

Joint letter from the European Communities and its Member States on the one part, and Argentina, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, Argentina submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/175 with regard to S/SECRET/8 and S/L/228 with regard to S/SECRET/9). The EC and Argentina entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Argentina have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Argentina was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Argentina.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Argentina with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Charge d' Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Alberto Juan Dumont
Ambassador
Permanent Representative
Permanent Mission of Argentina
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective: Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex 1.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Argentina submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/175 with regard to S/SECRET/8 and S/L/228 with regard to S/SECRET/9). The EC and Argentina entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Argentina have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Argentina with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States, This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Argentina was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80, Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Argentina.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). this entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.

Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education Services.

- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.

Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.

Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.

- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn. _____

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1 .B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Argentine na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Argentina predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/175 v zvezi s S/SECRET/8 in S/L/228 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Argentina začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Argentina dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Argentina nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Argentino.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Argentino glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Alberto Juan Dumont
veleposlanik
stalni predstavnik
Stalna misija Argentine
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Argentina je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/175 v zvezi s S/SECRET/8 in S/L/228 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Argentina začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanja sta se ES in Argentina dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Argentino glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Argentina nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Argentino.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni, predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.

- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami, (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2

- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi

- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitve testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Australia, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI:1(b) of the GATS.

Following the submission of each Communication, Australia submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/164 with regard to S/SECRET/8 and S/L/225 with regard to S/SECRET/9). The EC and Australia entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Australia have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Australia was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

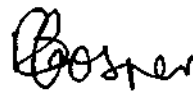
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Australia.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Australia with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Charge d'Affaires a.i.
Permanent Delegation
of the European Commission
to the WTO



H.E. Mr Bruce Gosper
Ambassador
Permanent Representative
Permanent Mission of Australia to
to the WTO

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Australia submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/164 with regard to S/SECRET/8 and S/L/225 with regard to S/SECRET/9). The EC and Australia entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Australia have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Australia with regard to S/SECRET/8

for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIH of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Australia was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Australia.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "hi all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212), Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

Mode 3 horizontal limitation on public utilities

- Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.

Mode 3 horizontal limitations on investment

- Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).

Mode 4 for intra-corporate transferees and business visitors

- Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.

Professional services - Engineering services (CPC 8672)

- Market Access and National Treatment Commitments by CY and MT in Mode 2
- Market Access commitments by CY, CZ, MT & SK in Mode 3
- National Treatment commitments by CY and MT in Mode 3
- Removal of the market access limitation for PT in mode 3

Professional services - Integrated Engineering Services (CPC 8673):

- Removal of the ENT applied on Mode 4/CSS by the UK
- Market Access and National Treatment commitments by SK in Mode 3

Professional services - Urban planning and landscape architectural services (CPC 8674):

- Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
- Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.

Computer and related services -

- Addition of a clarificatory footnote.
- Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
- Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.

Advertising services (CPC 871):

- Market Access and National Treatment commitments by CY, MT & PL in Mode 1

Telecommunication services

- New and improved commitments by the entire EC as offered in its revised DDA offer.
- A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
- A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services -Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under LB (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

**Skupno pismo Evropskih skupnosti in držav članic na eni strani in
Avstralije na drugi strani v skladu s petim odstavkom Postopkov za
izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS)
(S/L/80 z dne 29. oktobra 1999),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Avstralija predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/164 v zvezi s S/SECRET/8 in S/L/225 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Avstralija začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Avstralija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Avstralija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

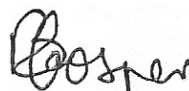
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Avstralijo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Avstralijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Nj. visokost g. Bruce Gosper
veleposlanik
stalni predstavnik
Stalna misija Avstralije
pri Svetovni trgovinski
organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.
2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.
3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.
4. Avstralija je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/164 v zvezi s S/SECRET/8 in S/L/225 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Avstralija začela pogajati o S/SECRET/8 in S/SECRET/9.
5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjmi sta se ES in Avstralija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Avstralijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Avstralija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Avstralijo.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni, predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 druga v obliki ponudbe 3).

- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitev nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitve testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Brazil, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, Brazil submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/171 with regard to S/SECRET/8 and S/L/224 with regard to S/SECRET/9). The EC and Brazil entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Brazil have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Brazil was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

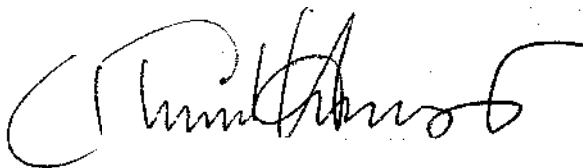
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Brazil.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Brazil with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Charge d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Clodoaldo Huguency
Ambassador
Permanent Representative
Permanent Mission of Brazil
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

Report on the result of the negotiations conducted in accordance of Article XXI:2(a) of the General Agreement on Trade in Services (GATS)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Brazil submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/171 with regard to S/SECRET/8 and S/L/224 with regard to S/SECRET/9). The EC and Brazil entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Brazil have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Brazil with regard to S/SECRET/8 for

purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Brazil was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Brazil.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn. _____

COMPENSATION BY THE EC**Mode 3 horizontal limitation on public utilities**

- Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.

Mode 3 horizontal limitations on investment

- Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).

Mode 4 for intra-corporate transferees and business visitors

- Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.

Professional services - **Engineering services** (CPC 8672)

- Market Access and National Treatment Commitments by CY and MT in Mode 2
- Market Access commitments by CY, CZ, MT & SK in Mode 3
- National Treatment commitments by CY and MT in Mode 3
- Removal of the market access limitation for PT in mode 3

Professional services - **Integrated Engineering Services** (CPC 8673):

- Removal of the ENT applied on Mode 4/CSS by the UK
- Market Access and National Treatment commitments by SK in Mode 3

Professional services - **Urban planning and landscape architectural services** (CPC 8674):

- Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
- Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.

Computer and related services -

- Addition of a clarificatory footnote.
- Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
- Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.

Advertising services (CPC 871):

- Market Access and National Treatment commitments by CY, MT & PL in Mode 1

Telecommunication services

- New and improved commitments by the entire EC as offered in its revised DD A offer.
- A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
- A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1 .B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Brazilije na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Brazilija predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/171 v zvezi s S/SECRET/8 in S/L/224 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Brazilija začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanji sta se ES in Brazilija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Brazilija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Brazilijo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Brazilijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Clodoaldo Huguene
veleposlanik
stalni predstavnik
Stalna misija Brazilije
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Brazilija je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/171 v zvezi s S/SECRET/8 in S/L/224 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Brazilija začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Brazilija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Brazilijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Brazilija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Brazilijo.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen v listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa do trga v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene v listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih" v oblikah ponudbe 1 in 3, niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1

- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela, omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Canada, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, Canada submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/165 with regard to S/SECRET/8 and S/L/216 with regard to S/SECRET/9). The EC and Canada entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Canada have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Canada was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI: 3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

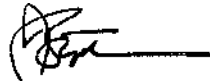
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Canada.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Canada with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci Charge
d'Affaires a.i. Permanent
Delegation of the
European Commission to
the World Trade
Organisation



Don Stephenson
Ambassador
Permanent Representative
Permanent Mission of Canada
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of
Article XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Canada submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/165 with regard to S/SECRET/8 and S/L/216 with regard to S/SECRET/9). The EC and Canada entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Canada have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Canada with regard to S/SECRET/8

for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Canada was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Canada.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BY) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC**Mode 3 horizontal limitation on public utilities**

- Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.

Mode 3 horizontal limitations on investment

- Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).

Mode 4 for intra-corporate transferees and business visitors

- Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.

Professional services - **Engineering services** (CPC 8672)

- Market Access and National Treatment Commitments by CY and MT in Mode 2
- Market Access commitments by CY, CZ, MT & SK in Mode 3
- National Treatment commitments by CY and MT in Mode 3
- Removal of the market access limitation for PT in mode 3

Professional services - **Integrated Engineering Services** (CPC 8673):

- Removal of the ENT applied on Mode 4/CSS by the UK
- Market Access and National Treatment commitments by SK in Mode 3

Professional services - **Urban planning and landscape architectural services** (CPC 8674):

- Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
- Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.

Computer and related services -

- Addition of a clarificatory footnote.
- Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
- Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.

Advertising services (CPC 871):

- Market Access and National Treatment commitments by CY, MT & PL in Mode 1

Telecommunication services

- New and improved commitments by the entire EC as offered in its revised DDA offer.
- A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
- A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under LB (Computer and related services).

Financial services (insurance services):

- Removal of part of the market access limitations for SK in Mode 3

Financial services (banking)

- FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").

- **Hotels, Restaurants and Catering**

- New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.

- **Travel Agencies and Tour Operators Services**

- Removal of the ENT applied on Mode 3 by the CZ

- **Hairdressing services**

- Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Kanade na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Kanada predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/165 v zvezi s S/SECRET/8 in S/L/216 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kanada začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Kanada dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kanada nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Kanado.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kanado glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Don Stephenson
veleposlanik
stalni predstavnik
Stalna misija Kanade
pri Svetovni trgovinski

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.
2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.
3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.
4. Kanada je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/165 v zvezi s S/SECRET/8 in S/L/216 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kanada začela pogajati o S/SECRET/8 in S/SECRET/9.
5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Kanada dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kanado glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kanada nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Kanado.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa do trga v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih" v oblikah ponudbe 1 in 3, niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitve testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and China, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, China submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/178 with regard to S/SECRET/8 and S/L/220 with regard to S/SECRET/9). The EC and China entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and China have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and China was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

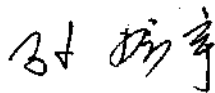
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and China.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and China with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS. The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci Charge
d'Affaires a.i.
Permanent Delegation
of the European
Commission to the
World Trade
Organisation



Sun Zhenyu
Ambassador
Permanent Representative
of the People's Republic of
China to the World Trade
Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of
Article XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. China submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/178 with regard to S/SECRET/8 and S/L/220 with regard to S/SECRET/9). The EC and China entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and China have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and China with regard to S/SECRET/8 for

purposes of Article XXII(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and China was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the China.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under I.B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Kitajske na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Kitajska predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/178 v zvezi s S/SECRET/8 in S/L/220 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kitajska začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Kitajska dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kitajska nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

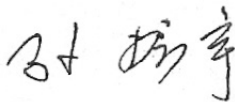
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Kitajsko.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kitajsko glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraž. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Sun Zhenyu
veleposlanik
stalni predstavnik
Ljudske republike Kitajske
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI.
člena Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

**predlagane spremembe list GATS Evropskih skupnosti in držav članic
(v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke
republike, Republike Estonije, Republike Ciper, Republike Latvije,
Republike Litve, Republike Madžarske, Republike Malte, Republike
Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike,
Republike Finske, Kraljevine Švedske k Evropskim skupnostim**

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS
(S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V.
členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004
in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil
svojo namero, da spremeni ali umakne specifične obveze z liste, priložene
sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s
petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI.
člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v
skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic
WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej,
Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja,
Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike)
predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v
skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO
(Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador,
Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in
Združene države Amerike) predložilo svoje zahteve.

4. Kitajska je v skladu s točko a drugega odstavka XXI. člena GATS
(S/L/178 v zvezi s S/SECRET/8 in S/L/220 v zvezi s S/SECRET/9)
predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena
GATS sta se ES in Kitajska začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta
S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra
2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja
2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Kitajska dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kitajsko glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kitajska nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Kitajsko.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni, predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.

- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitev nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitve omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitve omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitve testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2.C.n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitve testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Colombia, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI:1(b) of the GATS.

Following the submission of each Communication, Colombia submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/176 with regard to S/SECRET/8 and S/L/223 with regard to S/SECRET/9). The EC and Colombia entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Colombia have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Colombia was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

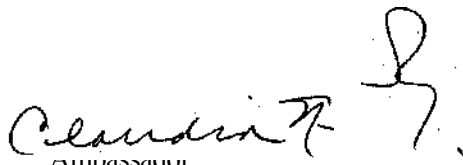
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Colombia.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Colombia with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS. The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Charge d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



CLAUDIA
Permanent Representative
Permanent Mission of Colombia
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Colombia submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/176 with regard to S/SECRET/8 and S/L/223 with regard to S/SECRET/9). The EC and Colombia entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Colombia have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Colombia with regard to S/SECRET/8

for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Colombia was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Colombia.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.

Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers,(CSS) (page, 33). -The schedule of specific commitments of Latvia did not include the limitation that, the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3 . These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

8) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage, indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services -**
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer. A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN.GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under KB (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for ITs ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

**Skupno pismo Evropskih skupnosti in držav članic na eni strani in
Kolumbije na drugi strani v skladu s petim odstavkom Postopkov za
izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS)
(S/L/80 z dne 29. oktobra 1999),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Kolumbija predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/176 v zvezi s S/SECRET/8 in S/L/223 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kolumbija začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Kolumbija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kolumbija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

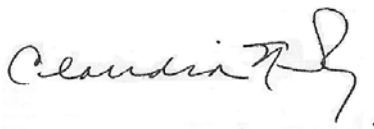
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Kolumbijo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kolumbijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Claudia Uribe
veleposlanica
stalna predstavница
Stalna misija Kolumbije
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Kolumbija je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/176 v zvezi s S/SECRET/8 in S/L/223 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kolumbija začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjmi sta se ES in Kolumbija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kolumbijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kolumbija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Kolumbijo.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden pri obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Cuba, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/87 dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of the first Communication, Cuba submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/174) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and Cuba entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Cuba have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Cuba.

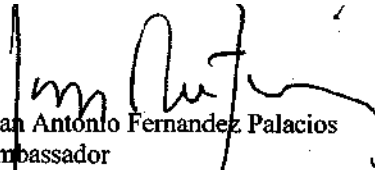
This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Cuba with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Juan Antonio Fernandez Palacios
Ambassador
Permanent Representative
Permanent Mission of Cuba
to the World Trade Organisation



**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Cuba submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/174) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and Cuba entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Cuba have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Cuba with regard to S/SECRET/8 for purposes of Article

XXI:2(a) of the GATS. This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Cuba.

8. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRFT/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the— schedule of Latvia, Lithuania-and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC**Mode 3 horizontal limitation on public utilities**

- Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.

Mode 3 horizontal limitations on investment

- Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).

Mode 4 for intra-corporate transferees and business visitors

- Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.

Professional services - Engineering services (CPC 8672)

- Market Access and National Treatment Commitments by CY and MT in Mode 2
- Market Access commitments by CY, CZ, MT & SK in Mode 3
- National Treatment commitments by CY and MT in Mode 3
- Removal of the market access limitation for PT in mode 3

Professional services - Integrated Engineering Services (CPC 8673):

- Removal of the ENT applied on Mode 4/CSS by the UK
- Market Access and National Treatment commitments by SK in Mode 3

Professional services - Urban planning and landscape architectural services (CPC 8674):

- Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
- Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.

Computer and related services -

- Addition of a clarificatory footnote.
- Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
- Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.

Advertising services (CPC 871):

- Market Access and National Treatment commitments by CY, MT & PL in Mode 1

Telecommunication services

- New and improved commitments by the entire EC as offered in its revised DDA offer.
- A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
- A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN, GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1 .B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The abbreviations are used to indicate the Member States

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Kube na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi prvega sporočila je Kuba predložila zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/174) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 ni predložila nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kuba začela pogajati o S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Kuba dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

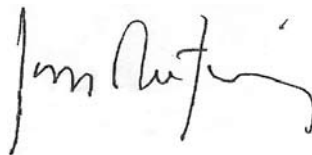
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Kubo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kubo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Juan Antonio Fernandez Palacios
veleposlanik
stalni predstavnik
Stalna misija Kube
pri Svetovni trgovinski organizaciji



¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Kuba je predložila zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/174) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 ni predložila nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kuba začela pogajati o S/SECRET/8.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Kuba dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kubo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Kubo.

8. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Ecuador, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI; 1(b) of the GATS.

Following the submission of each Communication, Ecuador submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/172 with regard to S/SECRET/8 and S/L/229 with regard to S/SECRET/9). The EC and Ecuador entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Ecuador have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Ecuador was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

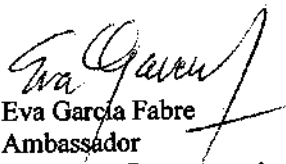
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Ecuador.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Ecuador with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Eva García Fabre
Ambassador
Permanent Representative
Permanent Mission of Ecuador
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

Report on the result of the negotiations conducted in accordance of Article XXI:2(a) of the General Agreement on Trade in Services (GATS)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Ecuador submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/172 with regard to S/SECRET/8 and S/L/229 with regard to S/SECRET/9). The EC and Ecuador entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Ecuador have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Ecuador with regard to S/SECRET/8

for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Ecuador was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Ecuador.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services-**
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1 .B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI,.HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak
UK	United

**Skupno pismo Evropskih skupnosti in držav članic na eni strani in
Ekvadorja na drugi strani v skladu s petim odstavkom Postopkov za
izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS)
(S/L/80 z dne 29. oktobra 1999),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Ekvador predložil dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/172 v zvezi s S/SECRET/8 in S/L/229 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Ekvador začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Ekvador dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Ekvador nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

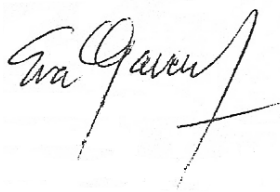
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Ekvadorjem.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Ekvadorjem glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Eva Garcia Fabre
veleposlanica
stalna predstavica
Stalna misija Ekvadorja
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe) v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Ekvador je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/172 v zvezi s S/SECRET/8 in S/L/229 v zvezi s S/SECRET/9) predložil dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Ekvador začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjmi sta se ES in Ekvador dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Ekvadorjem glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Ekvador nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Ekvadorjem.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.

- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – (a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung).
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2

- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2.C.g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve).
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...").
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi.

- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Hong Kong, China, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, Hong Kong, China submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/170 with regard to S/SECRET/8 and S/L/219 with regard to S/SECRET/9). The EC and Hong Kong, China entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Hong Kong, China have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Hong Kong, China was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Hong Kong, China.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Hong Kong, China with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci Charge
d'Affaires a.i. Permanent
Delegation of the European
Commission to the World
Trade Organisation



Tony Miller
Permanent Representative of the
Hong Kong Special Administrative Region of China
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Hong Kong, China submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/170 with regard to S/SECRET/8 and S/L/219 with regard to S/SECRET/9). The EC and Hong Kong, China entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Hong Kong, China have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Hong Kong, China with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Hong Kong, China was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Hong Kong, China.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN, GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Kitajskim Hongkongom na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Kitajski Hongkong predložil dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/170 v zvezi s S/SECRET/8 in S/L/219 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kitajski Hongkong začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjem sta se ES in Kitajski Hongkong dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kitajski Hongkong nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Kitajskim Hongkongom.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kitajskim Hongkongom glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraž. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Tony Miller
stalni predstavnik
posebne uprave
Kitajskega Hongkonga
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Kitajski Hongkong je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/170 v zvezi s S/SECRET/8 in S/L/219 v zvezi s S/SECRET/9) predložil dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Kitajski Hongkong začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Kitajski Hongkong dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Kitajskim Hongkongom glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Kitajski Hongkong nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Kitajskim Hongkongom.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitve, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitve, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).

- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1

- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...").
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

**Joint letter from the European Communities and its Member States on the one part,
and India, on the other part, pursuant to paragraph 5 of the Procedures for the
implementation of Article XXI of the General Agreement on Trade in Services
(GATS) (S/L/80 of 29 October 1999)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, India submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/163 with regard to S/SECRET/8 and S/L/221 with regard to S/SECRET/9). The EC and India entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and India have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and India was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and India.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and India with regard to S/SECRET/6 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article H Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex H have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Ujal Singh Bhatia
Ambassador
Permanent Representative
Permanent Mission of India
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8 dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8 and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9 and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. India submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/163 with regard to S/SECRET/8 and S/L/221 with regard to S/SECRET/9). The EC and India entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and India have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and H of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and India with regard to S/SECRET/8 for purposes of Article

XXI:2(a) of the GATS. This Agreement shall not be interpreted to modify the lists of Article H Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document *b/bELKET/9*, no agreement between the EC and India was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document

8 In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and India.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex E have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators." This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9;

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86) Cyprus commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, a v and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN, GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

- Financial services (insurance services):
 - Removal of part of the market access limitations for SK in Mode 3
- Financial services (banking)
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- Hotels, Restaurants and Catering
 - New (less restrictive) language for IPs ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- Travel Agencies and Tour Operators Services
 - Removal of the ENT applied on Mode 3 by the CZ
- Hairdressing services
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States-

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DB	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LXJ	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Indije na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze, z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Indija predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/163 v zvezi s S/SECRET/8 in S/L/221 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Indija začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom, iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjem sta se ES in Indija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Indija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

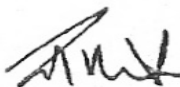
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki, iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Indijo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Indijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Ujal Singh Bhatia
veleposlanik
stalni predstavnik
Stalna misija Indije
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze, z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Indija je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/163 v zvezi s S/SECRET/8 in S/L/221 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Indija začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Indija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Indijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Indija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Indijo.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitve, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitve, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung).
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto.
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...").
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene naslednje krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Japan, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, Japan submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/168 with regard to S/SECRET/8 and S/L/218 with regard to S/SECRET/9). The EC and Japan entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Japan have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Japan was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

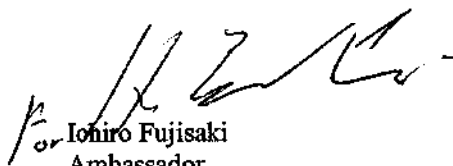
The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Japan.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Japan with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Iohiro Fujisaki
Ambassador
Permanent Representative
Permanent Mission of Japan
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Japan submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/168 with regard to S/SECRET/8 and S/L/218 with regard to S/SECRET/9). The EC and Japan entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Japan have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Japan with regard to S/SECRET/8 for purposes of Article

XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Japan was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Japan.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer. A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN, GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1 .B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Japonske na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Japonska predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/168 v zvezi s S/SECRET/8 in S/L/218 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Japonska začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanji sta se ES in Japonska dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Japonska nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

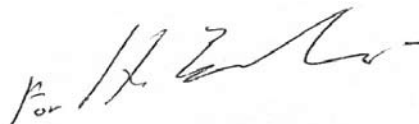
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Japonsko.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Japonsko glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Iohiro Fujisaki
veleposlanik
stalni predstavnik
Stalna misija Japonske
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Japonska je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/168 v zvezi s S/SECRET/8 in S/L/218 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Japonska začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Japonska dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Japonsko glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Japonska nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Japonsko.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitev dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in (b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – (x) (e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3.
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve).
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and the Republic of Korea, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI:1(b) of the GATS.

Following the submission of each Communication, the Republic of Korea (hereafter Korea) submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/173 with regard to S/SECRET/8 and S/L/226 with regard to S/SECRET/9). The EC and Korea entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Korea have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Korea was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Korea.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Korea with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS. The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Choi Hyuck
Ambassador
Permanent Representative
Permanent Mission of the Republic
Korea to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of
Article XXI:2(a) of the General Agreement on Trade in Services
(GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI:l(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. The Republic of Korea (hereinafter Korea) submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/173 with regard to S/SECRET/8 and S/L/226 with regard to S/SECRET/9). The EC and Korea entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Korea have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Korea with regard to S/SECRET/8 for

purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VITI of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and Korea was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.
8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Korea.
9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and (Computer and related services).
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN, GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.JB (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking):**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...")-
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

**Skupno pismo Evropskih skupnosti in držav članic na eni strani in
Republike Koreje na drugi strani v skladu s petim odstavkom Postopkov za
izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS)
(S/L/80 z dne 29. oktobra 1999),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Republika Koreja (v nadaljnjem besedilu: Koreja) predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/173 v zvezi s S/SECRET/8 in S/L/226 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Koreja začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanja sta se ES in Koreja dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Koreja nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Korejo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Korejo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Choi Hyuck
veleposlanik
stalni predstavnik
Stalna misija Republike Koreje
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe) v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Koreja je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/173 v zvezi s S/SECRET/8 in S/L/226 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Koreja začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Koreja dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Korejo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.
7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Koreja nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.
8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Korejo.
9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa do trga v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.

- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitev nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.

- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – (a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene naslednje krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and New Zealand, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of each Communication, New Zealand submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/167 with regard to S/SECRET/8 and S/L/222 with regard to S/SECRET/9). The EC and New Zealand entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

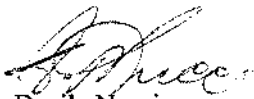
With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and New Zealand have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and New Zealand was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and New Zealand.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and New Zealand with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Crawford Falconer
Ambassador
Permanent Representative
Permanent Mission of New Zealand
to the World Trade Organisation

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. New Zealand submitted two respective claims of interest pursuant to Article XXI: 2(a) of the GATS (S/L/167 with regard to S/SECRET/8 and S/L/222 with regard to S/SECRET/9). The EC and New Zealand entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and New Zealand have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and New Zealand with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and New Zealand was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the New Zealand.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECKET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN,GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
<u>DK</u>	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

**Skupno pismo Evropskih skupnosti in držav članic na eni strani in
Nove Zelandije na drugi strani v skladu s petim odstavkom Postopkov
za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami
(GATS) (S/L/80 z dne 29. oktobra 1999),**

ki se nanaša na

**predlagane spremembe list GATS Evropskih skupnosti in držav članic
(v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke
republike, Republike Estonije, Republike Ciper, Republike Latvije,
Republike Litve, Republike Madžarske, Republike Malte, Republike
Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike,
Republike Finske, Kraljevine Švedske k Evropskim skupnostim**

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil je Nova Zelandija predložila dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/167 v zvezi s S/SECRET/8 in S/L/222 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Nova Zelandija začela pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanji sta se ES in Nova Zelandija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Nova Zelandija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Novo Zelandijo.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Novo Zelandijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraž. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Crawford Falconer
veleposlanik
stalni predstavnik
Stalna misija Nove Zelandije
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI.
člena Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe) v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Nova Zelandija je v skladu s točko a drugega odstavka XXI. člena GATS (S/L/167 v zvezi s S/SECRET/8 in S/L/222 v zvezi s S/SECRET/9) predložila dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Nova Zelandija začela pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanja sta se ES in Nova Zelandija dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Novo Zelandijo glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Nova Zelandija nista sporazumela in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80, lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Novo Zelandijo.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:

Horizontalne obveze

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.

- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2

- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi

- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and the Philippines, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI:1(b) of the GATS.

Following the submission of the first Communication, the Philippines submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/179) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and the Philippines entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and the Philippines have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Philippines.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and the Philippines with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Manuel A.J. Teehankee
Ambassador
Permanent Representative
Permanent Mission of the Philippines
to the World Trade Organisation

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. The Philippines submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/179) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and the Philippines entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and the Philippines have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and the Philippines with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Philippines.

8. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN.GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

Financial services (insurance services):

- Removal of part of the market access limitations for SK in Mode 3

Financial services (banking)

- FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").

Hotels, Restaurants and Catering

- New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.

Travel Agencies and Tour Operators Services

- Removal of the ENT applied on Mode 3 by the CZ

Hairdressing services

- Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Filipinov na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi prvega sporočila so Filipini predložili zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/179) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 niso predložili nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS so se ES in Filipini začeli pogajati o S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjmi so se ES in Filipini dogovorili o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

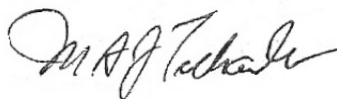
Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Filipini.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Filipini glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Manuel A. J. Teehankee
veleposlanik
stalni predstavnik
Stalna misija Filipinov
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI.
člena Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

**predlagane spremembe list GATS Evropskih skupnosti in držav članic
(v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke
republike, Republike Estonije, Republike Ciper, Republike Latvije,
Republike Litve, Republike Madžarske, Republike Malte, Republike
Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike,
Republike Finske, Kraljevine Švedske k Evropskim skupnostim**

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS
(S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Filipini so predložili zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/179) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 niso predložili nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS so se ES in Filipini začeli pogajati o S/SECRET/8.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjmi so se ES in Filipini dogovorili o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Filipini glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Filipini.

8. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.

- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2

- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/**oblika ponudbe 4** za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi

- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and Switzerland, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1 (b) of the GATS.

Following the submission of the first Communication, Switzerland submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/162) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and Switzerland entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8. Switzerland on its part submitted a memorandum stating its position in these negotiations.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and Switzerland have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Switzerland.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and Switzerland with regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions

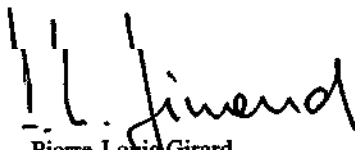
¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of
the European Commission to the
World Trade Organisation



Pierre-Louis Girard
Ambassador
Permanent Representative
Permanent Mission of Switzerland
to the World Trade Organisation

**Report on the result of the negotiations conducted in accordance of
Article XXI:2(a) of the General Agreement on Trade in Services
(GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia,; the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. Switzerland submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/162) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and Switzerland entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and Switzerland have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and Switzerland with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and Switzerland.

8. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

Mode 3 horizontal limitation on public utilities

- Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.

Mode 3 horizontal limitations on investment

- Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).

Mode 4 for intra-corporate transferees and business visitors

- Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.

Professional services - Engineering services (CPC 8672)

- Market Access and National Treatment Commitments by CY and MT in Mode 2
- Market Access commitments by CY, CZ, MT & SK in Mode 3
- National Treatment commitments by CY and MT in Mode 3
- Removal of the market access limitation for PT in mode 3

Professional services - Integrated Engineering Services (CPC 8673):

- Removal of the ENT applied on Mode 4/CSS by the UK
- Market Access and National Treatment commitments by SK in Mode 3

Professional services - Urban planning and landscape architectural services (CPC 8674):

- Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
- Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.

Computer and related services -

- Addition of a clarificatory footnote.
- Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
- Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.

Advertising services (CPC 871):

- Market Access and National Treatment commitments by CY, MT & PL in Mode 1

Telecommunication services

- New and improved commitments by the entire EC as offered in its revised DDA offer.
- A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
- A clarificatory footnote indicating that Sub-sectors 2C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under LB (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Švice na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi prvega sporočila je Švica predložila zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/162) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 ni predložila nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Švica začela pogajati o S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjem sta se ES in Švica dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Švico.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Švico glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Pierre-Louis Girard
veleposlanik
stalni predstavnik
Stalna misija Švice
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Švica je predložila zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/162) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 niso predložili nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in Švica začela pogajati o S/SECRET/8.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in Švica dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Švico glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Švico.

8. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.

- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitev, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2

- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitve dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi

- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS.

Following the submission of the first Communication, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/169) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu with regard to

S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Chargé d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation



Yi-Fu Lin
Permanent Representative of
the Permanent Mission of the
Separate Customs Territory of
Taiwan, Penghu, Kinmen and Matsu to the WTO

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (S/L/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.

2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States) submitted a respective claim of interest.

3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.

4. The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu submitted a claim of interest pursuant to Article XXI:2(a) of the GATS (S/L/169) with regard to S/SECRET/8. No claim of interest was submitted with regard to S/SECRET/9. The EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8.

5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).

6. During such negotiations, the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu with

regard to S/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

8. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document S/SECRET/8:**Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document S/SECRET/9:

Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services - a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

- **Financial services (insurance services):**
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services (banking)**
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for IT's ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in ločenega carinskega območja Tajvana, Penghuja, Kinmena in Matsuja na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi prvega sporočila je ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja predložilo zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/169) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 ni predložilo nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja začela pogajati o S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjem sta se ES in ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in ločenim carinskim območjem Tajvana, Penghuja, Kinmena in Matsuja.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in ločenim carinskim območjem Tajvana, Penghuja, Kinmena in Matsuja glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.



Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Yi-Fu Lin
stalni predstavnik
Stalne misije ločenega carinskega
območja Tajvana, Penghuja,
Kinmena in Matsuja
pri Svetovni trgovinski organizaciji

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja je predložilo zahtevo o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/169) v zvezi s S/SECRET/8. V zvezi s S/SECRET/9 niso predložili nobene zahteve. Na podlagi točke a drugega odstavka XXI. člena GATS sta se ES in ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja začela pogajati o S/SECRET/8.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem sta se ES in ločeno carinsko območje Tajvana, Penghuja, Kinmena in Matsuja dogovorila o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8. Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in ločenim carinskim območjem Tajvana, Penghuja, Kinmena in Matsuja glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in ločenim carinskim območjem Tajvana, Penghuja, Kinmena in Matsuja.

8. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitve, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitve, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).
- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitve nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.

- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitve nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung)
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849
- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1

- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve).
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Joint letter from the European Communities and its Member States on the one part, and the United States of America, on the other part, pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the General Agreement on Trade in Services (GATS) (S/L/80 of 29 October 1999)

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities

On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications, pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1 (b) of the GATS.

Following the submission of each Communication, the United States of America (hereafter the United States) submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/166 with regard to S/SECRET/8 and S/L/217 with regard to S/SECRET/9). The EC and the United States entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.

With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005-, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006). During such negotiations, the EC and the United States have agreed on compensatory adjustments related to the withdrawals and modifications contained in document S/SECRET/8.

With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and the United States was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXIII of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

The Report on the result of these negotiations, which is attached to this letter, includes (1) the proposed modifications in the notifications referred to above, (2) the agreed compensatory adjustments with regard to the modifications or withdrawals notified in S/SECRET/8, and (3) the draft consolidated schedule of specific commitments that results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the United States.

This letter and Annex I and II of the report attached to it constitute the Agreement between the EC and the United States with regard to S/SECRET/8 for purposes of Article XXII:2(a) of the GATS. The Agreement shall not be interpreted to modify the Lists of Article II Exemptions of the EC and its Member States. The Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.



Danilo Nucci
Charge d'Affaires a.i.
Permanent Delegation of the
European Commission to the
World Trade Organisation

Alicia D. Greenidge
Charge d'Affaires, a.i.
Assistant Deputy Chief of Mission and
Senior Counsel
Permanent Mission of the United
States to the
World Trade Organisation
August 4, 2006

¹ This Agreement shall not be interpreted to prejudice the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

**Report on the result of the negotiations conducted in accordance of Article
XXI:2(a) of the General Agreement on Trade in Services (GATS)**

relating to

the modifications proposed in the GATS Schedules of the European Communities and its Member States (hereafter the EC) to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Communities,

Pursuant to paragraph 5 of the Procedures for the implementation of Article XXI of the GATS (STL/80 of 29 October 1999), the EC submits the following report:

1. On 28 May 2004 and on 4 April 2005, the EC submitted two respective Communications pursuant to Article V of the GATS (circulated as document S/SECRET/8, dated 11 June 2004, and as document S/SECRET/9, dated 12 April 2005), whereby it notified its intention to modify or withdraw the specific commitments included in the list attached to the communications (hereafter "the proposed modifications"), pursuant to Article V:5 of the GATS and in accordance with the terms of Article XXI: 1(b) of the GATS. The proposed modifications are contained in Annex I.
2. Following the submission of the notification contained in document S/SECRET/8, and pursuant to Article XXI:2(a) of the GATS, eighteen WTO Members (Argentina, Australia, Brazil, Canada, China, Chinese Taipei, Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, Uruguay and the United States of America (hereafter the United States) submitted a respective claim of interest.
3. Following the submission of the notification contained in document S/SECRET/9, and pursuant to Article XXI:2(a) of the GATS, fourteen WTO Members (Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, Uruguay and the United States) submitted a respective claim of interest.
4. The United States submitted two respective claims of interest pursuant to Article XXI:2(a) of the GATS (S/L/166 with regard to S/SECRET/8 and S/L/217 with regard to S/SECRET/9. The EC and the United States entered into negotiations pursuant to Article XXI:2(a) of the GATS with regard to S/SECRET/8 and S/SECRET/9.
5. With regard to the procedure initiated by the notification contained in document S/SECRET/8, the initial period for the negotiations, which expired on 26 October 2004, was extended (by mutual agreement) five times (until 26 April 2005, until 27 February 2006, until 1 June 2006, until 1 July and until 17 July 2006).
6. During such negotiations, the EC and the United States have agreed on compensatory adjustments related to the modifications and withdrawals contained in document S/SECRET/8. Annex I and II of this report, together with the joint letter to which it is attached, constitute the Agreement between the EC and the United States with regard to

/SECRET/8 for purposes of Article XXI:2(a) of the GATS.¹ This Agreement shall not be interpreted to modify the lists of Article II Exemptions of the EC and its Member States. This Agreement shall not be interpreted to affect the Parties' rights and obligations under Article VIII of the GATS.

7. With regard to the procedure initiated by the notification contained in document S/SECRET/9, no agreement between the EC and the United States was reached by the end of the period provided for negotiations and no affected Member referred the matter to arbitration within the applicable deadline pursuant to paragraph 7 of S/L/80. Pursuant to Article XXI:3(b) of the GATS and subject to completion of the procedures set out in paragraphs 20-22 of S/L/80, the EC shall be free to implement the modifications and withdrawals proposed in document S/SECRET/9.

8. In view of the foregoing, the proposed modifications and the agreed compensatory adjustments are incorporated into the EC's draft GATS consolidated schedule, which results from merging existing schedules of commitments of the EC and its Member States and from inserting therein both the modifications or withdrawals of commitments notified by the EC under documents S/SECRET/8 and S/SECRET/9 and the compensatory adjustments agreed between the EC and the United States.

9. Pursuant to the procedures referred to in paragraphs 20 to 22 of S/L/80, the EC will transmit, to the Secretariat for circulation, the draft consolidated schedule for certification by 14 September 2006, provided that an agreement has been signed with all affected Members, or the period foreseen in paragraph 7 of S/L/80 has expired, and no arbitration has been requested. The results of the negotiations are to enter into force, after completion of the certification procedures, on a date to be specified by the EC following completion of the EC's internal approval procedures, which the EC endeavours to accelerate as much as possible. The modifications and withdrawals proposed in documents S/SECRET/8 and S/SECRET/9 shall not enter into force until all of the compensatory adjustments indicated in Annex II have entered into force.

¹ This Agreement shall not be interpreted to prejudge the outcome of separate discussions within the WTO concerning the classification of telecommunication services (basic telecommunications and value-added services).

A) Modifications notified in document**S/SECRET/8: Horizontal Commitments**

- Market access entry (page 9): "In all EC Member States services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators". This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden. This limitation now applies to all Member States.
- National treatment limitations on branches, agencies and representative offices under mode 3 (pages 9 and 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidiaries under mode 3 (page 10). This entry was not included in the schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. This limitation now applies to all Member States.
- National treatment limitations on subsidies under mode 3 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Austria, Slovenia, Slovakia, Finland and Sweden included only part of the limitations on subsidies on mode 3 inscribed in the schedule of the EC and its Member States. These limitations are now extended to these Member States.
- National treatment limitation on subsidies under mode 4 (page 13). The schedule of specific commitments of the Czech Republic, Estonia, Cyprus, Latvia, Hungary, Malta and Slovakia did not include the limitation on subsidies under mode 4 inscribed in the schedule of the EC and its Member States. This limitation is now extended to these Member States.
- Cyprus' market access commitments on mode 4. These commitments are withdrawn.
- Market access entry on mode 4 - Intra-company transfers (ICT) (page 26). The schedule of specific commitments of the Czech Republic, Latvia, Lithuania, Hungary, Poland and Slovakia did not include the limitation that the receiving entity must be effectively providing like services in the territory of the Community Member State concerned. This limitation is now extended to these Member States.
- Market access entry on mode 4 - Business visitors (BV) - service sellers (page 30). The schedule of specific commitments of Poland did not include the limitation that those representatives will not be engaged in making direct sales to the general public. This limitation is now extended to this Member State.
- Market access entry on mode 4 - Business visitors (BV) - establishment of commercial presence (page 30). The schedule of specific commitments of Lithuania did not include the limitation that those representatives will not be engaged in making direct sales to the general public or supplying services. This limitation is now extended to this Member State.

- Lithuania's market access commitments on mode 4 - Business visitors (BV) (page 32). These commitments are partially withdrawn.
- Latvia's market access commitment on mode 4 - contractual services suppliers (CSS) (page 33). The schedule of specific commitments of Latvia did not include the limitation that the temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period. This limitation is now extended to this Member State.

Sectoral commitments

- Rental/Leasing services without operators - Relating to Aircraft (page 95). The market access limitation under mode 2 is extended to Estonia, Lithuania, Hungary, Austria, Slovenia, Finland and Sweden and the market access limitation under mode 3 is extended to Estonia, Hungary and Austria.
- Services incidental to manufacturing (pages 109 and 110). The commitments included in the schedule of Latvia, Lithuania and Austria are withdrawn.
- Education services (page 156): limitation to "only privately funded services". This limitation was not included in the schedule of Estonia, Latvia, Lithuania, Hungary, Austria, Slovenia (only not included with regard to adult education services) and Slovakia. This limitation is now extended to these Member States. In the case of Slovenia, such an extension only refers to adult education services.
- Banking and other financial services (excluding insurance) (pages 193, 213 and 217). The market access limitations indicating that "the establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies" and that "only firms having their registered office in the Community can act as depositories of the assets of investment funds", both under mode 1 and 3, were not included in the schedule of Czech Republic as regards mode 3, Estonia (not included in mode 1 nor in mode 3), Latvia as regards mode 3, Lithuania as regards mode 1, Hungary as regards mode 3 and Slovakia as regards mode 3. These limitations are now extended to these Member States.
- Space Transport. The commitment included in the schedule of Austria is withdrawn.
- Air Transport - Rental of aircraft with crew (page 246). Two market access limitations (one under modes 1 and 2 and another one under mode 3) are introduced for Poland.
- Air Transport - Sales and Marketing (pages 247 and 248). The schedule of specific commitments of Estonia did not include the national treatment limitation on distribution through CRS of air transport services provided by CRS parent carrier.
- Air Transport - Computer Reservations System (page 248). The schedule of specific commitments of Hungary did not include the national treatment limitation on the obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries.
- Services auxiliary to all modes of transport - Cargo handling services (page 259). A market access limitation under mode 3 has been introduced for Estonia, Latvia and Lithuania.

