

ANNEX II  
Schedule of Canada

SECTOR: Aboriginal Affairs

SUB-SECTOR:

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103,  
1203)  
Local Presence (Article 1205)  
Performance Requirements (Article 1106)  
Senior Management (Article 1107)

DESCRIPTION: Investment and Cross-Border Services

Canada reserves the right to adopt or  
maintain any measure denying investors  
of another Party and their  
investments, or service providers of  
another Party, any rights or  
preferences provided to aboriginal  
peoples.

LEGAL CITATION OF EXISTING MEASURES:

[Constitution Act, 1982 and any  
relevant legislation or policy]

=====

ANNEX II  
Schedule of Canada

SECTOR: Social Services

SUB-SECTOR:

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Local Presence (Article 1205)  
Senior Management (Article 1107)

DESCRIPTION: Investment and Cross-Border Services

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

LEGAL CITATION OF EXISTING MEASURES:

=====

=

=====

ANNEX II  
Schedule of Canada

SECTOR: Communications

SUB-SECTOR: Telecommunications Transport Networks  
and Services, Radiocommunications and  
Submarine Cables

INDUSTRY CLASSIFICATION: CPC 752 Telecommunications Services

TYPE OF RESERVATION: National Treatment (Article 1102)  
Most-Favored-Nation Treatment (Article 1103)  
Senior Management (Article 1107)

DESCRIPTION: Investment

Canada reserves the right to adopt or  
maintain any measure relating to  
investment in telecommunications  
transport networks and  
telecommunications transport services,  
radiocommunications and submarine  
cables, including ownership  
restrictions and measures concerning  
corporate officers and directors and  
place of incorporation.

This reservation does not apply to  
providers of Value-Added Networks (CPC  
752323) and Other Message Services  
(CPC 752329) whose underlying  
telecommunications transmission  
facilities are leased from providers  
of public telecommunications transport  
networks.

LEGAL CITATION OF EXISTING MEASURES:

Bell Canada Act, S.C. 1987, c.19

British Columbia Telephone Company  
Special Act, S.C. 1916, c.66

Teleglobe Canada Reorganization and  
Divestiture Act, R.S.C. 1985, c.T-4

Telesat Canada Act, R.S.C. 1985, c.T-6

Radiocommunication Act, R.S.C. 1985,  
c.R-2; as amended by S.C.1989 c.1,  
c.17

Telegraphs Act R.S.C. 1985, c.T-5

Telecommunications Policy Framework,

1987

Telecommunications Act (Bill C-62)

=====

ANNEX II  
Schedule of Canada

SECTOR: Communications

SUB-SECTOR: Telecommunications Transport Networks and Services,  
Radiocommunications and Submarine Cables

INDUSTRY CLASSIFICATION: CPC 752 Telecommunication Services  
(not including CPC 752323  
value-Added Network Service  
or CPC 752329 Other Message  
Services)

TYPE OF RESERVATION: National Treatment (Article 1202)  
Most-Favored-Nation Treatment (Article 1203)  
Local Presence (Article 1205)

DESCRIPTION: Cross-Border Services

Canada reserves the right to adopt or maintain any measure relating to radio-communications, submarine cables, and the provision of telecommunications transport networks and telecommunications transport services. These measures apply to such matters as market entry, spectrum assignment, tariffs, intercarrier agreements, terms and conditions of service, interconnection between networks and services, and routing requirements that impede the provision of telecommunications transport networks and telecommunications transport services, radio communication and submarine cables, on a cross-border basis.

Telecommunications transport services typically involve the real-time transmission of customer-supplied information between two or more points without any end-to-end change in the form or content of the customer's information, whether or not such services are offered to the public generally. These services include voice and data services by wire, radiocommunication or any other electromagnetic means of transmission.

This reservation does not apply to measures relating to the cross-border

provision of enhanced or value-added services.

LEGAL CITATION OF EXISTING MEASURES:

Bell Canada Act, S.C. 1987, c. 19

British Columbia Telephone Company  
Special Act, S.C. 1916, c.66

Railway Act, R.S.C. 1985, c.R-3

Radiocommunication Act, R.S.C. 1985,  
c.R-2; as amended by S.C. 1989, c.1,  
c.17

Telegraphs Act, R.S.C. 1985, c.T-5

Telecommunications Policy Framework,  
1987

Telecommunications Act (Bill C-62)

CRTC Decisions, including (85-19),  
(90-3), (91-10), (91-21), (92-11),  
(92-12)

=====

=

=====

Annex II  
Schedule of Canada

SECTOR: Government Finance

SUB-SECTOR: Securities

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Article 1102)

DESCRIPTION: Investment

Canada reserves the right to adopt or maintain any measure relating to the acquisition or sale or other disposition of bonds, treasury bills, or other kinds of debt securities issued by the Government of Canada, a province or local government by nationals of another Party.

LEGAL CITATION OF EXISTING MEASURES:

Financial Administrative Act, R.S.C.,  
1985, Chap. F-11

=====

=

=====

ANNEX II  
Schedule of Canada

SECTOR: minority Affairs

SUB-SECTOR:

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Local Presence (Article 1205)  
Performance Requirements (Article 1106)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

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

LEGAL CITATION OF EXISTING MEASURES:  
None

=====

=====

ANNEX II  
Schedule of Canada

SECTOR: Transportation

SUB-SECTOR: Air Transportation

INDUSTRY CLASSIFICATION: SIC 4513 Non-Scheduled Air Transport,  
Specialty Industry

TYPE OF RESERVATION: National Treatment (Article 1102)  
Most-Favored-Nation Treatment (Article 1103)  
Senior Management (Article 1107)

DESCRIPTION: Investment

Canada reserves the right to adopt or maintain any measure that restricts the acquisition or establishment of an investment in Canada for the provision of specialty air services to a Canadian national or a corporation incorporated and having its principal place of business in Canada, its chief executive officer and not fewer than 2/3 of its directors as Canadian nationals, and not less than 75% of its voting interest owned and controlled by persons otherwise meeting these requirements.

