

## **ANNEX 2-D**

### **TARIFF SCHEDULE OF JAPAN**

#### **GENERAL NOTES**

1. The nine-digit codes of the tariff classification number of Japan referred to in this Schedule are based on the national nomenclature of Japan (Statistical Code Lists for Imports as of April 1, 2015.). For greater certainty, they are subject to change in accordance with the laws, regulations or public notifications of Japan, and shall be referred to together with the correlation tables published in accordance with Article 2.16(k) (Publication) in case of any change of national nomenclature of Japan. This Schedule is made based on the Harmonized System, as amended on 1 January 2012.
2. The base rates of duty set out in this Schedule reflect  $\text{D}$  [ Most

- (c) customs duties on originating goods provided for in the items in staging category B4 shall be eliminated in four annual stages, and these goods shall be duty-free effective April 1 of Year 4;
- (d) customs duties on originating goods provided for in the items in staging category B6 shall be eliminated in six annual stages, and these goods shall be duty-free effective April 1 of Year 6;
- (e) customs duties on originating goods provided for in the items in staging category JPB6\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 20 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in five annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 6;
- (f) customs duties on originating goods provided for in the items in staging category JPB6\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in five annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 6;
- (g) customs duties on originating goods provided for in the items in staging category JPB6\*\*\* shall remain at the base rate until March 31 of Year 5, and these goods shall be duty-free effective April 1 of Year 6;
- (h) customs duties on originating goods provided for in the items in staging category JPB6\*\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 25 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in five annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 6;

- (i) customs duties on originating goods provided for in the items in staging category JPB6\*\*\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 35 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in five annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 6;
- (j) customs duties on originating goods provided for in the items in staging category B8 shall be eliminated in eight annual stages, and these goods shall be duty-free effective April 1 of Year 8;
- (k) customs duties on originating goods provided for in the items in staging category JPB8\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in seven annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 8;
- (l) customs duties on originating goods provided for in the items in staging category JPB8\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 20 per cent of the base rate on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) until March 31 of Year 3; and
  - (iii) the customs duties shall be eliminated from the level set out in subparagraph (i) in five annual stages beginning on April 1 of Year 4, and these goods shall be duty-free effective April 1 of Year 8;
- (m) customs duties on originating goods provided for in the items in staging category JPB8\*\*\* shall be eliminated as follows:

- (i) the customs duties shall be reduced by one third of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in seven annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 8;
- (n) customs duties on originating goods provided for in the items in staging category JPB8\*\*\*\* shall be eliminated as follows:
- (i) the customs duties shall be reduced to 10 per cent *ad valorem* or 125 yen per litre, whichever is less, subject to a minimum duty of 44.67 yen per litre, on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall be reduced to 8.5 per cent *ad valorem* or 125 yen per litre, whichever is less, subject to a minimum duty of 35.73 yen per litre, on April 1 of Year 2;
  - (iii) the customs duties shall be reduced to 7.1 per cent *ad valorem* or 125 yen per litre, whichever is less, subject to a minimum duty of 26.80 yen per litre, on April 1 of Year 3;
  - (iv) the customs duties shall be reduced to 5.7 per cent *ad valorem* or 125 yen per litre, whichever is less, subject to a minimum duty of 17.87 yen per litre, on April 1 of Year 4;
  - (v) the customs duties shall be reduced to 4.2 per cent *ad valorem* or 125 yen per litre, whichever is less, subject to a minimum duty of 8.93 yen per litre, on April 1 of Year 5;
  - (vi) the customs duties shall be reduced to 2.8 per cent *ad valorem* or 125 yen per litre, whichever is less, on April 1 of Year 6;
  - (vii) the customs duties shall be reduced to 1.4 per cent *ad valorem* or 125 yen per litre, whichever is less, on April 1 of Year 7; and
  - (viii) these goods shall be duty-free effective April 1 of Year 8;
- (o) customs duties on originating goods provided for in the items in staging category JPB8\*\*\*\*\* shall be eliminated as follows:



- (r) customs duties on originating goods provided for in the items in staging category B11 shall be eliminated in 11 annual stages, and these goods shall be duty-free effective April 1 of Year 11;
- (s) customs duties on originating goods provided for in the items in staging category JPB11\* shall be:
  - (i) from the date of entry into force of this Agreement for Japan until March 31 of Year 10, the difference between:
    - (A) the sum of:
      - (1) the value per kilogramme obtained by multiplying the value for customs duty per kilogramme by the Coefficient; and
      - (2) the value per kilogramme set out in Column 2 of the table below; and

For the purposes of this subparagraph, the Coefficient shall be the difference between:

- (3) 100 per cent plus the rate set out in Column 3 of the table below; and
- (4) the value obtained by dividing the value per kilogramme set out in Column 2 in the table below by 897.59 yen per kilogram; and