B) Modifications notified in document

S/SECRET/9: Horizontal Commitments

- Cyprus' and Malta's commitments on mode 4 under national treatment (pages 25, 29 and 32 of S/SECRET/8). These commitments are withdrawn.

Sectoral commitments

- Computer and Related Services- a) Consultancy Services related to the Installation of Computer Hardware (CPC 841) (page 82) - b) Software Implementation Services (CPC 842) (page 83) - c) Data Processing Services (CPC 843) (page 85) - d) Data Base Services (CPC 844) (page 86). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Research and Development Services - b) R & D Services on Social Sciences and Humanities (CPC 852) (pages 89 and 90). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Insurance and Insurance-Related Services - (i) Direct insurance (including co-insurance): (a) life and (b) non-life (pages 211 and 212). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Banking and Other Financial Services (excluding insurance) - (x) (e) transferable securities (page 223). Cyprus' commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Hotels, Restaurants and Catering (CPC 641, 642 and 643) (page 232). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Travel Agencies and Tour Operators Services (CPC 7471) (pages 233 and 234). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.
- Maritime transport services - excluding cabotage transport - (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212) (page 242). Malta's commitments on mode 4 (ICT, BV and CSS) under national treatment are withdrawn.

COMPENSATION BY THE EC

- **Mode 3 horizontal limitation on public utilities**
 - Footnote on coverage indicating that this limitation does not apply to telecommunication and computer and related services.
- **Mode 3 horizontal limitations on investment**
 - Removal of the national treatment limitation for AT in Mode 3 on branches of foreign joint stock companies (Aktiengesellschaften) and limited liability companies (Gesellschaften mit beschränkter Haftung).
- **Mode 4** for intra-corporate transferees and business visitors
 - Market Access and National Treatment commitments by CY and MT in the horizontal section and in the sector-specific section in the sectors where CY and MT have undertaken Mode 3 commitments.
- Professional services - **Engineering services** (CPC 8672)
 - Market Access and National Treatment Commitments by CY and MT in Mode 2
 - Market Access commitments by CY, CZ, MT & SK in Mode 3
 - National Treatment commitments by CY and MT in Mode 3
 - Removal of the market access limitation for PT in mode 3
- Professional services - **Integrated Engineering Services** (CPC 8673):
 - Removal of the ENT applied on Mode 4/CSS by the UK
 - Market Access and National Treatment commitments by SK in Mode 3
- Professional services - **Urban planning and landscape architectural services** (CPC 8674):
 - Market Access and National Treatment commitments by CY, CZ, MT, PL, SI & SK in Mode 3.
 - Market Access and National Treatment commitments by HU on Landscape Architectural Services in Mode 2.
- **Computer and related services** -
 - Addition of a clarificatory footnote.
 - Market Access and National Treatment commitments by HU in Modes 1, 2 & 3 for CPC 845 and 849
 - Improved conditions for CSS/Mode 4 by SE for computer and related services in the horizontal section and new commitments by SE for CSS/Mode 4 for CPC 845 and 849.
- **Advertising services** (CPC 871):
 - Market Access and National Treatment commitments by CY, MT & PL in Mode 1
- **Telecommunication services**
 - New and improved commitments by the entire EC as offered in its revised DDA offer.
 - A clarification from FI that its three Mode 3 horizontal limitations on legal entities under market access, on subsidiaries, branches, agencies and representative offices under national treatment, and on investment under market access do not apply to telecommunications services.
 - A clarificatory footnote indicating that Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that

List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under I.B (Computer and related services).

- **Financial services** (insurance services):
 - Removal of part of the market access limitations for SK in Mode 3
- **Financial services** (banking)
 - FI: change in Mode 3 permanent residency requirements ("At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community,..." instead of "At least one half of the founders, the members of the board of directors, the supervisory board and the delegates, the managing director, the holder of the procuration and the person entitled to sign in the name of the credit institution shall have their place of residence in the European Community...").
- **Hotels, Restaurants and Catering**
 - New (less restrictive) language for ITs ENT in mode 3 on bars, cafes and restaurants, including a commitment on its non-discriminatory nature.
- **Travel Agencies and Tour Operators Services**
 - Removal of the ENT applied on Mode 3 by the CZ
- **Hairdressing services**
 - Market Access and National Treatment commitments by CZ, FI, HU and SK in Modes 2 & 3

The following abbreviations are used to indicate the Member States:

AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovak Republic
UK	United Kingdom

Skupno pismo Evropskih skupnosti in držav članic na eni strani in Združenih držav Amerike na drugi strani v skladu s petim odstavkom Postopkov za izvajanje XXI. člena Splošnega sporazuma o trgovini s storitvami (GATS) (S/L/80 z dne 29. oktobra 1999),

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma, v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS.

Po predložitvi obeh sporočil so Združene države Amerike predložile dve zahtevi o interesu v skladu s točko a drugega odstavka XXI. člena GATS (S/L/166 v zvezi s S/SECRET/8 in S/L/217 v zvezi s S/SECRET/9). Na podlagi točke a drugega odstavka XXI. člena GATS so se ES in **Združene države Amerike** začeli pogajati o S/SECRET/8 in S/SECRET/9.

Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006). Med pogajanjmi so se ES in Združene države Amerike dogovorili o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Združene države Amerike niso sporazumeli in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

Poročilo o izidih pogajanj, ki je priloženo temu pismu, vsebuje: 1. predlagane spremembe v navedenih uradnih obvestilih, 2. dogovorjene kompenzacije v zvezi s spremembami ali umiki iz S/SECRET/8 in 3. osnutek prečiščene liste obvez, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, ter kompenzacij, dogovorjenih med ES in Združenimi državami Amerike.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Združenimi državami Amerike glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

Danilo Nucci
začasni odpravnik poslov
Stalna delegacija
Evropske komisije pri
Svetovni trgovinski organizaciji



Alicia D. Greenidge
začasna odpravnica poslov
pomočnica namestnika šefa Misije
in Vrhovnega sveta
Stalna misija Združenih držav
Amerike pri Svetovni trgovinski
organizaciji
4. avgust 2006

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

**Poročilo o izidu pogajanj na podlagi točke a drugega odstavka XXI. člena
Splošnega sporazuma o trgovini s storitvami (GATS),**

ki se nanaša na

predlagane spremembe list GATS Evropskih skupnosti in držav članic (v nadaljnjem besedilu: ES) zaradi upoštevanja pristopa Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Avstrije, Republike Poljske, Republike Slovenije, Slovaške republike, Republike Finske, Kraljevine Švedske k Evropskim skupnostim

ES v skladu s petim odstavkom Postopkov za izvajanje XXI. člena GATS (S/L/80 z dne 29. oktobra 1999) predloži to poročilo:

1. 28. maja 2004 in 4. aprila 2005 je ES predložil dve sporočili v skladu s V. členom GATS (razposlan kot dokument S/SECRET/8 z dne 11. junija 2004 in dokument S/SECRET/9 z dne 12. aprila 2005), s katerima je naznanil svojo namero, da spremeni ali umakne specifične obveze z liste, priložene sporočiloma (v nadaljnjem besedilu: predlagane spremembe), v skladu s petim odstavkom V. člena GATS in v skladu s točko b prvega odstavka XXI. člena GATS. Predlagane spremembe so v prilogi I.

2. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/8 in v skladu s točko a drugega odstavka XXI. člena GATS je osemnajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kitajski Tajpej, Kolumbija, Kuba, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Filipini, Švica, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

3. Po predložitvi uradnega obvestila iz dokumenta S/SECRET/9 in v skladu s točko a drugega odstavka XXI. člena GATS je štirinajst članic WTO (Argentina, Avstralija, Brazilija, Kanada, Kitajska, Kolumbija, Ekvador, Kitajski Hongkong, Indija, Japonska, Koreja, Nova Zelandija, Urugvaj in Združene države Amerike) predložilo svoje zahteve.

4. Združene države Amerike so v skladu s točko a drugega odstavka XXI. člena GATS (S/L/166 v zvezi s S/SECRET/8 in S/L/217 v zvezi s S/SECRET/9) predložile dve zahtevi. Na podlagi točke a drugega odstavka XXI. člena GATS so se ES in Združene države Amerike začeli pogajati o S/SECRET/8 in S/SECRET/9.

5. Glede na postopek, ki se je začel z uradnim obvestilom iz dokumenta S/SECRET/8, je bilo začetno obdobje pogajanj, ki se je končalo 26. oktobra 2004, petkrat podaljšano (po dogovoru) (do 26. aprila 2005, do 27. februarja 2006, do 1. junija 2006, do 1. julija in do 17. julija 2006).

6. Med pogajanjem so se ES in Združene države Amerike dogovorili o kompenzacijah, ki se nanašajo na umike in spremembe, vsebovane v dokumentu S/SECRET/8.

Za namene točke a drugega odstavka XXI. člena GATS pismo in poročilo s prilogama I in II sestavljata sporazum med ES in Združenimi državami Amerike glede S/SECRET/8¹. Sporazum ne spreminja list izjem ES in držav članic k II. členu. Sporazum ne vpliva na pravice in obveznosti pogodbenic v skladu z VIII. členom GATS.

7. Glede na postopek, ki se je začel z uradnim obvestilom, vsebovanim v dokumentu S/SECRET/9, se do konca obdobja, ki je bilo določeno za pogajanja, ES in Združene države Amerike niso sporazumeli in nobena država članica zadeve ni predložila arbitraži v ustreznem roku iz sedmega odstavka S/L/80. V skladu s točko b tretjega odstavka XXI. člena GATS in po končanih postopkih iz dvajsetega do dvaindvajsetega odstavka S/L/80 lahko ES izvede spremembe in umike, predlagane v dokumentu S/SECRET/9.

8. Glede na to so predlagane spremembe v navedenih uradnih obvestilih in dogovorjene kompenzacije, vključene v osnutek ES prečiščene liste obvez GATS, ki je nastala z združitvijo obstoječih list obvez ES in držav članic in vključitvijo na te liste sprememb ali umikov, ki jih je ES navedel v dokumentih S/SECRET/8 in S/SECRET/9, in kompenzacij, dogovorjenih med ES in Združenimi državami Amerike.

9. ES v skladu s postopki iz dvajsetega do dvaindvajsetega odstavka S/L/80 pošlje sekretariatu osnutek prečiščene liste, da ga zaradi potrditve do 14. septembra 2006 razpošlje, če so vse prizadete članice podpisale sporazum ali če je obdobje iz sedmega odstavka S/L/80 poteklo in ni bila zahtevana arbitraža. Izidi pogajanj začnejo veljati po končanih postopkih potrditve z dnem, ki ga določi ES po svojih dokončanih notranjih postopkih odobritve, ki si jih ES prizadeva čim bolj pospešiti. Spremembe in umiki, predlagani v dokumentih S/SECRET/8 in S/SECRET/9, ne začnejo veljati, dokler ne začnejo veljati vse kompenzacije iz priloge II.

¹ Ta sporazum ne določa vnaprej izida ločenih razprav v WTO glede klasifikacije telekomunikacijskih storitev (osnovne telekomunikacije in storitve z dodano vrednostjo).

A) Spremembe iz dokumenta S/SECRET/8:**Horizontalne obveze**

- Zapis o dostopu na trg (9. stran): "V vseh državah članicah ES so lahko storitve, ki se obravnavajo kot storitve javnih služb na državni ali lokalni ravni predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom." Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Avstrije, Poljske, Slovenije, Slovaške, Finske in Švedske. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave za podružnice, agencije in predstavništva v obliki ponudbe 3 (9. in 10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave hčerinskih družb v obliki ponudbe 3 (10. stran). Ta zapis ni bil vključen na listo specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Slovenije in Slovaške. Ta omejitev se zdaj nanaša na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 3 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Litve, Malte, Avstrije, Slovenije, Slovaške, Finske in Švedske je vsebovala le del omejitev glede subvencij v obliki ponudbe 3 z liste ES in držav članic. Te omejitve so zdaj razširjene na vse države članice.
- Omejitve nacionalne obravnave subvencij v obliki ponudbe 4 (13. stran). Lista specifičnih obvez Češke republike, Estonije, Cipra, Latvije, Madžarske, Malte in Slovaške ni vsebovala omejitev glede subvencij v obliki ponudbe 4 z liste ES in držav članic. Ta omejitev je zdaj razširjena na te države članice.
- Obveze Cipra glede dostopa na trg v obliki ponudbe 4. Te obveze se umaknejo.
- Zapis glede dostopa na trg v obliki ponudbe 4 – gibanje znotraj družb (GZD) (26. stran). Lista specifičnih obvez Češke republike, Latvije, Litve, Madžarske, Poljske in Slovaške ni vsebovala omejitev, da mora prejemnik dejansko opravljati podobne storitve na ozemlju te države članice Skupnosti. Ta omejitev je zdaj razširjena na te države članice.
- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – ponudniki storitev (30. stran). Lista specifičnih obvez Poljske ni vsebovala omejitev, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti. Ta omejitev je zdaj razširjena na to državo članico.

- Zapis glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) – vzpostavitev tržne prisotnosti (30. stran). Lista specifičnih obvez Litve ni vsebovala omejitve, da ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali zagotavljali storitev. Ta omejitev je zdaj razširjena na to državo članico.
- Obveze Litve glede dostopa na trg v obliki ponudbe 4 – poslovni obiskovalci (PO) (32. stran). Te obveze se delno umaknejo.
- Obveze Latvije glede dostopa na trg v obliki ponudbe 4 – pogodbeni ponudniki storitev (PPS) (33. stran). Lista specifičnih obvez Latvije ni vsebovala omejitve, da začasen vstop in bivanje v tej državi članici ne smeta biti daljša od treh mesecev v vsakem dvanajstmesečnem obdobju. Ta omejitev je zdaj razširjena na to državo članico.

Obveze po sektorjih

- Storitve izposojanja/lizinga brez upravljavcev – v zvezi z zrakoplovi (95. stran). Omejitev dostopa na trg v obliki ponudbe 2 se razširi na Estonijo, Litvo, Madžarsko, Avstrijo, Slovenijo, Finsko in Švedsko, omejitev dostopa na trg v obliki ponudbe 4 pa se razširi na Estonijo, Madžarsko in Avstrijo.
- Storitve, povezane s proizvodnjo (109. in 110. stran). Obveze, vključene na listo Latvije, Litve in Avstrije, se umaknejo.
- Izobraževalne storitve (156. stran): omejitev na "samo zasebno financirane storitve". Ta omejitev ni bila vključena na listo Estonije, Latvije, Litve, Madžarske, Avstrije, Slovenije (ni bila vključena le glede storitev izobraževanja odraslih) in Slovaške. Ta omejitev je zdaj razširjena na te države članice. Za Slovenijo se to nanaša le na storitve izobraževanja odraslih.
- Bančne in druge finančne storitve (razen zavarovalništva) (193., 213. in 217. stran). Omejitve dostopa na trg, ki navajajo, da "je potrebna ustanovitev specializirane družbe za upravljanje za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb" in da so "samo družbe s sedežem v Skupnosti lahko skrbniki premoženja v investicijskih skladih", v oblikah ponudbe 1 in 3 niso bile vključene na listo Češke republike v zvezi z obliko ponudbe 3, Estonije (ne v obliki ponudbe 1 ne v obliki ponudbe 3), Latvije v zvezi z obliko ponudbe 3, Litve v zvezi z obliko ponudbe 1, Madžarske v zvezi z obliko ponudbe 3 in Slovaške v zvezi z obliko ponudbe 3. Te omejitve so zdaj razširjene na te države članice.
- Vesoljski prevoz. Obveza, vključena na listo Avstrije, se umakne.
- Zračni prevoz – izposojanje zrakoplovov s posadko (246. stran). Za Poljsko se uvedeta dve omejitvi dostopa na trg (ena v oblikah ponudbe 1 in 2 in druga v obliki ponudbe 3).

- Zračni prevoz – prodaja in trženje (247. in 248. stran). Lista specifičnih obvez Estonije ni vključevala omejitev nacionalne obravnave distribucije storitev zračnega prevoza z računalniškim rezervacijskim sistemom, ki jo zagotavlja matični prevoznik računalniškega rezervacijskega sistema.
- Zračni prevoz – računalniški rezervacijski sistem (248. stran). Lista specifičnih obvez Madžarske ni vsebovala omejitev nacionalne obravnave obveznosti matičnega ali sodelujočega prevoznika glede na računalniški rezervacijski sistem, ki ga nadzira zračni prevoznik iz ene ali več tretjih držav.
- Pomožne storitve pri vseh vrstah prevoza – storitve pretovarjanja (259. stran). Omejitev dostopa na trg v obliki ponudbe 3 je bila uvedena za Estonijo, Latvijo in Litvo.

B) Spremembe iz dokumenta S/SECRET/9:

Horizontalne obveze

- Obveze Cipra in Malte v obliki ponudbe 4 glede nacionalne obravnave (25., 29. in 32. stran S/SECRET/8). Te obveze se umaknejo.

Obveze po sektorjih

- Računalniške in sorodne storitve – a) svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841) (82. stran) – b) storitve uporabe programske opreme (CPC 842) (83. stran) – c) storitve obdelave podatkov (CPC 843) (85. stran) – d) storitve, povezane s podatkovnimi zbirkami (CPC 844) (86. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Raziskovalne in razvojne storitve – b) raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852) (89. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Zavarovalniške in sorodne storitve – i) neposredno zavarovanje (vključno s sozavarovanjem): a) življenjsko in b) neživljenjsko (211. in 212. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Bančne in druge finančne storitve (razen zavarovanja) – x) e) prenosljivi vrednostni papirji (223. stran). Obveze Cipra v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642 in 643) (232. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

- Storitve turističnih agencij in organizatorjev potovanj (CPC 7471) (233. in 234. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.
- Storitve pomorskega prevoza – razen kabotaže – a) prevoz potnikov (CPC 7211), b) prevoz tovora (CPC 7212) (242. stran). Obveze Malte v obliki ponudbe 4 (GZD, PO in PPS) glede nacionalne obravnave se umaknejo.

KOMPENZACIJA ES

- **Oblika ponudbe 3 horizontalne omejitve glede javnih služb**
 - opomba pod črto, ki navaja, da se ta omejitev ne nanaša na telekomunikacijske in računalniške ter sorodne storitve
- **Oblika ponudbe 3 horizontalne omejitve glede naložb**
 - ukinitvev omejitve nacionalne obravnave za AT v obliki ponudbe 3 za podružnice tujih delniških družb (Aktiengesellschaften) in družb z omejeno odgovornostjo (Gesellschaften mit beschränkter Haftung).
- **Oblika ponudbe 4 za premeščence znotraj družb in poslovne obiskovalce**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v horizontalnem delu in sektorskem delu v sektorjih, v katerih sta CY in MT prevzela obveze v obliki ponudbe 3
- **Storitve samostojnih poklicev – inženirske storitve (CPC 8672)**
 - obveze CY in MT glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2
 - obveze CY, CZ, MT in SK glede dostopa na trg v obliki ponudbe 3
 - obveze CY in MT glede nacionalne obravnave v obliki ponudbe 3
 - ukinitvev omejitve dostopa na trg za PT v obliki ponudbe 3
- **Storitve samostojnih poklicev – povezane inženirske storitve (CPC 8673)**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 4/PPS za UK
 - obveze SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
- **Storitve samostojnih poklicev – storitve urbanističnega načrtovanja in storitve krajinske arhitekture (CPC 8674)**
 - obveze CY, CZ, MT, PL, SI in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 3
 - obveze HU glede dostopa na trg in nacionalne obravnave za storitve krajinske arhitekture v obliki ponudbe 2
- **Računalniške in sorodne storitve**
 - doda se pojasnjevalna opomba pod črto
 - obveze HU glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1, 2 in 3 za CPC 845 in 849
 - izboljšani pogoji za PPS/oblika ponudbe 4 za SE za računalniške in sorodne storitve v horizontalnem delu in nove obveze SE za PPS/oblika ponudbe 4 za CPC 845 in 849

- **Oglaševanje (CPC 871)**
 - obveze CY, MT in PL glede dostopa na trg in nacionalne obravnave v obliki ponudbe 1
- **Telekomunikacijske storitve**
 - nove in izboljšane obveze celotnega ES, kot so ponujene v popravljeni ponudbi razvojnega programa iz Dohe
 - pojasnilo FI, da tri horizontalne omejitve v obliki ponudbe 3 za pravne osebe glede dostopa na trg, hčerinske družbe, podružnice, agencije in predstavništva glede nacionalne obravnave ter naložbe glede dostopa na trg ne veljajo za telekomunikacijske storitve
 - pojasnjevalna opomba pod črto, da so tu vključeni podsektorji od 2. C. h do 2. C. m z liste sektorske razvrstitve storitev, vsebovane v MTN/GNS/W/120 (storitve z dodano vrednostjo), in podsektorji od 2. C. a do 2. C. g z liste. Podsektor 2. C. o z liste je tudi vključen, če spada v to opredelitev. Na tej listi je podsektor 2. C. n (spletne informacije in/ali obdelava podatkov) naveden v obvezah 1. B (računalniške in sorodne storitve)
- **Finančne storitve (zavarovalniške storitve)**
 - ukinitvev dela omejitev dostopa na trg za SK v obliki ponudbe 3
- **Finančne storitve (bančništvo)**
 - FI: sprememba zahtev za stalno prebivališče v obliki ponudbe 3 ("Vsaj eden od ustanoviteljev, članov upravnega odbora, nadzornega sveta in direktor morajo imeti stalno prebivališče v Evropski skupnosti ..." namesto "Vsaj polovica ustanoviteljev, članov upravnega odbora, nadzornega sveta in delegatov, direktor, prokurist in oseba, pooblaščen za podpisovanje v imenu kreditne ustanove, morajo imeti stalno prebivališče v Evropski skupnosti ...")
- **Hoteli, restavracije ter priprava in dostava hrane**
 - novo (manj omejevalno) besedilo za IT-test ekonomskih potreb v obliki ponudbe 3 za bare, kavarne in restavracije vključno z obvezo o nediskriminacijski naravi
- **Storitve turističnih agencij in organizatorjev potovanj**
 - ukinitvev testa ekonomskih potreb, uporabljenega v obliki ponudbe 3 za CZ
- **Frizerske storitve**
 - obveze CZ, FI, HU in SK glede dostopa na trg in nacionalne obravnave v obliki ponudbe 2 in 3

Za države članice so uporabljene te krajšave:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

Consolidated Schedule

Introductory Note

1. The specific commitments in this schedule apply only to the territories in which the Treaties establishing the European Communities are applied and under the conditions laid down in these Treaties. These commitments apply only to the relations between the Communities and their Member States on the one hand, and non-Community countries on the other. They do not affect the rights and obligations of Member States arising from Community law.

2. The following abbreviations are used to indicate the Member States:

AT	Austria	IT	Italy
BE	Belgium	LT	Lithuania
CY	Cyprus	LU	Luxembourg
CZ	Czech Republic	LV	Latvia
DE	Germany	MT	Malta
DK	Denmark	NL	The Netherlands
EE	Estonia	PL	Poland
EL	Greece	PT	Portugal
ES	Spain	SE	Sweden
FI	Finland	SI	Slovenia
FR	France	SK	Slovak Republic
HU	Hungary	UK	United Kingdom
IE	Ireland		

3. The rights and obligations arising from the GATS, including the schedule of commitments, shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

4. A glossary of terms used by individual Member States is attached to this schedule.

EUROPEAN COMMUNITIES AND THEIR MEMBER STATES – DRAFT CONSOLIDATED SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<u>Public utilities</u> 3) All EC Member States: services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators¹. <u>Legal entities</u> 3) All Member States except FI, HU, PL and SE: None FI: At least half of the ordinary and deputy members of the Board of Directors have to be citizens of Finland and resident in Finland. The Managing Director of a limited company has to be a Finnish citizen and resident in Finland. Company exemptions may, however, be granted. These limitations do not apply to telecommunications services. HU: Commercial presence should take the form	<u>Legal entities</u> a) <u>Limitations on branches, agencies and representative offices</u> 3) All EC Member States: Treatment accorded to subsidiaries (of third country companies) formed in accordance with the law of a Member State and having their registered office, central administration or principal place of business within the Communities is not extended to branches or agencies established in a Member State by a third-country company. However, this does not prevent a Member State from extending this treatment to branches or agencies	

¹ Explanatory Note: Public utilities exist in sectors such as related scientific and technical consulting services, R&D services on social sciences and humanities, technical testing and analysis services, environmental services, health services, transport services and services auxiliary to all modes of transport. Exclusive rights on such services are often granted to private operators, for instance operators with concessions from public authorities, subject to specific service obligations. Given that public utilities often also exist at the sub-central level, detailed and exhaustive sector-specific scheduling is not practical. This limitation does not apply to telecommunications and to computer and related services.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		of limited liability company, joint-stock company or representative office. Initial entry as branch is not permitted. PL: The establishment by foreign service suppliers may only take the form of limited liability company or joint stock company. The same legal form is required in the case of joint-venture of Polish and foreign companies. Unbound with respect to branches and representative offices. SE: A foreign company (which has not established a legal entity in Sweden) shall conduct its commercial operations through a branch, established in Sweden with independent management and separate accounts. Building projects with a duration of less than a year are exempted from the requirements of establishing a branch or appointing a resident representative			established in another Member State by a third-country company or firm, as regards their operation in the first Member State's territory, unless such extension is explicitly prohibited by Community law². <u>b) Limitations on subsidiaries</u> 3) All Member States: Treatment less favourable may be accorded to subsidiaries (of third-country companies) formed in accordance with the law of a Member State which have only their registered office in the territory of the Communities, unless it can be shown that they possess an effective and continuous link with the economy of one of the Member States.³ <u>c) Limitations additional to those under a) and b)</u> 3) All Member States except FI, SE, SI, SK: None FI: A foreigner carrying on a trade as a private entrepreneur or as a partner in a Finnish limited or general partnership needs a trade permit and has to be permanently resident in Finland. If a foreign organization intends to carry on a business or trade by			

² With regard to Austria it applies also to modes 1 and 4.

³ With regard to Austria it applies also to modes 1 and 4.

⁴ Exceptions from these requirements may be granted, if it can be proved that residency is not necessary.

⁵ Exceptions from these requirements may be granted, if it can be proved that residency is not necessary.

⁶ Exceptions from these requirements may be granted, if it can be proved that residency is not necessary.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
					establishing a branch in Finland, a trade permit is required. A permission to act as a founder of a limited company is required of a foreign organization or a private person, who is not a citizen of Finland. These limitations do not apply to telecommunications services. SE: A limited liability company (joint stock company) may be established by one or several founders. A founding party shall either reside in Sweden or be a Swedish legal entity. A partnership can only be a founding party if each partner resides in Sweden⁴. Corresponding conditions prevail for establishment of all other types of legal entities. The managing director and at least 50 per cent of the members of the board shall reside in Sweden⁵. The managing director of a branch shall reside in Sweden⁶. Foreign or Swedish citizens not residing in Sweden, who wishes to conduct commercial operations in Sweden, shall appoint and register with the local authority a resident representative responsible for such activities. SI: At least half of the ordinary members of the Board of Directors have to be nationals of the Republic of Slovenia. The managing director of a limited liability company or at least the procurator has to be a Slovenian national. A non-Slovenian national, who is a director of a branch, established in the Republic of Slovenia by a foreign juridical person, has to be a resident in the Republic of Slovenia. The establishment of branches by foreign			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		companies is conditioned with the registration of the parent company in a court register in the country of origin for at least one year. SK: A foreign natural person whose name is to be registered in the Commercial Register as a person authorized to act on behalf of the entrepreneur is required to submit residence permit for the Slovak Republic. 4) All Member States except AT: None AT: Managing directors of branches and juridical persons have to be resident in Austria; natural persons responsible within a juridical person or a branch for the observance of the Austrian Trade Act must be resident in Austria. <u>Subsidies</u> 3) All Member States except HU, PL: Eligibility for subsidies from the European Communities or Member States may be limited to juridical persons established within the territory of a Member State or a particular geographical sub-division thereof. Unbound for subsidies for research and development. The supply of a service, or its subsidisation, within the public sector is not in breach of this commitment. All Member States except AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE and SK: Unbound for branches established in a	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		Investments 3) All Member States except CY, ES, FR, HU, FI, IT, MT, PT, PL, SI: None CY: The permission of the Central Bank is required for the participation of any non-resident in a corporate body or partnership in Cyprus. Foreign participation in all sectors/subsectors included in the Schedule of Commitments is normally limited up to 49 per cent. The decision of the authorities to grant permission for foreign participation is based on an economic needs test, for which the following criteria are used in general: a) Provision of services which are new to Cyprus b) Promotion of the export orientation of the economy with development of existing and new markets c) Transfer of modern technology, know-how and new management techniques			4) All Member States except AT, PL: to the extent that any subsidies are made available to natural persons, their availability may be limited to nationals of a Member State of the Communities. AT, PL: Unbound Investments 3) All Member States except CY, HU, LT, MT: None CY: Entities with foreign participation must have paid up capital commensurate with their finance requirements and non-residents must finance their contribution through the importation of foreign exchange. In case the non-resident participation exceeds 24 per cent, any additional financing for working capital requirements or otherwise should be raised from local and foreign sources in proportion to the participation of residents and non-residents in the entity's equity. In the case of branches of foreign companies, all capital for the initial investment must be provided from foreign sources. Borrowing from local sources is only permitted after the initial implementation of the project, for financing working capital requirements.			

⁷ This procedure does not apply to investments in France in activities which are part of the exercise of official authority. The latter is to be understood in the sense of Article 55 of the Treaty of Rome and the jurisprudence concerned.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		d) Improvement either of the productive structure of the economy or of the quality of existing products and services e) Complementary impact on existing units or activities f) Viability of proposed project g) Creation of new job opportunities for scientists, qualitative improvement and training of local staff In exceptional cases, in which a proposed investment satisfies most of the economic needs test criteria to a large extent, permission for foreign participation exceeding 49 per cent may be granted. In the case of public companies, foreign equity participation is normally allowed to the extent of up to 30 per cent. In Mutual Funds the extent of allowable foreign ownership is 40 per cent. Corporate bodies have to be registered under the Companies Law. Same Law requires that a foreign company wishing to establish a place of business or an office in Cyprus must register it as a foreign branch. For the registration the prior approval of the Central Bank is required under the Exchange Control Law. Such approval is subject to the foreign investment policy applicable at the time with regard to the Corporate Body's proposed activities in Cyprus and the general investment criteria stipulated above. ES: Investment in Spain by foreign government and foreign public entities			HU: Unbound for the acquisition of state owned properties LT: Investments in organizing the lotteries are forbidden under the Law on Foreign Capital Investment. MT: Companies with the participation of non-resident legal or natural persons require a minimum share capital of Maltese Liri 10,000 of which 50% has to be paid up. The non-resident percentage of the equity is to be paid for with funds emanating from abroad			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		(which tends to imply, besides economic, also non-economic interests to entity's part), directly or through companies or other entities controlled directly or indirectly by foreign governments, need prior authorization by the government. FR: Foreign purchases exceeding 33,33 per cent of the shares of capital or voting rights in existing French enterprise, or 20 per cent in publicly quoted French companies, are subject to the following regulations: - investments⁷ of less than 50 million FF in French enterprises with a turnover not exceeding 500 million FF are free, after a delay of 15 days following prior notification and verification that these amounts are met; - after a period of one month following prior notification, authorization is tacitly granted for other investments unless the Minister of Economic Affairs has, in exceptional circumstances, exercised its right to postpone the investment. Foreign participation in newly privatized companies may be limited to a variable amount, determined by the government of France on a case by case basis, of the equity offered to the public. For establishing in certain⁸ commercial, industrial or artisanal activities, a specific						

⁸ Commercial, industrial or artisanal activities relate to sectors such as: other business services, construction, distribution and tourism services. It does not relate to telecommunications and financial services.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	(4)	Presence of natural persons
Sector or Sub-sector				Limitations on Market Access	Limitations on National Treatment		Additional Commitments
				authorization is needed if the managing director is not holder of a permanent residence permit. HU: Unbound for the acquisition of state owned properties FI: Acquisition of shares by foreign owners giving more than one third of the voting rights of a major Finnish company or a major business undertaking (with more than 1000 employees or with a turnover exceeding 1000 million Finnish markka or with a balance sheet total exceeding 1000 million Finnish markka) is subject to confirmation by the Finnish authorities ; the confirmation may be denied only if an important national interest would be jeopardized. These limitations do not apply to telecommunications services. IT: Exclusive rights may be granted or maintained to newly-privatized companies. Voting rights in newly privatized companies may be restricted in some cases. For a period of five years, the acquisition of large equity stakes of companies operating in the fields of defence, transport services, telecommunications and energy may be subject to the approval of the Ministry of Treasury. MT: In terms of the Section 17 of the Exchange Control Act, non-residents of Malta, wishing to supply any service through Commercial Presence in Malta, may do so only by registering a local company with the prior permission of the			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		Central Bank of Malta. PT: Authorization⁹ is required for investments by non-EC companies, when exceeding 20 per cent of the capital of the company or when the investments result in effective control or in strengthening of the decision making power. Foreign participation in newly privatized companies may be limited to a variable amount, determined by the Government of Portugal on a case by case basis, of the equity offered to the public. PL: Authorization of the establishment of a company with foreign equity is required in the case of: - establishment of company, purchase or acquiring of shares or stocks in an existing company; extending of the activity of the company when the scope of activity embraces at least one of the following areas: - management of seaports and airports; - dealing in real estate or acting as intermediary in real estate transactions; - supply to defence industry that is not covered by other licensing requirements; - wholesale trade in imported consumer goods; - provision of legal advisory services. - establishment of a joint-venture company with a foreign equity in which the Polish party is a state legal person and is contributing non-pecuniary assets as initial capital;						

⁹ An assessment of the investment is made in light of the effect on the economy of the country. The criteria taken into account are among others: creation of new jobs; positive foreign currency balance; introduction of advanced technology; reduced industrial pollution; professional training for Portuguese workers; etc.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	- arranging a contract, that includes right to use of state property for more than 6 months or decides on acquiring of such property. SI: For financial services, authorization is issued by the authorities indicated in sector specific commitments and according to conditions indicated in sector specific commitments. There are no limitations on establishment of a new business establishment ("greenfield" investments). <u>Real estate purchases</u> All Member States except CY, DK, EL, HU, LV, MT, PL, SI, SK: None CY: Unbound DK: Limitations on real estate purchase by non-resident physical and legal entities. Limitations on agricultural estate purchased by foreign physical and legal entities. EL: According to Law No. 1892/90 permission from the Minister of Defense is needed for a citizen to acquire land in areas near borders. According to administrative practices permission is easily granted for direct investment. HU: Unbound for the acquisition of state owned properties LV: For mode 3: Unbound in relation to acquisition of land; land lease not				<u>Real estate purchases</u> All Member States except AT, CZ, DE, FI, HU, IT, IE, LV, PL, SE and SK: None AT: the acquisition, purchase as well as rent or lease of real estate by foreign natural persons and juridical persons requires an authorization by the competent regional authorities (Länder) which will consider whether important economic, social or cultural interests are affected or not. CZ: Limitations on real estate acquisition by foreign natural and legal entities. Foreign entities may acquire real property through establishment of the Czech legal entities or participation in joint ventures. Acquisition of the land by foreign entities is subject to authorization. DE: Purchase of real estate by foreigners in the Länder Berlin, Schleswig-Holstein and Saarland may be subject to authorization. After 1994 it is very likely that only Land			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	exceeding 99 years permitted. MT: The requirements of Maltese legislation and regulations regarding acquisition of real property shall continue to apply (for mode 4). PL: Unbound in relation to acquisition of state-owned property, i.e. the regulations governing the privatization process (for mode 3). SI: Juridical persons, established in the Republic of Slovenia with foreign capital participation, may acquire real estate on the territory of the Republic of Slovenia. Branches* established in the Republic of Slovenia by foreign persons may only acquire real estate, except land, necessary for the conduct of the economic activities for which they are established. Ownership of real estate in the border areas of 10 km by companies in which majority of capital or voting rights belongs directly or indirectly to juridical persons or nationals of another Member is subject to special permission. SK: None except for land (for modes 3 and 4)				Berlin will continue to require such authorization. FI: Non-residents need a permit to acquire or rent real estate for more than two years intended for leisure-time dwelling or for recreational purposes. (Åland Islands): Restrictions on the right for natural persons who do not enjoy regional citizenship in Åland, and for legal persons, to acquire and hold real property on the Åland Islands without permission by the competent authorities of the islands. Restrictions on the right of establishment and the right to provide services by natural persons who do not enjoy regional citizenship in Åland, or by any legal person, without permission by the competent authorities of the Åland Islands. HU: Unbound for the acquisition of state owned properties. Unbound with respect to the acquisition of real estate by foreign natural persons. IT: Unbound for purchase of real estate IE: Prior written consent of the Land Commission is necessary for the acquisition of any interest in Irish land by domestic or foreign companies or foreign nationals.			

* SI: According to the Law on Commercial Companies, a branch established in the Republic of Slovenia is not considered a juridical person, but as regards their operation, their treatment is equal to a subsidiary, which is in line with Article XXVIII para.(g) of the GATS.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
					Where such land is for industrial use (other than agricultural industry), this requirement is waived subject to a certificate to this effect from the Minister for Enterprise and Employment. This law does not apply to land within the boundaries of cities and towns. LV: For mode 3: Unbound in relation to acquisition of land; land lease not exceeding 99 years permitted. PL: Acquisition of real estate, direct and indirect, by foreigners and foreign legal persons requires permission SE: Authorization required, normally from local authority, for acquisition of second homes by non-resident natural persons or foreign legal entities. If foreign acquisitions of second homes lead to increased real estate prices, authorizations may be denied. SK: Limitations on real estate acquisition by foreign physical and legal entities. Foreign entities may acquire real property through establishment of Slovak legal entities or participation in joint ventures. Acquisition of the land by foreign entities is subject to authorization (for modes 3 and 4)			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	<u>Exchange regime</u> ^{10 11 12} :				<u>Exchange regime</u> ¹³			
	1), 2) All Member States except SK: None SK: In relation to current payments, limitation on acquisition of foreign exchange by resident nationals for personal purposes. In relation to capital payments, foreign exchange authorization required for acceptance of financial credits from foreign subjects, direct capital investments abroad, acquisition of real estate abroad and purchase of foreign securities. <u>Industrial, commercial or artisanal activities</u>				4) All Member States except CY: None CY: Under the Exchange Control Law, non-residents are not normally permitted to borrow from local sources			
	4) FR: The managing director of an industrial, commercial or artisanal activity ¹⁴ , if not holder of a residence permit, needs a specific authorization.							

¹⁰ CZ: Non-discriminatory system of foreign exchange control is applied consisting of:

- a) limitation on acquisition of foreign exchange by resident nationals for personal purposes,
b) foreign exchange authorization in case of Czech residents for acceptance of financial credits from foreign subjects, direct capital investment abroad, acquisition of real estate abroad and purchases of foreign securities.

¹¹ PL: There is non-discriminatory system of foreign exchange controls relating to limitations in foreign exchange turnover and to system of foreign exchange permits (general and individual) among others limitations of capital flows and currency payments. The following foreign exchange transactions require authorization:

- transfer of foreign exchange out of the country;
- transfer of Polish currency into the country;
- ownership transfer of the right to monetary assets between domestic and foreign persons;
- granting and drawing of loans and credits by domestic persons in foreign exchange transactions;
- fixing or executing payments in foreign currencies within Poland for acquired goods, real estate, property rights, services or labour;
- opening and possessing of a banking account in a bank situated abroad;
- acquiring and holding foreign securities and acquiring real estate abroad,
- undertaking other obligations abroad of similar effect.

¹² SK: Entries being listed for transparency reasons.

¹³ PL: footnote 11 is also applicable for national treatment.