LEGAL CITATION OF EXISTING MEASURES:  
Aeronautics Act, R.S.C., 1985, c. A-2  
  
Air Regulations, C.R.C., Vol.I, c.2  
  
Air Regulations Series 2, No.2  
(Aircraft Marking and Registration Regulations), SOR/90-591

=====

=

=====

ANNEX II  
Schedule of Canada

SECTOR: Transportation

SUB-SECTOR: Water Transportation

INDUSTRY CLASSIFICATION: SIC 4541 Freight and Passenger Water  
Transport Industry

SIC 4542 Ferry Industry

SIC 4543 Marine Towing Industry

SIC 4549 Other Water Transport  
Industries

SIC 4552 Harbour and Port Operation  
Industries

SIC 4553 Marine Salvage Industry

SIC 4554 Piloting Service, Water  
Transport Industry

SIC 4559 Other Service Industries  
Incidental to Water  
Transport

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103,  
1203)

Local Presence (Article 1205)

Performance Requirements (Article 1106)

Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

Canada reserves the right to adopt or  
maintain any measure relating to the  
investment in or provision of maritime  
cabotage services, including:

(a) the transportation of goods or  
passengers by vessel between  
points in the territory of Canada  
and the Exclusive Economic Zone;

(b) with respect to waters above the  
continental shelf, the  
transportation of goods in  
relation to the exploration,  
exploitation, or transportation  
of the mineral or non-living  
natural resources of the  
continental shelf; and

(c) the engaging by vessel in any

maritime activity of a commercial nature in the territory of Canada and the Exclusive Economic Zone and, with respect to waters above the continental shelf, in such other maritime activities of a commercial nature in relation to the exploration, exploitation or transportation of mineral or non-living natural resources of the continental shelf.

This reservation relates to, among other things, local presence requirements for service providers entitled to participate in these activities, the criteria for the issuance of a temporary cabotage license to foreign vessels, and limits on the number of cabotage licenses issued to foreign vessels.

LEGAL CITATION OF EXISTING MEASURES:

Coasting Trade Act, S.C., 1992, c. 31

Canada Shipping Act, R.S.C., 1985, c. S-9

Customs Act, R.S.C., 1985, c.1 (2nd Supp.)

Customs and Excise Offshore Application Act, R.S.C., 1985, c. C-53

=====

=====

ANNEX II  
Schedule of Canada

SECTOR: Transportation

SUB-SECTOR: Water Transportation

INDUSTRY CLASSIFICATION: SIC 4541 Freight and Passenger Water Transport Industry

SIC 4542 Ferry Industry

SIC 4543 Marine Towing Industry

SIC 4549 Other Marine Transport Industries

SIC 4551 Marine Cargo Handling

Industry

SIC 4552 Harbour and Port OperationIndustry

SIC 4553 Marine Salvage Industry

SIC 4554 Piloting Service, Water  
Transport Industry

SIC 4559 Other Service Industries  
Incidental to Water  
Transport

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103,  
1203)

Local Presence (Article 1205)  
Performance Requirements (Article 1106)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

Canada reserves the right to adopt or  
maintain any measure denying service  
providers or investors of the United  
States, or their investments, the  
benefits accorded service providers or  
investors of Mexico or any other  
country, or their investments, in  
sectors equivalent to those subject to  
the maritime services reservation  
inscribed in page II-U-8.

LEGAL CITATION OF EXISTING MEASURES: None

=====  
=  
=====

ANNEX II  
Schedule of Canada

SECTOR: Transportation

SUB-SECTOR: Water Transportation

INDUSTRY CLASSIFICATION: SIC 4541 Freight and Passenger Water  
Transport Industry

SIC 4542 Ferry Industry

SIC 4543 Marine Towing Industry

SIC 4549 Other Marine Transport  
Industries

SIC 4551 Marine Cargo Handling  
Industry

SIC 4552 Harbour and Port Operation  
Industry

SIC 4553 Marine Salvage Industry

SIC 4554 Piloting Service, Water  
Transport Industry



SIC 4559 Other Service Industries  
Incidental to Water  
Transport

TYPE OF RESERVATION: National Treatment (Article 1202)  
Most-Favored-Nation Treatment (Article 1203)  
Local Presence (Article 1205)

DESCRIPTION: Cross-Border Services

Canada reserves the right to adopt or maintain any measure relating to the implementation of agreements, arrangements and other formal or informal undertakings with other countries with respect to maritime activities in waters of mutual interest in such areas as pollution control (including double hull requirements for oil tankers), safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control, and maritime communications.

LEGAL CITATION OF EXISTING MEASURES:

United States Wreckers Act, R.S.C.  
1985, c. U-3

Various Agreements and Arrangements,  
including:

- (a) Memorandum or Arrangement on  
Great Lakes Pilotage;
- (b) Canada-United-States Joint Marine  
Pollution Circumpolar Agreement;
- (c) Agreement with the United States  
on Loran "C" Service on the East  
and West Coasts; and
- (d) Denmark - Canada Joint Marine  
Pollution Circumpolar Agreement.