the imposition of transitional safeguard measures 2 times more for the same goods, WTO is not provided and to curb the abuse of transitional safeguard measures taken by each Contracting Party.

Expected effects of these measures will be shared as the norm, as the Parties perceive as measures for anti-dumping measures, albeit not mandatory provisions, to promote transparency and proper procedures, specific procedures in the investigation process provided that prevent the abuse of anti-dumping measures by each Contracting Party.

Chapter 7. Sanitary phytosanitary (SPS) measures

To protect human, animal or plant life or health, but has established rules to ensure that you do not bring unfair trade barriers to sanitary and phytosanitary measures implemented by each Contracting Party. Provisions relating to improving the transparency of procedures relating to SPS measures each Contracting Party and to consider the guidelines order than what the WTO-SPS agreement contains provisions related to contracting WTO sanitary plant quarantine Committee on international standards, guidelines and recommendations, etc.;

Provided about the equivalent of an adjustment to local situations in addition to the measures, scientific, and risk analysis, auditing, import inspection, certification, transparency, consultation, etc.

Barriers to export agricultural products from Japan, pursuant to the provisions of: improvement is expected.

(1) information on all SPS measures related to the importation of the goods in the country upon request, provide to the other parties.

(2) under the provisions of the SPS chapter students can seek talks to resolve within 180 days if there are concerns about matters that involved experts within 37 days from the receipt of the request as (TPP's own cooperative technical consultations).

Not impose any provisions and provisions based on the WTO-SPS Agreement entitle SPS chapter, based on scientific principles to ensure food safety (protection of human health or life) to the Member States to take necessary measures and institutional changes in Japan, is threatened by the Japan food safety;

Chapter 8. Technical barriers to trade (TBT)

Adaptive measures that give you the chance of contracting other stakeholders ' participation and comments upon the introduction of the compulsory standards, voluntary standards and conformity assessment procedures, international standards stipulated affecting significantly trade even if you notify the WTO that the proposal and shall send the electronic contracting WTO reports and at the same time.

It is also prescribed that normally 60-day period in terms of greater transparency in order to ensure enough lead time to submit views interested parties in other States parties and other States parties, upon the introduction of mandatory standards and conformity assessment procedures or an adequate period, is placed between the publication of requirements provided for in the TBT agreement mandatory standards and conformity assessment procedures and implementation to more than six months.

Increasing predictability and TPP Pact TBT chapter, not prescribed in the WTO TBT Agreement these duties is regulated, Japan get to ensure information about the establishment of compulsory standards by other States parties, to submit suggestions for Japanese companies in other States parties, to be expected.

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Genetic modification does not impose any provisions including food labelling, must change the system of food labelling requirements concerning Japan.

Chapter 9... Investment

Establishment phase of the investment property and stipulates the prohibition of expropriation without just compensation, ban fulfillment request for incorporation of national treatment and most-favored-nation treatment, fair equitable treatment for investment property and adequate protection and security, and specific measures (local procurement, technology transfer, etc.), etc., etc..

In addition, stipulates that procedures for the settlement of disputes between investors and States (ISDS).

Main provisions of the investment chapter and greater benefits for our country can be considered as such.

(1) establishment phase of the investment property and establishment of national treatment and most favoured nation treatment

(2) ban's demand for the implementation of specific measures for investors (example: prohibition of the royalty regulations regarding local content and technology transfer request, investor relations agreement *the prohibition of specific technical requirements for use)

* Prohibition of adoption, for example, the specific royalty rate

(3) adoption of procedures for ISDS

* Newly appointed EPA other countries (United States, Canada and New Zealand) and Australia

* Not covered by the EPA signed the Japan example

-Malaysia: domestic people treatment and specific measures fulfillment request violations are traditionally excluded.

-Singapore: violation of most favoured nation treatment are traditionally excluded.

-Australia: (discussion again), not adopting the ISDS in EPA, Australia.

-Breach of contract between countries concerning the development of infrastructure and investors (investment agreement) be subject to principles ISDS.