1	2	3
Year	Value per kilogramme (yen)	Per cent (%)
1	307.87	4.3
2	269.50	3.7
3	231.13	3.2
4	192.75	2.7
5	154.38	2.2
6	128.65	1.8
7	102.91	1.4
8	77.19	1.1
9	51.46	0.7
10	25.72	0.3

- (B) the value for customs duty per kilogramme; and
- (ii) zero, effective April 1 of Year 11;

- (t) customs duties on originating goods provided for in the items in staging category JPB11\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 4.3 per cent *ad valorem* on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall be reduced to 2.2 per cent *ad valorem* from the level set out in subparagraph (i) in four annual stages beginning on April 1 of Year 2; and
  - (iii) the customs duties shall be eliminated from the level set out in subparagraph (ii) in six annual stages beginning on April 1 of Year 6, and these goods shall be duty-free effective April 1 of Year 11;
- (u) customs duties on originating goods provided for in the items in staging category JPB11\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 25 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 10 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 11;
- (v) customs duties on originating goods provided for in the items in staging category JPB11\*\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) until March 31 of Year 10; and
  - (iii) the customs duties shall be eliminated and, these goods shall be duty-free effective April 1 of Year 11;
- (w) customs duties on originating goods provided for in the items in staging category JPB11\*\*\*\*\* shall be eliminated as follows:

- (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 10 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 11;
- (x) customs duties on originating goods provided for in the items in staging category JPB12\* shall be eliminated as follows:
  - (i) the customs duties shall remain at the base rate until March 31 of Year 8; and
  - (ii) the customs duties shall be eliminated from the base rate in four annual stages beginning on April 1 of Year 9, and these goods shall be duty-free effective April 1 of Year 12;
- (y) customs duties on originating goods provided for in the items in staging category JPB13\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 12 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 13;
- (z) customs duties on originating goods provided for in the items in staging category JPB13\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 20 per cent of the base rate on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) until March 31 of Year 6; and
  - (iii) the customs duties shall be eliminated from the level set out in subparagraph (ii) in seven annual stages beginning on April 1 of Year 7, and these goods shall be duty-free effective April 1 of Year 13;



- (aa) customs duties on originating goods provided for in the items in staging category JPB13\*\*\* shall be eliminated as follows:
- (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) until March 31 of Year 6;
  - (iii) the customs duties shall be reduced by 25 per cent of the base rate from the level set out in subparagraph (ii) on April 1 of Year 7;
  - (iv) the customs duties shall remain at the level set out in subparagraph (iii) until March 31 of Year 12; and
  - (v) the customs duties shall be eliminated, and these goods shall be duty-free effective April 1 of Year 13;
- (bb) customs duties on originating goods provided for in the items in staging category B16 shall be eliminated in 16 annual stages, and these goods shall be duty-free effective April 1 of Year 16;
- (cc) customs duties on originating goods provided for in the items in staging category JPB16\* shall be:
- (i) from the date of entry into force of this Agreement for Japan until March 31 of Year 15, the lesser of:
    - (A) the difference between the value for customs duty per unit and the value per each obtained by multiplying 20,400.55 yen per each by 100 per cent plus the rate set out in Column 3 of the table below; and
    - (B) the value set out in Column 2 of the table below; and

1	2	3
Year	Value per kilogramme (yen)	Per cent (%)
1	18,288.75	7.9
2	17,069.50	7.4
3	15,850.25	6.9
4	14,631.00	6.3
5	13,411.75	5.8

6	12,192.50	5.3
7	10,973.25	4.7
8	9,754.00	4.2
9	8,534.75	3.7
10	7,315.50	3.1
11	6,096.25	2.6
12	4,877.00	2.1
13	3,657.75	1.5
14	2,438.50	1.0
15	1,219.25	0.5

- (ii) zero, effective April 1 of Year 16;
- (dd) customs duties on originating goods provided for in the items in staging category JPB16\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 25 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 15 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 16;
- (ee) customs duties on originating goods provided for in the items in staging category JPB16\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 35 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 15 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 16;
- (ff) customs duties on originating goods provided for in the items in staging category JPB16\*\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) until March 31 of Year 15; and

