

**Article H *bis*-09: Non-Conforming Measures and Certain Specific Commitments**

1. Articles H *bis*-02, H *bis*-03 and H *bis*-08 do not apply to:
  - (a) any existing non-conforming measure that is maintained by:
    - (i) a Party at the national level, as set out in Section I of its Schedule to Annex VI, or
    - (ii) a province or local government;
  - (b) the continuation or prompt renewal of any non-conforming measure referred to in subparagraph (a); or
  - (c) an amendment to any non-conforming measure referred to in subparagraph (a) to the extent that the amendment does not decrease the conformity of the measure, as it existed immediately before the amendment, with Articles H *bis*-02, H *bis*-03, and H *bis*-08.
  
2. Articles H *bis*-04 and H *bis*-05 do not apply to:
  - (a) any existing non-conforming measure that is maintained by:
    - (i) a Party at the national level, as set out in Section I of its Schedule to Annex VI, or
    - (ii) a province or local government;
  - (b) the continuation or prompt renewal of any non-conforming measure referred to in subparagraph (a); or
  - (c) an amendment to any non-conforming measure referred to in subparagraph (a) to the extent that the amendment does not decrease the conformity of the measure, as it existed upon the entry into force of the Amending Agreement, with Articles H *bis*-04 and H *bis*-05.
  
3. Articles H *bis*-02, H *bis*-03, H *bis*-04, H *bis*-05 and H *bis*-08 do not apply to any non-conforming measure that a Party adopts or maintains in accordance with Section II of its Schedule to Annex VI.