(4) introduction of measures local Governments state between the consultative mechanisms

Newly introduced mechanism where the State Government has many regulations in the Federal State of the United States, Canada, Australia, investment regulations in violation of agreements by the provincial government to discuss countermeasures among Nations. ISDS procedures, for example, contains provisions lead to overflowing complaint, such as the following.

0 make decisions regarding the recipient Party prior phase to determine the presence or absence of the breach of the duty of the State to the arbitral tribunal on appeal is outside the scope of the authority of the Tribunal and of the dispute.

o requiring decision on all cases in principle open to the public.

0 period to limit in a given period of time.

Also, can not be prevented to adopt regulatory measures based on foreign investment for legitimate public purposes in the TPP agreement investment chapter has confirmed.

Found that provisions similar to investment-related agreements (investment agreement and EPA investment chapter), Japan has been concluded so far, TPP agreement investment chapter, this chapter has significance in terms of the following.

(1) among the United States, Canada and New Zealand and so far not entered into investment agreements for the framework in international law for the protection of the Japanese investors in these countries of the TPP agreement investment chapter for the first time provided by.

(2) during the existing investment agreements, in particular some matters have not been designated investor protection (example: no ISDS in EPA, Australia.) Will serve to complement such existing agreements for the TPP agreement investment chapter is a comprehensive range of disciplines.

Did not include ever of investment-related agreements, such as to prevent the demand for the implementation of certain measures (3) a new provision is included.

Chapter 10. Cross-border services trade

Concerning the provision of services through the movement of natural persons to provide services by consumers in cross-border transactions and international aspects, national treatment, most favoured nation treatment, and market access (prohibition of quantitative restrictions) etc. about stated.

Employed to enumerate in the annex apply national treatment, most favoured nation treatment and market access obligations on targeted areas of all the principles, measures and areas of scheme (so-called negative list system). Regulatory status quo you can see at a glance, this compared to enumerate only the areas to ensure compliance with the obligations mentioned above have adopted the General Agreement on trade in services in the WTO (GATS) system (so-called positive list system) and for higher transparency and legal stability and predictability.

The negative list system adopted in the existing EPA * Japan with TPP member countries and Mexico, Chile, Peru and Australia.

Also, do not retreat more measures have been taken at the time of the change if measures showed no discipline involved in the liberalization of national treatment is applied after the agreement became effective in easing regulations and elimination of all forms, to the extent that liberalization that contains a ratchet clause promises to worsen. Prevent suffer through when this provision is in the investment and services sectors overseas Japan companies long term activities, increases the predictability of the regulatory regulation of the effect will be. Accepted and introduced regulations on the other hand, over the future policies on the or reserves on the field need to be strengthened ("complete reservation" = so-called "future reserve"). Ratchet clause does not apply to the comprehensive reserve areas.

Japan has retained a comprehensive fishery in social services (health, social security, social insurance, etc.), Government property, public competitions, broadcasting services, elementary and secondary education, energy industry, waters, etc., security services and land transactions.

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Chapter 11... Financial services

Concerning provision of financial services in a cross-border, cognate with WTO agreements, such as transparency in national treatment, MFN, market access restrictions prohibited the administration of discipline, as well as the discipline to promote trade liberalization and accelerate access to payment and clearing systems, the banned executives of the nationality and residency requirements, insurance services stipulates in the agreement text.

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Also on the regulatory measures by the Government of the Federal State (1) mechanisms pertaining to the request for consultations between Nations in the if you're experiencing a catastrophic financial services provided on such measures provide information requested, and (2) has been installed.

The provisions of the financial services section of the public activities forming part of the system of law pertaining to pension plans or social security, and do not apply to activities done with account services (including public health), Contracting, security or financial resources and services.

Chapter 12. Temporary entry of business relations

Speeding up of the requirements for the grant of temporary entry of business relationship between the Contracting Parties, therefore, procedures for applying for and transparency improved, etc. provided.

Japan's short-term business visitors, "companies in the transferees", "investor relations", entitled free profession (including lawyers, certified public accountants.), "Free profession of independence", there are no provisions, like mandating the acceptance of simple workers are promised for the contract-based service providers and "spouse to accompany those who (except for" short-term business visitor) and child, immigration and to allow the temporary stay.