- (iii) the customs duties shall be eliminated and these goods shall be duty-free effective April 1 of Year 16;
- (gg) customs duties on originating goods provided for in the items in staging category JPB21\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 25 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 20 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 21;
- (hh) customs duties on originating goods provided for in the items in staging category JPB21\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced to 35 per cent *ad valorem* and 40 yen per kilogramme on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 20 annual stages beginning on April 1 of Year 2, and these goods shall be duty-free effective April 1 of Year 21;
- (ii) customs duties on originating goods provided for in the items in staging category JPB21\*\*\* shall be eliminated as follows:
  - (i) the customs duties shall be reduced by 80 per cent of the base rate in 11 annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall be eliminated from the level set out in subparagraph (i) in 10 annual stages beginning on April 1 of Year 12, and these goods shall be duty-free effective April 1 of Year 21;
- (jj) customs duties on originating goods provided for in the items in staging category JPR2 shall be reduced as follows:
  - (i) (A) the customs duties shall be reduced to 27.5 per cent *ad valorem* on the date of entry into force of this Agreement for Japan;

- (B) the customs duties shall be reduced to 20 per cent *ad valorem* from the level set out in subparagraph (A) in nine annual stages beginning on April 1 of Year 2;
  - (C) the customs duties shall be reduced to 9 per cent *ad valorem* from the level set out in subparagraph (B) in six annual stages beginning on April 1 of Year 11; and
  - (D) the customs duties shall remain at 9 per cent *ad valorem* from Year 16; and
- (ii) notwithstanding subparagraph (i), if the customs duties on the originating goods as defined in subparagraph (o) of Article 1.2 of the Agreement between Japan and Australia for an Economic Partnership (JAEP), which are classified under headings 02.01 and 02.02 under the JAEP, are less than those set out in subparagraph (i) under this Agreement at any time, the former rate shall apply to the originating goods provided for in the items in staging category JPR2 under this Agreement;
- (kk) customs duties on originating goods provided for in the items in staging category JPR3 shall be reduced as follows:
- (i) the customs duties shall be reduced to 39 per cent *ad valorem* on the date of entry into force of this Agreement for Japan;
  - (ii) the customs duties shall be reduced to 20 per cent *ad valorem* from the level set out in subparagraph (i) in nine annual stages beginning on April 1 of Year 2;
  - (iii) the customs duties shall be reduced to 9 per cent *ad valorem* from the level set out in subparagraph (ii) in six annual stages beginning on April 1 of Year 11; and
  - (iv) the customs duties shall remain at 9 per cent *ad valorem* from Year 16;
- (ll) customs duties on originating goods provided for in the items in staging category JPR4 shall be the lesser of:
- (i) the difference between the value of the customs duty per kilogramme and the value per kilogramme obtained by

multiplying 393 yen per kilogramme by 100 per cent plus the rate set out in Column 3 of the table below; and

- (ii) the value set out in Column 2 of the table below;

1	2	3
Year	Value per kilogramme (yen)	Per cent (%)
1	93.75	2.2
2	93.75	1.9
3	93.75	1.7
4	93.75	1.4
5	52.50	1.2
6	49.50	0.9
7	46.50	0.7
8	43.50	0.4
9	40.50	0.2
10 and thereafter	37.50	0

- (mm) customs duties on originating goods provided for in the items in staging category JPR5 shall be the lesser of:

- (i) the difference between the value of the customs duty per kilogramme and the value per kilogramme obtained by multiplying 524 yen per kilogramme by 100 per cent plus the rate set out in Column 3 of the table below; and
- (ii) the value set out in Column 2 of the table below;

1	2	3
Year	Value per kilogramme (yen)	Per cent (%)
1	125	2.2
2	125	1.9

- (nn) customs duties on originating goods provided for in the items in staging category JPR6 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 70 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (oo) customs duties on originating goods provided for in the items in staging category JPR7 shall be reduced by 10 per cent of the base rate on the date of entry into force of this Agreement for Japan and shall remain at that level thereafter;
- (pp) customs duties on originating goods provided for in the items in staging category JPR8 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 55 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (qq) customs duties on originating goods provided for in the items in staging category JPR9 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (rr) customs duties on originating goods provided for in the items in staging category JPR10 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 90 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;

- (ss) customs duties on originating goods provided for in the items in staging category JPR11 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 72 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (tt) customs duties on originating goods provided for in the items in staging category JPR12 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 75 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (uu) customs duties on originating goods provided for in the items in staging category JPR13 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 50 per cent of the base rate in 11 annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 11;
- (vv) customs duties on originating goods provided for in the items in staging category JPR14 shall be reduced by 15 per cent of the base rate on the date of entry into force of this Agreement for Japan and shall remain at that level thereafter;
- (ww) customs duties on originating goods provided for in the items in staging category JPR15 shall be reduced by 25 per cent of the base rate on the date of entry into force of this Agreement for Japan and shall remain at that level thereafter;
- (xx) customs duties on originating goods provided for in the items in staging category JPR16 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 15 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and

