Annex II - List of Suspended Provisions

1. Express Shipments – Article 5.7.1(f) - suspend second sentence

2. Investment Agreement and Investment Authorisation (ISDS applies to these)

   9.1 Definitions - suspend "investment agreement" and "investment authorisation" and associated Footnotes (5 - 11)

   9.19.1 Submission of Claim to Arbitration - a(i) B and C; (b)(i) B and C (investment authorisation or investment agreement), chausette, footnote 31

   9.19.2 Submission of Claim to Arbitration, footnote 32

   9.19.3 Submission of Claim to Arbitration - (b)delete investment authorisation or investment agreement

   9.22.5 Selection of Arbitrators

   9.25.2 Governing Law

   Annex 9-L Investment Agreements

3. Express Delivery Services – Annex 10-B - suspend paragraph 5 and 6

4. Minimum Standard of Treatment in Article 11.2 – suspend sub-paragraph 2(b); footnote 3 and Annex 11-E

5. Resolution of Telecommunications Disputes - Article 13.21.1(d)

6. Conditions for Participation - Article 15.8.5 - Commitments relating to labour rights in conditions for participation

7. Further Negotiations - Article 15.24.2 - suspend "No later than three years after the date of entry into force of this Agreement" *

   * footnote: *The Parties agree that negotiations referred to in Article 15.24.2 shall commence no earlier than five years after entry into force of this Agreement, unless the Parties agree otherwise. Such negotiations shall commence at the request of a Party.*

8. National Treatment - Article 18.8 footnote 4 – suspend last two sentences

9. Patentable Subject Matter - Article 18.37.2 and 18.37.4 (Second Sentence)

10. Patent Term Adjustment for Unreasonable Granting Authority Delays - Article 18.46

11. Patent Term Adjustment for Unreasonable Curtailment – Article 18.48

12. Protection of Undisclosed Test or Other Data- Article 18.50

13. Biologics - Article 18.51

14. Term of Protection for Copyright and Related Rights - Article 18.63

15. Technological Protection Measures (TPMs) - Article 18.68

16. Rights Management Information (RMI) - Article 18.69

17. Protection of Encrypted Program-Carrying Satellite and Cable Signals - Article 18.79

18. Legal Remedies and Safe Harbours - Article 18.82 and Annexes 18-E and 18-F

19. Conservation and Trade (measures 'to combat' trade) - Article 20.17.5 – suspend "or another applicable law" and footnote 26

20. Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices - suspend Annex 26A - Article 3 on Procedural Fairness

Items to be Finalised by the Date of Signature by consensus among all Parties for suspensions to take effect

1. State Owned Enterprises, Annex IV (Malaysia)
2. Services and Investment Non-Conforming Measures, Annex II - Brunei Darussalam - 14 – Coal – paragraph 3
3. Dispute Settlement (trade sanctions) – Article 28. 20 (Vietnam)
4. Cultural Exception (Canada)