As a new element not in the WTO Agreement (GATS) commitments on cooperation and activities related to the processing of commitments on information provision and publication of standard time, ensuring transparency in the procedures for applying for immigration documents, temporary entry requirements and application process, visa and border safety, are provided.

Chapter 13. Telecommunications

To promote trade and other measures concerning access to public telecommunications services and the use of general agreement on service trade (GATS) electrical communications annex similar discipline pertaining to the GATS the Fourth Protocol, safeguards for ensuring the conditions of competition, major service providers and interconnected with similar discipline, international mobile phone roaming and resale telecommunications discipline provisions.

Is expected that various new discipline beyond the GATS and Japan signed the EPA provided that the improvement of our telecommunications business overseas promotion and consumer convenience.

For example, considered by international mobile phone roaming services are transparent, and endeavour to co-operate to promote a reasonable fee provisions in the TPP could contribute to minimize roaming charges.

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Chapter 14. E-commerce

E-commerce chapter of the TPP is not provisions in the WTO agreements and also than the EPA signed the country's e-commerce module, a comprehensive and high level content has been achieved. Specifically provided below.

- (1) for electronic transmissions between the Contracting Parties to impose tariffs is not.
- (2) in the other signatory production, etc. should not be given a treatment less favourable than the treatment affect the same type of digital product, whereas a digital product (what is encoded digitally, such as computer programs can be sent electronically produced for commercial sale or distribution) also.

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(3) case for the execution of business of the company, is to cross the border by means of electronic information (including personal information.) In accepting the transfer. (Note) Must not require that as a requirement for companies to conduct business in the territory of computer-related equipment located in the territory of (4). (Note)

(5) request in principle access to the source code of large quantities for sale software owned by other parties who transfer or the source code is not.

(Know interfere with and adopt measures to achieve the parties a legitimate public policy objective, it does not fit or maintain liability Note: (3) and (4). □

Development of environment discipline about the protection of online consumer e-commerce user is determined at the same time, consumers can use e-commerce has been achieved.

And fastest growing e-commerce market, future growth is expected. International to promote small and medium enterprises can deal directly with overseas consumers and businesses without large investments or established e-commerce as well as effective.

By TPP, built an advanced and comprehensive rules for e-commerce future, regional e-commerce is stable and maintained environment with a sense of confidence is expected.

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Chapter 15. Government procurement.

Defined the discipline of certain institutions to raise above the base amount of goods and services.

Concerning the negotiations on the further extension of the process of procurement, national treatment that is specifically committed to public tender, bid and discrimination the principle of fairness and impartiality, coverage (including local government) are provided.

Malaysia, Viet Nam and Brunei has not signed the WTO Government procurement agreement (GPA) is not where the provisions of the GPA and at the same level in the bilateral EPAs with Japan. Detailed procedural rules in between these three countries for procurement of the Government procurement chapter of the TPP agreement pertaining to ensure the transparency of national treatment, indiscriminate treatment principles and procurement procedures for the first time defined as international commitments. This improved access to the Government procurement markets of these countries.

(Reference)

Scale of government procurement of GDP according to the OECD survey (PROCUREMENT AS % OF TOTAL SPENDING (2011)), OECD Member States average is 13 percent.

Chapter 16. Competition policy

Concerning cooperation for the fair implementation of procedures in the enforcement of competition law adopted or maintained, maintenance of competition authorities, competition law, between the parties and between the competition authorities and consumer protection are provided.

Nor shall the provisions relating to competition policy in the WTO agreement, and no regulations regarding the fair implementation of procedures in the enforcement of competition law in Japan signed the EPA.

Chapter 17. State-owned enterprises and designated monopolies

Non-commercial aid to acting in accordance with commercial considerations when Contracting State-owned enterprises and designated monopolies do the buying and selling of goods or services, and to ensure equal treatment to give to the other contracting companies, State-owned enterprises (gifts or loans at better terms than what exists in the commercial) stipulated should not adversely affecting the interests of other States parties, through the State-owned enterprises and to provide information about the designated monopoly against other States parties.