¹⁴ Commercial, industrial or artisanal activities relate to sectors such as: other business services, construction, distribution and tourism services. It does not relate to telecommunications and financial services.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	IT: Access to industrial, commercial and artisanal activities is subject to a residence permit and specific authorization to pursue the activity <u>Categories of natural persons covered under Mode 4</u> 4) All Member States : Unbound except for measures concerning the entry into and temporary stay¹⁵ within a Member State of the following categories of natural persons providing services: (i) <u>Intra-corporate transfers (ICT)</u>: For all Member States: Access is subject to the following conditions: - the natural person concerned must work within a juridical person (for AT, BE, CY,				<u>Recognition of diplomas</u> All Member States : EC directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non-Community nationals remains within the competence of each Member State, unless Community law provides otherwise. The right to practise a regulated professional service in one Member State does not grant the right to practise in another Member State. <u>Categories of natural persons covered under Mode 4</u> 4) All Member States: Unbound except as indicated below 4) <u>Intra-corporate transfers</u>: All Member States: Unbound except for measures concerning the categories of natural persons referred to and committed in the Market Access column			

¹⁵ All other requirements of Community and Member States' laws and regulations regarding entry, stay, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements. Commitments on movement of persons do not apply in cases where the intent or effect of such movement is to interfere with or otherwise affect the outcome of any labour/management dispute or negotiation.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		DE, DK, EE, EL, ES, FI, FR, IE, IT, LT, LU, LV, MT, NL, PT, SI, UK: other than a non-profit making organisation), established in the territory of a WTO Member and have been employed by it (for AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: or have been a partner in it (other than as a majority shareholder)) for at least the year immediately preceding the date of admission (the date of application in the case of EE and LT) (three years in the case of SI). In IT, the natural person must be working within a juridical person constituted as a SPA (joint stock company) or a SRL (capital stock company with limited responsibility). - the natural person is temporarily transferred in the context of the provision of a service through commercial presence in the territory of the Community Member State concerned. - (AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: the juridical person concerned must have their principal place of business in the territory of a WTO Member other than the Community and their Member States and the transfer must be to an establishment (subsidiary, branch, office) of that juridical person, effectively providing like services in the territory of the Community Member State concerned.) (CZ, LT, LV, PL, SK: The transfer must be to an establishment (subsidiary, branch, office) or the principal place of business of the aforementioned juridical person. The receiving entity must be constituted in and effectively providing like services in the territory of the Community Member State concerned.) (EE: The transfer must be to an establishment (subsidiary, branch, affiliate) of the aforementioned juridical person. The receiving entity must be constituted in and effectively providing like						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons		
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments			
		services in the territory of the Community Member State concerned.)(HU: The transfer must be to a subsidiary of the aforementioned juridical person. The receiving entity must be constituted in and effectively providing like services in the territory of the Community Member State concerned.) - the natural person concerned must belong to one of the following categories: a) Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: - directing the establishment or a department or sub-division of the establishment; - supervising and controlling the work of other supervisory, professional or managerial employees; - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions. CZ, EE, SK: such persons would not directly perform tasks related to the actual provisions of the services of the establishment, b) Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the								

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession. All Member States except FI, LV, PL: An economic needs test will not be required. FI: compliance with an economic needs test is required for specialists and may be applied in the case of partners. LV: For specialists, vacancies have to be registered at the State Employment Office together with information on necessary qualifications (e.g. education, job experience, language skills, other special requirements). Vacancy has to be open for applications for one month. PL: Market test requirement. AT, BE, CY, CZ, DE, DK, ES, FR, FI, EL, HU, IT, IE, LU, MT, NL, PT, SK, UK: The duration of “temporary stay” of intra-corporate transfers is defined by the Member States and, where they exist, Community laws and regulations regarding entry, stay and work. EE: Entry and stay is limited to a three year period that may be extended for up to two additional years for a total term not to exceed five years. LV: Duration of temporary stay is limited to a total period of five years. LT: Duration of temporary stay is three years. In the case of senior managers, the stay may be extended. PL: Work permits are issued exclusively for the definite period – up to one year.						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		with a possibility of extension – to a given foreigner working at a specified employer. SE: Temporary entry and stay is limited to a two year period (extensions may be granted). SI: The duration of temporary stay for “intra-corporate transferees” is limited with a “business visa” and a residence permit, which may be granted up to one year with extensions. <u>(ii) Business Visitors (BV):</u> All Member States: Entry and temporary stay of the following categories is permitted without application of an economic needs test:			<u>Business visitors:</u> All Member States: Unbound except for measures concerning the categories of natural persons referred to and committed in the Market Access column			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		a) <u>Service sellers:</u> All Member States: Persons not residing in the territory of a Member State to which the EC treaties apply, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves (in addition, for EE, HU, LV, SI: or on their own behalf receive remuneration from a source located within the Member State concerned). In addition, for EE, SE: the person concerned must have been employed by that service suppliers for at least one year immediately preceding the date of their application for admission. b) <u>Establishment of commercial presence:</u> All Member States except FI, HU, PL: Persons working (all Member States except EE, LT, LV, SI: in a senior position, as defined in (i) a) above,) within a juridical person, who are responsible for the setting up, in a Member State, of a commercial presence of a service provider of a Member when: - the representatives are not engaged in making direct sales or supplying services (in addition, for EE, LV, SI: or on their own behalf receive remuneration from a source located within the Member State concerned);						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access				Limitations on National Treatment		Additional Commitments
		and - All Member States except LT, LV, SI: the service provider has its principal place of business in the territory of a WTO Member other than the Communities and their Member States and has no other representative, office, branch or subsidiary in that Member State. - in addition, for EE, SE: the person concerned must have been employed by that service supplier for at least one year immediately preceding the date of their application for admission. FI, HU, PL: Unbound. AT, BE, CY, CZ, DE, DK, ES, FR, EL, IT, IE, LU, MT, NL, PT, SK, UK: The duration of “temporary stay” of business visitors is defined by the Member States and, where they exist, Community laws and regulations regarding entry, stay and work. EE: Entry is limited to a maximum duration of 90 days per six month period. FI, PL, SE: Temporary entry and stay is limited to a three month period. HU: Entry and stay shall be for a period of no more than 90 days. LT: The duration of temporary stay is up to three months a year. LV, SI: The duration of temporary stay is						

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	limited with a 90 day visa. (iii) Contractual service suppliers (CSS): AT, BE, DE, DK, ES, EE, FR, FI, EL, IT, IE, LU, LV, NL, PT, SE, UK: Access is subject to the following conditions: - The natural persons are engaged in the supply of a service on a temporary basis as employees of a juridical person, who has no commercial presence in any Member State of the European Community. - The juridical person has obtained a service contract for a period not exceeding 3 months (12 months for computer and related services in the case of SE, and no specific period for EE and LV) from a final consumer in the Member State concerned (from an enterprise engaged in substantive business activities in the Member State concerned in the case of EE, LV), through an open tendering procedure or any other procedure which guarantees the bona fide character of the contract (e.g. advertisement of the availability of the contract) where this requirement exists or is introduced in the Member State pursuant to the laws, regulations and requirements of the European Community or its Member States.)	Contractual service suppliers: AT, BE, DE, DK, ES, EE, FI, FR, EL, IE, IT, LV, LU, NL, PT, SE, UK: Unbound except for measures concerning the categories of natural persons referred to and committed in the Market Access column CY, CZ, HU, LT, MT, PL, SI, SK: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	- The service contract shall comply with the laws, regulations and requirements of the European Community and the Member State where the contract is executed. - The natural person seeking access should be offering such services as an employee of the juridical person supplying the service for at least the year (two years in the case of EL) immediately preceding such movement (the date of application in the case of EE, LV). - The temporary entry and stay within the Member State concerned shall be for a period of not more than three months in any 12 months period (24 months in the case of NL)(ninety days in any six months in the case of EE) (six months in any 12 months period for computer and related services in the case of SE) or for the duration of the contract, whatever is less. - The natural person must possess the necessary academic qualifications and professional experience as specified for the sector or activity concerned in the Member State where the service is supplied. - An economic needs test will not be required except where otherwise indicated for a specific sub-sector. - The commitment relates only to the service activity which is the subject of the contract; it does not confer entitlement to exercise the professional title of the Member State concerned. - The number of the persons covered by the service contract shall not be larger than necessary to fulfil the contract, as it may be decided by the laws, regulations and requirements of the European Community							

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	and the Member State where the service is supplied. - The service contract has to be obtained in one of the activities mentioned below, subject to a specific commitment being undertaken by the Member State concerned in the sector specific part and any additional conditions mentioned therein: - Legal services - Accounting services - Taxation advisory services - Architectural services, urban planning and landscape architectural services - Engineering services, integrated engineering services - Computer and related services - Research and development services - Advertising - Management consulting services - Services related to management consulting - Technical testing and analysis services - Related scientific and technical consulting services - Translation services - Construction services, site investigation work - Higher education services - Travel agencies and tour operator services - Entertainment services - Services related to the sale of equipment or to the assignment of a patent. CY, CZ, HU, MT, LT, PL, SK, SI: Unbound.		

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector		Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS				
1. BUSINESS SERVICES				
A. <u>Professional Services</u>				
a)	All Member States except CZ, EE, FI, HU, LV, PL, SI, SK: Legal advice home country law and public international law (excluding EC law) HU: Legal advisory services concerning home country law (part of CPC 861) FI: Legal Services (CPC 861): public international law and home country law CZ, EE, LV, PL, SI, SK: Legal Services (CPC 861)¹⁶.	1) All Member States except CY, EE, FR, MT, PT, SE, SI: None CY, MT: Unbound EE: Unbound for CPC 861 other than CPC 86190 FR, PT, SI: Unbound for drafting of legal documents. SE: An "advokat" (see next column) may not practice his profession neither in cooperation with other persons than other "advokats", nor in the form of a limited liability company (joint stock company)¹⁷.	1) All Member States except AT, CY, DK, EE, FR, MT, PT, SE, SI: None AT: Foreign legal advisors are required to be members of their national Bar Association; they may use their professional title only with reference to the place of registration in their home country CY, MT: Unbound DK: Marketing of legal advice activities is restricted to lawyers with a Danish licence to practise and law firms registered in Denmark. EE: Unbound for CPC 861 other than CPC 86190 FR, PT, SI: Unbound for drafting of legal documents. SE: None except for the protection of the use of the Swedish title "advokat" (lawyer/solicitor/barrister), which requires membership in the Swedish Bar Association. Swedish law exam or equivalent education and practical experience, citizenship and residency are required for such membership¹⁸.	

¹⁶ In EE, the category "other legal advisory and information services" (CPC 86190) includes a) practice of *public* international law and b) practice of law of jurisdiction where service supplier qualifies as a lawyer under a relevant authority of this jurisdiction. Such consultancy excludes the following: (i) appearing for a person other than himself or herself as attorney in any court, or before any magistrate or other judicial officer of the Republic of Estonia; (ii) preparing any instrument effecting the transfer or registration of title to real estate located in Estonia; (iii) preparing any will or trust instrument effecting the disposition of any property located in the Republic of Estonia and owned by a resident thereof, or any instrument relating to the administration of such property; (iv) preparing any instrument in respect of the marital or parental relations, rights or duties of a resident of the Republic of Estonia, or the custody or care of children of such a resident (otherwise according to CPC 86190)

¹⁷ Limited liability companies are allowed, subject to certain conditions.

¹⁸ When not appearing under the title "advokat" foreign lawyers may freely offer legal advice activities.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except AT, CY, CZ, DE, EE, FR, FI, HU, LV, MT, PL, SE, SI, SK: None AT, CY, MT: Unbound CZ: No limitation involving foreign law. For activities involving national law acceptance in the Czech Bar Association or in the Czech Chamber of Commercial Lawyers is required DE: Access subject to acceptance into a Bar Association according to the "Federal Lawyers Act" which requires establishment which is restricted to sole proprietorship or partnership only. EE: None for CPC 86190. For CPC 861 other than CPC 86190, commercial presence is restricted to sole proprietorships or to law firms with limited liability, in which cases permission is needed from the Bar Association (Advokatuur). According to the Bar Statute /Advokatuuri põhimäärus) only Estonian nationals are allowed to establish a lawyer's office. To get accepted into the Bar Association the following requirements should be met: a) two years' work experience as an assistant to a barrister at law; b) passing a relevant examination; c) work for three years as a				2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except AT, CY, CZ, DK, EE, MT, SE, SI, SK: None AT, CY, MT: Unbound CZ: Barristers and commercial lawyers in Czech law are required to be graduates of Czech universities DK: Marketing of legal advice activities is restricted to law firms registered in Denmark. Only lawyers with a Danish licence to practise and law firms registered in Denmark may own shares in a Danish law firm. Only lawyers with a Danish licence to practise may sit on the board or be part of the management of a Danish law firm. EE: None for CPC 86190. Unbound for CPC 861 other than CPC 86190. SE: None except for the protection of the use of the Swedish title "advokat" (lawyer/solicitor/barrister), which requires membership in the Swedish Bar Association. Swedish law exam or equivalent education and practical experience, citizenship and residency are required for such membership.²⁰ SI: Conditions for acceptance into the Bar		FR: Host country law and international law (including EC law) are opened to the Members of the regulated legal and judicial profession.²¹ LU: Host country law and international law (including EC law) subject to registration as "avocat" at the Luxembourg Bar.	

¹⁹ Limited liability companies are allowed, subject to certain conditions.

²⁰ When not appearing under the title "advokat" foreign lawyers may freely offer legal advice activities.

²¹ Access to these professions is governed by the French law No. 90-1259 of 31 December 1990 which opens the entire range of legal and judicial activities.

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	senior assistant. After that it is possible to pass a lawyer's exam (excellent knowledge of the Estonian law and excellent proficiency in the Estonian language are required). Notaries Public are persons performing a public service; they are appointed by the Ministry of Justice FR: Provision through SEL (anonym, à responsabilité limitée ou en commandite par actions) or SCP only. FI: When practising legal services as a member of the General Bar Association, Finnish citizenship and residency in Finland are required HU: Commercial presence should take the form of representative office LV: None for consultancy on home country and public international law. For CPC 861 other than consultancy on home country and public international law, licence issued by the Ministry of Justice and knowledge of Latvian language required. Licensed lawyer can provide all legal services, except representation in criminal proceedings. Representation in criminal proceedings permitted only to sworn solicitors. Nationality requirement for sworn solicitors and sworn notaries. Sworn solicitors and sworn notaries have to be at least 25 years old, having knowledge of Latvian language, graduated from University of Latvia or from other university recognized as equal by the Faculty of Law, University of Latvia, and having practical experience. Sworn solicitors have to pass examination in accordance with rules set up by Council of	Association for lawyers who are not Slovenian nationals and have a licence to practice in another Member, have to have a certificate of knowledge of the Slovenian law and must be proficient in the Slovenian language SK: Barristers and commercial lawyers in Slovak law are required to be graduates of Slovak universities	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		Sworn Solicitors. Sworn notaries have to pass examination in accordance with order set up by the Minister of Justice in cooperation with the Council of Sworn Notaries. PL: Establishment subject to authorization. Nationality requirement SE: An "advokat" (see next column) may not practice his profession neither in cooperation with other persons than other "advokats", nor in the form of a limited liability company (joint stock company)¹⁹. SI: Commercial presence is restricted to sole proprietorship or to a law firm with unlimited responsibility (partnership) only. Only lawyers with licence to practice may be partners. For activities involving national law acceptance into the Bar Association ("Odvetniška zbornica Slovenije") is required. Consent of the Bar Association is required for the establishment of any law firm. Conditions for acceptance into the Bar Association for lawyers who are not Slovenian nationals and have a licence to practice in another Member, have to have a certificate of knowledge of the Slovenian law and must be proficient in the Slovenian language. Notaries public are persons performing a public services. Concession rights can be acquired by licence. SK: No limitation involving foreign law. For activities involving national law acceptance in the Slovak Bar Association or in the Slovak Chamber of Commercial Lawyers is required						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		4) <u>ICT and BV</u> All Member States except CY, LU, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated below: at the request of a consumer, legal advisors may temporarily move into the territory of Austria in order to supply a specific service. FR: Legal advice activities and drafting of legal documents as a main activity and for the public, are reserved to the members of the regulated legal and judicial professions²². These activities may also be exercised as a secondary activity to the principal activity by members of other regulated professions or by qualified persons. FI: When practicing legal services as a member of the General Bar Association, Finnish citizenship and residency in Finland are required. EL: Condition of nationality LV: For CPC 861 other than consultancy on home country and public international law, licence issued by the Ministry of Justice and knowledge of Latvian language required. Licensed lawyer can provide all legal services, except			4) <u>ICT and BV</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market access column. Foreign legal advisors are required to be members of their national Bar Association ; they may use their professional title only with reference to the place of registration in their home country. DK: Marketing of legal advice activities is restricted to lawyers with a Danish license to practise. Requirement of a Danish legal examination in order to obtain a Danish licence to practise. SE: None except for the protection of the use of the Swedish title “advokat” (lawyer/solicitor/barrister), which requires membership in the Swedish Bar Association. Swedish law exam or equivalent education and practical experience, citizenship and residency are required for such membership.²⁴ CY, MT: Unbound FI, LV, PL: None			

²²

Access to these professions is governed by the French law N° 90-1259 of 31 December 1990 which opens the entire range of legal and judicial activities.

²³

Limited liability companies are allowed, subject to certain conditions.

²⁴

When not appearing under the title “advokat” foreign lawyers may freely offer legal advice activities.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		representation in criminal proceedings. Representation in criminal proceedings permitted only to sworn solicitors. Nationality requirement for sworn solicitors and sworn notaries. Sworn solicitors and sworn notaries have to be at least 25 years old, having knowledge of Latvian language, graduated from University of Latvia or from other university recognized as equal by the Faculty of Law, University of Latvia, and having practical experience. Sworn solicitors have to pass examination in accordance with rules set up by Council of Sworn Solicitors. Sworn notaries have to pass examination in accordance with order set up by the Minister of Justice in cooperation with the Council of Sworn Notaries. PL: Nationality requirement SE: An "advokat" (see next column) may not practice his profession neither in cooperation with other persons than other "advokats", nor in the form of a limited liability company (joint stock company)²³. CY, LU, MT: Unbound			<u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, MT, LT, PL, SK, SI: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Accounting services (CPC 86212 other than "auditing services", 86213, 86219)	specific limitations: DE, UK: University degree and professional and qualifications and three years' professional experience in the sector. DE: Unbound for activities reserved to "Rechtsanwalt". 1) All Member States except CY, FR, EL, HU, IT, MT, SI: None CY, FR, EL, HU, IT, MT, SI: Unbound 2) All Member States except MT: None MT: Unbound 3) All Member States except AT, CY, DE, FR, IT, LV, MT, PT, SI: None AT: Foreign accountants' (who must be authorized according to the law of their home country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 per cent; this applies only to non-members of the Austrian Professional Body CY: Access is restricted to natural persons who have obtained authorization from the Minister of Finance. Authorization is subject to economic needs test. The criteria	LV: None. 1) All Member States except AT, FR, EL, IT, MT, SI: None AT: No representation before competent authorities FR, EL, IT, MT, SI: Unbound 2) All Member States except MT: None MT: Unbound 3) All Member States except DK, MT: None DK: Foreign accountants may enter into partnerships with Danish authorized accountants after obtaining permission from the Danish Commerce and Companies Agency. MT: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		used are analogous to those for granting permission for foreign investment (listed in horizontal section), as they apply to this subsector, always taking into consideration the employment situation in the subsector. Professional associations (partnerships) among natural persons is permitted. No body corporate is allowed. DE: Provision through a "GmbH & CoKG" and "EWIV" is prohibited. FR: Provision through a SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. IT: Access is restricted to natural persons. Professional association (no incorporation) among natural persons permitted. LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation MT: Unbound PT: Provision through professional establishment only. SI: Commercial presence should take the form of a juridical person						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		4) <u>ICT and BV</u> All Member States except MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: In addition to the horizontal commitments at the request of a consumer, accountants may temporarily move into the territory of Austria in order to supply a <u>specific</u> service. However, as a rule natural persons supplying accounting services are required to have their professional center (commercial presence) in Austria. DK: Citizenship requirement unless otherwise provided by the Danish Commerce and Companies Agency. FR: Condition of nationality. However non-EC professionals may be permitted to provide services, by a decision of the Minister of Economics, Finance and Budget, in agreement with the Minister of Foreign Affairs. The requirement of residence cannot exceed 5 years. IT: Condition of nationality for "Ragionieri-Periti commerciali". LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired			4) <u>ICT and BV</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market Access column. No representation before competent authorities. DK, IT: Residence requirement. SI: Unbound except as indicated in the Market Access column MT: Unbound FI, LV, PL: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
b)	Auditing services ^{25 26} (CPC 86211 and 86212 other than accounting	licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation SI: Limitations on natural persons employed by juridical persons only MT: Unbound <u>CSS</u> All Member States except AT, DE, LU, NL, UK, SE: Unbound AT, DE, LU, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT, DE, NL, UK, SE: University degree and professional qualifications and three years' experience in the sector. AT: Examination before the Austrian professional body. The employer must be member of the relevant professional body in the home country where such body exists. DE: Unbound for activities reserved by law in the "Wirtschaftsprüfer". 1) All Member States except AT, CZ, EE, LV, LT, PL, SE and SK: Unbound			<u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None 1) All Member States except AT, CY, CZ, EE, HU, LV, LT, PL, SE and SK: Unbound			

²⁵ Explanatory note for Member States of EC-12: Given the fact that commercial presence is required to exercise any auditing activity, the cross-border mode is unbound. Only established statutory auditors can be approved by the national professional bodies. Approval is a necessary pre-condition to exercising the activity.

²⁶ According to Slovene Law, auditing services are a matter of firms, not natural persons

²⁷ Foreign exams and experience giving equivalent competence are recognized.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	services)	AT, CZ, EE, LV, PL, SK: None. LT: None except that auditor's report must be prepared in conjunction with an auditor accredited to practice in Lithuania SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, a.o. in all limited companies. Only such persons may be shareowners or form partnerships in companies which practice qualified auditing (for official purposes). Swedish exam, work experience and residency are required for approval.			AT: No representation before competent authorities; no audits provided for in specific Austrian laws (e.g. joint stock companies law, stock exchange law, banking law, etc.) CY, CZ, EE, HU, LV, PL, SK: None LT: None except that auditor's report must be prepared in conjunction with an auditor accredited to practice in Lithuania SE: Residency and Swedish exam required²⁷			
		2) All Member States except MT: None			2) All Member States except MT: None			
		MT: Unbound			MT: Unbound			
		3) All Member States except AT, BE, CY, CZ, DE, FR, FI, IT, IE, LV, LT, MT, PT, PL, SE, SI, SK: None			3) All Member States except DK, MT, SE: None			
		AT: Foreign auditors' (who must be authorized according to the law of their home country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 per cent; this applies only to non-members of the Austrian Professional Body			DK : Foreign auditors may enter into partnerships with Danish State authorized accountants after obtaining permission from the Danish Commerce and Companies Agency.			
		BE: Provision through a "SA" and "Société en commandite" is prohibited.			MT: Unbound			
		CY: Access is restricted to natural persons who have obtained authorization from the Minister of Finance. Authorization is subject to economic needs test. The criteria used are analogous to those for granting permission for foreign investment (listed in horizontal section),			SE: Residency and Swedish exam required ²⁸			

²⁸ Foreign exams and experience giving equivalent competence are recognized.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		as they apply to this subsector, always taking into consideration the employment situation in the subsector. Professional associations (partnerships) among natural persons is permitted. No body corporate is allowed. CZ: Auditing may be provided by natural or juridical persons registered in the auditors list of the Chamber of Auditors. In case of juridical persons at least 60 per cent of capital share or voting rights are reserved to Czech nationals DE: Provision through a "GmbH & CoKG" and "EWIV" is prohibited. FR: For statutory audits: provision through any company form except SNC, SCS and secondary offices. FI: At least one of the auditors of a Finnish Liability company must be a Finnish citizen resident in Finland IT: For access as "Ragionieri-Periti commerciali" and "Dottori commerciali", access is restricted to natural persons only. Professional association (no incorporation) among natural persons permitted. IE: Provision through partnership only. LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d)						

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	having excellent reputation LT: None, except non less than 75 per cent of shares should belong to auditors or auditing companies. The establishment is allowed through the all kinds of legal forms of companies except Public Stock Corporation (AB). Qualification requirements for auditors in the country of origin of those auditors or auditing companies should be not lower than in Lithuania. MT: Unbound PT: Provision through professional association only. PL: Nationality requirement. Foreign auditors might practice after confirmation of their qualifications. SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, a.o. in all limited companies. Only such persons may be shareowners or form partnerships in companies which practice qualified auditing (for official purposes). Swedish exam, work experience and residency are required for approval. SI: Commercial presence should take the form of a juridical person. The share of foreign persons in auditing companies may not exceed 49 per cent of the equity. Provision through auditing companies only SK: Auditing may be provided by natural or juridical persons registered in the auditors list of the Chamber of Auditors. In case of juridical persons at least 60 per cent of capital share or		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		voting rights are reserved to Slovak nationals 4) <u>ICT and BV</u> All Member States except MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: In addition to the horizontal commitments at the request of a consumer, auditors may temporarily move into the territory of Austria in order to supply a specific service. However, as a rule natural persons supplying auditing services are required to have their professional center (commercial presence) in Austria. DK: Citizenship condition, unless otherwise provided by the Danish Commerce and Companies Agency. ES, EL: Conditions of nationality for statutory auditors. ES: Audit companies: Administrators, directors and partners of companies other than those covered by the 8th EEC directive on company law, must fulfil a nationality condition. FI: At least one of the auditors of a Finnish Liability company must be a Finnish citizen resident in Finland IT: Nationality requirement for "Ragionieri-Periti commerciali". Audit companies: administrators and auditors in "società di revisioni" other than those covered by the 8th EEC directive on company law, must fulfil a nationality condition. LV: The owner of shares or the head of a firm			4) <u>ICT and BV</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market Access column. No representation before competent authorities; no audits provided for in specific Austrian laws (e.g. joint stock companies law, stock exchange law, banking law, etc.) DK: Residence requirement. IT, PT: Residence requirement for individual auditors. SE: Residency and Swedish exam required.²⁹ MT: Unbound FI, LV, PL: None			

²⁹ Foreign exams and experience giving equivalent competence are recognized.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
b) Bookkeeping services	should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialities, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation PL: Nationality requirement. Foreign auditors might practice after confirmation of their qualifications. SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, a.o. in all limited companies. Only such persons may be shareowners or form partnerships in companies which practice qualified auditing (for official purposes). Swedish exam, work experience and residency are required for approval. SI: Limitations on natural persons employed by juridical persons only MT: Unbound <u>CSS</u> All Member States: Unbound				<u>CSS</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section. LV: None. 1) All Member States except AT, FR, FI, EL, IT,			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	(CPC 86220)	IT, MT, SI: None CY, FR, FI, EL, HU, IT, MT, SI: Unbound. 2) All Member States except FI, MT: None FI, MT: Unbound 3) All Member States except AT, CY, FR, FI, IT, LV, MT, SI: None AT: Foreign accountants (who must be authorized according to the law of their home country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 per cent; this applies only to non-members of the Austrian Professional Body CY: Access is restricted to natural persons who have obtained authorization from the Minister of Finance. Authorization is subject to economic needs test. The criteria used are analogous to those for granting permission for foreign investment (listed in horizontal section), as they apply to this subsector, always taking into consideration the employment situation in the subsector. Professional associations (partnerships) among natural persons is permitted. No body corporate is allowed. FR: Provision through a SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. FI, MT: Unbound IT: Access for natural persons only. Professional association (no incorporation) among natural persons permitted. LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in			MT, SI: None AT: No representation before competent authorities FR, FI, EL, IT, MT, SI: Unbound. 2) All Member States except FI, MT: None FI, MT: Unbound. 3) All Member States except FI, MT: None FI, MT: Unbound.			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation SI: Commercial presence should take the form of a juridical person. 4) <u>ICT and BV</u> All Member States except FI, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: in addition to the horizontal commitments at the request of a consumer, accountants may temporarily move into the territory of Austria in order to supply a <u>specific</u> service. However, as a rule natural persons supplying bookkeeping services are required to have their professional center (commercial presence) in Austria. FR: Condition of nationality. However non-EC professionals may be permitted to provide services, by a decision of the Minister of Economics, Finance and Budget, in agreement with the Minister of Foreign Affairs. The requirement of residence cannot exceed 5 years. IT: Condition of nationality for "Ragionieri-Periti commerciali".	4) <u>ICT and BV</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market Access column. No representation before competent authorities. IT: Residence requirement for "Ragionieri-Periti commerciali". PT: Residence requirement. FI, MT: Unbound LV, PL: None	

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments			
c) Taxation Advisory Services (CPC 863: excluding representation in Court/tribunals)	LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation SI: Limitations on natural persons employed by juridical persons only FI, MT: Unbound <u>CSS</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: University degree and professional qualifications and three years' experience in the sector. AT: Examination before the Austrian professional body. The employer must be member of the relevant professional body in the home country where such body exists. 1) All Member States except CY, FR, MT, PL, SI: None CY: Tax agents must be duly authorized by the Minister of Finance. Authorization is	LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and: a) having a high school degree in economics or in other specialties, if an examination on basic economics is passed; b) having at least 3 years experience in auditing recognized by the Latvian Association of Sworn Auditors; c) which have passed qualification examination and acquired licence of sworn auditor in accordance with requirements of Latvian Association of Sworn Auditors; d) having excellent reputation SI: Limitations on natural persons employed by juridical persons only FI, MT: Unbound <u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound 1) All Member States except AT, FR, MT, PL, SI: None AT: No representation before competent				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	subject to an economic needs test FR: Unbound for the drafting of legal documents. MT, PL, SI: Unbound 2) All Member States except MT, PL, SI: None MT, PL, SI: Unbound	authorities FR: Unbound for the drafting of legal documents. MT, PL, SI: Unbound 2) All Member States except MT, PL SI: None MT, PL, SI: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		3) All Member States except AT, CY, CZ, FR, IT, MT, PL, SI, SK: None AT: Foreign tax advisors' (who must be authorized according to the law of their home country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 per cent; this applies only to non-members of the Austrian Professional Body CY: Access is restricted to natural persons who have obtained authorization from the Minister of Finance. Authorization is subject to economic needs test. The criteria used are analogous to those for granting permission for foreign investment (listed in horizontal section), as they apply to this subsector, always taking into consideration the employment situation in the subsector. Professional associations (partnerships) among natural persons is permitted. No body corporate is allowed. CZ, SK: Taxation services may be provided by natural or juridical persons registered in the list of the Chamber of Tax Consultants or in the Chamber of Auditors FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. IT: Access for natural persons only. Professional association (no incorporation) among natural persons permitted. MT, PL, SI: Unbound 4) <u>ICT and BV</u> All Member States except MT, PL, SI: Unbound			3) All Member States except MT, PL, SI: None MT, PL, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	except as indicated in the horizontal section and subject to the following specific limitations: AT: In addition to the horizontal commitments at the request of a consumer, tax advisors may temporarily move into the territory of Austria in order to supply a <u>specific</u> service. However, as a rule natural persons supplying taxation services are required to have their professional center (commercial presence) in Austria. FR: Legal advice activities and drafting of legal documents as a main activity and for the public, are reserved to the members of the regulated legal and judicial professions³⁰. These activities may also be exercised as a secondary activity to the principal activity by members of other regulated professions or by qualified persons. HU: Permanent residency requirement IT: Condition of nationality for "Ragionieri-Periti commerciali". MT, PL, SI: Unbound <u>CSS</u> All Member States except AT, BE, DE, LU, NL, UK, SE: Unbound AT, BE, DE, LU, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT, BE, NL, UK, SE: University degree				Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market access column. No representation before competent authorities IT, PT: Residence requirement MT, PL, SI: Unbound FI, LV: None <u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound			

³⁰ Access to these professions is governed by the French law No. 90-1259 of 31 December 1990 which opens the entire range of legal and judicial activities.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
d)	Architectural Services (CPC 8671)	and professional qualifications and three years' experience in the sector. AT: Examination before the Austrian professional body. The employer must be member of the relevant professional body in the home country where such body exists. DE: Unbound except for consulting services related to foreign tax law, where: university degree and professional qualifications and three years' professional experience in the sector.			1) All Member States except AT, BE, CY, DE, EL, IT, MT, PT, PL: None AT: None for pure planning services; the submission of plans for approval by the competent authorities requires co-operation with an established supplier of planning services BE, CY, EL, IT, MT, PT, PL: Unbound. DE: Application of the national rules on fees and emoluments for all services which are performed from abroad.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		2) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 3) All Member States except CY, CZ, ES, FR, IT, LV, MT, PT, PL, SK: None CY, MT, PL: Unbound CZ: Authorization by the Czech Chamber of Architects is required. Authorization by analogous foreign institutions may be recognized. Natural and juridical persons may provide architectural services only by authorized architects. Condition of nationality and residence is required, however exceptions might be considered ES: Access is restricted to natural persons. FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. IT, PT: Access is restricted to natural persons. Professional associations. (no incorporation) among natural persons permitted. LV: Practice of 3 years in Latvia in the field of projecting and university degree required to receive the licence enabling to engage in business activity with full range of legal responsibility and rights to sign a project SK: Authorization by the Slovak Chamber of Architects is required. Authorization by analogous foreign institutions may be recognized. Natural and juridical persons may provide architectural services only by authorized architects. Condition of nationality and residence is required, however exceptions might be considered			2) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 3) All Member States except CY, EE, MT, PL: None CY, MT, PL: Unbound EE: None except that at least one responsible person (project manager or consultant) must be resident of Estonia			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	4) <u>ICT and BV</u> All Member States except CY, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required EL, PT: Condition of nationality FR: Condition of nationality unless waived by ministerial authorization. HU: Permanent residency requirement CY, MT, PL: Unbound <u>CSS</u> All Member States except DK, ES, EE, LU, NL, UK, SE: Unbound DK, ES, EE, LU, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK, NL, UK, SE: University degree and professional qualifications and three years' professional experience in the sector. ES: Academic and professional qualifications recognized by the national authorities and licence delivered by the Professional Association. Unbound for CPC 86713, 86714, 86719. EE: Must be providing services as a professional (university degree and	4) <u>ICT and BV</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market Access column. BE, DE, FR: Use by third country qualified professionals of the professional title is only possible on the basis of mutual recognition agreements or for BE, with special authorization by Royal Decree. IT: Residence requirement CY, MT, PL: Unbound FI, LV: None <u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Engineering services (CPC 8672)	professional qualifications required) with at least five years experience in a related field. 1) All Member States except CY, EL, IT, MT, PT: None CY, EL, IT, MT, PT: Unbound. 2) All Member States: None 3) All Member States except ES, IT: None ES: Access is restricted to natural persons. IT: Access is restricted to natural persons. Professional association (no incorporation) among natural persons permitted. 4) <u>ICT and BV</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required EL: Condition of nationality HU: Permanent residency requirement	1) All Member States except AT, CY, EL, IT, MT, PT, SI: None AT, SI: Unbound except for pure planning services. Pure planning services : None CY, EL, IT, MT, PT: Unbound 2) All Member States: None 3) All Member States except EE: None EE: None except that at least one responsible person (project manager or consultant) must be resident of Estonia	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	CY, MT: Unbound <u>CSS</u> All Member States except BE, DK, ES, EE, NL, UK, SE: Unbound BE, DK, ES, EE, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: BE, DK, NL, UK, SE: University degree and professional qualifications and three years' professional experience in the sector. ES: Academic and professional qualifications recognized by the national authorities and licence delivered by the Professional Association. EE: Must be providing services as a professional (university degree and professional qualifications required) with at least five years experience in a related field. UK: Compliance with ENT is required.			4) <u>ICT and BV</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the market access column IT, PT: Residency requirements CY, MT: Unbound FI, LV, PL: None <u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
f) Integrated Engineering Services (CPC 8673)	1) All Member States except CY, EL, IT, MT, PT, PL: None CY, EL, IT, MT, PT, PL: Unbound. 2) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 3) All Member States except CY, CZ, ES, IT, MT, PT, PL: None CY, CZ, MT, PL: Unbound ES: Access is restricted to natural persons. IT, PT: Access is restricted to natural persons. Professional association (no incorporation) among natural persons permitted. 4) <u>ICT and BV</u> All Member States except CY, CZ, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required EL: Condition of nationality CY, CZ, MT, PL, SK: Unbound <u>CSS</u> All Member States except BE, DK, ES, EE, NL,	1) All Member States except AT, CY, EL, IT, MT, PT, PL, SI: None AT, SI: Unbound except for pure planning services. Pure planning services : None CY, EL, IT, MT, PT, PL: Unbound. 2) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 3) All Member States except CY, CZ, EE, MT, PL: None CY, CZ, MT, PL: Unbound EE: None except that at least one responsible person (project manager or consultant) must be resident of Estonia 4) <u>ICT and BV</u> All Member States except CY, CZ, FI, LV, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the Market Access column. IT, PT: Residency requirements CY, CZ, MT, PL, SK: Unbound FI, LV: None <u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in	

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments		
	UK, SE: Unbound BE, DK, ES, EE, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: BE, DK, NL, UK, SE: University degree and professional qualifications and three years' professional experience in the sector. ES: Academic and professional qualifications recognized by the national authorities and licence delivered by the Professional Association. EE: Must be providing services as a professional (university degree and professional qualifications required) with at least five years experience in a related field.	the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound			
g) Urban Planning and Landscape Architectural Services (CPC 8674)	1) All Member States except BE, CY, EL, HU, IT, MT, PT, PL SI: None BE, CY, EL, IT, MT, PT, PL, SI: Unbound. HU: Unbound for Landscape Architectural Services 2) All Member States except CY, MT, PL, SI: None CY, MT, PL, SI: Unbound	1) All Member States except AT, BE, CY, DE, EL, HU, IT, MT, PT, PL, SI: None AT: Unbound except for pure planning services. Pure planning services : None BE, CY, EL, IT, MT, PT, PL, SI: Unbound. DE: Application of the national rules on fees and emoluments for all services which are performed from abroad. HU: Unbound for Landscape Architectural Services 2) All Member States except CY, , MT, PL, SI: None CY, MT, PL, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		3) All Member States except HU, IT, LV, PT: None HU: Unbound for Landscape Architectural Services IT, PT: Access is restricted to natural persons. Professional association (no incorporation) among natural persons permitted. LV: None for Urban Planning Services. For Landscape Architectural Services, practice of 3 years in Latvia in the field of projecting and university degree required to receive the licence enabling to engage in business activity with full range of legal responsibility and rights to sign a project			3) All Member States except EE, HU: None EE: None except that at least one responsible person (project manager or consultant) must be resident of Estonia HU: Unbound for Landscape Architectural Services			
		4) <u>ICT and BV</u> All Member States except CY, MT, PL, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required EL, PT: Condition of nationality. HU: Permanent residency requirement for Urban Planning Services. HU: Unbound for Landscape Architectural Services CY, MT, PL, SI: Unbound			4) <u>ICT and BV</u> All Member States except CY, FI, LV, MT, PL, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound except as indicated in the market access column BE, DE: Use by third country qualified professionals of the professional title is only possible on the basis of mutual recognition agreements or, for BE, with special authorization by Royal Decree. HU: Unbound for Landscape Architectural Services IT: Residence requirement. CY, MT, PL, SI: Unbound FI, LV: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		<u>CSS</u> All Member States except DK, ES, EE, LU, NL, UK, SE: Unbound DK, ES, EE, LU, NL, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK, NL, UK, SE: University degree and professional qualifications and three years' professional experience in the sector. ES: Academic and professional qualifications recognized by the national authorities and licence delivered by the Professional Association. Unbound for CPC 86713, 86714, 86719. EE: Must be providing services as a professional (university degree and professional qualifications required) with at least five years experience in a related field.	<u>CSS</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV: None CY, CZ, HU, LT, MT, PL, SK, SI: Unbound					
h)	Medical ³¹ , Dental and Midwives Services (CPC 9312, part of CPC 93191)	1) All Member States except CZ, HU, LV, LT, PL, SE, SI: Unbound CZ, HU, LV, LT, SI: Unbound for Midwives Services PL, SE: None 2) All Member States except CY, CZ, EE, FI, HU, MT, SI, SK: None CY, FI, MT: Unbound.			1) All Member States except CZ, HU, LV, LT, PL, SE, SI: Unbound CZ, HU, LV, LT, SI: Unbound for Midwives Services PL, SE: None 2) All Member States except CY, CZ, EE, FI, HU, MT, SI, SK: None			

³¹ For SI, the following activities are excluded: social medicine, sanitary, epidemiological, medical/ecological services; the supply of blood, blood preparations and transplants; autopsy

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		CZ, EE, HU, SI, SK: Unbound for Midwives Services 3) All Member States except AT, CY, CZ, DE, ES, EE, FR, FI, HU, IT, IE, LV, LT, MT, PT, PL, SE, SI, SK, UK: None AT: Unbound for medical and dental services other than psychologists and psychotherapists; for midwives: access restricted to natural persons only. CY, EE, FI, MT: Unbound CZ, SK: Access to medical and dental services is restricted to natural persons only. Authorization by the Ministry of Health required for foreign natural persons. Unbound for Midwives Services. DE: Access restricted to natural persons only. Economic needs test for medical doctors and dentists who are authorized to treat members of public insurance schemes. The criterion is shortage of doctors and dentists in the given region. ES: Access restricted to natural persons only. FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. HU: Unbound for Midwives Services IT, PT: Access is restricted to natural persons only. Professional association (no incorporation) among natural persons permitted.			CY, FI, MT: Unbound CZ, EE, HU, SI, SK: Unbound for Midwives Services 3) All Member States except AT, CY, CZ, EE, FI, HU, LT, MT, SE, SI, SK: None AT: Unbound for medical and dental services other than psychologists and psychotherapists CY, FI, MT: Unbound CZ, HU, SI, SK: Unbound for Midwives Services EE: Unbound for Midwives Services. For Medical and Dental Services, unbound except any professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad LT: Must communicate in Lithuanian language (refers to persons employed by a company) SE: Foreign exams giving equivalent competence are recognized after a compulsory complementary training			

³² Establishment in the form of legal persons is subject to authorization by Ministry of Health. Entry into public Health Network is subject to a concession from the Institute of Health Insurance of the Republic of Slovenia.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		IE: Access through partnership or natural persons only. LV: None for midwives services. For medical and dental services, nationality requirement. Practice of medical profession by foreigners requires the permission from local health authority, based on economic needs for medical doctors and dentists in a given region LT: For medical and dental services None, except supply of service is subject to authorization which is based on a health services plan established in function of needs, taking into account the population and already existing medical and dental services. For midwives services, access limited to sole proprietorship only and economic needs test may be applied PL: Nationality requirement. Practice of medical profession by foreigners requires the permission except for midwives. SE: Needs test applied to decide the number of private practices to be subsidised through the social security system. SI: Membership of Doctors Association required. Conditions for acceptance into Doctors Association for doctors who are not Slovenian nationals is licence to practice in an another Member and have a good command of the Slovenian language³². Unbound for Midwives services UK: Establishment for doctors under the National Health Service is subject to medical manpower planning.						