(ii) the customs duties shall remain at the level set out in



- (ddd) customs duties on originating goods provided for in the items in staging category JPR22 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 60 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (eee) customs duties on originating goods provided for in the items in staging category JPR23 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 63 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (fff) customs duties on originating goods provided for in the items in staging category JPR24 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 66.6 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (ggg) customs duties on originating goods provided for in the items in staging category JPR25 shall be reduced as follows:
  - (i) the customs duties shall be reduced by 67 per cent of the base rate in six annual stages beginning on the date of entry into force of this Agreement for Japan; and
  - (ii) the customs duties shall remain at the level set out in subparagraph (i) from Year 6;
- (hhh) for originating goods provided for in the items in staging category JPM1, which are subject to quotas under the WTO Agreement, the maximum amount that Japan may add to the amount paid for these goods when setting the minimum selling price (maximum import mark-up to set the minimum selling price) shall be as follows:

- (i) 16.2 yen per kilogramme for Year 1;
  - (ii) 15.3 yen per kilogramme for Year 2;
  - (iii) 14.5 yen per kilogramme for Year 3;
  - (iv) 13.6 yen per kilogramme for Year 4;
  - (v) 12.8 yen per kilogramme for Year 5;
  - (vi) 11.9 yen per kilogramme for Year 6;
  - (vii) 11.1 yen per kilogramme for Year 7;
  - (viii) 10.2 yen per kilogramme for Year 8; and
  - (ix) 9.4 yen per kilogramme for Year 9 and for each subsequent year;
- (iii) for originating goods provided for in the items in staging category JPM2, which are subject to quotas under the WTO Agreement, the maximum import mark-up to set the minimum selling price shall be as follows:
- (i) 7.6 yen per kilogramme for Year 1;
  - (ii) 7.2 yen per kilogramme for Year 2;
  - (iii) 6.8 yen per kilogramme for Year 3;
  - (iv) 6.4 yen per kilogramme for Year 4;
  - (v) 6.0 yen per kilogramme for Year 5;
  - (vi) 5.6 yen per kilogramme for Year 6;
  - (vii) 5.2 yen per kilogramme for Year 7;
  - (viii) 4.8 yen per kilogramme for Year 8; and
  - (ix) 4.4 yen per kilogramme for Year 9 and for each subsequent year;
- (jjj) customs duties on originating goods provided for in the items in staging category TRQ shall be governed by the terms of TRQ applicable to that tariff item, as set out in Appendix A (Tariff Rate Quotas of Japan) to this Schedule; and

(kkk) customs duties on originating goods provided for in the items in staging category MFN shall be at the most-favoured-nation rate of customs duties in effect at the time of import.

5. Originating goods provided for in the items marked with the designation SG-[n] c this Schedule shall be subject to the corresponding safeguard measure set out in Appendix B-1 (Agricultural Safeguard Measures) and Appendix B-2 (Forest Good Safeguard Measure) to this Schedule.

6. For the purposes of implementing annual stages of tariff reduction provided for in this Schedule, the following shall apply:

(a) the reduction for Year 1 shall take place on the date of entry into force of this Agreement for Japan; and

(b) the subsequent annual reductions shall take place each April 1 thereafter.

7. For the purposes of this Schedule, **year** means, with respect to Year 1, the period from the date of entry into force of this Agreement for Japan until the following March 31 and, with respect to each subsequent Year, the twelve-month period which starts on April 1 of that year.

8. The annual stages referred to in paragraph 4 for the elimination or reduction of customs duties shall be equal, annual stages, except:

(a) as provided in paragraphs 3(b)(i), 4(a)(ii) and 4(b)(ii) of Section A of this Annex; or

(b) as otherwise provided in paragraph 4.

9. (a) Upon request from Australia, Canada, Chile, New Zealand or the United States, Japan and the requesting Party shall consult to ] c ¶ [ ] c the requesting Party regarding treatment of originating goods related to the application of customs duties, tariff rate quotas and safeguards in this Schedule no sooner than seven years after the date of entry into force of this Agreement for Japan and the requesting Party, with a view to increasing market access.

(b) Following completion of applicable legal procedures by Japan and another State or customs territory necessary for entry into force of an international agreement, or an amendment thereto, granting preferential market access by Japan to that other State or customs territory, and on request of Australia, Canada, Chile, New Zealand or the United States, Japan and the requesting Party shall consult to

] c D [ ] c the requesting Party regarding treatment of originating goods related to the application of customs duties, tariff rate quotas and safeguards in this Schedule, with a view to providing to the originating goods treatment equivalent to that provided to goods classified in the same tariff lines under the international agreement. Japan and the requesting Party shall consult no later than one month after the date of the request, unless Japan and the requesting Party agree otherwise.

- (c) For greater certainty, nothing in this paragraph shall be construed to affect the rights or obligations of Japan under any other provision of this Agreement.

10. Appendix C (Tariff Differentials) to this Schedule shall apply when Japan applies different rates of customs duty to other Parties for an originating good specified in that Appendix.