Each Contracting Party will discipline specific not apply to specific activities, such as certain State-owned enterprises of the country, has reserves in the national annex. Japan reserves designated monopolies and State-owned enterprises of local government-owned or controlled. Discipline dedicated to state-owned enterprises are not incorporated in the existing WTO agreements, and Japan signed the EPA. Will ensure the Foundation discipline of those doing business in foreign companies and State-owned enterprises equal conditions of competition. (Reference)

Malaysia

And State-owned enterprise's scale in 2012, accounting for 5 percent of the domestic employment -In addition, companies engaged in official business of State-owned enterprises is 33. These GDP of 35%(9.6 trillion JPY) monopoly. In addition to 2/3 of its three major State-owned enterprises (Petronas (exploration), Tenaga Nasional (power), Telekom Malaysia (communication)) monopoly. Source: WTO TRADE POLICY REVIEW 2014 MALAYSIA

Viet Nam

And State-owned enterprises is the scale in 2011, domestic companies number occupies 1%, 14.3% of employment.

In addition, as State-owned enterprises, 33% of the GDP.

-Pledges and Government of Viet Nam was 1309 in 2011-2015, 100% government owned State-owned enterprises remain 692 companies dissolved the 13 firms to hold majority capital of 573 companies, as well as 31 enterprise to limited liability company.

Source: WTO TRADE POLICY REVIEW 2013 VIET NAM

Brunei Darussalam

And State-owned enterprises, about the exact size is unknown, but most of the public sector monopoly State-owned enterprises. In various sectors including oil and gas, manufacturing, banking, communications and air transport, the monopoly State-owned enterprises. For example, Royal Brunei Airlines (air transport), Baiduri Bank (the Bank), Bank.

Islam Brunei Darussalam (Bank), Brunei Gas Carries (gas) and Petroleum BRUNEI (oil), Telbru (telecommunications).

Source: WTO TRADE POLICY REVIEW by 2015 BRUNEI DARUSSALAM

Chapter 18. Intellectual property

Intellectual property targeted by the TPP is such as trademarks, geographical indications, patents, designs, copyright, have not been disclosed. Intellectual property is prescribed for the exercise of intellectual property rights protection of the higher part of the WTO agreements in these intellectual property 'aspects of trade-related intellectual property rights agreement (TRIPS Agreement) (civil and criminal rights exercise procedures and border measures, etc.) and, thereby, is to promote the protection and use of intellectual property rights.

The main provisions of the intellectual property chapter, in the following.

- introduction of a system to strengthen the intellectual property protection of pharmaceuticals

- (1) patent term extension system (about irrational shortened marketing authorisation procedures resulting from the effective patent term to compensate patent holders to patent term adjustment system)

- (2) build a rule pertaining to data protection period of the new drug.

- (3) patent linkage system (consider the valid patent upon the generic drug approval mechanism)

- trademark

-Facilitation of the acquisition of trademark rights: mandatory for the signing of the Madrid Protocol (未締結 Malaysia, Canada, Peru, etc.) provided for the international registration of marks determining the bulk filing an international trademark or trademark application filing an international institutional harmonization and simplification for Singapore Trademark Law Treaty (未締結 Malaysia, Canada, Peru, Mexico, etc.).

-Provide legal compensation or additional compensation for unauthorized use of a trademark.

- patent

-The introduction of patent term extension (an unreasonable delay by the right of patent application from filing exceeding three years from the request for review 5 years, produced per patent term extension system) obligatory.

-Obligatory introduction of exceptions of lack of novelty (rules to the invention in the patent case was disclosed voluntarily ago the patent filing, publication date from the 12 months by its publicity does not deny novelty, etc.).

- online piracy prevention

Introduce a system get liability disclaimers in receiving reports from rights holders of infringing content on the Internet, responding to commercial providers. Commercial providers to give incentives for piracy prevention system is secured.

- intellectual property protection rights

Or equivalent is exceeded norms of ACTA (prevention of counterfeit goods trading agreement) and the WTO TRIPS Agreement.