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	4) <u>ICT and BV</u> All Member States except CY, FI, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound for medical and dental services other than psychologists and psychotherapists; for midwives where natural persons may establish a professional practice in Austria provided that the person concerned has practised the profession in question at least three years preceding the setting up of the professional practice in Austria CZ, EE, HU, SI, SK: Unbound for Midwives Services DE: Condition of nationality for doctors and dentists which can be waived on an exceptional basis in cases of public health interest. A zero quota for midwives. DK: Limited authorization to fulfil a specific function can be given for maximum 18 months. FR: Condition of nationality. However, access is possible within annually established quotas. EL, PT: Condition of nationality. LV: For medical and dental services, nationality requirement. Practice of medical profession by foreigners requires the permission from local health authority, based on economic needs for medical doctors and dentists in a given region. For midwives services, nationality requirement. Access restricted to natural persons only. Economic needs determined	4) <u>ICT and BV</u> All Member States except CY, FI, LV, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Unbound for medical and dental services other than psychologists and psychotherapists. CZ, SK: Condition of residence for medical and dental services. Unbound for midwives services DK: Residence requirement in order to obtain necessary individual authorization from the National Board of Health. EE, HU, SI: Unbound for Midwives Services IT: Residence requirement. LT: Foreigners must pass additional exam qualification PL: Foreign medical doctors have limited election rights within the professional chambers SE: Foreign exams giving equivalent competence are recognized after a compulsory complementary training CY, FI, MT: Unbound LV: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector			Limitations on Market Access		Limitations on National Treatment		Additional Commitments
i)	Veterinary services (CPC 932)			by the total number of midwives in the given region, authorized by local health authorities PL: Nationality requirement. Practice of medical profession by foreigners requires the permission except for midwives. CY, FI, MT: Unbound <u>CSS</u> All Member States: Unbound	<u>CSS</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section. Unbound for Midwives services. LV: None	1) All Member States except FI, LT, PL, SE: Unbound FI, LT, PL, SE: None. 2) All Member States except CY, EE, HU, MT, SI: None CY, EE, HU, MT, SI: Unbound		
				1) All Member States except FI, LT, PL, SE: Unbound FI, LT, PL, SE: None. 2) All Member States except CY, EE, HU, MT, SI: None CY, EE, HU, MT, SI: Unbound	1) All Member States except FI, LT, PL, SE: Unbound FI, LT, PL, SE: None. 2) All Member States except CY, EE, HU, MT, SI: None CY, EE, HU, MT, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		3) All Member States except AT, CY, CZ, DE, DK, ES, EE, FR, HU, IE, IT, MT, PT, PL, SE, SI, SK, UK: None AT, CY, EE, HU, MT, SI: Unbound. CZ, SK: Access is restricted to natural persons only. Authorization by veterinary administration is required DE, DK, ES, PT: Access restricted to natural persons. FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only. IT: Access restricted to natural persons. Professional associations (no incorporation) among natural persons permitted. IE, UK: Access through partnership or natural persons only. PL: Nationality requirement. Foreign persons may apply for permission to practice SE: Needs test applied to decide the number of private practices to be subsidized through the social security system. 4) <u>ICT and BV</u> All Member States except AT, CY, EE, HU, MT, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: CZ, DE, FR, EL, PT, SK: Condition of nationality. PL: Nationality requirement. Foreign persons may apply for permission to			3) All Member States except AT, CY, EE, HU, MT, SE, SI: None AT, CY, EE, HU, MT, SI: Unbound. SE: Foreign exams giving equivalent competence are recognized after a compulsory complementary training and examinations 4) <u>ICT and BV</u> All Member States except AT, CY, EE, FI, HU, LV, MT, PL, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: CZ, IT, SK: Residence requirement. LT: Foreigners must pass additional qualification exam SE: Foreign exams giving equivalent			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments		
	practice AT, CY, EE, HU, MT, SI: Unbound. <u>CSS</u> All Member States: Unbound			competence are recognized after a compulsory complementary training and examinations. AT, CY, EE, HU, MT, SI: Unbound. FI, LV, PL: None <u>CSS</u> All Member States except LV: Unbound LV: None				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
j) Services provided by Nurses, Physiotherapists and Paramedical Personnel (All Member States except AT, FI, LV, PL and SE: part of CPC 93191. AT: following activities of CPC 9319 are covered: nurses, physiotherapists, occupational therapists, logotherapists, dieticians and nutritionists. FI, LV and PL: only services provided by nurses – part of CPC 93191; SE: Part of CPC 9319)	1) All Member States except FI, PL, SE: Unbound FI, PL, SE: None 2) All Member States except CY, CZ, EE, HU, MT, SI, SK: None CY, CZ, EE, HU, MT, SI, SK: Unbound 3) All Member States except AT, CY, CZ, ES, EE, FR, HU, IT, LT, MT, PT, PL, SE, SI, SK: None AT: Access restricted to natural persons only. CY, CZ, EE, HU, MT, SI, SK: Unbound ES, PT: Nurses - access restricted to natural persons. FR: Provision through a SEL (anonyme, à responsabilité limitée, ou en commandite par actions) or SCP only. IT: Nurses - access restricted to natural persons. Professional associations (no incorporation) among natural persons permitted. LT: Access limited to sole proprietorship only. Economic needs test may be applied PL: Nationality requirement SE: Needs test applied to decide the number of private practices to be subsidised through the social security system. 4) <u>ICT and BV</u> All Member States except CY, CZ, EE, HU, MT, SI, SK: Unbound except as indicated in the horizontal section and subject to the following	1) All Member States except FI, PL, SE: Unbound FI, PL, SE: None 2) All Member States except CY, CZ, EE, HU, MT, SI, SK: None CY, CZ, EE, HU, MT, SI, SK: Unbound 3) All Member States except CY, CZ, EE, HU, LT, MT, SE, SI, SK: None CY, CZ, EE, HU, MT, SI, SK: Unbound LT: None except as under market access SE: Foreign exams giving equivalent competence are recognized after a compulsory complementary training 4) <u>ICT and BV</u> All Member States except CY, CZ, EE, FI, HU, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific	

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments	
Supply of pharmaceutical goods to the general public (pharmacists)		specific limitations:			limitations:				
		AT: Natural persons may establish a professional practice in Austria provided that the person concerned has practised the profession in question at least three years preceding the setting up of the professional practice in Austria. DK: Limited authorization to fulfil a specific function can be given for maximum 18 months. EL, PT, PL: Condition of nationality. IT: Subject to economic needs test: decision is subject to regional vacancies and shortages. LV: Nationality requirement. Access restricted to natural persons only. Economic needs determined by the total number of nurses in the given region, authorized by local health authorities CY, CZ, EE, HU, MT, SI, SK: Unbound			AT: Unbound except as indicated in the Market Access column. DK: Residence requirement in order to obtain necessary individual authorization from the National Board of Health. LV: Nationality requirements. Access restricted to natural persons only. Economic needs determined by the total number of nurses in the given region, authorized by local health authorities. SE: Foreign exams giving equivalent competence are recognized after a compulsory complementary training CY, CZ, EE, HU, MT, SI, SK: Unbound FI, PL: None				
		<u>CSS</u> All Member States: Unbound 1) All Member States: Unbound 2) All Member States except AT,CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: None AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE,			<u>CSS</u> All Member States except LV: Unbound LV: None 1) All Member States: Unbound 2) All Member States except AT,CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: None AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE,				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		SI, SK: Unbound 3)³³AT, CY, CZ, EE, FI, HU, LT ,LV, MT, PL, SE, SI, SK: Unbound BE, DK, ES, FR, EL, IT, LU, PT: Monopoly for pharmacists of supply of pharmaceuticals to the general public. BE, DK, IE, PT: Economic needs test. DE, DK, ES, EL, LU, NL, PT: Access restricted to natural persons only. DE: Establishment of new pharmacies is restricted and only possible through the take-over of an existing pharmacy-store ES, IT: Establishment of new pharmacies is subject to an economic needs test. FR: Pharmacies are authorized according to the needs of the population and within established quotas. Access through a SEL (anonyme, à responsabilité limitée ou en commandite par actions) SNC and SARL only. IT: Access restricted to natural persons. Professional association (no incorporation) among natural persons permitted. UK: None 4) <u>ICT and BV</u> All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: : Unbound except as indicated in the horizontal section and subject to the following specific limitations:			SI, SK: Unbound 3) All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: None AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: Unbound 4) <u>ICT and BV</u> All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK.: Unbound except as indicated in the horizontal section and subject to the following specific limitations:			

³³ Where the establishment of pharmacies is subject to an economic needs test, the main criteria taken into account are: the population, the number of existing pharmacies and their geographical density.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
k)	Other	FR: Condition of nationality. However, within established quotas, access for third country nationals is possible provided the service provider holds the French degree in pharmacy. DE, DK, EL: Condition of nationality. AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: Unbound <u>CSS</u> All Member States: Unbound			IT, DE, DK, PT: Residence requirement. AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: Unbound <u>CSS</u> All Member States: Unbound			
	Related Scientific and Technical Consulting Services ³⁴ (CPC 8675)	1) All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI, SE: Unbound for exploration services. AT, CZ, EE FI, HU, LV, LT, SK, SE: None CY, MT, PL, SI: Unbound 2) All Member States except CY, MT, PL, SI: None CY, MT, PL, SI: Unbound 3) All Member States except CY, ES, FR, IT, MT, PT, PL, SI: None: ES: Access to profession of surveyors and geologists through natural persons only.			1) All Member States except AT, CZ, CY, EE, FI, HU, LV, LT, MT, PL, SK, SI, SE: Unbound for exploration services. DE: Application of the national rules on fees and emoluments for all surveying services which are performed from abroad. AT, CZ, EE FI, HU, LV, LT, SK, SE: None CY, MT, PL, SI: Unbound 2) All Member States except CY, MT, PL, SI: None CY, MT, PL, SI: Unbound 3) All Member States except CY, EE, FR, MT, PL, SI: None EE: None except that at least one responsible person (project manager or consultant) must be resident of Estonia			

³⁴ All Member States except AT, CZ, EE, FI, HU, LT, LV, SE and SK: the service involved excludes related scientific and technical consulting services on operation of mines, etc.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		FR: "Surveying": Access through a SEL (anonyme, à responsabilité limitée ou en commandite par actions), SCP, SA and SARL only. IT: For certain exploration services activities related to mining (minerals, oil, gas, etc.), exclusive rights may exist. IT: Access to profession of surveyors and geologists through natural persons only. Professional association (no incorporation) among natural persons permitted. PT: Access restricted to natural persons. CY, MT, PL, SI: Unbound 4) <u>ICT and BV</u>: All Member States except CY, MT, PL, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required. DE: Conditions of nationality for publicly appointed surveyors. FR: "Surveying" - operations relating to the establishment of property rights and to land law are reserved for EC "experts-géomètres". CY, MT, PL, SI: Unbound <u>CSS</u>: All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section and subject to the			FR: "Exploration and prospection services" subject to authorization. CY, MT, PL, SI: Unbound 4) <u>ICT and BV</u>: All Member States except CY, FI, MT, LV, PL, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, PT: Residence requirement. CY, MT, PL, SI: Unbound FI, LV: None <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		following limitations: EE: Must be providing services as a professional (university degree and professional qualifications required) with at least five years experience in a related field..			horizontal section LV: None			
B.	<u>Computer and Related Services</u> ³⁵							
a)	Consultancy Services related to the Installation of Computer Hardware (CPC 841)	1),2),3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV</u> : All Member States except MT: Unbound except as indicated in the horizontal section MT: Unbound <u>CSS</u> : All Member States except BE, DK, EL, IT, LU, NL, SE: Unbound BE, DK, EL, IT, LU, NL, SE: Unbound except			1),2), 3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV</u> : All Member States except , FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None MT: Unbound <u>CSS</u> : All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section			

³⁵ In many cases, computer and related services enable the provision of other services* by both electronic and other means. However, in such cases, there is an important distinction between the computer and related service (e.g., web-hosting or application hosting) and the other service* enabled by the computer and related service. The other service, regardless of whether it is enabled by a computer and related service, is not covered by CPC 84.

* e.g. W/120.1.A.b. Accounting, auditing and bookkeeping services, W/120.1.A.d. Architectural services, W/120.1.A.h. Medical and dental services, W/120.2.D. Audiovisual services, W/120.5. Educational services.

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Software Implementation Services (CPC 842)	as indicated in the horizontal section and subject to the following specific limitations: IT, NL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. BE, DK, IT, NL, SE: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. IT: Compliance with an economic needs test is required. EL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts where: university degree and five years' professional experience in the sector. 1), 2), 3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV:</u> All Member States except MT: Unbound except as indicated in the horizontal section MT: Unbound	CY, CZ, HU, LT, MT, PL, SI, SK: Unbound LV: None 1), 2), 3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV:</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None MT: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		<u>CSS:</u> All Member States except BE, DK, EL, IT, LU, NL, SE: Unbound BE, DK, EL, IT, LU, NL, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, NL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. BE, DK, IT, NL, SE: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. IT: Compliance with an economic needs test is required. EL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts where: university degree and five years' professional experience in the sector.			<u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SI, SK: Unbound LV: None			
c)	Data Processing Services (CPC 843) ³⁶	1),2), 3) All Member States except LV, MT, SK: None MT: Unbound LV: For modes 1 and 2 and with regard to on-			1),2), 3) All Member States except MT: None MT: Unbound			

³⁶ This heading also covers the commitments undertaken by CZ, EE, LV, LT and SK under CPC 843 in Telecommunication (sub-item (n) on-line information and/or data processing (including transaction processing)).

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		line information and/or data processing (including transaction processing): None except for: the provision of enhanced services must be based on facilities provided by Lattelekom until 1 January 2003. SK: For mode 3 and with regard to on-line information and/or data processing (including transaction processing): license is required 4) <u>ICT and BV:</u> All Member States except MT: Unbound except as indicated in the horizontal section MT: Unbound <u>CSS:</u> All Member States except BE, DK, EL, IT, LU, NL, SE: Unbound BE, DK, EL, IT, LU, NL, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, NL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. BE, DK, IT, NL, SE: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. IT: Compliance with an economic needs test is required.			4) <u>ICT and BV:</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None MT: Unbound <u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SI, SK: Unbound LV: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments		
d) Data Base Services (CPC 844)	EL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts where: university degree and five years' professional experience in the sector. 1),2), 3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV:</u> All Member States except MT: Unbound except as indicated in the horizontal section MT: Unbound <u>CSS:</u> All Member States except for BE, DK, EL, IT, LU, NL, SE: Unbound BE, DK, EL, IT, LU, NL, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, NL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional experience in the sector. BE, DK, IT, NL, SE: Unbound, except for computer scientists, systems analysts, programmers, software document analysts and field engineers where: university degree and three years' professional			1),2), 3) All Member States except MT: None MT: Unbound 4) <u>ICT and BV:</u> All Member States except FL, LV, MT, PL: Unbound except as indicated in the horizontal section FL, LV, PL: None MT: Unbound <u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SI, SK: Unbound LV: None				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Maintenance and Repair (CPC 845)	experience in the sector. IT: Compliance with an economic needs test is required. EL: Unbound, except for computer scientists, systems analysts, programmers, software document analysts where: university degree and five years' professional experience in the sector. 1),2), 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, HU, MT, PL: Unbound except as indicated in the horizontal section. CY, HU, MT, PL: Unbound <u>CSS</u> All Member States except SE: Unbound SE: Unbound except as indicated in the horizontal section and subject to the following limitation: university degree and three years' professional experience in the sector.	1),2), 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, HU, LV, MT, PL: Unbound except as indicated in the horizontal section CY, HU, MT, PL: Unbound FI, LV: None <u>CSS</u> All Member States except EE, LV, SE: Unbound EE, SE: Unbound except as indicated in the horizontal section LV: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
e)	Other Computer Services (All Member States except AT: CPC 849 AT: CPC 8491only)	1),2), 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV</u> : All Member States except CY, HU, MT, PL: Unbound except as indicated in the horizontal section. CY, HU, MT, PL: Unbound <u>CSS</u> All Member States except SE: Unbound SE: Unbound except as indicated in the horizontal section and subject to the following limitation: university degree and three years' professional experience in the sector.			1),2), 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV</u> : Member States other than CY, FI, HU, LV, MT, PL: Unbound except as indicated in the horizontal section CY, HU, MT, PL: Unbound FI, LV: None <u>CSS</u> All Member States except EE, LV, SE: Unbound EE, SE:Unbound except as indicated in the horizontal section LV: None			
C.	<u>Research and Development Services</u>							
a)	R&D services on natural sciences (All Member States except LV: CPC 851)	1) 2) 3) All Member States except AT, EE, HU, LV, SI: Unbound AT, EE, HU, LV, SI: None. 4) <u>ICT and BV</u> : All Member States except AT, EE, HU, LV, SI: Unbound			1) 2) 3) All Member States except AT, EE, HU, LV, SI: Unbound AT, EE, HU, LV, SI: None. 4) <u>ICT and BV</u> : All Member States except AT, EE, HU, LV, SI: Unbound			
LV	Research and experimental development services on chemistry and biology (CPC 85102)	AT, EE, HU, LV, SI: Unbound except as indicated in the horizontal section			AT, EE, HU, SI: Unbound except as indicated in the horizontal section			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		<u>CSS</u>: All Member States: Unbound except for FR where: concerning the temporary entry of researchers as indicated in the horizontal section and subject to the following specific limitations: FR: The researchers are in possession of an employment contract from a research body. - The work permit is delivered for a period not exceeding nine months renewable for the duration of the contract. - Compliance with an economic needs test is required. - The research body must pay a tax to the International Migration Office. <u>Other</u>: All Member States except HU: Unbound HU: Personalities of internationally recognised reputation who have been invited by scientific research institutes for the duration of the invitation.			LV: None <u>CSS</u>: All Member States except CY, CZ, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None <u>Other</u>: All Member States except HU: Unbound HU: Unbound except for measures concerning the category of natural persons referred to in the Market Access column.			

Modes of supply:				
(1)	(2)	(3)	(4)	
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Presence of natural persons
b) R & D Services on Social Sciences and Humanities (CPC 852)	1) All Member States except MT, PL: None MT, PL: Unbound 2) All Member States except MT, PL: None MT, PL: Unbound 3) All Member States except IT, MT, PT, PL: None None IT: Access to the profession of psychologist is restricted to natural persons only. Professional association (no incorporation) among natural persons is permitted. PT: Access to the profession of psychologist is restricted to natural persons only. MT, PL: Unbound 4) <u>ICT and BV</u> All Member States except MT, PL: Unbound except as indicated in the horizontal section MT, PL: Unbound <u>CSS</u> All Member States: Unbound except for FR and LU where: concerning the temporary entry of researchers as indicated in the horizontal section and subject to the following specific limitations: FR: The researchers are in possession of an employment contract from a research	1) All Member States except MT, PL: None MT, PL: Unbound 2) All Member States except MT, PL: None MT, PL: Unbound 3) All Member States except MT, PL: None MT, PL: Unbound 4) <u>ICT and BV</u> All Member States except FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, PT: Residence requirement for psychologists. FI, LV: None MT, PL: Unbound <u>CSS</u> All Member States except CY, CZ, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None		

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments	
c) Interdisciplinary R & D services (CPC 853)	body. - The work permit is delivered for a period not exceeding nine months renewable for the duration of the contract. - Compliance with an economic needs test is required. - The research body must pay a tax to the International Migration Office. <u>Other:</u> All Member States except HU: Unbound HU: Personalities of internationally recognised reputation who have been invited by scientific research institutes for the duration of the invitation. 1) 2) 3) All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: None. 4) <u>ICT and BV</u> All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound except for FR where: concerning the temporary entry of researchers: as indicated in the horizontal section and subject to the following specific limitations: FR: The researchers are in possession of an employment contract from a research body.		<u>Other:</u> All Member States except HU: Unbound HU: Unbound except for measures concerning the category of natural persons referred to in the Market Access column. 1) 2) 3) All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: None. 4) <u>ICT and BV</u> All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States except CY, CZ, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LV, LT, MT, PL, SK, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		- The work permit is delivered for a period not exceeding nine months renewable for the duration of the contract. - Compliance with an economic needs test is required. - The research body must pay a tax to the International Migration Office. <u>Other:</u> All Member States except HU: Unbound HU: Personalities of internationally recognised reputation who have been invited by scientific research institutes for the duration of the invitation..			<u>Other:</u> All Member States except HU: Unbound HU: Unbound except for measures concerning the category of natural persons referred to in the Market Access column.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
D.	<u>Real Estate Services</u> ³⁷							
a)	Involving Own or Leased Property (All Member States except SE: CPC 821. SE: CPC 82101, 82102)	1) All Member States except CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: Unbound. 2) All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 3) All Member States except CY, CZ, ES, EE, FI, HU, LV, LT, MT, PL, SK, SI: None ES: Access through natural persons, partnership or "sociedad en comandita" only. FI: Chairman, members of the board and Managing Director have to be Finnish citizen. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: ES, EL: Condition of nationality. AT: commercial presence required CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound			1) All Member States except CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: Unbound. 2) All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 3) All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitation: FR, IT, PT: Residence requirement. FI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound			

³⁷ The Service involved relates to the profession of real estate agents and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.
SE: not including acquisition or rental of land and real estate.

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) On a Fee or Contract Basis (e.g. Property Evaluation, Estate Management, etc.) (All Member States except SE: CPC 822. SE: CPC 82201, 82202)	<u>CSS</u> All Member States: Unbound 1) All Member States except CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: None IE, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound. 2) All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 3) All Member States except CY, CZ, ES, EE, FI, HU, LV, LT, MT, PL, SK, SI: None ES: Access is restricted to natural persons. FI: Chairman, Members of the Board and Managing Director have to be Finnish citizens. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound	<u>CSS</u> All Member States: Unbound 1) All Member States except CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: None IE, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound. 2) All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound 3) All Member States except CY, CZ, DK, EE, HU, LV, LT, MT, PL, SK, SI: None DK: Authorisation for authorised estate agent may limit the scope of activity. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	4) <u>ICT and BV:</u> All Member States except CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required DK: Authorised estate agent: Citizenship requirement unless waived by the Danish Commerce and Companies Agency. Unauthorised estate agent: Citizenship requirement unless waived by the Danish Commerce and Companies Agency. EL: Condition of nationality. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound <u>CSS</u> All Member States: Unbound				4) <u>ICT and BV:</u> All Member States except CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitation: DK: Authorised and unauthorised estate agent: Residence requirement unless waived by the Danish Commerce and Companies Agency. FR, IT, PT: Residence requirement. FI: None CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: Unbound <u>CSS</u> All Member States: Unbound			
E. <u>Rental/Leasing Services without Operators</u>³⁸ a) Relating to ships (CPC 83103)	1) All Member States except CY, DE, FR, HU, MT, PL: None FR: Chartering of all ships is subject to prior notification. CY, DE, HU, MT, PL: Unbound. 2) All Member States except CY, DE, FR, MT, PL: None FR: Chartering of all ships is subject to prior notification. CY, DE, MT, PL: Unbound.				1) All Member States except CY, DE, MT, PL: None CY, DE, MT, PL: Unbound. 2) All Member States except CY, DE, MT, PL: None CY, DE, MT, PL: Unbound. 3) All Member States except CY, CZ, MT, PL, SK: None			

³⁸ SE: except the use of leased vehicles and carriers for land or air transportation service operations.

Modes of supply:	(1)	(2)	(3)	(4)	Presence of natural persons
Sector or Sub-sector	Cross-border	Consumption abroad	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Relating to Aircraft (CPC 83104)		3) All Member States except CY, CZ, FR, MT, LT, PL, SE, SK: None FR: Chartering of all ships is subject to prior notification. LT: Ships must be owned by Lithuanian natural persons or companies established in Lithuania. SE: To fly the Swedish flag proof of dominating Swedish operating influence must be shown in case of foreign ownership interests in ships. CY, CZ, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, MT, PL,: Unbound except as indicated in the horizontal section: CY, MT, PL: Unbound <u>CSS</u>: All Member States: Unbound	CY, CZ, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section CY, MT, PL: Unbound FI, LV: None <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
c) Relating to Other Transport Equipment (All Member States except CZ, SK, SI: CPC 83101, 83102, 83105 CZ, SK: CPC 83101, 83102; SI: CPC 83102, 83105)	term lease contracts or under exceptional circumstances. CY, CZ, LV, MT, PL, SK: Unbound 3) All Member States except CY, CZ, LV, MT, PL, SK: To be registered in the aircraft register of these Member States, the aircraft must be owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific requirements regarding ownership of capital and control (including nationality of directors). CY, CZ, LV, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, LV, MT, PL Unbound except as indicated in the horizontal section. CY, CZ, LV, MT, PL, SK: Unbound <u>CSS</u>: All Member States: Unbound 1) All Member States except CY, HU, LV, MT, PL, SI: None CY, HU, LV, MT, PL, SI: Unbound 2) All Member States except CY, LV, MT, PL: None CY, LV, MT, PL: Unbound 3) All Member States except CY, CZ, LV, LT, MT, SI: CPC 83102, 83105)				3) All Member States except CY, CZ, LV, MT, PL, SK: None CY, CZ, LV, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, LV, MT, PL, SK: Unbound except as indicated in the horizontal section FI: None CY, CZ, LV, MT, PL, SK: Unbound <u>CSS</u>: All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section 1) All Member States except CY, LV, MT, PL: None CY, LV, MT, PL: Unbound 2) All Member States except CY, LV, MT, PL: None CY, LV, MT, PL: Unbound 3) All Member States except CY, CZ, LV, LT, MT, SI: CPC 83102, 83105)			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
d)	Relating to Other Machinery and Equipment(CPC 83106, 83107, 83108, 83109)	MT, PL, SK: None CY, CZ, LV, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, LV, MT, PL: Unbound except as indicated in the horizontal section CY, LV, MT, PL: Unbound <u>CSS</u>: All Member States: Unbound 1) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 2) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 3) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, MT, PL, SK: Unbound except as indicated in the horizontal section CY, CZ, MT, PL, SK: Unbound <u>CSS</u>: All Member States: Unbound			PL, SK: None CY, CZ, LV, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI: None CY, LV, MT, PL: Unbound <u>CSS</u>: All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section 1) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 2) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 3) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, LV, MT, PL, SK: Unbound except as indicated in the horizontal section FI, LV: None CY, CZ, MT, PL, SK: Unbound <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Other (CPC 832) EE, LV, LT: Including pre-recorded video-cassettes for use in home entertainment equipment (CPC 83202) Rental Services with Operators Rental of Vessels with Crew (All Member States except FI, LT: CPC 7213 and 7223. FI: only CPC 7213, LT: only CPC 7223)	1) All Member States except EE, LV, LT: Unbound EE, LT, LV: None 2) All Member States except EE, HU, LV, LT: Unbound EE, HU, LV, LT: None 3) All Member States except EE, HU, LV, LT: Unbound EE, HU, LV, LT: None 4) <u>ICT and BV</u>: All Member States except for EE, HU, LV, LT: Unbound EE, HU, LV, LT: Unbound except as indicated in the horizontal section <u>CSS</u>: All Member States: Unbound 1) All Member States except AT, CY, CZ, DE, EE, FR, HU, LT, LV, MT, PL, SE, SI, SK: None FR: Chartering of all ships is subject to prior notification. AT, CY, CZ, DE, EE, HU, LT, MT, PL, SE, SI, SK: Unbound. LV: Unbound for CPC 7223	horizontal section LV: None 1) All Member States except EE, HU, LV, LT: Unbound EE, HU, LV, LT: None 2) All Member States except EE, HU, LV, LT: Unbound EE, HU, LV, LT: None 3) All Member States except EE, HU, LV, LT: Unbound EE, HU, LV, LT: None 4) <u>ICT and BV</u>: All Member States except for EE, HU, LV, LT: Unbound EE, HU: Unbound except as indicated in the horizontal section LV, LT: None <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except AT, CY, CZ, DE, EE, HU, LT, LV, MT, PL, SE, SI, SK: None AT, CY, CZ, DE, EE, HU, LT, LV, MT, PL, SE, SI, SK: Unbound. LV: Unbound for CPC 7223 2) All Member States except AT, CY, DE, EE, HU,	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		2) All Member States except AT, CY, DE, EE, FR, HU, MT, PL, SE, SI, SK: None FR: Chartering of all ships is subject to prior notification. AT, CY, DE, EE, HU, MT, PL, SE, SI, SK: Unbound.			MT, PL, SE, SI, SK: None AT, CY, DE, EE, HU, MT, PL, SE, SI, SK: Unbound.			
		3) All Member States except AT, CY, CZ, EE, FR, HU, LT, MT, PL, SE, SI, SK: None FR: Chartering of all ships is subject to prior notification. AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: Unbound.			3) All Member States except AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: None AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: Unbound.			
		4) <u>ICT and BV:</u> All Member States except AT, CY, EE, HU, MT, PL, SE, SI, SK: Unbound except as indicated in the horizontal section AT, CY, EE, HU, MT, PL, SE, SI, SK: Unbound. <u>CSS</u> All Member States: Unbound			4) <u>ICT and BV:</u> All Member States except AT, CY, EE, FI, HU, LV, MT, PL, SE, SI, SK: Unbound except as indicated in the horizontal section AT, CY, EE, HU, MT, PL, SE, SI, SK: Unbound. FI, LV: None <u>CSS</u> All Member States except LV: Unbound LV: None			

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
Rental of Commercial Road Vehicles with Operator (CPC 7124)	1) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 2) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 3) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound except as indicated in the horizontal section AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound <u>CSS</u> All Member States: Unbound	1) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 2) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 3) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: None AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI, SE: Unbound except as indicated in the horizontal section AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: Unbound FI: None <u>CSS</u> All Member States: Unbound				
F. <u>Other Business Services</u> a) Advertising (All Member States except PL, SI: CPC 871; PL: CPC 871 excluding advertising of tobacco products, alcoholic beverages, pharmaceuticals;	1) All Member States: None 2) All Member States except CY, MT: None CY, MT: Unbound	1) All Member States : None 2) All Member States except CY, MT: None CY, MT: Unbound				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	SI: part of CPC 8711 and part of CPC 8712, xcluding direct mail advertising, outdoor advertising and excluding for goods subject to import authorisation and excluding pharmaceutical products, alcohol, tobacco, toxic explosives, weapons and ammunition)	3) All Member States except CY, MT: None CY, MT: Unbound 4) <u>ICT and BV</u> : All Member States except CY, MT: Unbound except as indicated in the horizontal section CY, MT: Unbound <u>CSS</u> : All Member States except BE, DE, EL, IT, LU, SE, UK: Unbound BE, DE, EL, IT, LU, UK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: BE, DE, IT, SE, UK: Relevant qualifications and three years' professional experience. IT, UK: Compliance with an economic needs test is required. EL: Relevant qualifications and five years' professional experience.			3) All Member States except CY, MT: None CY, MT: Unbound 4) <u>ICT and BV</u> : All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, MT: Unbound <u>CSS</u> : All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None			
	b) Market Research and Opinion Polling (CPC 864)	1) 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV</u> : All Member States except CY, MT, PL: Unbound except as indicated in the			1) 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV</u> : All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Management Consulting Services(CPC 865)	horizontal section CY, MT, PL: Unbound <u>CSS:</u> All Member States: Unbound 1) All Member States except CY, MT: None CY, MT: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, MT: None CY, MT: Unbound 4) <u>ICT and BV:</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section CY, MT: Unbound <u>CSS:</u>All Member States except BE, DE, DK, EE, IT, LU, LV, SE, UK: Unbound BE, DE, DK, EE, IT, LU, LV, SE, UK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: BE, DE, DK, IT, SE, UK: Unbound except for managers and senior consultants where: university degree and three years' professional	horizontal section FI, LV: None CY, MT, PL: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except CY, MT: None CY, MT: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, MT: None CY, MT: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, MT: Unbound <u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None	

Modes of supply: (1)	Cross-border (2)	Consumption abroad				Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
d) Services Related to Management Consulting (CPC 866)	experience. EE, LV: Must be providing services as a professional (university degree) with at least five years experience in a related field. IT, UK: Compliance with an economic needs test is required. 1) 2) 3) All Member States except CY, HU, MT, PL: None CY, HU, MT, PL: Unbound 4) <u>ICT and BV</u>: All Member States except CY, HU, MT, PL: Unbound except as indicated in the horizontal section CY, HU, MT, PL: Unbound FI, LV: None <u>CSS</u>: All Member States except BE, DE, DK, IT, LU, UK, SE, EE, LV: Unbound BE, DE, DK, IT, LU, UK, SE, EE, LV: Unbound except as indicated in the horizontal section and subject to the following specific limitations: BE, DE, DK, IT, SE, UK: Unbound except for managers and senior consultants where: university degree and three years' professional experience. EE, LV: Must be providing services as a professional (university degree) with at least five years experience in a related	1) 2) 3) All Member States except CY, HU, MT, PL: None CY, HU, MT, PL: Unbound 4) <u>ICT and BV</u>: All Member States except CY, HU, FI, LV, MT, PL: Unbound except as indicated in the horizontal section CY, HU, MT, PL: Unbound FI, LV: None <u>CSS</u>: All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None				

Modes of supply: (1)	Cross-border (2)	Consumption abroad (3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment		Additional Commitments
e) Technical Testing and Analysis Services³⁹ (CPC 8676)	field. IT, UK: Compliance with an economic needs test is required. 1) All Member States except CY, CZ, IT, MT, PL, SK, SE: None IT: Unbound for the profession of biologist and chemical analyst. CY, CZ, MT, PL, SK, SE: Unbound 2) All Member States except CY, CZ, MT, PL, SK, SE: None CY, CZ, MT, PL, SK, SE: Unbound 3) All Member States except CY, CZ, ES, IT, MT, PT, PL, SE, SK: None ES: Access for chemical analysis through natural persons only. IT: Access for the profession of biologist and chemical analyst through natural persons only. Professional association (no incorporation) among natural persons is permitted. PT: Access for the profession of biologist and chemical analyst through natural persons only. CY, CZ, MT, PL, SK, SE: Unbound 4) <u>ICT and BV</u>: All Member States except for CY, CZ, MT, PL, SK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: commercial presence required	1) All Member States except CY, CZ, IT, MT, PL, SK, SE: None IT: Unbound for the profession of biologist and chemical analyst. CY, CZ, MT, PL, SK, SE: Unbound 2) All Member States except CY, CZ, MT, PL, SK, SE: None CY, CZ, MT, PL, SK, SE: Unbound 3) All Member States except CY, CZ, MT, PL, SE, SK: None CY, CZ, MT, PL, SE, SK: Unbound 4) <u>ICT and BV</u>: All Member States except for CY, CZ, FI, LV, MT, PL, SK, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, PT: Residence requirements for biologist and chemical analyst.		

³⁹ SI: Public utility exist; concession rights can be granted to the private operators established in the Republic of Slovenia

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
f) Advisory and Consulting Services Relating to Agriculture, Hunting and Forestry ⁴⁰ (FI: part of CPC 88 excluding hunting; SE: part of CPC 881 excluding hunting) HU: part of CPC 881 LV, PL: services incidental to agriculture,	CY, CZ, MT, PL, SK, SE: Unbound <u>CSS:</u> All Member States: Unbound except for DE, DK, EE, LU, SE, UK where: as indicated in the horizontal section and subject to the following specific limitations: DE, DK, SE, UK: University degree or technical qualifications demonstrating knowledge and three years' professional experience. EE: Must be providing services as a professional (university degree and professional qualifications required) with at least five years experience in a related field. UK: Compliance with an economic needs test is required.				CY, CZ, MT, PL, SK, SE: Unbound FI, LV: None <u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SK, SI: Unbound LV: None			
	1) All Member States except CY, EE, IT, MT, SI: None IT: Unbound for activities reserved to agronomist and "periti agrari". CY, EE, MT, SI: Unbound 2) All Member States except CY, EE, MT, SI: None None CY, EE, MT, SI: Unbound				1) All Member States except CY, IT, EE, MT, SI: None IT: Unbound for activities reserved to agronomist and "periti agrari". CY, EE, MT, SI: Unbound 2) All Member States except CY, EE, MT, SI: None CY, EE, MT, SI: Unbound 3) All Member States except CY, CZ, EE, LT, MT,			

⁴⁰ CZ, SK: Consulting services concerning the methods for improving productivity, reducing production costs and improving the quality of production in the areas of agriculture, hunting and forestry

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	hunting and forestry (CPC 881) LT: consulting services incidental to agriculture, hunting and forestry (Part of CPC 88)	3) All Member States except CY, CZ, ES, EE, IT, LT, MT, PT, SK, SI: None ES: Access for agronomist and engineers in forestry is restricted to natural persons. IT: Access for agronomist and "periti agrari" restricted to natural persons. Professional association (no incorporation) among natural persons is permitted. PT: Access for agronomist is restricted to natural persons. CY, CZ, EE, LT, MT, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, EE, MT, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT: Condition of nationality for "periti agrari". AT: commercial presence required CY, EE, MT, SI: Unbound <u>CSS</u> : All Member States: Unbound			SK, SI: None CY, CZ, EE, LT, MT, SK, SI: Unbound			
	g) Advisory and Consulting Services Relating to Fishing (FI: part of CPC 88. SE, HU: part of CPC 882)	1) 2) 3) All Member States except CY, CZ, EE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section			1) 2) 3) All Member States except CY, CZ, EE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section FI: None			

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
h) Services Incidental to Mining (All Member States except LV and PL: Only advisory and consulting services relating to mining, and subject to the following limitations: FI: part of CPC 88; SE: part of CPC 883) LV: CPC 883 PL: Services incidental to mining and oil-field - CPC 883 excluding exploitation of natural resources	following specific limitations: AT: commercial presence required CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound <u>CSS</u> : All Member States: Unbound		CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound <u>CSS</u> : All Member States: Unbound		
	1) All Member States except CY, CZ, EE, LT, MT, SI, SK: None CY, CZ, EE, LT, MT, SI, SK: Unbound		1) All Member States except CY, CZ, EE, LT, MT, SI, SK: None CY, CZ, EE, LT, MT, SI, SK: Unbound		
	2) All Member States except CY, CZ, EE, LT, MT, SK, SI: None CY, CZ, EE, LT, MT, SI, SK: Unbound		2) All Member States except CY, CZ, EE, LT, MT, SI, SK: None CY, CZ, EE, LT, MT, SI, SK: Unbound		
	3) All Member States except CY, CZ, ES, EE, LT, MT, PT, SI, SK: None ES, PT: Access for mining engineers is restricted to natural persons CY, CZ, EE, LT, MT, SI, SK: Unbound		3) All Member States except CY, CZ, EE, LT, MT, SI, SK: None CY, CZ, EE, LT, MT, SI, SK: Unbound		
	4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, LT, MT, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitation: AT: commercial presence required CY, CZ, EE, LT, MT, SI, SK: Unbound		4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitation: PT: Residence requirement. CY, CZ, EE, LT, MT, SI, SK: Unbound FI, LV, PL: None		
	<u>CSS</u> All Member States: Unbound		<u>CSS</u> All Member States except LV: Unbound LV: None		

Modes of supply: (1)		Cross-border (2)	Consumption abroad (3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access	Limitations on National Treatment	Additional Commitments	
i) EE: HU	Services incidental to manufacturing	1) All Member States except EE, HU: Unbound EE, HU: None	1) All Member States except EE, HU: Unbound EE, HU : None		
	consulting services relating to manufacturing (part of CPC 884+part of 885 except for 88442)	2) All Member States except EE, HU: Unbound EE, HU: None	2) All Member States except EE, HU: Unbound EE, HU, : None		
	consulting services relating to manufacturing (part of CPC 884 + part of CPC 885)	3) All Member States except EE, HU : Unbound EE, HU : None	3) All Member States except EE, HU: Unbound EE, HU: None		
		4) <u>ICT and BV:</u> All Member States except EE, HU: Unbound EE, HU: Unbound except as indicated in the horizontal section	4) <u>ICT and BV:</u> All Member States except EE, HU: Unbound EE, HU: Unbound except as indicated in the horizontal section		
		<u>CSS</u> All Member States: Unbound	<u>CSS</u> All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section		
j)	Services incidental to energy distribution (LV: CPC 887. HU: only consultancy services, ex CPC 887. LT: Covers consultancy services related to the transmission and distribution on a fee basis of electricity,	1) 2) 3) All Member States except HU, LV, LT, SI: Unbound HU, LV, LT, SI: None	1) 2) 3) All Member States except HU, LV, LT, SI: Unbound HU, LV, LT, SI: None		
		4) <u>ICT and BV:</u> All Member States except HU, LV, LT, SI: Unbound	4) <u>ICT and BV:</u> All Member States except HU, LV, LT, SI: Unbound		

⁴¹ LT: Service specified constitutes only a part of the total range of activities covered by the CPC concordance.

⁴² SI: Public utility exist; concession rights can be granted to the private operators established in the Republic of Slovenia.

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
gaseous fuels, steam and hot water to household, industrial, commercial and other users-CPC 887⁴¹ SI: Services Incidental to Energy Distribution - for gas only⁴² – part of CPC 887)	HU, LT, LV, SI: Unbound except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound	HU, LT and SI: Unbound except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except LV: Unbound LV: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments
k) Placement and Supply Services of Personnel ⁴³ Executive Search Services (CPC 87201)		1) All Member States except AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: None AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: Unbound. 2) All Member States except AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: None AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: Unbound 3) All Member States except AT, CY, CZ, DE, ES, EE, FI, LT, LV, MT, PT, PL, SI, SK: None AT, CY, CZ, DE, EE, FI, LT, LV, MT, PT, PL, SI, SK: Unbound. ES: State monopoly. 4) <u>ICT and BV</u>: All Member States except AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK : Unbound except as indicated in the horizontal section: AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: Unbound. <u>CSS</u>: All Member States: Unbound			1) All Member States except AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: None AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: Unbound. 2) All Member States except AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: None AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK : Unbound 3) All Member States except AT, CY, CZ, DE, EE, FI, LT, LV, MT, PT, PL, SI, SK: Unbound. 4) <u>ICT and BV</u>: All Member States except AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK : Unbound except as indicated in the horizontal section: AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: Unbound. <u>CSS</u>: All Member States: Unbound			

⁴³ SE: national and residents with work permits, excluding seamen

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
Modes of supply:	Supply services of domestic help personnel, other commercial or industrial workers, nursing and other personnel (CPCs 87204, 87205, 87206, 87209)	AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI Unbound			AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound			
		3) All Member States except AT, DE, FI, IT, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: None			3) All Member States except AT, DE, FI, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: None			
		IT: State monopoly			AT, DE, FI, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound			
		4) <u>ICT and BV</u>			4) <u>ICT and BV</u>			
		All Member States except AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI : Unbound except as indicated in the horizontal section			All Member States except AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section			
		AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: Unbound			AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: Unbound			
		<u>CSS:</u>			<u>CSS:</u>			
		All Member States: Unbound			All Member States: Unbound			
		1) All Member States except HU: Unbound			1) All Member States except HU: Unbound			
		HU: None			HU: None			
		2) All Member States except HU: Unbound			2) All Member States except HU: Unbound			
		HU: None			HU: None			
		3) All Member States except HU: Unbound			3) All Member States except HU: Unbound			
		HU: None			HU: None			
		4) <u>ICT and BV</u> All Member States except HU: Unbound			4) <u>ICT and BV</u> All Member States except HU: Unbound			
		HU: Unbound except as indicated in the horizontal section.			HU: Unbound except as indicated in the horizontal section.			
		<u>CSS:</u>			<u>CSS:</u>			
		All Member States: Unbound			All Member States: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
1)	Investigation services (CPC 87301)	1) 2) 3) All Member States except AT and SE: Unbound AT and SE: None. 4) <u>ICT</u> and <u>BV</u> All Member States except AT and SE: Unbound AT and SE: Unbound except as indicated in the horizontal section and subject to the following limitation: AT: commercial presence required <u>CSS</u> All Member States: Unbound			1) 2) 3) All Member States except AT and SE: Unbound AT and SE: None 4) <u>ICT</u> and <u>BV</u> All Member States except AT and SE: Unbound AT and SE: Unbound except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound			
1)	Security Services (All Member States except AT, FI and SE: CPC 87302, 87303, 87304, 87305. AT and SE: entire range of activities 87302-87309. FI, HU: parts of CPC 873)	1) All Member States except for BE, CY, CZ, ES, EE, FR, FI, IT, LV, LT, MT, PT, PL, SI, SK: None FI: Establishment requirement BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: Unbound. 2) All Member States except for CY, CZ, EE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound 3) All Member States except for CY, CZ, DK, ES, EE, FI, LV, LT, MT, PL, SI, SK: None DK: Unbound for airport guard services. Requirement to be a national juridical person. Access is subject to prior authorization. In granting the authorization,			1) All Member States except for BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: None BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: Unbound. 2) All Member States except for CY, CZ, EE, LV, LT, MT, PL, SK, SI: None CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound 3) All Member States except for CY, CZ, DK, EE, LV, LT, MT, PL, SI, SK: None DK: Requirement of residence and nationality for majority of members of the board and for managers. Unbound for airport guard services. CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	the Ministry of Justice takes into account conditions such as competence, professional integrity and independence, experience and good reputation of the firm seeking establishment. ES: Access through Sociedades Anonimas, Sociedades de Responsabilidad Limitada, Sociedades Anonimas Laborales and Sociedades Cooperativas only. Access is subject to prior authorization. In granting the authorization, the Council of Ministers takes into account conditions such as competence, professional integrity and independence, adequacy of the protection provided for the security of the population and the public order. FI: Licence of the County Government is required for a commercial presence. Licence may be granted only to Finnish citizens and Finnish registered organisations CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound. 4) <u>ICT and BV</u> All Member States except CY, CZ, EE, LV, LT, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Commercial presence required DK: Unbound for airport guard services. Nationality requirement for managers. FR: Requirement of nationality for				4) <u>ICT and BV</u>: All Member States except CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK: Unbound for airport guard services. Residence requirement for managers. BE: Residence requirement for management personnel.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access				Limitations on National Treatment		Additional Commitments
		managing directors and directors. BE: Condition of nationality for management personnel. ES, PT: Nationality requirement for specialized personnel. IT: Nationality requirement in order to obtain necessary authorization for security guard services and the transport of valuables. CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States: Unbound				IT: Residence requirement in order to obtain necessary authorization for security guard services and the transport of valuables. CY, CZ, EE, LV, LT, MT, PL, SI, SK: Unbound FI: None <u>CSS:</u> All Member States: Unbound		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
n)	Maintenance and Repair of Equipment (not including Maritime Vessels, Aircraft or Other Transport Equipment) (All Member States except AT, CZ, EE, FI, LV, LT, SK, SI, SE: CPC 633, 8861, 8866. SE: 633+886. AT: 633+8861-8866 excluding also fire arms and ammunition; EE, FI, LV, LT: 633, 8861-8866; CZ, SK: 633, 8861-8865; SI: CPC 633+8861+8866, not incl. Maritime vessels, aircraft or other transport equipment)	1) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) ICT and BV: All Member States except CY, MT, PL: Unbound except as indicated in the horizontal section CY, MT, PL: Unbound			1) All Member States except CY, CZ, MT, PL, SK: None CY, CZ, MT, PL, SK: Unbound 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) ICT and BV: All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV: None CY, MT, PL: Unbound		CSS: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
o) Building-Cleaning Services (CPC 874)	1) All Member States except HU, LT: Unbound HU, LT: None 2) All Member States except CY, CZ, EE, MT, PL, SK, SI: None CY, CZ, EE, MT, PL, SK, SI: Unbound 3) All Member States except CY, EE, MT, PL, SI: None CY, EE, MT, PL, SI: Unbound 4) <u>ICT and BV</u> All Member States except CY, EE, MT, PL, SI: Unbound except as indicated in the horizontal section CY, EE, MT, PL, SI: Unbound <u>CSS:</u> All Member States: Unbound	1) All Member States except HU, LT: Unbound HU, LT: None 2) All Member States except CY, CZ, EE, MT, PL, SI, SK: None CY, CZ, EE, MT, PL, SK, SI: Unbound 3) All Member States except CY, EE, MT, PL, SI: None CY, EE, MT, PL, SI: Unbound 4) <u>ICT and BV:</u> All Member States except CY, EE, FI, LV, MT, PL, SI: Unbound except as indicated in the horizontal section FI, LV: None CY, EE, MT, PL, SI: Unbound <u>CSS:</u> All Member States except LV: Unbound LV: None	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
p) Photographic Services (CPC 875. All Member States except AT, CZ, EE, FI, HU, LV, PL, SE: excluding retail) EE: except aerial photography of the territory of the Republic of Estonia LV: excluding CPC 87504 PL: CPC 875 excluding aerial photography	1) All Member States except AT, CY, EE, HU, LV, LT, MT, PL, SE, SI: Unbound except for aerial photography: None AT, EE, HU, LV, LT, PL, SE, SI: None CY, MT: Unbound 2) All Member States except CY, MT, SK: None CY, MT, SK: Unbound 3) All Member States except CY, EE, MT: None CY, EE, MT: Unbound 4) <u>ICT and BV</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section. CY, MT: Unbound <u>CSS</u>: All Member States: Unbound	1) All Member States except AT, CY, CZ, EE, HU, LV, LT, MT, PL, SE, SI, SK: Unbound except for aerial photography: None AT, CZ, HU, LV, LT, PL, SE, SI, SK: None CY, EE, MT: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, EE, MT: None CY, EE, MT: Unbound 4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, MT: Unbound <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None	
q) Packaging Services (CPC 876)	1) All Member States except AT, HU, LT: Unbound AT, HU, LT: None 2) 3) All Member States except CY, EE, FI, MT, PL, SI, SE: None CY, EE, FI, MT, PL, SI, SE: Unbound 4) <u>ICT and BV</u> All Member States except CY, EE, FI, MT, PL, SI, SE: Unbound except as	1) All Member States except AT, HU, LT: Unbound AT, HU, LT: None 2) 3) All Member States except CY, EE, FI, MT, PL, SI, SE: None CY, EE, FI, MT, PL, SI, SE: Unbound 4) <u>ICT and BV</u> All Member States except CY, EE, FI, LV, MT, PL, SI, SE: Unbound except as indicated in the horizontal section.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
r) Printing and Publishing (CPC 88442)	indicated in the horizontal section CY, EE, FI, MT, PL, SI, SE: Unbound <u>CSS</u>: All Member States: Unbound 1) 2) All Member States except CY, CZ, MT, SK, SI: None CY, CZ, MT, SK, SI: Unbound 3) All Member States except CY, CZ, IT, MT, LT, LV, PL, SI, SK: None IT: Foreign participation in publishing companies limited to 49 per cent of capital or of voting rights. LT: Establishment rights in publishing sector granted only to Lithuanian incorporated legal persons. LV: Establishment rights in publishing sector granted only to Latvian incorporated legal persons PL: Nationality requirement for the editor-in-chief of newspapers and journals CY, CZ, MT, SI, SK: Unbound 4) <u>ICT and BV</u> All Member States except CY, CZ, MT, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitation: PL: Nationality requirements for the editor-in-chief of newspapers and journals. CY, CZ, MT, SK, SI: Unbound				CY, EE, FI, MT, PL, SI, SE: Unbound LV: None <u>CSS</u>: All Member States except LV: Unbound LV: None 1) All Member States except CY, CZ, MT, SE, SI, SK: None SE: Residency requirements for publisher and owner of publishing or printing company CY, CZ, MT, SK, SI: Unbound 2) All Member States except CY, CZ, MT, SI, SK: None CY, CZ, MT, SI, SK: Unbound 3) All Member States except CY, CZ, FI, MT, SE, SI, SK: None FI: Residency requirements for a person in charge of publishing SE: Residency requirements for publisher and owner of publishing or printing company. CY, CZ, MT, SI, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitation: SE: Residency requirement for publisher and owner of publishing or printing company. CY, CZ, MT, SK, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
s)	Convention Services (FI: Public relation services and exhibition management services only. AT: exhibition management services only)	<u>CSS:</u> All Member States: Unbound 1) 2) 3) All Member States except CY, CZ, HU, MT, PL, SI, SK: None CY, CZ, HU, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u> All Member States except CY, CZ, HU, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States: Unbound			FI: Residency requirements for a person in charge of printing LV, PL: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) 2) 3) All Member States except CY, CZ, HU, MT, PL, SI, SK: None CY, CZ, HU, MT, PL, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, FI, HU, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section FI, LV: None CY, CZ, HU, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None			
	t) Other Translation Services (AT, FI and SE: Translation and interpretation services) (CPC 87905) PL: Translation services	1) 2) All Member States except CY, CZ, EE, HU, MT, SK, SI: None CY, CZ, EE, HU, MT, SK, SI: Unbound 3) All Member States except CY, CZ, EE, HU, MT, SK, SI: None CY, CZ, EE, HU, MT, SK, SI: Unbound DK: Authorisation for authorised public			1) 2) All Member States except CY, CZ, EE, HU, MT, SK, SI: None CY, CZ, EE, HU, MT, SK, SI: Unbound 3) All Member States except CY, CZ, DK, EE, HU, MT, SK, SI: None DK: Authorisation for authorised public			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
	excluding services of sworn interpreters (part of CPC 87905)	4) <u>ICT and BV</u> All Member States except CY, CZ, EE, HU, MT, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK: Authorised public translators and interpreters: Citizenship condition unless waived by the Danish Commerce and Companies Agency. CY, CZ, EE, HU, MT, SK, SI: Unbound			translators and interpreters may limit the scope of activity. CY, CZ, EE, HU, MT, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, FI, HU, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitation: DK: Authorised public translators and interpreters: residence requirement unless waived by the Danish Commerce and Companies Agency. CY, CZ, EE, HU, MT, SK, SI: Unbound FI: Residency requirement for certified translators LV, PL: None <u>CSS</u> : All Member States except CY, CZ, EE, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section CY, CZ, EE, HU, LT, MT, PL, SK, SI: Unbound LV: None			
	Interior Design Services (part of CPC 87907) LV: Speciality design	1) All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: None CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK:			1) All Member States except CY, CZ, DE, EE, FI, HU, LT, MT, PL, SI, SK: None DE: Application of the national rules on fees and			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	services (CPC 87907)	Unbound 2) All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: None CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound 3) All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SK, SI: None CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound 4) <u>ICT and BV</u> All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following limitation: AT: commercial presence required CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound <u>CSS</u> All Member States: Unbound			emoluments for all services which are performed from abroad. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound 2) All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: None CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound 3) All Member States except CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: None CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound 4) <u>ICT and BV</u> All Member States except CY, CZ, EE, FI, HU, LV, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: commercial presence required CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: Unbound LV: None <u>CSS</u> All Member States except LV: Unbound LV: None			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Collection agency services (CPC 87902)	1) 2) 3) All Member States except for AT, LV: Unbound AT, LV: None 4) <u>ICT and BV</u> All Member States except AT, LV: Unbound AT, LV: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: commercial presence required <u>CSS:</u> All Member States: Unbound	1) 2) 3) All Member States except for AT, LV: Unbound AT, LV: None 4) <u>ICT and BV</u> All Member States except AT, LV: Unbound AT: Unbound except as indicated in the horizontal section LV: None <u>CSS:</u> All Member States except LV: Unbound LV: None	
Credit reporting services (CPC 87901)	1) 2) 3) All Member States except for LV: Unbound LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound	1) 2) 3) All Member States except for LV: Unbound LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: None <u>CSS:</u> All Member States except LV: Unbound LV: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector			Limitations on Market Access		Limitations on National Treatment		Additional Commitments
	Duplicating services (CPC 87904)			1) 2) 3) All Member States except for LV: Unbound LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound		1) 2) 3) All Member States except for LV: Unbound LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: None <u>CSS:</u> All Member States except LV: Unbound LV: None		
	Other business services n.e.c. (CPC 87909)			1) 2) 3) Unbound for all Member States except for LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: Unbound except as indicated in the horizontal <u>CSS:</u> All Member States: Unbound		1) 2) 3) Unbound for all Member States except for LV: None LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: None <u>CSS:</u> All Member States except for LV: Unbound LV: None		
	2. COMMUNICATION SERVICES							
	B. <u>Courier Services</u> (CPC 7512)			1) All Member States except AT, EE, LT, LV, PL: Unbound AT: Unbound except special delivery services where: None		1) All Member States except AT, EE, LT, LV, PL: Unbound AT: Unbound except special delivery services where: None		

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	EE, LT : None LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound 2) All Member States except AT, CZ, EE, LT, LV, PL, SI, SK : Unbound AT, SI: Unbound except special delivery services where: None CZ, EE, LT, SK : None LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound 3) All Member States except AT, CZ, EE, LT, LV, PL, SI, SK : Unbound AT, SI : Unbound except special delivery services where: None CZ, EE, LT, SK : None LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound 4) <u>ICT and BV</u> All Member States except AT, CZ, EE, LT, LV, PL, SI, SK : Unbound AT, SI: Unbound except special delivery services where: Unbound except as indicated in	EE, LT : None LV: Unbound except land-based courier services where: None PL: None except written correspondence e.g. letters where: Unbound 2) All Member States except AT, CZ, EE, LT, LV, PL, SI, SK : Unbound AT, SI: Unbound except special delivery services where: None CZ, EE, LT, SK : None LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound 3) All Member States except AT, CZ, EE, LT, LV, PL, SI, SK : Unbound AT, SI : Unbound except special delivery services where: None CZ, EE, LT, SK : None LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound 4) <u>ICT and BV</u> All Member States except AT, CZ, EE, LT, LV, PL, SI, SK: Unbound AT, SI: Unbound except special delivery services where: Unbound except as indicated in the	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		the horizontal section CZ, EE, LT, SK : Unbound except as indicated in the horizontal section LV: Unbound except land-based courier services where : Unbound except as indicated in the horizontal section PL: Unbound except as indicated in the horizontal section except written correspondence e.g. letters where: Unbound <u>CSS:</u> All Member States: Unbound			horizontal section CZ, EE, LT, SK : Unbound except as indicated in the horizontal section LV: Unbound except land-based courier services where : None PL: None except written correspondence e.g. letters where: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: Unbound except land-based courier services where: None			
	2.C Telecommunications services ⁴⁴ All services consisting of the transmission and reception of signals by any electromagnetic means ⁴⁵ , excluding broadcasting ⁴⁶ . These services do not cover the economic activity consisting of the provision of content which require telecommunications services for their transport.	1) All Member States except CY, MT: None CY, MT: Unbound 2) All Member States: None			1) All Member States except CY, MT: None CY, MT: Unbound 2) All Member States: None			The EC undertakes the obligations contained in the reference paper attached hereto for the following services: a) Voice telephone services (CPC7521) b) Packet-switched data transmission services (part of CPC 7523)

⁴⁴ Footnote for clarification purposes: Some EC Member States maintain public participation in certain telecommunication operators. EC Member States reserve their rights to maintain such public participation in the future. This is not a market access limitation. In Belgium, government participation and voting rights in Belgacom are freely determined under legislative powers as is presently the case under the law of 21 March 1991 on the reform of government-owned economic enterprises.

Modes of supply: (1)	Cross-border (2)	Consumption abroad (3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	
	3) All Member States except FI, FR, PL, SI: None FI: Permanent residence requirement for half of the founders, half of the members of the board of directors and the managing director. If the founder is a juridical person, residence requirement for that juridical person. FR: Non-EC natural or juridical persons may not hold directly more than 20% of the shares or voting rights of companies authorised to establish and operate radio-based infrastructure for the provision of telecommunications services to the general public. For the application of this provision, companies or firms legally established according to the laws of a Member State of the EC are considered EC juridical persons. PL: For domestic and international telecom services provided using cable television and radio networks and for public cellular mobile telephone services and networks: The limitation of foreign capital and voting rights is 49% SI: Foreign participation may not exceed 99 per cent of the equity.	3) All Member States: None.	c) Circuit-switched data transmission service (part of CPC 7523) d) Telex services (part of CPC 7523) e) Telegraph services (CPC 7522) f) Facsimile services (part of CPC 7521 + part of CPC 7529) g) Private leased circuit services (part of CPC 7522 + part of CPC 7523) o) Mobile and personal communications	

⁴⁵ Sub-sectors 2.C.h) to 2.C.m) of the Services Sectoral Classification List contained in MTN/GNS/W/120 (value-added services) and Sub-sectors 2.C.a) to 2.C.g) of that List are included here. Sub-sector 2.C.o) of that List is also included here to the extent that it falls under this definition. For the purpose of this schedule, subsector 2C.n of that list (on-line information and/or data processing) is reflected in this schedule of Commitments under 1.B (Computer and related services).

⁴⁶ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public but does not cover contribution links between operators.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		4) <u>ICT and BV</u> : All Member States : Unbound except as indicated in the horizontal section <u>CSS</u> : All Member States: Unbound			4) <u>ICT, BV</u> : All Member States except: Unbound except as indicated in the horizontal section. <u>CSS</u> : All Member States: Unbound		services and systems	
3.	CONSTRUCTION AND RELATED ENGINEERING SERVICES For all Member States except CY, CZ, FI, LV, MT, SK, SI and SE: CPC 511, 512, 513, 514, 515, 516, 517, 518. CZ, SK, SE: CPC 511, 512, 513, 514, 516 and 517. FI: CPC 512, 513, 514, 516; LV: CPC 512,513, 514, 515, 516, 517, 518. SI: CPC: 511, 512, 513, 514, 515, 516, 517	1) All Member States except AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: Unbound except for 5111 and 5114: None AT: Unbound except for CPC 518: None CY, CZ, HU, MT, LT, LV, PL, SE, SI, SK: Unbound EE, FI: None 2) All Member States except CY, HU, MT: None CY, HU, MT: Unbound 3) All Member States except CY, CZ, EL, HU, IT, MT, PT, SK: None CY, CZ, HU, MT, SK: Unbound EL: Nationality condition for managers of the board of directors of construction companies supplying in the public sector.			1) All Member States except AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: Unbound except for CPC 5111 and 5114: None AT: Unbound except for CPC 518: None CY, CZ, HU, LV, LT, MT, PL, SE, SK: Unbound EE, FI: None SI: Unbound except for CPC 511, 515: None 2) All Member States except CY, HU, MT: None CY, HU, MT: Unbound 3) All Member States except CY, CZ, EE, HU, MT, SK: None CY, CZ, HU, MT, SK: Unbound EE: None except that at least one responsible person (project manager or consultant) must be			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	IT: Exclusive rights are granted for construction, maintenance and management of highways and the airport of Rome. PT: Exclusive rights are granted for maintenance and management of highways. 4) <u>ICT and BV</u>: All Member States except CY, HU, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: SI: commercial presence required. EL: Nationality condition for managers of construction companies supplying in the public sector. AT: commercial presence required CY, HU, MT: Unbound <u>CSS</u>: All Member States: Unbound except for NL and FR where: as indicated in the horizontal section and subject to the following specific limitations: NL: University degree and professional qualifications and three years' professional experience in the sector. FR: Unbound except for measures concerning the temporary entry of technicians under the following conditions: - The technician is an employee of a juridical person within the territory				resident of Estonia. 4) <u>ICT and BV</u>: All Member States except CY, FI, HU, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: SI: commercial presence required. FI, LV, PL: None CY, HU, MT: Unbound <u>CSS</u>: All Member States except CY, CZ, HU, LT, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section. CY, CZ, HU, LT, MT, PL, SK, SI: Unbound. LV: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	of another Member and is transferred to a commercial presence in FR which has a contract with that juridical person. - The work permit is delivered for a period not exceeding six months. - The technician presents a work certificate from the commercial presence in FR and a letter from the juridical person within the territory of another Member demonstrating its agreement to the transfer. - Compliance with an economic needs test is required. - The commercial presence body must pay a tax to the International Migration Office. <u>CSS</u>: for CPC 5111 only: All Member States except BE, DE, DK, UK, SE: Unbound BE, DK, UK, SE: University degree and professional qualifications and three years' professional experience in the sector. UK: Compliance with an economic needs test is required. DE: Unbound except for limited range of services of site investigation work where: university degree and professional qualifications and three years' professional experience in the sector.				:			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
4.	DISTRIBUTION SERVICES ⁴⁷							
A.	<u>Commission Agents' Services</u> (All Member States except SE: CPC 621. SE: CPC 621+6113)	1) All Member States except CY, CZ, FR, HU, IT, MT, PL, SK: None FR: Unbound for traders and brokers working in market of national interest. CY, CZ, HU, IT, MT, PL, SK: Unbound. 2) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 3) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, HU, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Condition of nationality for activities of traders, commissioners, and brokers working in twenty (20) markets of national interest.			1) All Member States except CY, CZ, FR, HU, MT, IT, PL, SK: None FR: Unbound for traders and brokers working in market of national interest. CY, CZ, HU, MT, IT, PL, SK: Unbound. 2) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 3) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, HU, FI, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT, ES, PT: Residence requirement CY, CZ, HU, MT, PL, SK: Unbound FI, LV: None			

⁴⁷ All Member States except Austria, Czech Republic, Estonia, Finland, Hungary, Latvia, Lithuania, Poland, Slovak Republic, Slovenia and Sweden: distribution of arms, chemical products, explosives and precious metals is excluded. In Austria distribution of pyrotechnical goods, ignitable articles and blasting devices, firearms, ammunition and military equipment, tobacco and tobacco products, pharmaceutical products, medical and surgical devices, toxic substances, certain medical substances and objects for medical use is excluded ; in the Czech Republic, distribution of arms, ammunition, explosives, some chemical products, and drugs and precious metals is excluded; in Finland, distribution of arms, alcoholic beverages and pharmaceutical products is excluded; in Slovak Republic, distribution of trade in arms, ammunition, explosives, some chemical products, and drugs and precious metals is excluded; in Slovenia, excluding distribution of pyrotechnical goods, ignitable articles and blasting devices, firearms, ammunition and military equipment, toxic substances and certain medical substances; in Sweden distribution of arms and retail sale of alcoholic beverage and pharmaceutical products is excluded.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector			Limitations on Market Access	Limitations on National Treatment	Additional Commitments			
			CY, CZ, HU, MT, PL, SK: Unbound <u>CSS:</u> All Member States: Unbound	<u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
B.	<u>Wholesale Trade</u> <u>Services</u> (All Member States except PL, SE: CPC 622. PL: Wholesale trade within Poland (CPC 622 excluding 62226, 62228, 62251, 62252) SE: CPC 622, 61111, 6113, 6121	1) All Member States except CY, ES, FR, IT, MT, PT: None ES, IT, PT: State monopoly on tobacco. FR: Unbound for pharmacies. CY, MT: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, ES, FR, IT, MT, PT, PL: None ES, IT, PT: State monopoly on tobacco. FR: Wholesale pharmacies are authorised according to the needs of the population and within established quotas. State monopoly on tobacco and matches. PL: Licensing of establishment of companies in the area of wholesale trade in imported consumer goods CY, MT: Unbound 4) <u>ICT and BV:</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Condition of nationality for wholesale of pharmaceuticals. CY, MT: Unbound <u>CSS:</u> All Member States: Unbound			1) All Member States except CY, MT: None CY, MT: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, MT: None CY, MT: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following specific limitations: ES, IT, PT: Residence requirement. FI, LV, PL: None CY, MT: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None			

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
C. <u>Retailing Services</u> (All Member States except AT, CZ, EE, FI, HU, LV, LT, PL, SK, SI and SE: CPC 631, 632, 633, 6112, 6113, 6121 excluding 63211. AT, CZ, FI, HU, SK: CPC 631, 632, 6111, 6113, 6121. EE, LV, LT: CPC 631, 632, 633; 6111; 6113; 6121) PL: Retail trade within Poland (CPC 631, 632 excluding 63107, 63108, 63211) SI: CPC 631, part of 632, 6112, 6113, 6121 excluding 63211 SE: CPC 631, 632, 6112, 6113, 6121.)	1) All Member States except AT, CY, EE, FI, HU, LV, MT, PL, SE, SI: Unbound except for mail order: None AT, EE, FI, HU, LT, LV, SE, SI: None CY, MT, PL: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3)⁴⁸ All Member States except BE, CY, ES, FR, DK, IT, IE, MT, PT, SE: None BE: Economic needs test for department stores. ES, FR, IT: State monopoly on tobacco. FR: Economic needs test for larger department stores DK: Economic needs test for new department stores IT: Economic needs test on establishment of any new department store/outlet and authorisation can be denied in order to protect areas of particular historic and artistic interest. IE: Unbound for retail of alcoholic beverages PT: Economic needs test for large (i.e. more than 2000 sq. m.) department stores. SE: Individual municipalities may apply economic needs test to temporary trade in clothing, shoes and foodstuffs that are not consumed at the point of sale⁴⁹	1) All Member States except AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: Unbound except for mail order: None AT, CZ, EE, FI, HU, LT, LV, SE, SI: None CY, MT, PL, SK: Unbound 2) All Member States except CY, MT: None CY, MT: Unbound 3) All Member States except CY, MT: None CY, MT: Unbound				

⁴⁸ All Member States except AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SK and SI: where establishment is subject to an economic needs test, the main criteria are: the number of and impact on existing stores, population density, geographic spread, impact on traffic conditions and creation of new employment.

⁴⁹ Sale on a permanent basis from a fixed point of sale or manufacturing facilities are not affected by these rules.

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector			Limitations on Market Access		Limitations on National Treatment		Additional Commitments		
			CY, MT: Unbound						
			4) <u>ICT and BV:</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Condition of nationality for tobaccoconists (i.e. ruraliste). CY, MT: Unbound <u>CSS:</u> All Member States: Unbound		4) <u>ICT and BV:</u> All Member States except CY, FI, LV, LT, MT, PL: Unbound except as indicated in the horizontal section FI, LV, LT, PL: None CY, MT: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None				
D. <u>Franchising</u> 8929)		(CPC	1) 2) 3) All Member States except CY, MT, PL, SE: None CY, MT, PL, SE: Unbound. 4) <u>ICT and BV:</u> All Member States except CY, MT, PL, SE: Unbound except as indicated in the horizontal section CY, MT, PL, SE: Unbound <u>CSS:</u> All Member States: Unbound		1) 2) 3) All Member States except CY, MT, PL, SE: None CY, MT, PL, SE: Unbound. 4) <u>ICT and BV:</u> All Member States except CY, FI, LV, MT, PL, SE: Unbound except as indicated in the horizontal section CY, MT, PL, SE: Unbound FI, LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
5. EDUCATIONAL SERVICES (All Member States: only privately funded services) Only for Estonia: Private education services with the length of student participation not exceeding six months A. <u>Primary Education Services</u> (All Member States except EE: CPC 921. EE: Compulsory primary education services)	Only for EE: 1) 2) 3) None 4) <u>ICT</u> and <u>BV</u>: Unbound except as provided in the horizontal section <u>CSS</u>: Unbound 1) All Member States except CY, FR, FI, MT, PL, SE, SI: None FR: Condition of nationality. However, third country nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. CY, FI, MT, SE, SI: Unbound. PL: Public system of education and of scholarships do not cover educational services supplied from abroad. 2) All Member States except CY, FI, MT, PL, SE, SI: None CY, FI, MT, SE, SI: Unbound. PL: Public system of education and of	Only for EE: 1) 2) 3) None 4) <u>ICT</u> and <u>BV</u>: Unbound except as provided in the horizontal section <u>CSS</u>: Unbound except as provided in the horizontal section 1) All Member States except CY, FI, IT, MT, SE, SI: None CY, FI, MT, SE, SI: Unbound IT: Condition of nationality for service providers to be authorized to issue State recognized diplomas. 2) All Member States except CY, FI, MT, SE, SI: None CY, FI, MT, SE, SI: Unbound.	

Modes of supply: (1) Sector or Sub-sector	Cross-border (2) Limitations on Market Access	(3) Commercial presence Limitations on National Treatment	(4) Presence of natural persons Additional Commitments
	scholarships do not cover educational services supplied abroad. 3) All Member States except CY, CZ, FI, HU, MT, SE, SI, SK: None CY, FI, MT, SE, SI: Unbound. CZ: Foreign nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. Condition of ensuring quality and level of education and suitability of school facilities. HU: Establishment of schools is subject to licence from the local authorities. SK: Foreign nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach subject to complying with qualification and material requirements on establishment of such an institution. 4) <u>ICT and BV</u> All Member States except CY, FI, MT, SE, SI: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Condition of nationality. However, third country nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. IT: Condition of nationality for service providers who are authorized to issue State recognized diplomas.	3) All Member States except CY, CZ, FI, EL, LT, MT, SE, SI, SK: None CY, FI, MT, SE, SI: Unbound. CZ: None other than: majority of members of the Board must be of Czech nationality. EL: Majority of members of the Board must be of Greek nationality. LT: None, except for permit issued by the Ministry of Education and Science for the State recognised teaching institutions required. SK: None other than: majority of members of the Board have to be of Slovak citizenship. 4) <u>ICT and BV</u>: All Member States except CY, FI, MT, LV, PL, SE, SI: Unbound except as indicated in the horizontal section CY, FI, MT, SE, SI: Unbound LV, PL: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
B.	<u>Secondary Education Services</u> (All Member States except EE: CPC 922. EE: compulsory and non compulsory secondary education services. LV: Excluding CPC 9224.)	EL: Condition of nationality for teachers. CY, FI, MT, SE, SI: Unbound. <u>CSS</u> : All Member States: Unbound			<u>CSS</u> : All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None			
		1) All Member States except CY, FR, FI, MT, PL, SE: None CY, FI, MT, SE: Unbound.			1) All Member States except CY, FI, IT, MT, SE: None CY, FI, MT, SE: Unbound.			
		FR: Condition of nationality. However, third country nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. PL: Public system of education and of scholarships do not cover educational services supplied from abroad.			IT: Condition of nationality for service providers to be authorized to issue State recognized diplomas.			
		2) All Member States except CY, FI, MT, PL, SE: None CY, FI, MT, SE: Unbound			2) All Member States except CY, FI, MT, SE: None CY, FI, MT, SE: Unbound			
		3) All Member States except CY, CZ, FI, HU, MT, SE, SK: None CY, FI, MT, SE: Unbound			3) All Member States except CY, CZ, FI, EL, LT, MT, SE, SI, SK: None CY, FI, MT, SE: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		CZ: Foreign nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. Condition of ensuring quality and level of education and suitability of school facilities. HU: Establishment of schools is subject to licence from the local authorities. SK: Foreign nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach subject to complying with qualification and material requirements on establishment of such an institution. 4) <u>ICT and BV</u> All Member States except CY, FI, MT, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Condition of nationality. However, third country nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. IT: Condition of nationality for service providers to be authorized to issue State recognized diplomas. EL: Condition of nationality for teachers.			EL: Majority of members of the Board must be of Greek nationality. CZ: None other than: majority of members of the Board must be of Czech nationality. LT: None, except for permit issued by the Ministry of Education and Science for the State recognised teaching institutions required. SK: None other than: majority of members of the Board have to be of Slovak citizenship. SI: None other than: majority of the Board must be of Slovenian nationality 4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL, SE: Unbound except as indicated in the horizontal section LV, PL: None CY, FI, MT, SE: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Higher Education Services</u> (All Member States except CZ, SK: CPC 923. CZ, SK: Only CPC 92310.)	CY, FI, MT, SE: Unbound <u>CSS:</u> All Member States: Unbound 1) All Member States except AT, CY, FR, FI, MT, PL, SE: None AT, CY, FI, MT, SE: Unbound FR: Condition of nationality. However, third country nationals can have authorization from competent authorities to establish and direct an education institution and to teach PL: Public system of education and of scholarships do not cover educational services supplied from abroad. 2) All Member States except AT, CY, FI, MT, PL, SE: None AT, CY, FI, MT, SE: Unbound PL: Public system of education and of scholarships do not cover educational services supplied abroad. 3) All Member States except AT, CY, CZ, ES, FI, HU, EL, IT, MT, SE, SK: None	<u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except AT, CY, FI, IT, MT, SE: None AT, CY, FI, MT, SE: Unbound IT: Condition of nationality for service providers to be authorized to issue State recognized diplomas. 2) All Member States except AT, CY, FI, MT, SE: None AT, CY, FI, MT, SE: Unbound 3) All Member States except AT, CY, CZ, FI, MT, SE, SK, SI: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		AT, CY, FI, MT, SE: Unbound CZ: Foreign nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. Condition of ensuring quality and level of education and suitability of school facilities. ES, IT: Needs test for opening of private universities authorized to issue recognized diplomas or degrees; procedure involves an advice of the Parliament. EL: Unbound for education institutions granting recognized State diplomas. HU: Establishment of schools is subject to licence from the central authorities. SK: Foreign nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach subject to complying with qualification and material requirements on establishment of such an institution. 4) <u>ICT and BV</u>: All Member States except AT, CY, FI, MT, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK: Condition of nationality for professors. FR: Condition of nationality. However, third country nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach.			AT, CY, FI, MT, SE: Unbound CZ: None other than: majority of members of the Board must be of Czech nationality. SK: None other than: majority of members of the Board have to be of Slovak citizenship. SI: None other than: majority of the Board must be of Slovenian nationality 4) <u>ICT and BV</u>: All Member States except AT, CY, FI, LV, MT, PL, SE : Unbound except as indicated in the horizontal section LV, PL: None AT, CY, FI, MT, SE: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
D.	<u>Adult Education Services (CPC 924; for AT CPC 9240 except</u>	IT: Condition of nationality for service providers to be authorized to issue State recognized diplomas. AT, CY, FI, MT, SE: Unbound <u>CSS:</u> All Member States: Unbound except for FR and LU where: concerning the temporary entry of professors as indicated in the horizontal section and subject to the following specific limitations: FR: -The professors have obtained an employment contract from a university or other higher education institution. - The work permit is delivered for a period not exceeding nine months renewable for the duration of the contract. - Compliance with an economic needs test is required unless those professors are designated directly by the Minister in charge of higher education. - The recruiting institution must pay a tax to the International Migration Office. <u>Other:</u> All Member States except HU: Unbound HU: Personalities of internationally recognised reputation who have been invited by higher education institution for the duration of the invitation. 1) All Member States except CY, FI, MT, PL, SE: None			<u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, , PL, SI, SK: Unbound LV: None <u>Other:</u> All Member States except HU: Unbound HU: Unbound except for measures concerning the category of natural persons referred to in the Market Access column. 1) All Member States except CY, FI, MT, SE: None			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
education services for adults by means of radio or television broadcasting. For EE: it also covers other adult education services not provided by the State)	CY, FI, MT, SE: Unbound PL: Public system of education and of scholarships do not cover educational services supplied from abroad. 2) All Member States except CY, FI, MT, PL, SE: None CY, FI, MT, SE: Unbound PL: Public system of education and of scholarships do not cover educational services supplied abroad. 3) All Member States except CY, CZ, FI, HU, MT, SE, SK: None CY, FI, MT, SE: Unbound CZ: Foreign nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. Condition of ensuring quality and level of education and suitability of school facilities. HU: Establishment of schools is subject to licence from the local (or in case of high schools from the central) authorities. SK: Foreign nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach subject to complying with qualification and	CY, FI, MT, SE: Unbound 2) All Member States except CY, FI, MT, SE: None CY, FI, MT, SE: Unbound 3) All Member States except CY, CZ, FI, MT, SE, SK: None CY, FI, MT, SE: Unbound CZ: None other than: majority of members of the Board must be of Czech nationality. SK: None other than: majority of members of the Board have to be of Slovak citizenship.	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. <u>Other Education Services</u> (CPC 929)	material requirements on establishment of such an institution. 4) <u>ICT and BV</u>: All Member States except CY, FI, MT, SE: Unbound except as indicated in the horizontal section CY, FI, MT, SE: Unbound. <u>CSS</u>: All Member States: Unbound 1) All Member States except CZ and SK: Unbound CZ, SK: None 2) All Member States except CZ and SK: Unbound CZ and SK: None 3) All Member States except CZ and SK: Unbound CZ: Foreign nationals may obtain authorization from competent authorities to establish and direct an education institution and to teach. Condition of ensuring quality and level of education and suitability of school facilities.	4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL, SE: Unbound except as indicated in the horizontal section LV, PL: None CY, FI, MT, SE: Unbound. <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except CZ and SK: Unbound CZ, SK: None 2) All Member States except CZ and SK: Unbound CZ, SK: None 3) All Member States except CZ and SK: Unbound CZ: None other than: majority of members of the Board must be of Czech nationality. SK: None other than: majority of members of the Board have to be of Slovak citizenship.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
6.	ENVIRONMENTAL SERVICES (SE: the offer does not include public works functions whether owned and operated by municipalities, state or federal governments or contracted out by these governments)	SK: Foreign nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach subject to complying with qualification and material requirements on establishment of such an institution. 4) <u>ICT</u> and <u>BV</u>: All Member States except for CZ, SK: Unbound CZ, SK: Unbound except as indicated in the horizontal section. <u>CSS</u>: All Member States: Unbound			4) <u>ICT</u> and <u>BV</u>: All Member States except for CZ, SK: Unbound CZ, SK: Unbound except as indicated in the horizontal section. <u>CSS</u>: All Member States: Unbound			
A.	<u>Sewage Services</u> (All Member States except EE: CPC 9401; EE: CPC 9401 contracted by private industry)	1) All Member States except EE, LV, LT: Unbound EE, LV, LT: None 2) All Member States except CY, FI, HU, MT, PL: None			1) All Member States except EE, LV, LT: Unbound EE, LV, LT: None 2) All Member States except CY, FI, HU, MT, PL: None CY, FI, HU, MT, PL: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Refuse Disposal Services</u> (All Member States except EE: CPC 9402; EE: CPC 9402 contracted by private industry)	CY, FI, HU, MT, PL: Unbound 3) All Member States except CY, FI, HU, MT, PL: None CY, FI, HU, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, HU, MT, PL: Unbound except as indicated in the horizontal section and subject to the following limitations: CY, FI, HU, MT, PL: Unbound <u>CSS:</u> All Member States: Unbound	3) All Member States except CY, FI, HU, MT, PL: None CY, FI, HU, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, HU, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following limitations: CY, FI, HU, MT, PL: Unbound LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None	
B. <u>Refuse Disposal Services</u> (All Member States except EE: CPC 9402; EE: CPC 9402 contracted by private industry)	1) All Member States except EE, HU: Unbound EE, HU: None 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, MT, PL: Unbound except as indicated in the horizontal section CY, MT, PL: Unbound <u>CSS:</u> All Member States: Unbound	1) All Member States except EE, HU: Unbound EE, HU: None 2) 3) All Member States except CY, MT, PL: None CY, MT, PL: Unbound 4) <u>ICT and BV:</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section CY, MT, PL: Unbound FI, LV: None <u>CSS:</u> All Member States except EE, LV: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments
C. <u>Sanitation and Similar Services</u> (CPC 9403)		1) All Member States except EE, HU, LT: Unbound EE, HU, LT: None 2) 3) All Member States except CY, FI, MT, PL: None CY, FI, MT, PL: Unbound 4) <u>ICT and BV</u> : All Member States except CY, FI, MT, PL: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: commercial presence required CY, FI, MT, PL: Unbound			EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except EE, HU, LT: Unbound EE, HU, LT: None 2) 3) All Member States except CY, FI, MT, PL: None CY, FI, MT, PL: Unbound 4) <u>ICT and BV</u> : All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section and subject to the following limitations: CY, FI, MT, PL: Unbound LV: None			
Cleaning Services of Exhaust Gases (All Member States except PL: CPC 9404 PL: part of CPC 9404)		1) All Member States except EE, FI, LT, PL: Unbound EE, FI, LT, PL: None 2) All Member States except CY, CZ, HU, MT, SK, SI: None CY, CZ, HU, MT, SK, SI: Unbound 3) All Member States except CY, CZ, HU, MT, SE, SK, SI: None SE: Government owned monopoly for control services of exhaust-gas from cars and			CSS: All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except EE, FI, LT, PL: Unbound EE, FI, LT, PL: None 2) All Member States except CY, CZ, HU, MT, SK, SI: None CY, CZ, HU, MT, SK, SI: Unbound 3) All Member States except CY, HU, MT, SK, SI: None CY, HU, MT, SK, SI: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		trucks. Such services must be offered on a non-profit basis. CY, CZ, HU, MT, SK, SI: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, HU, MT, SK, SI: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: Commercial presence required CY, CZ, HU, MT, SK, SI: Unbound <u>CSS</u> : All Member States: Unbound			4) <u>ICT and BV</u> : All Member States except CY, CZ, FI, HU, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section LV, FI, PL: None CY, CZ, HU, MT, SK, SI: Unbound <u>CSS</u> : All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None			
	Noise abatement services (All Member Sates except PL: CPC 9405 PL: part of CPC 9405)	1) All Member States except EE, FI, LT, PL: Unbound EE, FI, LT, PL: None 2) 3) All Member States except AT, EE, FI, LV, LT, PL, SE: Unbound AT, EE, FI, LV, LT, PL, SE: None 4) <u>ICT and BV</u> : All Member States except AT, FI, LV, LT, PL, SE: Unbound AT, EE, LT, SE: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: commercial presence required <u>CSS</u> :			1) All Member States except EE, FI, LT, PL: Unbound EE, FI, LT, PL: None 2) 3) All Member States except AT, EE, FI, LV, LT, PL, SE: Unbound AT, EE, FI, LV, LT, PL, SE: None 4) <u>ICT and BV</u> : All Member States except FI, LV, LT, PL, SE: Unbound. AT, EE, LT, SE: Unbound except as indicated in the horizontal section FI, LV, PL: None <u>CSS</u> :			