(However, for transit goods, to load alternative based infringement doubtful goods information provided to the country to be allowed) empower the competent authority about a discrepancy (example) and trademark counterfeiting or copyright infringing goods, and tries to import goods, trying to export goods, or goods transiting the area to border measures suspension of authority

Criminal punishment duty of voyeur movies to use infringing unauthorized acquisition of a trade secret, trademark, label and package

-Introducing criminal penalties removed unfairly restricted viewing of satellite TV or cable TV encryption equipment manufacturing and sale of civil remedies.

Copyright 2009

Set forth the following rules such as copyright.

-Term of protection of copyrighted works (including film), demonstration or record to below.

(1) based on the survival of the natural person who is at least 70 years since the lifetime of the author and the author's death, if the calculated

(2) based on the survival of the natural person if not calculated period of one or more of the following.

(i) is at least 70 years from the end of the year of first publication got the consent of the owners of such works, performances or records

(ii) is at least 70 years from the end of the year of the creation of such works, performances or records, if it does not release from the creation of such works, performances or records within a certain period of time got the permission of the rights holder

And illegal reproduction of copyrighted work on a commercial scale by deliberately to non-indictable only upon complaint. However, if not greatly affect the profitability and market original crop is not limited.

-Establish statutory compensation or additional compensation for the infringement of copyright.

○ geographical indication (GI)

That exposes (2) geographical indications under application process application, etc. without the procedures stipulated for the protection of geographical indications or certification of administrative procedures (1) undue burden would be imposed, lodge an objection against this process, (3) provided that cancellation of the protection of geographical indications or certification, etc..

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(Reference)

2007-out of domestic patent applications, made in Japan in fiscal 2011 exhibitors total filings for many companies and organizations top 8081, conducted following survey (questionnaire about 4323, Inc. got its answer).

Chapter 19. Labor

Parties directly related to the internationally recognized workers ' rights law (hereinafter referred to as "labor laws".) Rights outlined in the Declaration on the rights and principles at work in enforcing the International Labour Organization in 1998 and its implementation measures (ILO Declaration) (Elimination of all forms of forced labour, elimination of discrimination in respect of employment and occupation, and abolition of child labour, etc.)

Information set forth principles for promoting awareness about the recruitment and maintenance in the laws of the country, labor laws and regulations and public involvement framework, cooperation.

Lead to ensure the fair and equitable competition conditions would require additional legal measures that Japan is in the labor section of the TPP agreement, each Contracting Party should ensure and domestic legislation related to the rights of workers are already having nothing but goes protection of workers ' rights by each Contracting Party pursuant to the provisions of these, which are expected to lead to the relative competitiveness of Japanese companies.

Reference: never, not labor agreements in the WTO, is an example which has provisions relating to labor in Japan signed the EPA is provided independent chapters.

Chapter 20. Environment

To enhance the capacity to deal with environmental issues related to the promotion of mutually complementary trade and environment policies, promotion of high standards of environmental protection and effective environmental law enforcement, trade contracting purposes, provisions concerning the rules for the confirmation of the commitments of the multilateral environmental agreements and further cooperation, rules on fisheries conservation and sustainable management, to deal with the illegal harvest of wild animals and plants and trading rules.

Japan's is already at a high level and taking environmental protection measures, in the TPP agreement shall be subject to the discipline of the High Contracting Parties other than clearly articulated, with equal conditions of competition, ensure healthy competition.

(Reference) which has independent chapters in WTO agreements on the environment is not, also, is an example that Japan signed the EPA, which has provisions relating to environmental;

When it comes to fisheries subsidies, (1) that State subsidies for the fishing, the 濫獲 fish resources on negative things, (2) fisheries subsidies for fishing vessels engaged in IUU fishing * prohibited. Not applicable to the ban on fisheries subsidies in Japan need to demonstrate sustainable fisheries development, multifunctionality and reconstruction grants, still can be issued.