Modes of supply: (1)	Cross-border (2)	Consumption abroad				Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
Nature and Landscape Protection Services(All Member States except LT: CPC 9406 LT: CPC 9406 other than destined to national parks)	All Member States: Unbound 1) All Member States except EE, FI: Unbound EE, FI: None 2) 3) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, HU, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: Commercial presence required CY, CZ, HU, MT, PL, SK: Unbound <u>CSS</u>: All Member States: Unbound	All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except EE, FI: Unbound EE, FI: None 2) 3) All Member States except CY, CZ, HU, MT, PL, SK: None CY, CZ, HU, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, HU, FI, LV, MT, PL, SK: Unbound except as indicated in the horizontal section FI, LV: None CY, CZ, HU, MT, PL, SK: Unbound <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None 1) All Member States except EE, FI, PL: Unbound EE, FI, PL: None 2) 3) All Member States except CY, CZ, HU, MT, SK, SI: None CY, CZ, HU, MT, SK, SI: Unbound 4) <u>ICT and BV</u>:				
D. <u>Other Environmental Protection Services</u>(All Member States except PL: CPC 9409 PL: Monitoring of environment. Consultancy related to the environmental	1) All Member States except EE, FI, PL: Unbound EE, FI, PL: None 2) 3) All Member States except CY, CZ, HU, MT, SK, SI: None CY, CZ, HU, MT, SK, SI: Unbound 4) <u>ICT and BV</u>:	1) All Member States except EE, FI, PL: Unbound EE, FI, PL: None 2) 3) All Member States except CY, CZ, HU, MT, SK, SI: None CY, CZ, HU, MT, SK, SI: Unbound 4) <u>ICT and BV</u>:				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	protection)	All Member States except CY, CZ, HU, MT, SK, SI: Unbound except as indicated in the horizontal section and subject to the following limitations: AT: Commercial presence required CY, CZ, HU, MT, SK, SI: Unbound <u>CSS:</u> All Member States: Unbound			All Member States except CY, CZ, HU, FI, LV, MT, PL, SK, SI: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, CZ, HU, MT, SK, SI: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound, except as provided in the horizontal section LV: None			
7.	FINANCIAL SERVICES SECTOR (first part) ⁵⁰							
1.	Part of the EC (AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK and UK) undertakes commitments on Financial Services in accordance with the provisions of the "Understanding on Commitments in Financial Services" (the Understanding). These commitments are in the following section. Commitments on Financial Services of the other part of the EC (CY, EE, LV, LT, MT, PL, SI) are not based on the Understanding and are in a second section.							
2.	These commitments are subject to the limitations on market access and national treatment in the "all sectors" section of this schedule and to those relating to the subsectors listed below.							
3.	The market access commitments in respect of modes (1) and (2) apply only to the transactions indicated in paragraphs B.3 and B.4 of the market access section of the Understanding respectively, except for Hungary, for which they apply only to the transactions indicated in paragraphs B.3 (a) and (b) and B.4 (a) and (b) respectively.							
4.	Notwithstanding note 1. above, the market access and national treatment commitments in respect of mode (4) on financial services are those in the "all sectors" section of this schedule, except for the Czech Republic, Hungary, the Slovak Republic and Sweden, in which case commitments are made in accordance with the							

⁵⁰ Unlike foreign subsidiaries, branches established directly in a Member State by a non-Community financial institution are not, with certain limited exceptions, subject to prudential regulations harmonised at Community level which enable such subsidiaries to benefit from enhanced facilities to set up new establishments and to provide cross-border services throughout the Community. Therefore, such branches receive an authorisation to operate in the territory of a Member State under conditions equivalent to those applied to domestic financial institutions of that Member State, and may be required to satisfy a number of specific prudential requirements such as, in the case of banking and securities, separate capitalisation and other solvency requirements and reporting and publication of accounts requirements or, in the case of insurance, specific guarantee and deposit requirements, a separate capitalisation, and the localisation in the Member State concerned of the assets representing the technical reserves and at least one third of the solvency margin. Member States may apply the restrictions indicated in this schedule only with regard to the direct establishment from a third country of a commercial presence or to the provision of cross-border services from a third country; consequently, a Member State may not apply these restrictions, including those concerning establishment, to third-country subsidiaries established in other Member States of the Community, unless these restrictions can also be applied to companies or nationals of other Member States in conformity with Community law.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	Understanding.							
5.	The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Article 2(a) of the Financial Services Annex.							
6.	As a general rule and in a non-discriminatory manner, financial institutions incorporated in a Member State of the Community must adopt a specific legal form.							
7.	CZ, SK: Notwithstanding note 1. above, the purchase and acquisition of financial services by public entities of the Czech Republic and of the Slovak Republic are governed in this schedule by Article XIII of the General Agreement on Trade in Services.							
8.	HU: The transfer of information containing personal data, bank secret, securities secret and/or business secret is not allowed.							
9.	HU: Insurance, banking, securities and collective investment management services should be performed by legally separate and independently capitalised suppliers of financial services.							
10.	HU: Legislation permitting market access of branches is currently being prepared. Details and conditions to apply are still being determined. It is intended to bind the effects of this legislation as soon as it has been adopted.							
11.	HU: The board of a financial institution should include at least two members, who are Hungarian citizens, residents in the meaning of the relevant foreign exchange regulations and have permanent residency in Hungary for at least one year.							
12.	HU: Direct or indirect ownership or voting rights in a credit institution of a single shareholder other than credit institution, insurance company or investment firm cannot exceed 15%.							
A.	<u>Insurance and Insurance-Related Services</u>							
1.	CZ: Monopoly rights as indicated in paragraph B.1 of the Understanding: Compulsory motor third party liability insurance is provided by an exclusive supplier. ⁵¹ Compulsory health insurance is provided by licensed Czech owned suppliers only.							
2.	SK: The following insurance services are provided by exclusive suppliers: Compulsory motor third party liability insurance, compulsory air transport insurance, the liability insurance of employer against injury or occupational disease have to be effected through the Slovak Insurance Company. The basic health insurance is confined to the Slovak health insurance companies having a licence for provision of health insurance granted by the Ministry of Healthcare of the Slovak Republic according to the Act 273/1994 Coll. of Law. Fund pension insurance schemes and sickness insurance are confined to the Social Insurance Company. These exclusive service suppliers act in a manner consistent with obligations under Article II of the GATS and specific commitments.							
		1) BE, EL, IE, LU, NL, UK: None			1) BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: None		Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, and UK) undertakes additional commitments as contained in the attachment.	
		AT: Promotional activity and intermediation on behalf of a subsidiary not established in the Community or of a branch not established in			AT: Higher premium tax is due for insurance contracts (except for contracts on reinsurance			

⁵¹ CZ: When monopoly rights concerning compulsory motor third party liability insurance are removed, providing this service will be open on a non-discriminatory basis to Czech established service providers.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	Austria (except for reinsurance and retrocession) are prohibited. AT: Compulsory air insurance can be underwritten only by a subsidiary established in the Community or by a branch established in Austria. CZ: None other than: Foreign financial services suppliers may establish an insurance company with the seat in the Czech Republic in the form of a joint stock company or may exercise insurance activity through their branches with registered office in the Czech Republic under the conditions established in the Insurance Industry Act. Commercial presence and authorisation is required for the provider of insurance services: - to provide such services including reinsurance, and - to conclude intermediation contract with an intermediary aimed at the conclusion of insurance contract between the provider of insurance services and third party. Authorisation is required for the intermediary in case of its intermediation activity to be exercised for a branch with registered office in the Czech Republic. DK: Compulsory air transport insurance can be underwritten only by firms established in the Community. DK: No persons or companies (including insurance companies) may for business purposes in Denmark assist in effecting direct insurance for persons resident in				and retrocession) which are written by a subsidiary not established in the Community or by a branch not established in Austria. Exception from the higher tax can be granted.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	Denmark, for Danish ships or for property in Denmark, other than insurance companies licensed by Danish law or by Danish competent authorities. DE: Compulsory air insurance policies can be underwritten only by a subsidiary established in the Community or by a branch established in Germany. DE: If a foreign insurance company has established a branch in Germany, it may conclude insurance contracts in Germany relating to international transport only through the branch established in Germany. ES, IT: Unbound for the actuarial profession. FI: Only insurers having their head office in the European Community or having their branch in Finland may offer insurance services as referred to in sub-paragraph 3 (a) of the Understanding. FI: The supply of insurance broker services is subject to a permanent place of business in the European Community. FR: Insurance of risks relating to ground transport may be carried out only by insurance firms established in the Community. HU: <u>Direct insurance (life and non-life)</u> Only entrepreneurs pursuing international business activity specified in the legal rules on foreign exchange are allowed to purchase services. Only insurance events occurring abroad can be insured. IT: Insurance of risks relating to c.i.f. exports by residents in Italy may be underwritten only by insurance firms established in the							

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	Community. IT: Transport insurance of goods, insurance of vehicles as such and liability insurance regarding risks located in Italy may be underwritten only by insurance companies established in the Community. This reservation does not apply for international transport involving imports into Italy. PT: Air and maritime transport insurance, covering goods, aircraft, hull and liability can be underwritten only by firms established in the EC; only persons or companies established in the EC may act as intermediaries for such insurance business in Portugal. SK: Commercial presence is required for supply of: - the life insurance of persons with permanent residence in the Slovak Republic; - the insurance of property on the territory of the Slovak Republic; - the insurance of liability for loss or damage caused by the activity of natural persons and juridical persons on the territory of the Slovak Republic; - air and maritime insurance, covering goods, aircraft, hull and liability. SE: The supply of direct insurance is allowed only through an insurance service supplier authorised in Sweden, provided that the foreign service supplier and the Swedish insurance company belong to the same group of companies or have an agreement of cooperation between them.							

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	2) BE, ES, FI, EL, IE, LU, NL, SE, UK: None AT: Promotional activity and intermediation on behalf of a subsidiary not established in the Community or of a branch not established in Austria (except for reinsurance and retrocession) are prohibited. AT: Compulsory air insurance can be underwritten only by a subsidiary established in the Community or by a branch established in Austria. CZ: None other than: Insurance services as defined below may not be purchased abroad. - The life insurance of persons with permanent residence in the Czech Republic, - the insurance of property on the territory of the Czech Republic, - the insurance of liability for loss or damage caused by the activity of natural and legal persons on the territory of the Czech Republic. DK: Compulsory air transport insurance can be underwritten only by firms established in the Community. DK: No persons or companies (including insurance companies) may for business purposes in Denmark assist in effecting direct insurance for persons resident in Denmark, for Danish ships or for property in Denmark, other than insurance companies licensed by Danish law or by Danish competent authorities. DE: Compulsory air insurance policies can be underwritten only by a subsidiary	2) BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: None AT: Higher premium tax is due for insurance contracts (except for contracts on reinsurance and retrocession) which are written by a subsidiary not established in the Community or by a branch not established in Austria. Exception from the higher tax can be granted.	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	established in the Community or by a branch established in Germany. DE: If a foreign insurance company has established a branch in Germany, it may conclude insurance contracts in Germany relating to international transport only through the branch established in Germany. FR: Insurance of risks relating to ground transport may be carried out only by insurance firms established in the Community. HU: <u>Direct insurance (life and non-life)</u> Only entrepreneurs pursuing international business activity specified in the legal rules on foreign exchange are allowed to purchase services. Only insurance events occurring abroad can be insured. IT: Insurance of risks relating to c.i.f. exports by residents in Italy may be underwritten only by insurance firms established in the Community. IT: Transport insurance of goods, insurance of vehicles as such and liability insurance regarding risks located in Italy may be underwritten only by insurance companies established in the Community. This reservation does not apply for international transport involving imports into Italy. PT: Air and maritime transport insurance, covering goods, aircraft, hull and liability can be underwritten only by firms established in the EC; only persons or companies established in the EC may act as intermediaries for such insurance business in Portugal.		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		SK: Insurance services covered by mode (1), except insurance of air and maritime transport, covering goods, aircraft, hull and liability above may not be purchased abroad. 3) DK, DE, HU, LU, NL, UK: None AT: The licence for branch offices of foreign insurers has to be denied if the insurer, in the home country, does not have a legal form corresponding or comparable to a joint stock company or a mutual insurance association. BE: Any public bid to acquire Belgian securities made by or on behalf of a person, company or institution outside the jurisdiction of one of the Member States of the European Community shall be submitted to the authorisation of the Minister of Finance. CZ: None other than: Foreign financial services suppliers may establish an insurance company with the seat in the Czech Republic in the form of a joint stock company or may exercise insurance activity through their branches with registered office in the Czech Republic under the conditions established in the Insurance Industry Act. Commercial presence and authorisation is required for the provider of insurance services: - to provide such services including reinsurance, and - to conclude intermediation contract with an intermediary aimed at the conclusion of insurance contract between the provider of			3) AT, BE, CZ, DK, DE, ES, FR, EL, HU, IT, IE, LU, NL, PT, UK: None FI: The general agent of the foreign insurance company shall have his place of residence in Finland, unless the company has its head office in the European Community. SE: Non-life insurance undertakings not incorporated in Sweden conducting business in Sweden are - instead of being taxed according to the net result - subject to taxation based on the premium income from direct insurance operations. SE: A founder of an insurance company shall be a natural person resident in the European Community or a legal entity incorporated in the European Community. SK: The majority of the management board of an insurance company has to be domiciled in the Slovak Republic.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		insurance services and third party. Authorisation is required for the intermediary in case of its intermediation activity to be exercised for a branch with registered office in the Czech Republic. ES: Before establishing a branch or agency in Spain to provide certain classes of insurance, a foreign insurer must have been authorised to operate in the same classes of insurance in its country of origin for at least five years. ES, EL: The right of establishment does not cover the creation of representative offices or other permanent presence of insurance companies, except where such offices are established as agencies, branches or head offices. FI: The managing director, at least one auditor and at least one half of the promoters and members of the board of directors and the supervisory board of an insurance company shall have their place of residence in the European Community, unless the Ministry of Social Affairs and Health has granted an exemption. FI: Foreign insurers cannot get a licence in Finland as a branch to carry on statutory social insurances (statutory pension insurance, statutory accident insurance). FR: The establishment of branches is subject to a special authorisation for the representative of the branch. IT: Access to actuarial profession through natural persons only. Professional associations (no incorporation) among natural persons permitted. IT: The authorisation of the establishment of branches is ultimately subject to the						

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	evaluation of supervisory authorities. IE: The right of establishment does not cover the creation of representative offices. PT: Foreign companies may carry out insurance intermediation in Portugal only through a company formed in accordance with the law of a Community Member State. PT: In order to establish a branch in Portugal, foreign companies need to demonstrate prior operational experience of at least five years. SE: Foreign companies may only establish as a subsidiary or through a resident agent. SE: Insurance broking undertakings not incorporated in Sweden may establish a commercial presence only through a branch. SK: Foreign national may establish an insurance company in the form of a joint stock company or may conduct insurance business through their subsidiaries with registered office in the Slovak Republic. Insurance business means insurance activity including brokerage and reinsurance activity. Intermediation activity aimed at the conclusion of an insurance contract between third party and the insurance company may be provided by natural or juridical persons who are domiciled in the Slovak Republic for the benefit of the insurance company having the license of the Insurance Supervisory Authority.	4) <u>ICT and BV</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE,	4) <u>ICT and BV</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE,

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access		Limitations on National Treatment		Additional Commitments			
		LU, NL, PT, SE, SK, UK . Unbound except as indicated in the horizontal section and subject to the following specific limitation: EL: A majority of the members of the board of directors of a company established in Greece shall be nationals of one of the Member States of the Community.		LU, NL, PT, SE, SK, UK Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: The management of a branch office must consist of two natural persons resident in Austria. DK: The general agent of an insurance branch will need to have resided in Denmark for the last two years unless being a national of one of the Member States of the Community. The Minister of Business and Industry may grant exemption. DK: Residency requirement for managers and the members of the board of directors of a company. However, the Minister of Business and Industry may grant exemption from this requirement. Exemption is granted on a non-discriminatory basis. ES, IT: Residence requirement for actuarial profession. <u>CSS</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: Unbound					
B. <u>Banking and Other Financial Services</u> (excluding insurance)									
1. CZ: Non-central bank currency issue services, trading of derivative products and of bullion, money broking, settlement and clearing services for derivative products, and advisory, intermediation and other auxiliary financial services relating to these activities are not committed.									
2. SK: Trading of derivative products and of bullion, money broking, and intermediation are not committed.									

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	1)⁵² AT, DK, DE, ES, FI, FR, EL, HU, LU, NL, PT, SE, UK: None BE: Establishment in Belgium is required for the provision of investment advisory services. CZ: Unbound for trading of transferable securities and of other negotiable instruments and financial assets, participation in issues of all kinds of securities, asset management, and settlement and clearing services for financial assets. None other than: Only Czech established banks and branches of foreign banks having a corresponding licence may: - provide deposit services; - trade in foreign exchange assets; - effect non-cash cross-border payments. Foreign exchange permit issued by the Czech National Bank or Ministry of Finance is required in case of Czech non-bank residents for: (a) opening and funding of an account abroad by Czech residents, (b) capital payments abroad (except FDI), (c) granting financial credits and guarantees, (d) operations in financial derivatives, (e) purchase of foreign securities except for the cases as described by the Foreign				1) AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: None		Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IT, IE, LU, NL, PT, SE, and UK) undertakes additional commitments as contained in the attachment.	

⁵² IT: Provision and transfer of financial information and financial data processing entailing trading of financial instruments may be prohibited where the protection of investors is likely to be seriously prejudiced. Only authorised banks and investment firms must comply with conduct of business rules in providing investment advice concerning financial instruments and advice to undertakings on capital structure, industrial strategy and related matters, and advice and service relating to mergers and acquisition of undertakings. Advisory activity should not include asset management.

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Exchange Act, (f) issue of foreign securities for public and non-public trade in the Czech Republic or their introduction on the domestic market. IT: Unbound for "promotori di servizi finanziari" (financial salesmen). IE: The provision of investment services or investment advice requires either (IT) authorisation in Ireland, which normally requires that the entity be incorporated or be a partnership or a sole trader, in each case with a head/registered office in Ireland (authorisation may not be required in certain cases, e.g. where a third country service provider has no commercial presence in Ireland and the service is not provided to private individuals), or (II) authorisation in another Member State in accordance with the EC Investment Services Directive. SK: Unbound for trading of transferable securities and of other negotiable instruments and financial assets, participation in issues of all kinds of securities, asset management, and settlement and clearing services for financial assets. None other than: (i) Deposit services are confined to the domestic banks and branches of foreign banks in the Slovak Republic. (ii) Only authorised domestic banks, branches of foreign banks in the Slovak Republic and persons possessing a foreign exchange license may trade in foreign exchange assets. Only stock exchange members can trade on the Bratislava Stock Exchange.		

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Residents can trade on the RM-System Slovakia without any limitation and non-residents only through security dealers. (iii) Non-cash cross-border payments may be effected only by authorised domestic banks and branches of foreign banks in the Slovak Republic. (iv) Foreign exchange licence issued by the National Bank of Slovakia is required for: (a) opening an account abroad by a Slovak non-bank resident, except for the natural persons during their stay abroad; (b) capital payments abroad; (c) obtaining financial credit from a foreign exchange non-resident; except credits from abroad accepted by residents with a repayment period of more than 3 years and loans granted between natural persons for non-business activities. (v) Export and import of the Slovak currency and foreign exchange in cash exceeding value of 150 tns SKK and bullion, is subject to reporting requirement. (vi) Foreign exchange permission or licence granted by foreign exchange authorities is required for a deposit of financial assets by resident abroad. (vii) Only foreign exchange entities established in the Slovak Republic can grant and obtain guarantees and liabilities according to determined limit and provisions of the National Bank of		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		Slovakia. 2)⁵³ AT, BE, DK, ES, FR, , HU, IT, IE, LU, NL, PT, SE: None CZ: Unbound for asset management. None other than: Only Czech established banks and branches of foreign banks having a corresponding licence may: - provide deposit services; - trade in foreign exchange assets; - effect non-cash cross-border payments. Foreign exchange permit issued by the Czech National Bank or Ministry of Finance is required in case of Czech non-bank residents for: (a) opening and funding of an account abroad by Czech residents, (b) capital payments abroad (except FDI), (c) granting financial credits and guarantees, (d) operations in financial derivatives, (e) purchase of foreign securities except for the cases as described by the Foreign Exchange Act, (f) issue of foreign securities for public and non-public trade in the Czech Republic or their introduction on the domestic market. DE: Issues of securities denominated in Deutschmarks can be lead managed only by			2) AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: None			

⁵³ IT: Authorised persons enabled to conduct collective asset management are deemed responsible for any investment activity conducted by their delegated advisers (Collective asset management, excluding UCITS).

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		a credit institution, subsidiary or branch, established in Germany. FI: Payments from governmental entities (expenses) shall be transmitted through the Finnish Postal Giro system, which is maintained by the Postipankki Ltd. Exemption from this requirement may be granted on special reason by the Ministry of Finance. EL: Establishment is required for the provision of custodial and depository services involving the administration of interest and principal payments due on securities issued in Greece. SK: Unbound for asset management. None other than: (i) Deposit services are confined to the domestic banks and branches of foreign banks in the Slovak Republic. (ii) Only authorised domestic banks, branches of foreign banks in the Slovak Republic and persons possessing a foreign exchange license may trade in foreign exchange assets. Only stock exchange members can trade on the Bratislava Stock Exchange. Residents can trade on the RM-System Slovakia without any limitation and non-residents only through security dealers. (iii) Non-cash cross-border payments may be effected only by authorised domestic banks and branches of foreign banks in the Slovak Republic. (iv) Foreign exchange licence issued by the National Bank of Slovakia is required for: (a) opening an account abroad by a Slovak						

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments	
	non-bank resident, except for the natural persons during their stay abroad; (b) capital payments abroad; (c) obtaining financial credit from a foreign exchange non-resident; except credits from abroad accepted by residents with a repayment period of more than 3 years and loans granted between natural persons for non-business activities. (v) Export and import of the Slovak currency and foreign exchange in cash exceeding value of 150 ths SKK and bullion, is subject to reporting requirement. (vi) Foreign exchange permission or licence granted by foreign exchange authorities is required for a deposit of financial assets by resident abroad. (vii) Only foreign exchange entities established in the Slovak Republic can grant and obtain guarantees and liabilities according to determined limit and provisions of the National Bank of Slovakia. UK: Sterling issues, including privately led issues, can be lead managed only by a firm established in the European Community. 3) ⁵⁴ AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: - The establishment of a specialised management company is required to perform the activities of managements of unit trusts and investment companies (Articles 6 and 13 of UCITS Directive, 85/611/EEC).		3) AT, BE, CZ, DK, DE, ES, FI, EL, IE, LU, NL, PT, SK, UK: None FR: In addition to French credit institutions, issues denominated in French francs may be lead managed only by French subsidiaries (under French law) of non-French banks which are authorised, based on sufficient means and commitments in Paris of the candidate French			

⁵⁴ HU: Except Országos Takarékpénztár és Kereskedelmi Bank Rt., where long-term State ownership will be kept at a minimum of 25%+1 vote.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	- Only firms having their registered office in the Community can act as depositories of the assets of investment funds (Articles 8.1 and 15.1 of the UCITS Directive, 85/611/EEC). AT: Only members of the Austrian Stock Exchange may engage in securities trading at the Stock Exchange. AT: For trading in foreign exchange and foreign currency authorisation of the Austrian National Bank is required. AT: Mortgage bonds and municipal bonds may be issued by banks specialised and authorised for this activity. AT: For carrying out services of pension fund management a specialised company only for this activity and incorporated as a stock company in Austria is required. BE: Any public bid to acquire Belgian securities made by or on behalf of a person, company or institution outside the jurisdiction of one of the Member States of the European Community shall be submitted to the authorisation of the Minister of Finance. CZ: None other than: Banking services may be provided only by Czech established banks or branches of foreign banks having a licence granted by the Czech National Bank in agreement with the Ministry of Finance. The granting of the licence is based on the consideration of criteria which are applied consistently with GATS. Mortgage loan services may be provided only by Czech established banks.				subsidary of a non-French bank. These conditions apply to lead banks running the books. A non-French bank may be, without restrictions or requirement to establish, jointly-lead or co-lead manager of Eurofranc bond issue. IT: Representative offices of foreign intermediaries cannot carry out activities aimed at providing investment services. SE: A founder of a banking company shall be a natural person resident in the European Community or a foreign bank. A founder of a savings bank shall be a natural person resident in the European Community.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	Banks may be established as joint stock companies only. The purchase of shares of existing banks is subject to prior approval of the Czech National Bank. Securities may be traded publicly only if relevant authorisation has been granted and prospectus covering the security has been approved. The authorisation shall not be granted if public trading in securities is in conflict with the interests of investors, is inconsistent with the government financial policy or if it does not conform with the financial market requirements.⁵⁵ The establishment and activities of securities dealers, stockbrokers, of the Stock Exchange or organisers of an over-the-counter market, investment companies and investment funds are subject to authorisation granting of which is related to qualifications, personal integrity, management and material requirements. Settlement and clearing services for all kinds of payments are monitored and reviewed by the Czech National Bank to ensure their smooth and economical operation. DK: Financial institutions may engage in securities trading on the Copenhagen Stock Exchange only through subsidiaries incorporated in Denmark. ES: Financial institutions may engage in securities trading in securities listed on an official stock exchange or in the government securities market only through securities firms incorporated in Spain.							

⁵⁵ CZ: Legislation covering the abolition of the criterion of financial market requirements is now being discussed in the Parliament.

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments
	FI: At least one of the founders, the members of the board of directors, the supervisory board and the managing director shall have their permanent residence in the European Community. Exemptions from these requirements may be granted by the Financial Supervision Authority. At least one auditor shall have his permanent residence in the European Community. FI: The broker (individual person) on derivative exchange shall have his place of residence in the European Community. Exemption from this requirement may be granted under the conditions set by the Ministry of Finance. FI: Payments from governmental entities (expenses) shall be transmitted through the Finnish Postal Giro System, which is maintained by the Postipankki Ltd. Exemption from this requirement may be granted on special reason by the Ministry of Finance. EL: Financial institutions may engage in the trading of securities listed on the Athens Stock Exchange only through stock exchange firms incorporated in Greece. EL: For the establishment and operations of branches a minimum amount of foreign exchange must be imported, converted into drachmas and kept in Greece as long as a foreign bank continues to operate in Greece: - Up to four (4) branches this minimum is currently equal to half of the minimum amount of share capital required for a credit institution to be incorporated in Greece;					

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
	- For the operation of additional branches the minimum amount of capital must be equal to the minimum share capital required for a credit institution to be incorporated in Greece. IT: In providing the activity of door-to-door selling, intermediaries must utilise authorised financial salesmen resident within the territory of a Member State of the European Communities. IT: Clearing and settlement of securities may be conducted only by the official clearing system. A company authorised by the Bank of Italy in agreement with Consob could be entrusted with the activity of clearing, up to the final settlement of securities. IT: The public offer of securities (as provided for under Art. 18 of Law 216/74) other than shares, debt securities (including convertible debt securities) can only be made by Italian limited companies, foreign companies duly authorised, public bodies or companies belonging to local authorities whose assigned capital is not below Lit 2 billion. IT: Centralised deposit, custody and administration services can be provided only by the Bank of Italy for Government securities, or by Monte Titoli SpA for shares, securities of a participating nature and other bonds traded in a regulated market. IT: In the case of collective investment schemes other than harmonised UCITS under the directive 85/611/EEC, the trustee/ depository is required to be incorporated in Italy or in another Member State of the European Community, being established through a branch in Italy. Only banks, insurance					

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	companies, securities investment companies having their legal head office in the European Community may carry out activity of pension fund resources management. Management companies (closed-end funds and real estate funds) are also required to be incorporated in Italy. IE: In the case of collective investment schemes constituted as unit trusts and variable capital companies (other than undertakings for collective investment in transferable securities, UCITS), the trustee/depositary and management company is required to be incorporated in Ireland or in another Member State of the Community. In the case of an investment limited partnership, at least one general partner must be incorporated in Ireland. IE: To become a member of a stock exchange in Ireland, an entity must either (I) be authorised in Ireland, which requires that it be incorporated or be a partnership, with a head/registered office in Ireland, or (II) be authorised in another Member State in accordance with the EC Investment Services Directive. IE: The provision of investment services or investment advice requires either (I) authorisation in Ireland, which normally requires that the entity be incorporated or be a partnership or a sole trader, in each case with a head/registered office in Ireland (the supervisory authority may also authorise branches of third country entities), or (II) authorisation in another Member State in accordance with the EC Investment Services Directive.							

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	PT: The establishment of non-EC banks is subject to an authorisation issued, on a case-by-case basis, by the Minister of Finance. The establishment has to contribute to increase the national banking system's efficiency or has to produce significant effects on the internationalisation of the Portuguese economy. PT: The services of venture capital may not be provided by branches of venture capital companies having their head office in a non-EC country. Broker-dealer services on the Lisbon Stock Exchange may be provided by broker and dealer companies incorporated in Portugal or by branches of investment firms authorised in another EC country and authorised in their home country to provide those services. Broker and dealer services in the Oporto Derivatives Exchange and in the OTC market may not be provided by branches of non-EC broker/dealer companies. Pension fund management may be provided only by companies incorporated in Portugal and by insurance companies established in Portugal and authorised to take up the life insurance business. SK: Banking services may be provided only by domestic banks or branches of foreign banks authorised by the National Bank of Slovakia upon the agreement with the Ministry of Finance. The granting of authorisation is based on the consideration of criteria relating, in particular, to capital endowment (financial strength) professional qualifications, integrity and competence of the management of the projected bank activities. Banks are legal entities incorporated in the Slovak Republic, established as joint-stock companies or public		

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	(State-owned) financial institutions. The purchase of shares expressing interest in the equity capital of existing commercial bank from the determined limit is subject to prior approval of the National Bank of Slovakia. Investment services in the Slovak Republic can be provided by banks, investment companies, investment funds and security dealers which have legal form of joint-stock company with equity capital according to the law. Foreign investment company or investment fund must obtain an authorisation from Ministry of Finance for selling its securities or investment certificate units on the territory of the Slovak Republic according to the Law. For issue of debt securities the permission of the Ministry of Finance is required either for the issue inland or abroad. Securities may be issued and traded only after a permission by the Ministry of Finance has been granted for public trading according to the Securities Act. The business of security dealer, stockbroker or organiser of an over-the counter market is subject to authorisation of the Ministry of Finance. Settlement and clearing services for all kinds of payments are regulated by National Bank of Slovakia. Settlement and clearing services relating to change of physical property of securities are recorded in Centre of Securities (Clearing and Settlement House for Securities). Centre of Securities may provide only transfers on the property accounts of security owners. Cash part clearing and settlement goes through Banking Clearing and Settlement House - (where the National Bank of Slovakia is major shareholder) for Bratislava Stock Exchange, joint-stock company or through Jumbo		

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	account for RM-System Slovakia. UK: Inter-dealer brokers, which are a category of financial institutions dealing in Government debt, are required to be established in the European Community and separately capitalised. SE: Undertakings not incorporated in Sweden may establish a commercial presence only through a branch, and in case of banks, also through a representative office. 4) <u>ICT and BV</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Sociétés d'investissement à capital fixe: condition of nationality for the president of the Board of Directors, the Directors-General and no less than two thirds of the administrators, and also, when the securities firm has a Supervisory Board or Council, for the members of such board or its Director-General, and no less than two thirds of the members of the supervisory Council. EL: Credit institutions should name at least two persons who are responsible for the operations of the institution. Condition of residency applies to these persons. <u>CSS:</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: Unbound				4) <u>ICT and BV</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK : Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT: Condition of residence within the territory of a Member State of the European Communities for "promotori di servizi finanziari" (financial salesmen). <u>CSS:</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
7. FINANCIAL SERVICES SECTOR (second part)⁵⁶ 1. The commitments on Financial Services of the other part of the EC (CY, EE, LV, LT, MT, PL, SI) are in the following section. 2. CY: It is understood that this schedule should be read in conjunction with the horizontal commitments applicable to all sectors/subsectors submitted by Cyprus in its Schedule of Specific Commitments to the GATS and with the List of Article II (MFN) Exemptions. 3. CY: The following general conditions and qualifications would apply even where no limitations or conditions are stated in the schedule: (i) Consideration of national security and public policy objectives; (ii) This schedule does not in any way pertain to services supplied in the exercise of government functions. Also, it does not affect measures pertaining to trade in goods which may constitute inputs to a scheduled service or other services. In addition, limitations on market access or national treatment in respect of services which may constitute inputs to or be used to supply a scheduled service, shall continue to apply. 4. CY: The laws and regulations mentioned in this schedule should not be construed as an exhaustive reference to all laws, and regulations governing the financial sector. The transfer, for example, of information containing personal data, bank secret or any business secret is not allowed. Such transfer is subject to domestic laws on protection of confidentiality of information of banks' customers. Furthermore, it is noted that non-discriminatory qualitative measures pertaining to technical standards, public health and environmental considerations, licensing, prudential consideration, professional qualifications and competency requirements have not been listed as conditions or limitations to market access and national treatment. 5. CY: Unregulated financial services and products and the admission to the market of new financial services or products, may be subject to the existence or the introduction of a regulatory framework aimed at achieving the objectives indicated in Article 2(a) of the Financial Services Annex. 6. CY: Due to exchange controls operative in Cyprus: - residents are not permitted to purchase banking services which may involve transfer of funds abroad, while they are physically abroad; - loans to non-residents/foreigners or non-resident controlled companies require approval from the Central Bank; - acquisition of securities by non-residents also requires permission from the Central Bank; - dealings in foreign currency may be carried out only through banks which have been accorded "Authorised Dealer" status from the Central Bank. 7. MT: For mode (3) commitments, under exchange control legislation non-residents wishing to supply any services through the registration of a local company may do so with the prior permission of the Central Bank of Malta. Companies with the participation of non-resident legal or natural persons require a minimum share capital of 10,000 Maltese Liri of which 50% has to be paid up. The non-resident percentage share of the equity is to be paid for with funds emanating from abroad. Companies with non-resident participation must apply for a permit from the Ministry of Finance to acquire premises under the appropriate legislation.. 8. MT: For mode (4) commitments, the requirements of Maltese legislation and regulations regarding entry, stay, acquisition of real property, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements. Entry, work and residence permits are granted at the discretion of the Government of Malta.			

⁵⁶ PL: Prudential regulations in the financial sector are being elaborated in Poland. They may require alteration of the presently existing rules as well as preparation of the new laws. Their application will be done in accordance with the provisions of the Annex on Financial Services, paragraph 2 – Domestic Regulation sub-paragraph 1.

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
9.	MT: For modes (1) and (2) commitments, exchange control legislation allows a resident to transfer abroad annually for portfolio investment up to Lm 5,000. Amounts in excess of Lm 5,000 are subject to exchange control permission.								
10.	MT: Residents may borrow from overseas without the need to obtain exchange control approval if the borrowing is for a period exceeding three years. Such borrowings have however to be registered with the Central Bank.								
11.	SI: The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Article 2.(a) of the Annex on Financial Services.								
12.	SI: As a general rule and in a non-discriminatory manner, financial institutions incorporated in the Republic of Slovenia must adopt a specific legal form.								
13.	SI: Insurance and banking activities should be performed by legally separate suppliers of financial services.								
14.	SI: Investment services can be provided only through banks and investment firms.								
A.	<u>Insurance and Insurance-Related Services</u>								
1.	EE: Compulsory social security services are not committed.								
2.	LV: (i), (ii) (3): As a general rule and in non-discriminatory manner, foreign insurance institutions must adopt a specific legal form - joint-stock company. The right to establish foreign branches directly will be introduced by the 31 December 2002.								
3.	LV: (iii) (3): Intermediary can be only natural person (no nationality requirement) and can provide service on behalf of insurance company having the authorisation from Insurance Supervisory Authority in Latvia.								
4.	LT: All subsectors: Insurance companies are not allowed to provide both life and non-life insurance. Separate incorporation is required for those two types (a) and (b).								
(i)	Direct insurance (including co-insurance):	1) CY:	1) CY, EE, LV, LT: None. MT: <u>Life insurance, non-life insurance and reinsurance and retrocession</u> None. <u>Insurance intermediation and services auxiliary to insurance</u> Unbound. PL: Unbound except for the reinsurance, the retrocession						
(a)	life	<u>Life insurance</u> No insurer can offer life insurance services in the Republic of Cyprus unless licensed as an insurer by the Superintendent of Insurance, in accordance with the Insurance Companies Laws.							
(b)	non-life	<u>Non-life insurance</u> No insurer can offer non-life insurance services (except Marine, Aviation and Transit) in the Republic of Cyprus unless licensed as an insurer by the Superintendent of Insurance, in accordance with the Insurance Companies Laws.							
(ii)	Reinsurance and retrocession								
(iii)	Insurance intermediation, such as brokerage and agency								
CY:	Not committed.								

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services CY: Not committed. PL: Not committed.	Any foreign reinsurer approved by the Superintendent of Insurance (on prudential criteria) may offer reinsurance or retrocession services to insurance companies incorporated and licensed in Cyprus. EE: None. LV: <u>Life insurance, non-life insurance and insurance intermediation</u> Unbound. <u>Reinsurance and retrocession, and services auxiliary to insurance</u> None. LT: <u>Life insurance, non-life insurance (except for maritime and aviation insurance), and insurance intermediation</u> Unbound. <u>Maritime and aviation insurance, reinsurance and retrocession and services auxiliary to insurance:</u> None. MT: <u>Marine, aviation and transport insurance, reinsurance and retrocession, and insurance intermediation</u> None. <u>Life insurance, non-life insurance (except for marine, aviation and transport insurance), reinsurance and retrocession (except for marine, aviation and transport reinsurance), and services auxiliary to insurance</u> Unbound.	and insurance of goods in international trade. SI: <u>Marine, aviation and transport insurance, insurance intermediation, and services auxiliary to insurance</u> None. <u>Life insurance, non-life insurance (except marine, aviation and transport insurance), and reinsurance and retrocession</u> Unbound.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		PL: Unbound except for the reinsurance, the retrocession and insurance of goods in international trade. SI: <u>Marine, aviation and transport insurance</u> Insurance activities provided by mutual insurance institutions are limited to incorporated companies established in the Republic of Slovenia. <u>Life insurance, non-life insurance (except marine, aviation and transport insurance), reinsurance and retrocession, insurance intermediation, and services auxiliary to insurance</u> Unbound. 2) CY, EE, LV, LT: None. MT: <u>Life insurance, non-life insurance, and reinsurance and retrocession</u> None. <u>Insurance intermediation and services auxiliary to insurance</u> Unbound. PL: Unbound except for the reinsurance, the retrocession and insurance of goods in international trade. SI: <u>Marine, aviation and transport insurance</u>			2) CY, EE, LV, LT: None. MT: <u>Life insurance, non-life insurance, and reinsurance and retrocession</u> None. <u>Insurance intermediation and services auxiliary to insurance</u> Unbound. PL: Unbound except for the reinsurance, the retrocession and insurance of goods in international trade. SI: <u>Marine, aviation and transport insurance, reinsurance and retrocession, insurance intermediation, and</u>			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Insurance activities provided by mutual insurance institutions are limited to incorporated companies established in the Republic of Slovenia. <u>Life insurance and non-life insurance (except marine, aviation and transport insurance)</u> Unbound. <u>Reinsurance and retrocession</u> Reinsurance companies in the Republic of Slovenia have priority in the collection of insurance premiums. In case that these companies are not able to equalise all risks, these can be reinsured and retroceded abroad. (None upon the adoption of the new law on Insurance Companies). <u>Insurance intermediation and services auxiliary to insurance</u> None. 3) CY: <u>Life and non-life insurance</u> No insurer can operate in or from within the Republic of Cyprus unless so authorised by the Superintendent of Insurance, in accordance with the Insurance Companies Laws. Foreign insurance companies can operate in the Republic of Cyprus through the establishment of a branch or an agency. The foreign insurer must have been authorised to operate in his country of origin before authorised to establish a branch or agency. Participation of non-residents in insurance companies, incorporated in the Republic of Cyprus, requires the prior approval of the Central Bank. The extent of foreign participation is determined on a	<u>services auxiliary to insurance</u> None. <u>Life insurance and non-life insurance (except marine, aviation and transport insurance)</u> Unbound. 3) CY, LV, LT, MT, PL: None. EE: <u>Life and non-life insurance</u> None, except the management body of an insurance joint-stock company with foreign capital participation may include citizens of foreign countries in proportion to the foreign participation, but not more than half of the members of the management group; the head of the management of a subsidiary or an independent company must permanently reside in Estonia. <u>Reinsurance and retrocession, insurance intermediation and services auxiliary to insurance</u>	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	case by case basis in accordance with economic needs. <u>Reinsurance and retrocession</u> No company can operate as a reinsurer within the Republic of Cyprus unless so authorised by the Superintendent of Insurance. Investment by non-residents in reinsurance companies requires the prior approval of the Central Bank. The share of foreign participation in the capital of local reinsurance companies is determined on a case-by-case basis. Currently there is no local reinsurance company. EE, LV, LT: None. MT: May be made subject to economic needs test. PL: Establishment only in a form of joint stock company after obtaining a licence – except for insurance intermediation services where horizontal measures apply. After 1 January 1999 or the date of entry into force of the Fifth Protocol, whichever is later, market access through licensed branches will be allowed. A permit is required for the acquisition of shares or rights resulting from shares of any company which is shareholder of at least 15% of shares of insurance company - this requirement ceases to apply as of 1 January 1999 or the date of entry into force of the Fifth Protocol, whichever is later. No more than 5% of insurance funds can be invested abroad. A person executing activities of the insurance intermediation must possess a licence. Local incorporation required for	None. SI: <u>Life insurance, non-life insurance, and reinsurance and retrocession</u> None. <u>Insurance intermediation and services auxiliary to insurance</u> For sole proprietors a residence in the Republic of Slovenia is required.	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	insurance intermediaries. SI: <u>Life and non-life insurance</u> Establishment is subject to a licence issued by the Ministry of Finance. Foreign persons can establish an insurance company only as a joint venture with domestic person, where participation of foreign persons is limited up to 99 per cent. The limitation on the maximum foreign ownership shall be abolished with the adoption of the new Law on Insurance Companies. A foreign person may acquire or increase shares in a domestic insurance company subject to a prior approval of the Ministry of Finance. Ministry of Finance, when issuing a licence or approval of acquiring shares in a domestic insurance company, takes into account the following criteria: - the dispersion of ownership of shares and the existence of shareholders from different countries; - the supply of new insurance products and the transfer of related know how, if the foreign investor is an insurance company. Unbound for foreign participation in insurance company under privatisation. Membership of the mutual insurance institution is limited to companies established in the Republic of Slovenia and domestic natural persons. <u>Reinsurance and retrocession</u> Foreign participation in reinsurance company is limited up to a controlling share of the capital. (None, except for branches, upon the adoption of		

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
	the new law on Insurance Companies). <u>Insurance intermediation and services auxiliary to insurance</u> For providing consultancy and claim settlement services, incorporation is required as a legal entity by consent of the Bureau of insurance. For actuaries and risk assessment activities provision of services through professional establishment only. Operation is limited to activities referred under 7A(i) and (ii) of this Schedule. 4) <u>ICT and BV</u> CY: <u>Life and non-life insurance</u> Unbound except as indicated in the horizontal section. <u>Reinsurance and retrocession</u> Unbound except as indicated in the horizontal section. Natural persons are not authorised to provide reinsurance services. EE, LV, LT, MT: Unbound except as indicated in the horizontal section. PL: Unbound except as indicated in the horizontal section and subject to the following specific limitation: Residency requirement for insurance intermediaries. SI:	4) <u>ICT and BV</u> CY: <u>Life and non-life insurance</u> Unbound except as indicated in the horizontal section. <u>Reinsurance and retrocession</u> Unbound except as indicated in the horizontal section. Natural persons are not authorised to provide reinsurance services. EE, LT, MT, SI: Unbound except as indicated in the horizontal section. LV, PL: None.				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		<u>Life insurance, non-life insurance, and reinsurance and retrocession</u> Unbound except as indicated in the horizontal section. <u>Insurance intermediation and services auxiliary to insurance</u> Unbound except as indicated in the horizontal section and for actuarial and risk assessment residence is required in addition to a qualifying examination, membership in the Actuarial Association of the Republic of Slovenia and proficiency in the Slovene language. <u>CSS</u> CY, EE, LV, LT, MT, PL, SI: Unbound. For CY, natural persons are not authorised to provide reinsurance services			<u>CSS</u> CY: <u>Life and non-life insurance</u> Unbound. <u>Reinsurance and retrocession</u> Unbound. Natural persons are not authorised to provide reinsurance services. LT, MT, PL, SI: Unbound. EE: Unbound, except as provided in the horizontal section LV: None			
B. <u>Banking and Other Financial Services</u> (excluding insurance)								
1. CY: It is a statutory requirement and it is applied on a non-discriminatory manner that banks offering services in the Republic of Cyprus must be legal entities. Legal entities include branches of foreign banks/financial institutions which are registered in Cyprus.								
2. CY: Direct or indirect ownership or voting rights in a bank by a person and his/her associates may not exceed 10 per cent unless with the prior written approval of the								

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
	commitments	None.						
MT:	Not committed.	LT: <u>Pension fund management</u>						
PL:	Excluding guarantees and commitments of the State Treasury.	Commercial presence required.						
(x)	Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:	MT: <u>Subsectors (v) and (vi)</u>						
		None.						
		<u>Subsector (xv)</u>						
		Unbound, except for the provision of financial information by international providers.						
(a)	money market instruments (including cheques, bills, certificates of deposits)	PL: Unbound, except for:						
		<u>Subsector (xv)</u>						
(b)	foreign exchange	Requirement to use the public telecommunication network, or the network of other authorised operator, in the case of cross-border provision of these services.						
(c)	derivative products including, but not limited to, futures and options	SI: None for subsector (xv) and (xvi).						
(d)	exchange rate and interest rate instruments, including products such as swaps, forward rate agreements	Unbound except accepting credits (borrowing of all types), and accepting guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors. (Remark: consumer credits shall be free upon the adoption of the new Foreign Exchange Law).						
(e)	transferable securities	All above mentioned credit arrangements must be registered with the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)						
(f)	other negotiable instruments and financial assets, including bullion	Foreign persons can only offer foreign securities through domestic banks and stock broking company. Members of the Slovenian Stock Exchange must be incorporated in the						
CY:	Committed only for (x) (b) and (e).							
MT:	Not committed.							
PL:	Only (x) (e) is committed.							

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
(xi)	Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	2) CY: <u>Subsectors (v) to (ix) and (x) (b)</u> Unbound-Residents of Cyprus require permission from the Central Bank in conformity with the Exchange Control Law for borrowing in foreign currency or abroad, for placing funds abroad or for obtaining banking services that require export of funds. <u>Subsector (x) (e)</u> None except as indicated in the horizontal section. EE, LV, LT: None. MT: <u>Subsectors (v) and (vi)</u>	Republic of Slovenia.			2) CY: Unbound, except for: <u>Subsector (x) (e)</u> None except as indicated in the horizontal section. EE, LV, LT, SI: None. MT: <u>Subsectors (v) and (vi)</u> None. <u>Subsector (xv)</u> Unbound, except for the provision of financial information by international providers. PL: Unbound, except for: <u>Subsector (xv)</u> None.		
	CY: Not committed. MT: Not committed. PL: Excluding participation in issues of Treasury papers. SI: Excluding participation in issues of Treasury bonds.							
(xii)	Money broking	2) CY: <u>Subsectors (v) to (ix) and (x) (b)</u> Unbound-Residents of Cyprus require permission from the Central Bank in conformity with the Exchange Control Law for borrowing in foreign currency or abroad, for placing funds abroad or for obtaining banking services that require export of funds. <u>Subsector (x) (e)</u> None except as indicated in the horizontal section. EE, LV, LT: None. MT: <u>Subsectors (v) and (vi)</u> None <u>Subsector (xv)</u> Unbound, except for the provision of financial information by international providers. PL: Unbound, except for: <u>Subsector (xv)</u> Requirement to use the public telecommunication network, or the network of other authorised operator, in the case of consumption abroad of these services. SI: None for subsectors (xv) and (xvi). Unbound except accepting credits (borrowing of all types), and accepting guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors. (Remark: consumer credits shall be free upon the adoption of the						
	CY: Not committed. MT: Not committed. PL: Not committed.							
(xiii)	Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management,							

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment		Additional Commitments		
custodial, depository and trust services CY: Not committed. MT: Not committed. PL: Only portfolio management services. SI: Excluding pension fund management.	new Foreign Exchange Law). All above mentioned credit arrangements must be registered with the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.) Legal entities established in the Republic of Slovenia can be depositories of the assets of Investments Funds.					
(xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments CY: Not committed. MT: Not committed. PL: Not committed.						
(xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services CY: Not committed.	3) EE, LV: - The establishment of a specialised management company is required to perform the activities of management of unit trusts and investment companies (Articles 6 and 13 of UCITS Directive, 85/611/EEC). - Only firms having their registered office in the Community can act as depositories of the assets of investment funds (Articles 8.1 and	3) CY: Subsectors (v) to (ix) and (x) (b) None once established and licensed. Subsector (x) (e) A brokerage firm may only be registered as a member of the Cyprus Stock Exchange if it has been established and registered in accordance with the Companies Law of Cyprus.				
(xvi) Advisory,		EE, LV, LT, PL, SI: None.				

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence (4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments		
intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, on and acquisitions and on corporate restructuring and strategy	15.1 of the UCITS Directive, 85/611/EEC). CY: <u>Subsectors (v) to (ix) and (x) (b)</u> For new banks the following requirements apply: (a) A licence is required from the Central Bank for the carrying out of banking business. The Central Bank in granting a licence may apply an economic needs test. (b) Branches of foreign banks must be registered in Cyprus under the Companies Law and licensed under the Banking Law. <u>Subsector (x) (e)</u> Only members (brokers) of the Cyprus Stock Exchange can undertake business pertaining to securities brokerage in Cyprus. Firms acting as brokers must only employ individuals who can act as brokers provided that they are appropriately licensed. Banks and Insurance companies may not undertake brokerage business. However their subsidiary brokerage firms may do so.	MT: Unbound, except for: <u>Subsectors (v), (vi) and (xv)</u> None.			
CY: Not committed. MT: Not committed. PL: Advisory and other auxiliary financial services only in relation to the activities committed for Poland.					
SI: Excluding advisory, intermediation and other auxiliary financial services related to participation in issues of Treasury and to pension fund management.	LV: <u>Subsector (xi)</u> The Bank of Latvia (Central Bank) is a financial agent of the government in the T-bills market. <u>Subsector (xiii)</u> Pension fund management is provided by State monopoly. LT: None, except as indicated in horizontal part of section “Banking and Other Financial Services”, and for: <u>Subsector (vii)</u> Financial leasing can be reserved for special				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		financial institutions (such as banks and insurance companies). None as of 1 January 2001, except as indicated in horizontal part of section “Banking and Other Financial Services”. <u>Subsector (xiii)</u> Establishment only as Public Stock Corporations (AB) and Close Corporations (UAB) which should be founded in closed manner (when all initially issued stock are acquired by incorporators). For the purpose of asset management, the establishment of a specialised management company is required. Only firms having their registered office in Lithuania can act as the depositories of the assets. As indicated in horizontal part of section “Banking and Other Financial Services”. MT: Unbound, except for: <u>Subsectors (v) and (vi)</u> Foreign-owned credit and other financial institutions may operate either in the form of a branch or a local subsidiary. Authorisation may be made subject to economic needs test. PL: <u>Subsectors (v), (vi), (viii) and (ix) (excluding guarantees and commitments of the State Treasury)</u> Establishment of a bank only in a form of joint-stock company. System of permits in relation to establishment of all banks based on prudential grounds. After 1 January 1999 or the date of entry into force of the Fifth Protocol, whichever is later, market access through licensed branches will be allowed. Nationality requirement for some – at least one – of the bank executives.						

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	Subsectors (x) (e), (xi) (excluding participation in issues of Treasury papers), (xiii) (only portfolio management services) and (xvi) (advisory and other auxiliary financial services only in relation to the activities committed for Poland.) Establishment, after obtaining a licence, only in a form of joint-stock company or a branch of foreign legal entity providing securities services. <u>Subsector (xv)</u> Requirement to use the public telecommunication network, or the network of other authorised operator, in the case of cross-border provision and/or consumption abroad of these services. SI: None for subsectors (xv) and (xvi). Establishment of all types of banks are subject to a licence of the Bank of Slovenia. Foreign persons may become shareholders of banks or acquire additional shares of banks only subject to prior approval of the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.) Under license of the Bank of Slovenia, banks, subsidiaries and branches of foreign banks can be permitted to provide all or limited banking services, depending on the amount of the capital. When considering issuing a licence to a bank to set up as a wholly-owned or with a majority of foreign investors or approval of acquiring additional shares of banks; the							

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		Bank of Slovenia shall take into account the following guidelines⁵⁷: - the existence of investors from different countries; - the opinion of the foreign institution in change of banking supervision. (Remark: this provision shall be abolished on the adoption of the new Law on Banking.) Unbound in relation to foreign participation in banks under privatisation. Branches of foreign banks must be incorporated in the Republic of Slovenia and have legal personality. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)Unbound with respect to all types of mortgage banks, savings and loans institutions. Unbound with respect to establishment of private pension funds (non-compulsory pension funds). Management Companies are commercial companies established solely for the purpose of managing investment funds. Foreign persons may directly or indirectly acquire a maximum up to 20 per cent of shares or voting rights of management companies; for a larger percentage an approval of the Securities Market Agency is						

⁵⁷ Besides the amount of the capital the Bank of Slovenia shall, when considering issuing an unlimited or a limited banking licence also take into account the following guidelines (for both domestic and foreign applicants)

- the national-economic preferences for certain banking activities;
- the existing regional coverage of the Republic of Slovenia by banks;
- the actual bank's performance of activities compared to those stipulated by the existing licence.

(Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	required. An Authorised (privatisation) Investment Company is an investment company established solely for the purpose of gathering the ownership certificates (vouchers) and the purchase of shares issued in accordance with regulations on ownership transformation. An Authorised Management Company is established solely for the purpose of managing the authorised investment companies. Foreign persons may directly or indirectly acquire a maximum up to 10 per cent of shares or voting rights of Authorised (privatisation) Management Companies; for a larger percentage an approval of the Securities Market Agency is required with the consent of the Ministry of Economic Relations and Development. Investments of the Investments Funds into securities of foreign issuers are limited to 10 per cent of the investments of the Investments Funds. Such securities shall be listed on those stock exchanges previously determined by the Securities Market Agency. Foreign persons may become shareholders or partners in a Stock Broking Company up to 24% of the capital of the Stock Broking Company by prior approval of the Securities Market Agency. (Remark: this provision shall be abolished upon the adoption of the new Law on Securities Market.) Securities of a foreign issuer which have not yet been offered in the territory of the Republic of Slovenia may only be offered by a Stock Broking Company or a bank licensed to carry out such transactions. Prior to							

Modes of supply: (1) Sector or Sub-sector	Cross-border (2) Limitations on Market Access	(3) Commercial presence Limitations on National Treatment	(4) Presence of natural persons Additional Commitments
	launching the offer the Stock Broking Company or a bank shall obtain the permission of Securities Market Agency. The request for this permission to offer securities of a foreign issuer in the Republic of Slovenia shall be accompanied by draft prospectus, documentation that the guarantor of the issue of securities of the foreign issuer is a bank or a stock broking company, except in the case of the issue of shares of a foreign issuer. 4) <u>ICT and BV</u> CY: Subsectors (v) to (ix) and (x) (b): Unbound except as indicated in the horizontal section. <u>Subsector (x) (e)</u>: Individuals, whether acting alone as brokers or employed by broker firms as brokers, are required to meet the licensing criteria for this purpose. EE, LT, MT, SI: Unbound except as indicated in the horizontal section. LV: Unbound except as indicated in the horizontal section and in the horizontal section of the sector “Banking and Other Financial Services”. PL: Subsectors (v), (vi), (viii) and (ix): Unbound except as indicated in the horizontal section. Nationality requirement for some – at least one – of the bank executives. <u>Subsectors (x) (e), (xi), (xiii), (xv), (xvi)</u>: Unbound except as indicated in the horizontal section. <u>CSS</u> EE, LV, LT, MT, PL, SI: Unbound.	4) <u>ICT and BV</u> CY: Subsectors (v) to (ix) and (x) (b): Unbound except as indicated in the horizontal section. For bank foreign employees residence and work permit required. <u>Subsector (x) (e)</u>: Unbound EE, LT, MT, SI: Unbound except as indicated in the horizontal section. LV: None except as indicated in the horizontal section and in the horizontal section of the sector “Banking and Other Financial Services”. PL: None. <u>CSS</u>	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
8. HEALTH SERVICES AND SOCIAL SERVICES A. <u>Hospital Services</u> (all Member States except LV, PL and SI: CPC 9311. LV, PL and SI: only Private hospital and sanatorium services- CPC 9311)	CY: <u>Subsectors (v) to (ix) and (x) (b)</u>: Unbound <u>Subsector (x) (e)</u>: Unbound. Individuals, whether acting alone as brokers or employed by broker firms as brokers, are required to meet the licensing criteria for this purpose. 1) All Member States except HU: Unbound HU: None 2) All Member States except CY, CZ, FI, MT, SE, SK: None CY, CZ, FI, MT, SE, SK: Unbound 3) All Member States except AT, BE, CY, CZ, ES, FR, FI, IT, LU, MT, LT, LV, NL, PT, PL, SE, SI, SK: None CY, CZ, FI, MT, SE, SK: Unbound. AT: Limitation of the number of beds; authorization required according to the national health-service plan is based on the criteria of need; when authorizing the establishment of	LT, MT, PL, SI: Unbound. EE: Unbound, except as provided in the horizontal section LV: None except as indicated in the horizontal section and in the horizontal section of the sector "Banking and Other Financial Services". CY: Subsectors (v) to (ix) and (x) (b): Unbound. For bank foreign employees residence and work permit required. <u>Subsector (x) (e)</u>: Unbound 1) All Member States except HU: Unbound HU: None 2) All Member States except CY, CZ, FI, MT, SE, SK, SI: None CY, CZ, FI, MT, SE, SK: Unbound SI: Subject to authorization by Institute for Health Insurance of the Republic of Slovenia ("Zavod za zdravstveno zavarovanje"). 3) All Member States except CY, CZ, EE, FI, LT, MT, PL, SE, SI, SK: None CY, CZ, FI, MT, SE, SK: Unbound. EE: None except professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals	

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	hospitals due consideration on a case-by-case basis is taken of the density of population, existing facilities, traffic in infrastructure, topographical conditions and the distance between hospitals BE: The number of beds and use of heavy medical equipment is limited on the basis of a health plan. The needs test is in function of the degree of specialization, their capacity and equipment. The criteria are fixed, arithmetical rules or formulae designed to calculate the needs in function of the population, age scale, death rate and geographical spread ES: Prior authorization is required by the "Comunidades Autónomas" based on an economic needs test taking into account the population and already existing healthservices in the given health regions. FR, IT, LU: The number of beds authorized is limited by a health services plan established on the basis of needs. FR, IT, LU, PT: Equipment of heavy material is limited by a health services plan established on the basis of needs. IT: Private health and sanitary services need authorization by local health authorities. Criteria are based on a ratio in function of population. NL: Quantitative economic needs test fixed by a health plan allowing for a maximum number of beds related to the population of each health region. LV: The head, or his deputy, of the health	trained abroad. LT: None, except foreign private establishment and their consumers may not be entitled to receive financial support from public resources, including usage of public medical insurance funds. PL: Foreign private establishment and their service consumers may not be entitled to receive financial support from public resources. SI: Foreign private establishment and their service consumers may not be entitled to receive financial support from public resources including usage of public medical insurance programmes.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	facility should be qualified as a medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives and nurses are applicable. Private hospital services need authorization by local health authorities. The number of beds and use of heavy medical equipment is based on the needs of population, age scale and death rate. LT: None, except authorization by health authorities is required which is based on a health services plan established in function of needs, taking into account the population and already existing health services. PL: Head, or his deputy, of the health facility should meet qualifications of medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives, nurses are applicable. SI: Authorization by health authorities; when authorizing the establishment of hospitals due consideration on a case-by-case basis is taken of the density of population, existing facilities, transport infrastructure, specialization and the distance between hospitals. Entry into public Health network is subject to concession from Institute for Health Insurance of the Republic of Slovenia. 4) <u>ICT and BV:</u> All Member States except CY, CZ, FI, MT, SE, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: EL: Condition of nationality for public hospitals. FR: Access to management functions is subject to prior authorization. In granting				4) <u>ICT and BV:</u> All Member States except CY, CZ, FI, LV, MT, PL, SE, SK: Unbound except as indicated in the horizontal section : LV, PL: None CY, CZ, FI, MT, SE, SK: Unbound.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		the authorization conditions such as professional experience and skills, availability of local managers and degree of specialization required, are taken into consideration. LV: The head, or his deputy, of the health facility should be qualified as a medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives and nurses are applicable. PL: Head, or his deputy, of the health facility should meet qualifications of medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives, nurses are applicable. CY, CZ, FI, MT, SE, SK: Unbound. <u>CSS:</u> All Member States: Unbound			<u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None			
B. <u>Other human health services</u> (AT and SI: provided though residential health facilities like health resort hotels and therapeutic bath services - CPC 93193. EE: CPC 9319 other than 93191)		1) All Member States except HU: Unbound HU: None 2) 3) All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: None			1) All Member States except HU: Unbound HU: None 2) All Member States except AT, EE, HU, SI: Unbound AT, EE, HU, SI: None			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Social Services</u> (All Member States except AT, EE, LT and LV: Only Convalescent and Rest Houses, Old People's Homes. AT and EE: all CPC 933. LT: only privately funded-part of CPC 933)	4) <u>ICT and BV</u>: All Member States except AT, EE, HU, SI: Unbound. AT, EE, HU, SI: Unbound except as indicated in the horizontal section <u>CSS</u>: All Member States: Unbound 1) All Member States except LT and LV: Unbound LT, LV: None 2) All Member States except CZ, FI, HU, MT, PL, SE, SI, SK: None CZ, FI, HU, MT, PL, SE, SI, SK: Unbound 3) All Member States except CZ, FR, FI, HU, MT,	3) All Member States except AT, EE, HU, SI: Unbound AT, HU, SI: None EE: None except professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad. 4) <u>ICT and BV</u>: All Member States except AT, EE, HU, SI: Unbound. AT, EE, HU, SI: Unbound except as indicated in the horizontal section <u>CSS</u>: All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section 1) All Member States except LT and LV: Unbound LT, LV: None 2) All Member States except CZ, FI, HU, MT, PL, SE, SI, SK: None CZ, FI, HU, MT, PL, SE, SI, SK: Unbound 3) All Member States except CZ, EE, FI, HU, MT, PL, SE, SI, SK: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	PL, SE, SI, SK: None FR: Provision of services is permitted by the competent authorities according to local needs. CZ, FI, HU, MT, PL, SE, SI, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CZ, FI, HU, MT, PL, SE, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: commercial presence required FR: Access to management function is subject to prior authorisation. In granting the authorisation conditions such as professional experience and skills, availability of local managers and degree of specialisation required, are taken into consideration. CZ, FI, HU, MT, PL, SE, SI, SK: Unbound <u>CSS</u>: All Member States: Unbound				EE: None except professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad. CZ, FI, HU, MT, PL, SE, SI, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CZ, FI, HU, LV, MT, PL, SE, SI, SK: Unbound except as indicated in the horizontal section : LV: None CZ, FI, HU, MT, PL, SE, SI, SK: Unbound. <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None			
D. Other (health related services)	1) All Member States except HU: Unbound HU: None 2) All Member States except EE, HU: Unbound EE, HU: None				1) All Member States except HU: Unbound HU: None 2) All Member States except EE, HU: Unbound EE, HU: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		3) All Member States except EE, HU: Unbound EE, HU: None 4) <u>ICT and BV</u> All Member States except HU: Unbound HU: Unbound except as indicated in the horizontal section <u>CSS</u> : All Member States: Unbound			3) All Member States except EE, HU: Unbound EE: None except professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad. HU: None 4) <u>ICT and BV</u> : All Member States except HU: Unbound HU: Unbound except as indicated in the horizontal section <u>CSS</u> : All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section.			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
9.	TOURISM AND TRAVEL RELATED SERVICES							
A.	<u>Hotels, Restaurants and Catering (CPC 641, 642, 643)</u> (excluding catering in transport services sector except in AT, HU, FI, SE) (CZ, PL: Hotels and Restaurants CPC 641 – 642)	1) All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SI, SK: Unbound except for catering: None EE, FI, HU: None AT, CY, CZ, LV, LT, MT, PL, SK, SI: Unbound 2) All Member States except CY: None CY: Unbound 3) All Member States except CY, ES, EL, IT, LT, PT, SI: None ES, EL, PT: Authorization can be denied in order to protect areas of particular historic and artistic interest. IT: Economics needs tests applied on a national treatment basis on bars, cafés and restaurants. The economics needs test, when applied, sets a limit on the number of service providers. Main criteria: the number of and impact on existing service providers, population density, geographic spread, impact on traffic conditions and creation of new employment. LT: Limitations on access to establish a commercial presence in environmental protected zones SI: None other than location in the protected areas of particular historic and artistic interest and within national or landscape parks is subject to authorization which can be denied. CY: Unbound			1) All Member States except AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: Unbound except for catering: None EE, FI, HU, SE: None AT, CY, CZ, LV, LT, MT, PL, SK, SI: Unbound 2) All Member States except CY: None CY: Unbound 3) All Member States except CY: None CY: Unbound			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	4) <u>ICT and BV</u>: All Member States except CY, MT: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Cafés and bars: condition of nationality. CY, MT: Unbound <u>CSS</u>: All Member States: Unbound	4) <u>ICT and BV</u>: All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, MT: Unbound <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None	
B. <u>Travel Agencies and Tour Operators Services</u> (All Member States except CZ, HU, LT, LV, MT, PL, SI, SK: including tour managers) (CPC 7471)	1) All Member States except CY, CZ, HU, MT, PL, SE, SI, SK: None CY, CZ, HU, MT, SK: Unbound PL, SI: Commercial presence required SE: Requirement of establishment. 2) All Member States except CY, PL: None PL: Commercial presence required CY: Unbound 3) All Member States except BE, CY, FI, IT, PT, SE: None BE: Authorization for non-EC incorporated companies to act as travel agencies is possible only if the company has a permanent base in Belgium (siège d'opérations permanent) and if the person directing the daily operations (or the person asking for the authorization) is an EC national.	1) All Member States except CY, CZ, MT, PL, SI, SK: None CY, CZ, MT, SK: Unbound PL, SI: Commercial presence required 2) All Member States except CY, PL: None PL: Commercial presence required CY: Unbound 3) All Member States except CY: None CY: Unbound	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
	FI: Licence of the National Consumer Administration is required. Licence may be granted only to Finnish citizens and Finnish registered organizations. IT: Economic needs test. PT: Requirement of constitution of a commercial company having its corporate base in Portugal. SE: Requirement of establishment. CY: Unbound 4) <u>ICT and BV:</u> All Member States except CY: Unbound except as indicated in the horizontal section and subject to the following specific limitations: EL: Access limited to two persons per entity. FI: Licence of the National Consumer Administration is required. Licence may be granted only to Finnish citizens and Finnish registered organizations. SI: Commercial presence required CY, : Unbound <u>CSS:</u> All Member States except AT, BE, DE, DK, FI, IT, IE, SE: Unbound. AT, BE, DE, DK, IT, FI, IE, SE: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT, BE, DE, DK, FI, IT, IE, SE: Unbound except for tour managers				4) <u>ICT and BV:</u> All Member States except CY, FI, LV, , PL: Unbound except as indicated in the horizontal section, and subject to the following specific limitations: SI: Commercial presence required FI, LV, PL: None CY: Unbound <u>CSS:</u> All Member States except CY, CZ, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SI, SK: Unbound LV: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
C.	<u>Tourist Guides Services</u> (CPC 7472)	(persons whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations) where for AT, BE, DE, DK, IT, IE, SE: professional certificate and three years' professional experience. IT: Compliance with an economic needs test is required 1) All Member States except AT, CY, CZ, HU, IT, LT, MT, PL, PT, SK, SI: None AT, CY, CZ, HU, IT, LT, MT, PL, PT, SK, SI: Unbound. 2) All Member States except CY, HU, LT, MT, PL, SI: None CY, HU, LT, MT, PL, SI: Unbound 3) All Member States except CY, HU, LT, MT, PL, SI: None CY, HU, LT, MT, PL, SI: Unbound 4) <u>ICT and BV:</u> All Member States except CY, CZ, HU, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: ES, IT: The right to exercise the profession is reserved for the local organisations of tourist guides. EL, ES, FR, IT, PT: Access to the activity is subject to condition of nationality. CY, CZ, HU, LT, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States: Unbound			1) All Member States except AT, CY, CZ, HU, LT, MT, PL, SK, SI: None AT, CY, CZ, HU, LT, MT, PL, SK, SI: Unbound 2) All Member States except CY, HU, LT, MT, PL, SI: None CY, HU, LT, MT, PL, SI: Unbound 3) All Member States except CY, HU, LT, MT, PL, SI: None CY, HU, LT, MT, PL, SI: Unbound 4) <u>ICT and BV:</u> All Member States except CY, CZ, FI, LV, LT, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, LT, MT, PL, SI, SK: Unbound FI, LV: None <u>CSS:</u>			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
D.	<u>Other</u>	1) All Member States except LV: Unbound LV: None 2) All Member States except LV: Unbound LV: None 3) All Member States except LV: Unbound LV: None 4) <u>ICT and BV</u> : All Member States except LV: Unbound LV: Unbound, except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound			All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except LV: Unbound LV: None 2) All Member States except LV: Unbound LV: None 3) All Member States except LV: Unbound LV: None 4) <u>ICT and BV</u> All Member States except LV: Unbound LV: None <u>CSS</u> All Member States except LV: Unbound LV: None			
10.	RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than Audio-visual Services)							
A.	<u>Entertainment Services</u> (including Theatre, Live Bands and Circus)	1) All Member States except AT, SE: Unbound AT, SE: None 2) All Member States except CY, CZ, FI, LT,			1) All Member States except AT, HU, SE: Unbound AT, HU, SE: None 2) All Member States except CY, CZ, EE, FI, LT,			

⁵⁸ Law on Enterprises; supplement 1995

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3) Commercial presence (4) Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Services)(CPC 9619) EE: only includes (a) CPC 9619 except CPC 96199, and (b) cinema theatre services (part of CPC 96199) LV: only includes cinema theatre operation services (part of CPC 96199)	MT, PL, SI, SK: None CY, CZ, FI, MT, PL, SI, SK: Unbound LT: Unbound except for cinema theatre operation services (part of CPC 96199) 3) All Member States except CY, CZ, EE, FI, LT, MT, PL, SI, SK: None. CY, CZ, FI, MT, PL, SI, SK: Unbound EE: Unbound except for cinema theatre operation services (part of CPC 96199) LT: None, except prohibition to establish and maintain gambling houses, to organise gambling games⁵⁸.	LV, MT, PL, SI, SK: None EE: Unbound for cinema theatre operation services (part of CPC 96199) CY, CZ, FI, LV, LT, MT, PL, SI, SK: Unbound 3) All Member States except CY, CZ, EE, FR, FI, IT, LT, LV, MT, PL, SE, SI, SK: None CY, CZ, FI, MT, PL, SI, SK: Unbound. EE: Unbound except for cinema theatre operation services (part of CPC 96199). For cinema theatre operation services (part of CPC 96199): None except for access to subsidies, Unbound. FR, IT: Unbound for subsidies and any other forms of direct and indirect support. LV: None except for access to subsidies: Unbound. LT: None, except: (a) as indicated under market access (also exception indicated in Part I regarding prohibition of foreign investments to lotteries) and (b) Unbound for subsidies as regards cinema operation theatre (part of CPC 96199) SE: Targeted financial support to specific local, regional or national activities.	
	4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: FR: Access to management functions is subject to authorisation by the competent authorities. Condition of nationality for	4) <u>ICT and BV</u>: All Member States except CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section. CY, CZ, FI, MT, PL, SI, SK: Unbound LV: None.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		managers of entertainment enterprise if authorisation for more than two years is required. IT: Economic needs test. CY, CZ, FI, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States except AT, FR: Unbound AT, FR: Unbound except as indicated in the horizontal section and subject to the following specific limitations: AT: Access is limited to persons whose main professional activity is in the field of fine arts, deriving the major part of their income from that activity. such persons shall not exercise any other commercial activity in Austria. FR: - The artists have obtained an employment contract from an authorised entertainment enterprise. - The work permit is delivered for a period not exceeding nine months renewable for a duration of three months. - Compliance with an Economic Need Test is required. The entertainment enterprise must pay a tax to the International Migration Office.			EE, LT: Unbound except as indicated in the horizontal section. None for cinema theatre operation services (part of CPC 96199). <u>CSS:</u> All Member States except CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section CY, CZ, HU, MT, LT, PL, SI, SK: Unbound EE: Unbound except as indicated in the horizontal section. None for cinema theatre operation services (part of CPC 96199). LV: None			
B.	<u>News and Press Agency Services</u> (CPC 962)	1) All Member States except CY, CZ, EE, HU, LT, MT, PL, SI, SK: None CY, CZ, EE, HU, LT, MT, PL, SI, SK:			1) All Member States except CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: None SE: Residency requirements for publisher and			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Unbound 2) All Member States except CY, CZ, HU, LT, MT, PL, SI, SK: None CY, CZ, HU, LT, MT, PL, SI, SK: Unbound 3) All Member States except CY, CZ, EE, FR, IT, HU, LT, MT, PT, PL, SI, SK: None FR: Foreign participation in companies publishing publications in the French language may not exceed 20 per cent of the capital or of voting rights in the company. Press agencies: Unbound. IT: Special anti-concentration rules operate in the daily press and broadcasting sectors, specific limits are fixed to multimedia ownership. Foreign companies may not control publishing or broadcasting companies: foreign equity participation limited to 49 per cent. PT: Foreign participation, whether by natural or juridical persons, in the capital of publishing companies, including newspapers, is limited to 10 per cent, without voting rights. News companies, incorporated in Portugal in juridical form of "Sociedade Anónima", must have the social capital in the form of nominal stock. CY, CZ, EE, HU, LT, MT, PL, SI, SK: Unbound 4) <u>ICT and BV:</u> All Member States except CY, CZ, HU, LT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations:	owner of publishing or printing company. CY, CZ, EE, HU, LT, MT, PL, SI, SK: Unbound 2) All Member States except CY, CZ, HU, LT, MT, PL, SI, SK: None CY, CZ, HU, LT, MT, PL, SI, SK: Unbound 3) All Member States except CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: None SE: Residency requirements for publisher and owner of publishing or printing company. CY, CZ, EE, HU, LT, MT, PL, SI, SK: Unbound 4) <u>ICT and BV:</u> All Member States except CY, CZ, FI, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following limitations:	