* Combat IUU fishing: illegal fishing and unreported fisheries not regulated fisheries (illegal, unreported, and unregulated fishing)

Chapter 21. Cooperation and capacity building

Provide resources showed differences in the levels of development of the establishment Subcommittee, have chosen to include provisions stating what that cooperation to help boost profits for the implementation of the TPP and TPP and capacity development activities, to accelerate the economic growth and development and to strengthen cooperation and capacity building, between the parties regarding stated. Regulates matters arising in case of capacity development and co-operation, be eligible for dispute resolution under the dispute resolution chapter.

Chapter 22. Competitiveness and business facilitation

Provided that States parties established a Subcommittee on competitiveness and business facilitation initiatives to assist efforts to form a competitive environment to promote the development and economic integration in the free trade area of the, to explore how to implement the agreement to promote the enhancement and development of the supply chain and to conduct activities to support the participation in the supply chain of small and medium enterprises. Note that under the provisions of competitive advantage and business facilitation raw stipulates that matters arising outside the scope of the dispute settlement provisions of the dispute resolution chapter.

Chapter 23. Development

Provided regarding other Contracting Parties, aiming at the creation of improved welfare for supporting the development, improving living standards, reduce poverty and new employment opportunities open trade and investment environment to promote and strengthen the commitment to ensure joint activities to improve the ability of women and development.

Furthermore, under the provisions of chapter development students provided that matters arising outside the scope of the dispute settlement provisions of the dispute resolution chapter.

Chapter 24. Small and medium enterprises

Each contracting country for publishing of TPP full text website up and include information for small and medium enterprises, to identify ways to help small and medium enterprises exploit opportunities on the trade agreement, to establish a Subcommittee that is stipulated.

Various rules of TPP agreement to introduce tariffs, self certification, e-commerce and small and medium-greater benefits for mid-sized companies, but in addition to it, implementation of these provisions, in that small and medium-sized enterprises can enjoy benefits of the deal and continue to engage in economic activities within the TPP can become.

Chapter 25. Regulatory consistency

In addition stipulates that should be ensuring the consistency between each country has its own different types of regulatory measures, concerning cooperation between contracting the regulatory impact assessment provided. Furthermore, under the provisions of regulatory integrity law stipulates that matters arising outside the scope of the dispute settlement provisions of the dispute resolution chapter.

Chapter 26. Transparency and corruption prevention

And equipped for the Act of giving a reasonable opportunity for comment submission, on the administrative transparency of disclosure laws on the matters covered by the TPP agreement contracting review and corrective justice court or stipulated that to maintain.

Adopts the necessary measures to eliminate corrupt practices related to matters affecting international trade or investment, Contracting for the prevention of corruption acts, or to maintain the stipulated.

Chapter 27. Operational and system requirements

Concerning the report on the implementation of the TPP agreement, implementation of obligations by States parties about the obligations under the agreement, the designation of contact points to facilitate the contact between the Contracting Parties the method of decision making in the TPP Committee to conduct study on matters related to management and its mandate, TPP Committee and its subsidiary bodies for having a special transitional period provided.

Note: may be set up in the free trade agreement of the other committees to consider matters related to the implementation of the agreement, the operation is a lot.

Chapter 28. Settlement of disputes

That govern the procedures for resolving disputes between States parties concerning the interpretation or application of this agreement.

Regulates procedures for the Panel be set up separately for each dispute, upon the request of the parties if not resolved by consultation, consultation provisions is provided in the TPP agreement on a final solution to obtain.

Chapter 29. Exception

Provision for the TPP to Contracting Parties applying an exception is permitted.

Chapter 30. Final provisions

Provided for official text revision of the TPP, accession, entry into force, opt-out procedures, agreements, etc..

On entry into force, on the TPP agreement, (1) later notified to the depositary in writing original signatory of all completed the domestic legal procedures after 60 days, (2) (1) according to, if notified to the depositary at least six countries account for at least 85 percent of the sum of the original signatory States of the GDP if you do not complete the original signatory of all domestic legal procedures within two years agreement after a period of two years preceding 60 days later, (3) according to (1) or (2) agreement entered into force and, if not Will come into effect 60 days after the date of the notification to the depositary at least six countries account for at least 85% of the sum of the original signatory States of the GDP;