Modes of supply: (1) Sector or Sub-sector	Cross-border (2) Consumption abroad	(3) Commercial presence	(4) Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Libraries, archives, museums and other cultural services</u> (CPC 963)	PT: Nationality requirement for administrators and managers. CY, CZ, HU, LT, MT, PL, SI, SK: Unbound <u>CSS:</u> All Member States: Unbound 1) All Member States except AT: Unbound AT: None 2) All Member States except AT, EE: Unbound AT, EE: None 3) All Member States except AT, LT: Unbound AT: None LT: Licenses for researching, reservation and restoration of the immovable cultural values, for preparation of the conditions, programmes and projects of such works, for preservation and restoration of movable cultural values are necessary. 4) <u>ICT and BV:</u> All Member States except in AT, EE: Unbound AT, EE: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound	SE: Residency requirements for publisher and owner of publishing or printing company. CY, CZ, HU, LT, MT, PL, SI, SK: Unbound FI, LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except AT: Unbound AT: None 2) All Member States except AT, EE: Unbound AT, EE: None 3) All Member States except AT, LT: Unbound AT: None LT: None except as under market access. 4) <u>ICT and BV:</u> All Member States except in AT, EE, LT: Unbound AT, EE, LT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States except EE: Unbound EE: Unbound except as indicated in the	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons	Additional Commitments
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment				
D.	<u>Sporting and Other Recreational Services</u> (All Member States except AT, FI, HU, LT SE and SI: CPC 9641, 96491, excluding gambling and betting services. AT: CPC 964 excluding ski school services and mountain guide services, gambling and betting services. FI: CPC 964, except as regards i.e. gambling, coin machines and like activities. LT: (CPC 964) (except CPC 96492 – gambling and betting services) SE: CPC 964 except for gambling activities. SI: CPC 9641, 96491, other than ski school services, ski and mountain guide services, gambling and betting services)	1) All Member States except for CY, CZ, EE, LV, MT, PL, SK: None CY, CZ, EE, LV, MT, PL, SK: Unbound 2) All Member States except CZ, LV, MT, PL, SK: None CZ, LV, MT, PL, SK: Unbound 3) All Member States except CY, CZ, EE, LV, MT, PL, SK: None CY, CZ, EE, LV, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, LV, MT, PL, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: IT: Economic needs test. CY, CZ, LV, MT, PL, SK: Unbound <u>CSS</u>: All Member States: Unbound			horizontal section 1) All Member States except for CY, CZ, EE, LV, MT, PL, SK: None CY, CZ, EE, LV, MT, PL, SK: Unbound 2) All Member States except CZ, LV, MT, PL, SK: None CZ, LV, MT, PL, SK: Unbound 3) All Member States except CY, CZ, EE, LV, MT, PL, SE, SK: None SE: Targeted financial support to specific local, regional or national activities CY, CZ, EE, LV, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, LV, MT, PL, SK: Unbound except as indicated in the horizontal section FI: None CY, CZ, LV, MT, PL, SK: Unbound <u>CSS</u>: All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES A. Maritime transport services. MT: excluding cabotage transport (a) Passenger transportation (CPC 7211); (b) Freight transportation (CPC 7212).	1) All Member States except LV, MT: Unbound. LV, MT: None 2) All Member States except LV, MT: Unbound. LV, MT: None 3) All Member States except LV, MT: Unbound. LV, MT: None	1) All Member States except LV, MT: Unbound. LV, MT: None 2) All Member States except LV, MT: Unbound. LV, MT: None 3) All Member States except LV, MT: Unbound. LV, MT: None	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
(d)	Maintenance and repair of vessels (part of CPC 8868)	4) <u>ICT and BV:</u> All Member States except LV, MT: Unbound. LV, MT: Unbound, except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound.			4) <u>ICT and BV:</u> All Member States except LV, MT: Unbound. LV: None MT: Unbound except as indicated in the horizontal section <u>CSS</u> All Member States except LV: Unbound. LV: None			
		1) All Member States except EE, HU, LV: Unbound. EE, HU, LV: None 2) All Member States except EE, HU, LV, SI: Unbound. EE, HU, LV, SI: None 3) All Member States except EE, HU, LV and SI: Unbound. EE, HU, LV, SI: None 4) <u>ICT and BV:</u> All Member States except EE, HU, LV, SI: Unbound. EE, HU, LV, SI: Unbound, except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound			1) All Member States except EE, HU, LV: Unbound. EE, HU, LV: None 2) All Member States except EE, HU, LV, SI: Unbound. EE, HU, LV, SI: None 3) All Member States except EE, HU, LV, SI: Unbound. EE, HU, LV, SI: None 4) <u>ICT and BV:</u> All Member States except EE, HU, LV, SI: Unbound. EE, HU, LV, SI: Unbound, except as indicated in the horizontal section LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
(e)	Pushing and towing services (CPC 7214)	1) All Member States except LV, LT: Unbound. LV,LT: None 2) All Member States except LV, LT: Unbound. LV,LT: None 3) All Member States except LV: Unbound. LV: None. 4) <u>ICT and BV</u>: All Member States except LV, LT: Unbound. LV, LT: Unbound, except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound.			1) All Member States except LV, LT: Unbound. LV,LT: None 2) All Member States except LV, LT: Unbound. LV,LT: None 3) All Member States except LV: Unbound. LV: None. 4) <u>ICT and BV</u>: All Member States except LV, LT: Unbound. LT: Unbound, except as indicated in the horizontal section <u>CSS</u>: All Member States except LV: Unbound LV: None			
(f)	Supporting services for maritime transport, except for LT, where: Supporting services for maritime transport Ship agency services (Part of 7480)	1) All Member States except LV, LT: Unbound. LV,LT: None 2) All Member States except LV, LT: Unbound.. LV,LT: None 3) All Member States except LV, LT: Unbound. LV: None. LT: In order to obtain a license to establish a commercial presence a manager must speak the Lithuanian language 4) <u>ICT and BV</u>			1) All Member States except LV, LT: Unbound. LV,LT: None 2) All Member States except LV, LT: Unbound.. LV,LT: None 3) All Member States except LV, LT: Unbound. LV, LT: None. 4) <u>ICT and BV</u> All Member States except LV, LT: Unbound LT: Unbound, except as indicated in the horizontal section			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>B. Internal Waterways Transport</u> a) Passenger transportation (CPC 7221)	All Member States except LV, LT: Unbound. LV, LT: Unbound, except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound. 1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV:</u> All Member States except CZ, LV, SK: Unbound.	LV: None <u>CSS:</u> All Member States except LV: Unbound LV: None 1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV</u> All Member States except CZ, LV, SK: Unbound.	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
b)	Freight transportation (CPC 7222)	CZ, LV, SK: Unbound, except as indicated in the horizontal section. <u>CSS</u> All Member States: Unbound			CZ, SK: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except LV: Unbound. LV: None			
		1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV</u> : All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: Unbound, except as indicated in the horizontal section. <u>CSS</u> All Member States: Unbound			1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV</u> All Member States except CZ, LV, SK: Unbound. CZ, SK: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except LV: Unbound. LV: None			

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
		Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments		
d)		Maintenance and repair of vessels (part of CPC 8868)	1) All Member States except HU: Unbound, HU: None		1) All Member States except HU: Unbound, HU: None				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments
e) Pushing and towing services (CPC 7224)		2) All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, LV, SK: None 3) All Member States except HU, LV: Unbound. HU, LV: None 4) <u>ICT and BV</u> : All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, LV, SK: Unbound, except as indicated in the horizontal section.	2) All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, LV, SK: None 3) All Member States except HU, LV: Unbound. HU, LV: None 4) <u>ICT and BV</u> : All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, LV, SK: Unbound, except as indicated in the horizontal section.	2) All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, LV, SK: None 3) All Member States except HU, LV: Unbound. HU, LV: None 4) <u>ICT and BV</u> : All Member States except CZ, HU, LV, SK: Unbound. CZ, HU, SK: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except LV: Unbound. LV: None				
		1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None	1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None	1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None 3) All Member States except LV: Unbound. LV: None				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access		Limitations on National Treatment		Additional Commitments		
f) Supporting services for internal waterways (part of CPC 745)		4) <u>ICT and BV</u> : All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: Unbound, except as indicated in the horizontal section. <u>CSS</u> : All Member States: Unbound		4) <u>ICT and BV</u> All Member States except CZ, LV, SK: Unbound. CZ, SK: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except LV: Unbound. LV: None				
	1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None			1) All Member States: Unbound 2) All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: None				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
C.		3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV</u> : All Member States except CZ, LV, SK: Unbound. CZ, LV, SK: Unbound, except as indicated in the horizontal section. <u>CSS</u> : All Member States: Unbound	3) All Member States except LV: Unbound. LV: None 4) <u>ICT and BV</u> : All Member States except CZ, LV, SK: Unbound. CZ, SK: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> : All Member States except LV: Unbound. LV: None					
	<u>Air Transport Services</u>							
c)	Rental of aircraft with crew (CPC 734)	1) 2) All Member States except PL: Unbound PL: None except that aircraft used by Community air carriers have to be registered in the Member State licensing the air carrier or elsewhere in the Community. Waivers can be granted for short term lease contracts or under exceptional circumstances. 3) All Member States except PL: Unbound PL: None except that aircraft used by Community carriers have to be registered in the aircraft register of that Member State, the aircraft must be owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific requirements regarding ownership of capital and control	1) 2) 3) All Member States except PL: Unbound PL: None 4) <u>ICT and BV</u> : All Member States except PL: Unbound PL: None <u>CSS</u> : All Member States: Unbound					

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
d) Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)	(including nationality of directors). 4) <u>ICT and BV:</u> All Member States except PL: Unbound PL: Unbound except for horizontal measures <u>CSS:</u> All Member States: Unbound 1) All Member States except AT, EE, HU, LV, PL: Unbound. AT, EE, HU, LV, PL: None 2) All Member States except CY, MT: None CY and MT: Unbound 3) All Member States except CY, CZ, MT, SK: None CY, MT: Unbound CZ: Corporate seat required in the Czech Republic SK: Corporate seat is required in the Slovak Republic 4) <u>ICT and BV:</u> All Member States except CY, MT: Unbound except as indicated in the horizontal section CY, MT: Unbound <u>CSS:</u> All Member States: Unbound				1) All Member States except AT, EE, HU, LV, PL: Unbound. AT, EE, HU, LV, PL: None 2) All Member States except CY, MT: None CY and MT: Unbound 3) All Member States except CY, CZ, MT, SK: None CY, MT: Unbound CZ: Corporate seat required in the Czech Republic SK: Corporate seat is required in the Slovak Republic 4) <u>ICT and BV:</u> All Member States except CY, FI, LV, MT, PL: Unbound except as indicated in the horizontal section FI, LV, PL: None CY, MT: Unbound <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section			

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector		Limitations on Market Access			Limitations on National Treatment			Additional Commitments	
Sales and Marketing		1) All Member States except CY, CZ, HU, LV, LT, MT, PL, SK: None CY, CZ, HU, LV, LT, MT, PL, SK.: Unbound 2) All Member States except CY, HU, LV, LT, MT, PL: None. CY, HU, LV, LT, MT and PL: Unbound 3) All Member States except CY, CZ, HU, LV, LT, MT, PL, SK: None CY, CZ, HU, LV, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except CY, HU, LV, LT, MT, PL: Unbound except as indicated in the horizontal section CY, HU, LV, LT, MT, PL: Unbound <u>CSS</u> : All Member States: Unbound			LV: None 1) All Member States except CY, CZ, HU, LV, LT, MT, PL, SK: For distribution through CRS of air transport services provided by CRS parent carrier: Unbound. CY, CZ, HU, LV, LT, MT, PL, SK: Unbound 2) All Member States except CY, HU, LV, LT, MT, PL: None CY, HU, LV, LT, MT and PL: Unbound 3) All Member States except CY, CZ, HU, LV, LT, MT, PL, SK.: For distribution through CRS of air transport services provided by CRS parent carrier: Unbound. CY, CZ, HU, LV, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except CY, FI, HU, LV, LT, MT, PL: Unbound except as indicated in the horizontal section FI: None CY, HU, LV, LT, MT, PL: Unbound <u>CSS</u> : All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section				
Computer Reservations System For HU only: computer reservations systems (as defined in paragraph 6(c) of the Annex on		1) All Member States except CY, CZ, EE, LV, LT, MT, PL, SK.: None CY, CZ, EE, LV, LT, MT, PL and SK.: Unbound 2) All Member States except CY, EE, LV, LT,			1) All Member States except CY, CZ, EE, LV, LT, MT, PL, SK: For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: Unbound..				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
E. a) <u>Rail Transport Services</u> Passenger transportation	Air Transport Services.	MT, PL: None CY, EE, LV, LT, MT , PL: Unbound	CY, CZ, EE, LV, LT, MT, PL, SK.: Unbound 2) All Member States except CY, EE, LV, LT, MT , PL: None CY, EE, LV, LT, MT, PL: Unbound 3) All Member States except CY, CZ, EE, LV, LT, MT, PL and SK.: For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: Unbound.. CY, CZ, EE, LV, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except CY, CZ, EE, FI, LV, LT, MT, PL: Unbound except as indicated in the horizontal section CY, CZ, EE, LV, LT, MT, PL: Unbound FI: None <u>CSS</u> : All Member States: Unbound					
		3) All Member States except CY, CZ, EE, LV, LT, MT, PL, SK: None CY, CZ, EE, LV, LT, MT, PL, SK: Unbound						
		4) <u>ICT and BV</u> All Member States except CY, CZ, EE, LV, LT, MT, PL: Unbound except as indicated in the horizontal section. CY, CZ, EE, LV, LT, MT, PL: Unbound						
		<u>CSS</u> : All Member States: Unbound						
		1) All Member States: Unbound 2) All Member States except HU: Unbound HU: None 3) All Member States except HU: Unbound HU: Services may be provided through a Contract of Concession granted by the state or the local authority	1) 2) 3) All Member States except HU: Unbound HU: None					
		4) <u>ICT and BV</u> :	4) <u>ICT and BV</u> : All Member States except HU: Unbound					

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment			Additional Commitments
		All Member States except HU: Unbound HU: Unbound except as indicated in horizontal section. <u>CSS:</u> All Member States: Unbound			HU: Unbound except as indicated in horizontal section. <u>CSS:</u> All Member States: Unbound			
	b) Freight transportation	1) All Member States: Unbound 2) All Member States except HU: Unbound HU: None 3) All Member States except HU: Unbound HU: Services may be provided through a Contract of Concession granted by the state or the local authority 4) <u>ICT and BV:</u> All Member States except HU: Unbound HU: Unbound except as indicated in horizontal section. <u>CSS:</u> All Member States: Unbound			1) 2) 3) All Member States except HU: Unbound HU: None 4) <u>ICT and BV:</u> All Member States except HU: Unbound HU: Unbound except as indicated in horizontal section. <u>CSS:</u> All Member States: Unbound			
	d) Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	1) All Member States except EE , HU: Unbound EE, HU: None 2) All Member States except AT, CY, MT, LV, PL: None AT, CY, MT, LV, PL: Unbound			1) All Member States except EE, HU: Unbound EE, HU: None 2) All Member States except AT, CY, MT, LV, PL: None AT, CY, MT, LV, PL: Unbound			

⁵⁹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
e)		3) All Member States except AT, CY, CZ, LV, MT, PL, SE, SK: None AT, CY, CZ, LV, MT, PL, SK: Unbound SE: Operators allowed to establish and maintain their own terminal infrastructure facilities, subject to space and capacity constraints ⁵⁹ 4) <u>ICT and BV</u> : All Member States except AT, CY, MT, LV, PL: Unbound except as indicated in the horizontal section AT, CY, LV, MT, PL: Unbound <u>CSS</u> : All Member States: Unbound			3) All Member States except AT, CY, CZ, LV, MT, PL, SK: None AT, CY, CZ, LV, MT, PL, SK: Unbound 4) <u>ICT and BV</u> : All Member States except AT, CY, FI, MT, LV, PL: Unbound except as indicated in the horizontal section AT, CY, LV, MT, PL: Unbound FI: None <u>CSS</u> : All Member States except EE: Unbound EE: Unbound except as indicated in the horizontal section			
	Supporting services for rail transport services Rail freight agency and forwarding services (CPC part of 7480)	1) All Member States: Unbound 2) All Member States except LT: Unbound LT: None 3) All Member States except LT: Unbound LT: None 4) <u>ICT and BV</u> : All Member States except LT: Unbound LT: Unbound, except as indicated in the horizontal section. <u>CSS</u> : All Member States: Unbound			1) All Member States: Unbound 2) All Member States except LT: Unbound LT: None 3) All Member States except LT: Unbound LT: None 4) <u>ICT and BV</u> : All Member States except LT: Unbound LT: Unbound, except as indicated in the horizontal section <u>CSS</u> : All Member States: Unbound			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
F.	<u>Road Transport Services</u>							
a)	Passenger Transportation All Member States except FI, LV, LT: CPC 71213 and 7122. FI: CPC 71213, 71222 and 71223. LV: CPC 71213, 71222, 71223. LT: CPC 7121, 7122). For LV, LT and SE: cabotage excluded.	1) All Member States: Unbound 2) All Member States except AT, CY, CZ, EE, HU, MT, PL, SK, SI: None AT, CY, CZ, EE, HU, MT, PL, SI, SK: Unbound 3) All Member States except AT, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: for transport within a Member State (cabotage), by a carrier established outside that Member State: Unbound except for rental of non-scheduled services of <u>buses</u> with operator (71223) ⁶⁰ where no limitation will apply as from 1996. AT, CZ, EE, HU, MT, PL, SI, SK: Unbound FI: Authorisation required, not extended to foreign registered vehicles LT: None LV: Authorization required (licence), not extended to foreign registered vehicles. SE: Authorization required for commercial land transport service operations. Authorization is based on the applicants financial situation, experience and capability to supply the services. Limitations on the use of leased vehicles for such operations. - For 7122: ES: Economic needs test.			1) All Member States: Unbound 2) All Member States except AT, CY, CZ, EE, HU, MT, PL, SK, SI: None AT, CY, CZ, EE, HU, MT, PL, SI, SK: Unbound 3) All Member States except AT, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: Unbound for transport within a Member State (cabotage), by a carrier established outside that Member State. AT, CZ, EE, HU, MT, PL, SI, SK: Unbound FI, LT: None LV, SE: Requirement on established entities to use vehicles with national registration.			

⁶⁰ Indicates that the service specified constitutes only a part of the total range of activities by the CPC concordance.

Modes of supply: (1) Sector or Sub-sector	Cross-border (2) Limitations on Market Access	Consumption abroad (3) Limitations on National Treatment	Commercial presence (4) Additional Commitments
	- For 71221 (taxi services): All Member States except those which are unbound and except FI, LT, LV, SE: economic needs test⁶¹, plus: DK: Access for natural persons only, and local establishment requirement. IT: Access for natural persons only. - For 71222 (limousine services): DK: Access for natural persons only, and local establishment requirement. FI: Authorisation required, not extended to foreign registered vehicles. IT: Access for natural persons only, and economic needs test. LV: Authorization required (licence), not extended to foreign registered vehicles. PT: Economic needs test. - For 71213 (Intercity bussing services):⁶² IT, ES, IE: Economic needs test. FR : Unbound. FI: Authorisation required, not extended to foreign registered vehicles. DK: Economic needs test and residence and citizenship requirement for the manager. LV: Authorization required (licence and special permit), not extended to foreign registered vehicles. PT: Access through incorporation only.		

⁶¹ Needs test based on the number of service suppliers in the local geographic area.

⁶² Where the supply of a service is subject to an economic needs test, this is essentially based on existing public transport on the route concerned.

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		-	For 71223: FI: Authorisation required, not extended to foreign registered vehicles. LV: Authorization required (licence), not extended to foreign registered vehicles.					
		4)	<u>ICT and BV</u> : All Member States except AT, CY, CZ, EE, HU, MT, PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK: Citizenship requirement for managers. PT: Nationality requirement for specialist personnel. AT, CY, CZ, EE, HU, MT, PL, SI, SK: Unbound <u>CSS</u> : All Member States: Unbound			4)	<u>ICT and BV</u> : All Member States except AT, CY, CZ, EE, FI, HU, MT, LV PL, SI, SK: Unbound except as indicated in the horizontal section and subject to the following specific limitations: DK: Residence requirement for managers. AT, CY, CZ, EE, HU, MT, LV PL, SI, SK: Unbound FI: None <u>CSS</u> : All Member States: Unbound	
b)	Freight Transportation (CPC 7123. LV, LT and SE: cabotage excluded)	1)	All Member States: Unbound			1)	All Member States: Unbound	
		2)	All Member States except AT, CY, CZ, EE, HU, MT, PL, SI, SK: None			2)	All Member States except AT, CZ, EE, HU, MT, PL SI, SK: None	
			AT, CY, CZ, EE, HU, MT, PL, SI, SK: Unbound				AT, CZ, EE, HU, MT, PL SI, SK: Unbound	
		3)	All Member States except AT, CY, CZ, ES, EE, FI, HU, MT, LV, LT, PL, SE, SI and SK: Unbound for transport within a Member State by a carrier established in another Member State, plus: IT: For transport within the country, licensing subject to an economic needs			3)	All Member States except AT, CZ, ES, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: Unbound for transport within a Member State by a carrier established in another Member State. FI, LT: None AT, CZ, ES, EE, HU, MT, PL SI, SK: Unbound. LV, SE: Requirement on established utilities to use	

Modes of supply:		(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector			Limitations on Market Access			Limitations on National Treatment			Additional Commitments
International services	Truck transport	test. AT, CY, CZ, ES, EE, HU, MT, PL, SI, SK: Unbound. FI: Authorisation required, not extended to foreign registered vehicles. LV: Authorization required (licence), not extended to foreign registered vehicles. LT: None SE: Authorization required for commercial land transport service operations. Authorization is based on the applicants financial situation, experience and capability to supply the services. Limitations on the use of leased vehicles for such operations. 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, EE, HU, MT, PL, SK and SI: Unbound except as indicated in the horizontal section AT, CY, CZ, EE, HU, MT, PL, SK and SI: Unbound <u>CSS:</u> All Member States: Unbound			vehicles with national registration. 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, EE, FI, HU, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section AT, CY, CZ, EE, HU, LV, MT, PL, SI, SK: Unbound FI : None <u>CSS:</u> All Member States: Unbound				
		1) All Member States: Unbound 2) 3) All Member States except EE: Unbound EE: None 4) <u>ICT and BV:</u> All Member States except EE: Unbound EE: Unbound, except as provided for in the horizontal section <u>CSS:</u>			1) All Member States: Unbound 2) 3) All Member States except EE: Unbound EE: None 4) <u>ICT and BV:</u> All Member States except EE: Unbound EE: Unbound, except as provided for in the horizontal section <u>CSS:</u>				

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
d) Maintenance and Repair of Road Transport Equipment (All Member States except AT, CZ, EE, FI, HU, SK and SI : CPC 6112. AT, CZ, EE HU and SK: 6112+8867. FI 6112 and parts of 88 SI: part of CPC 6112)	All Member States: Unbound 1) All Member States except CY, CZ, FI, LT, LV, MT, PL, SE, SK: None CY, CZ, FI, LT, LV, MT, PL, SE, SK: Unbound 2) All Member States except CY, LT, MT, PL: None CY, LT, MT, PL: Unbound 3) All Member States except CY, CZ, LT, LV, MT, PL, SE, SK: None LV: Authorisation required - License. SE: Operators allowed to establish and maintain their own terminal infrastructure facilities, subject to space and capacity constraints. CY, CZ, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, LT, MT, PL: Unbound except as indicated in the horizontal section CY, LT, MT, PL: Unbound <u>CSS</u>: All Member States: Unbound 1) All Member States: Unbound 2) All Member States except LV: Unbound	All Member States except EE: Unbound EE: Unbound, except as provided for in the horizontal section 1) All Member States except CY, CZ, FI, LT, LV, MT, PL, SE, SK: None CY, CZ, FI, LT, LV, MT, PL, SE, SK: Unbound 2) All Member States except CY, LT, MT, PL: None CY, LT, MT, PL: Unbound 3) All Member States except CY, CZ, LT, MT, PL, SK: None CY, CZ, LT, MT, PL, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, FI, LT, MT, LV, PL: Unbound except as indicated in the horizontal section FI, LV: None CY, LT, MT, PL: Unbound <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States: Unbound 2) All Member States except LV: Unbound	
(e) Supporting services for road transport			

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
(a)	(FI: excluding maritime transport) Cargo-handling services (EE, LV and LT: CPC 741)	1) All Member States except EE, LV: Unbound. EE, LV: None 2) All Member States except EE, LV and LT: Unbound EE, LV and LT: None 3) All Member States except EE, LV, LT: Unbound EE, LV, LT: None except in airports where categories of activities committed depend of size of airport, the number of providers in each airport can be limited due to available- space constraints and to not less than two suppliers for other reasons, and non-discriminatory pre-approval procedures may apply.			1) All Member States except EE, LV: Unbound. EE, LV: None 2) All Member States except EE, LV, LT: Unbound EE, LV, LT: None 3) All Member States except EE, LV, LT: Unbound EE, LV, LT: None			
		4) <u>ICT and BV:</u> All Member States except EE, LV, LT: Unbound. EE, LV, LT: Unbound, except as indicated in the horizontal section <u>CSS</u> All Member States: Unbound			4) <u>ICT and BV:</u> All Member States except EE, LV, LT: Unbound. EE, LT: Unbound, except as indicated in the horizontal section LV: None <u>CSS</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None			
b)	Storage and Warehouse Services (CPC 742) (For all Member States except AT, EE, FI, HU, LT, LV: other than in ports)	1) All Member States except EE, HU, LV: Unbound EE, HU, LV: None			1) All Member States except EE, HU, LV: Unbound EE, HU, LV: None 2) 3) All Member States except CY, CZ, MT, PL, SE,			

Modes of supply: (1) Cross-border (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Freight Agency/Freight Forwarding Services (CPC 748)	2) 3) All Member States except CY, CZ, MT, PL, SE, SK: None CY, CZ, MT, PL, SE, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, LT, MT, PL, SE, SK: Unbound except as indicated in the horizontal section. CY, CZ, MT, LT, PL, SE, SK: Unbound <u>CSS</u>: All Member States: Unbound 1)2) 3) All Member States except CY, CZ, HU, MT, PL, SE, SK: None CY, CZ, HU, MT, PL, SK, SE: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, HU, MT, PL, SK and SE: Unbound except as indicated in the horizontal section CY, CZ, HU, MT, PL, SE, SK: Unbound	SK: None CY, CZ, MT, PL, SE, SK: Unbound 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, LV, MT, PL, SE, SK: Unbound except as indicated in the horizontal section CY, CZ, MT, PL, SE, SK: Unbound FI, LV: None <u>CSS</u>: All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except CY, CZ, HU, MT, PL, SE, SI, SK: None CY, CZ, HU, MT, PL, SK, SE: Unbound SI: None other than customs clearance is subject to limitation to juridical person established in the Republic of Slovenia. 2) 3) All Member States except CY, CZ, HU, MT, PL, SE, SI, SK: None CY, CZ, HU, MT, PL, SK, SE: Unbound SI: None other than customs clearance is subject to limitation to juridical person established in the Republic of Slovenia. 4) <u>ICT and BV</u>: All Member States except CY, CZ, FI, HU, LV, MT, PL, SK and SE: Unbound except as indicated	

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access				Limitations on National Treatment		Additional Commitments	
Pre-Shipments Inspection (part of CPC 749) ⁶³ except for: EE: in particular freight inspection services, part of CPC 749; FI: CPC 7490 only; LV: Other CPC 749; LT: Freight inspection, Part of CPC 749	<u>CSS:</u> All Member States: Unbound 1) 2) 3) All Member States except AT, CY, CZ, HU, MT, PL, SE, SK: None AT, CY, CZ, HU, MT, PL, SE, SK: Unbound 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, HU, MT, PL, SK and SE: Unbound except as indicated in the horizontal section AT, CY, CZ, HU, MT, PL, SK, SE: Unbound <u>CSS:</u> All Member States: Unbound				in the horizontal section and subject to the following limitations: CY, CZ, HU, MT, PL, SE, SK: Unbound FI, LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section LV: None 1) All Member States except AT, CY, CZ, HU, MT, PL, SE, SK: None AT, CY, CZ, HU, MT, PL, SE, SK: Unbound 2) All Member States except AT, CY, CZ, HU, MT, PL, SK, SE: None AT, CY, CZ, HU, MT, PL, SK, SE: Unbound 3) All Member States except AT, CY, CZ, HU, MT, PL, SE, SK: None AT, CY, CZ, HU, MT, PL, SK, SE: Unbound 4) <u>ICT and BV:</u> All Member States except AT, CY, CZ, FI, HU, LV, MT, PL, SE, SK: Unbound except as indicated in the horizontal section AT, CY, CZ, HU, MT, PL, SE, SK: Unbound FI, LV: None <u>CSS:</u> All Member States except EE, LV: Unbound EE: Unbound except as indicated in the horizontal section			

⁶³ Indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
I.	<u>Other Transport Services</u> (Provision of Combined Transport Service)	1) All Member States except FI: Unbound FI: None 2) All Member States except AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: None AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: Unbound 3) All Member States except AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: None, without prejudice to the limitations affecting any given mode of transport AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: Unbound. 4) <u>ICT and BV</u>: All Member States except AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: Unbound except as indicated in the horizontal section AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: Unbound. <u>CSS</u>: All Member States: Unbound			LV: None			
12.	OTHER SERVICES NOT INCLUDED ELSEWHERE							
-	Hairdressing services (CPC 97021)	1) All Member States: Unbound 2), 3) All Member States except AT, CZ, FI, HU and SK: Unbound AT, CZ, FI, HU and SK: None			1) All Member States: Unbound 2) 3) All Member States except AT, CZ, FI, HU and SK: Unbound AT, CZ, FI, HU and SK: None			

Modes of supply: (1)	Cross-border (2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment				Additional Commitments
- Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	4) <u>ICT and BV:</u> All Member States except AT: Unbound. AT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound 1) All Member States: Unbound 2) 3) All Member States except AT: Unbound AT: None 4) <u>ICT and BV:</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound	4) <u>ICT and BV:</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section under <u>CSS:</u> All Member States: Unbound 1) All Member States: Unbound 2) 3) All Member States except AT: Unbound AT: None 4) <u>ICT and BV:</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound				
- Other beauty treatment services n.e.c (CPC 97029)	1) All Member States: Unbound 2), 3) All Member States except AT: Unbound AT: None 4) <u>ICT and BV:</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound	1) All Member States: Unbound 2), 3) All Member States except AT: Unbound AT: None 4) <u>ICT and BV:</u> All Member States except AT: Unbound AT: Unbound except as indicated in the horizontal section <u>CSS:</u> All Member States: Unbound				
- Services related to the sale of equipment or to the assignment of a patent	1), 2), 3) All Member States: Unbound 4) <u>ICT and BV:</u> All Member States: Unbound	1), 2), 3) All Member States: Unbound 4) <u>ICT and BV:</u> All Member States: Unbound				

Modes of supply:	(1)	Cross-border	(2)	Consumption abroad	(3)	Commercial presence	(4)	Presence of natural persons
	Sector or Sub-sector	Limitations on Market Access			Limitations on National Treatment		Additional Commitments	
		<u>CSS:</u> All Member States except FR: Unbound. FR: Unbound except concerning the temporary entry of technicians where: as indicated in the horizontal section and subject to the following specific limitations: - The technician is an employee of a juridical person within the territory of another Member, and - that juridical person manufactures equipment and has sold that equipment to a commercial presence in France, or - that juridical person has assigned a patent to a commercial presence in France. - the technician is in charge of supervising the construction of the equipment, or of ensuring the preparation for the exploitation of the patent. - the work permit is delivered for a period not exceeding six months. - the technician presents a work certificate from the commercial presence in France and a letter from the juridical person within the territory of another Member demonstrating its agreement to the transfer. - the commercial presence in France must pay a tax to the International Migration Office.			<u>CSS:</u> All Member States except CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: Unbound except as indicated in the horizontal section. CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: Unbound			

ATTACHMENT A

Glossary

Terms used for individual Member States

France

SC	Société Civile
SCP	Société Civile Professionnelle
SEL	Société d'Exercice Libéral
SNC	Société en Nom Collectif
SCS	Société en Commandite Simple
SARL	Société à Responsabilité Limitée
SCA	Société en Commandite par Actions
SA	Société Anonyme
<u>N.B.:</u>	Toutes ces sociétés sont dotées de la personnalité morale

Germany

GmbH & CoKG	Kommanditgesellschaft, bei der der persönlich haftende Gesellschafter eine GmbH (a stock company with limited responsibility) ist.
EWIV	Europäische Wirtschaftliche Interessenvereinigung (European Economic Interest Grouping)

Italy

SPA	Società per Azioni (joint stock company)
SRL	Società a Responsabilità Limitata (company with limited responsibility)

For Italy the following professional services are covered in the EC offer:

Ragionieri-periti commerciali	Bookkeeping accounting-auditing
Commercialisti	Bookkeeping-accounting-auditing
Geometri	Surveyors
Ingegneri	Engineers
Architetti	Architects
Geologi	Geologists
Medici	Doctors
Farmacisti	Pharmacists
Psicologi	Psychologists
Veterinari	Veterinarians
Biologi	Biologists
Chimici	Chemists
Periti agrari	Agricultural experts
Agronomi	Agronomists
Attuari	Actuarists

ADDITIONAL COMMITMENT BY THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES

SCOPE

The following are definitions and principles on the regulatory framework for the basic telecommunications services underpinning the market access commitments by the European Communities and their Member States.

DEFINITIONS

User mean service consumer and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network and service that

- a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- a) control over essential facilities; or
- b) use of its position in the market.

1. COMPETITIVE SAFEGUARDS:

1.1. Prevention of anti-competitive practices in telecommunications:

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2. Safeguards:

The anti-competitive practices referred to above shall include in particular:

- a) engaging in anti-competitive cross-subsidization;
- b) using information obtained from competitors with anti-competitive results; and
- c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. INTERCONNECTION

2.1. This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier.

2.2. Interconnection to be ensured:

Within the limits of permitted market access, interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided⁶⁴:

- a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates⁶⁵;
- b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3. Public availability of the procedures for interconnection negotiations :

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4. Transparency of interconnection arrangements:

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5. Interconnection : dispute settlement:

A service supplier requesting interconnection with a major supplier will have recourse, either :

- a) at any time or
- b) after a reasonable period of time which has been made publicly known to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

⁶⁴ Suppliers of services or networks not generally available to the public, such as closed user groups, have guaranteed rights to connect with the public telecommunications transport network or services on terms, conditions and rates which are non-discriminatory, transparent and cost-oriented. Such terms, conditions and rates may, however, vary from the terms, conditions and rates applicable to interconnection between public telecommunications networks or services.

⁶⁵ Different terms, conditions and rates may be set in the Community for operators in different market segments, on the basis of non-discriminatory and transparent national licensing provisions, where such differences can be objectively justified because these services are not considered "like services".

3. UNIVERSAL SERVICE

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. PUBLIC AVAILABILITY OF LICENSING CRITERIA

Where a licence is required, the following will be made publicly available:

- a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. INDEPENDENT REGULATORS

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. ALLOCATION AND USE OF SCARCE RESOURCES

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

ADDITIONAL COMMITMENTS BY PART OF THE EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK)

INSURANCE

- a) Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) notes the close co-operation among the insurance regulatory and supervisory authorities of these Member States and encourages their efforts to promote improved supervisory standards.
- b) These Member States will make their best endeavours to consider within 6 months complete applications for licenses to conduct direct insurance underwriting business, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State, by an undertaking governed by the laws of a third country. In cases where such applications are refused, the Member State authority will make its best endeavours to notify the undertaking in question and give the reasons for the refusal of the application.
- c) The supervisory authorities of these Member States will make their best endeavours to respond without undue delay to requests for information by applicants on the status of complete applications for licences to conduct direct insurance underwriting business, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State by an undertaking governed by the laws of a third country.
- d) Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) will make its best endeavours to examine any questions pertaining to the smooth operation of the internal market in insurance, and consider any issues that might have an impact on the internal market in insurance.
- e) Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) notes that, as regards motor insurance, under EC law as in force on 31 December 1997, and without prejudice to future legislation, premiums may be calculated taking several risk factors into account.
- f) Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) notes that under EC law, as in force on 31 December 1997, and without prejudice to future legislation, the prior approval by national supervisory authorities of policy conditions and scales of premiums that an insurance undertaking intends to use is generally not required.
- g) Part of the EC (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) notes that under EC law, as in force on 31 December 1997, and without prejudice to future legislation, the prior approval by national supervisory authorities of increases in premium rates is generally not required.

OTHER FINANCIAL SERVICES

- a) In application of the relevant EC Directives, these Member States will make their best endeavours to consider within 12 months complete applications for licenses to conduct banking activities, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State, by an undertaking governed by the laws of a third country. In cases where such applications are refused, the Member State will make its best endeavours to notify the undertaking in question and give the reasons for the refusal of the application.
- b) These Member States will make their best endeavours to respond without undue delay to requests for information by applicants on the status of complete applications for licenses to conduct banking activities, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State, by an undertaking governed by the laws of a third country.
- c) In application of the relevant EC Directives, these Member States will make their best endeavours to consider within 6 months complete applications for licenses to conduct investment services in the securities field, as defined in the Investment Services Directive, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State, by an undertaking governed by the laws of a third country. In cases where such applications are refused, the Member State will make its best endeavours to notify the undertaking in question and give the reasons for the refusal of the application.
- d) These Member States will make their best endeavours to respond without undue delay to requests for information by applicants on the status of complete applications for licenses to conduct investment services in the securities area, through the establishment in a Member State of a subsidiary in accordance with the legislation of that Member State, by an undertaking governed by the laws of a third country.

UVODNA OPOMBA

1. Specifične obveze iz te liste veljajo samo za ozemlja, kjer veljajo pogodbe o ustanovitvi Evropskih skupnosti in pod pogoji, ki jih določajo te pogodbe. Te obveze veljajo samo za odnose med Skupnostma in njihovimi državami članicami na eni in državami nečlanicami Skupnosti na drugi strani. Ne vplivajo na pravice in obveze držav članic, ki izhajajo iz zakonodaje Skupnosti.

2. Za označevanje držav članic se uporabljajo naslednje kratice:

AT	Avstrija
BE	Belgija
CY	Ciper
CZ	Češka
DE	Nemčija
DK	Danska
EE	Estonija
EL	Grčija
ES	Španija
FI	Finska
FR	Francija
HU	Madžarska
IE	Irska
IT	Italija
LT	Litva
LU	Luksemburg
LV	Latvija
MT	Malta
NL	Nizozemska
PL	Poljska
PT	Portugalska
SE	Švedska
SI	Slovenija
SK	Slovaška
UK	Združeno kraljestvo

3. Pravice in obveze, ki izhajajo iz GATS, vključno z listo obvez, nimajo učinka same po sebi, torej ne dodeljuje pravic neposredno posameznikom ali pravnim osebam.

4. Tej listi je dodan slovar izrazov, ki jih uporabljajo posamezne države članice.

EVROPSKE SKUPNOSTI IN NJIHOVE DRŽAVE ČLANICE – PREČIŠČENA LISTA SPECIFIČNIH OBVEZ

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg							
I. HORIZONTALNE OBVEZE								
VELJA ZA VSE SEKTORJE, KI JIH VSEBUJE TA LISTA								
		<u>Javne službe</u>	3) Vse države članice ES: storitve, ki se v vseh državah članicah obravnavajo kot storitve javnih služb na nacionalni ali lokalni ravni, so lahko predmet javnih monopolov ali izključnih pravic, ki se dodeljujejo zasebnim subjektom ¹ .					
		<u>Pravne osebe</u>	3) Vse države članice, razen FI, HU, PL in SE: ni omejitev. FI: najmanj polovica rednih članov in namestnikov v svetu direktorjev mora biti državljani Finske in imeti stalno bivališče na Finskem. Generalni direktor delniške družbe mora biti državljan Finske in imeti stalno bivališče na Finskem. Vendar pa se lahko pri družbah odobrijo izjeme. Te omejitve ne veljajo za telekomunikacijske storitve.					
		<u>Pravne osebe</u>	3) Vse države članice ES: obravnava, priznana hčerinskim družbam (družb iz tretjih držav), ustanovljenim v skladu z zakonodajo države članice, ki imajo uradni sedež, osrednjo upravo ali glavni kraj poslovanja v Skupnosti, ni razširjena na podružnice ali agencije, ki jih v državi članici ustanovi družba iz tretje države. Vendar pa to državi članici ne preprečuje, da razširi to obravnavo na podružnice ali agencije, ki jih je v drugi državi članici ustanovila družba ali podjetje iz					
		<u>Pravne osebe</u>	a) <u>Omejitve za podružnice, agencije in predstavništva</u>					

Pojasnilo: v nekaterih sektorjih obstajajo javne službe, kot so službe, povezane z znanstvenim in tehničnim svetovanjem, raziskovalne in razvojne storitve na področju družboslovja in humanistike, tehničnim preiskovanjem in analizami, okoljskimi storitvami, zdravstvenimi storitvami, prevoznimi storitvami in pomožnimi storitvami pri vseh vrstah prevoza. Izključne pravice za opravljanje takšnih storitev se pogosto dodelijo zasebnim subjektom, na primer subjektom, ki jim javni organi podelijo koncesije, ki so pogojene s specifičnimi storitvenimi obvezami. Ker javne službe pogosto obstajajo tudi na podcentralni ravni, sestavljanje podrobnih in izčrpnih list po posameznih sektorjih ni praktično. Ta omejitev ne zadeva telekomunikacijskih, računalniških in z njim povezanih storitev.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		HU: družba mora biti na trgu prisotna v obliki družbe z omejeno odgovornostjo, delniške družbe ali predstavništva. Vstop na trg v obliki podružnice ni dovoljen. PL: poslovalnica tujih ponudnikov storitev je lahko le družba z omejeno odgovornostjo ali delniška družbe. Ista pravna oblika se zahteva tudi v primeru poljske delniške družbe in tujih družb. Brez obvez v zvezi s podružnicami in predstavništvi podjetij. SE: tuja družba (ki na Švedskem ni ustanovila pravne osebe) izvaja svoje trgovinske posle prek podružnice, ustanovljene na Švedskem z neodvisnim vodstvom in ločenim knjigovodstvom. Za gradbene projekte, ki trajajo manj kot leto, se ne zahteva ustanovitev podružnice ali imenovanje predstavnika s stalnim bivališčem.				trejje države, kar zadeva njihovo poslovanje na ozemlju prve države članice, razen če takšno razširitev izrecno prepoveduje zakonodaja Skupnosti². b) Omejitve za hčerinske družbe 3) Vse države članice: manj ugodne obravnave so lahko deležne hčerinske družbe (družb iz trejih držav), ustanovljene v skladu z zakonodajo države članice, ki imajo na ozemlju Skupnosti samo uradni sedež, razen če se lahko dokaže, da imajo dejansko in stalno povezavo z gospodarstvom ene od držav članic³. c) Omejitve poleg omejitev iz a) in b) 3) Vse države članice, razen FI, SE, SI, SK: ni omejitev. FI: tujec, ki trguje kot zasebni podjetnik ali družbenik v finski družbi z omejeno ali neomejeno odgovornostjo, potrebuje dovoljenje in mora imeti stalno bivališče na Finskem. Če namerava tuja organizacija poslovati ali trgovati tako, da ustanovi podružnico na Finskem, se zahteva		

² V zvezi z Avstrijo zadeva tudi načina 1 in 4.

³ V zvezi z Avstrijo zadeva tudi načina 1 in 4.

⁴ Pri teh zahtevah se lahko odobrijo izjeme, če se lahko dokaže, da stalno bivališče ni potrebno.

⁵ Pri teh zahtevah se lahko odobrijo izjeme, če se lahko dokaže, da stalno bivališče ni potrebno.

⁶ Pri teh zahtevah se lahko odobrijo izjeme, če se lahko dokaže, da stalno bivališče ni potrebno.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
						dovoljenje za promet. Dovoljenje za delovanje kot ustanovitelj družbe z omejeno odgovornostjo se zahteva za tujo organizacijo ali zasebnika, ki ni državljan Finske. Te omejitve se ne uporabljajo za telekomunikacijske storitve. SE: družbo z omejeno odgovornostjo (delniško družbo) lahko ustanovi en ali več ustanoviteljev. Ustanovitelj ima stalno bivališče na Švedskem ali je švedska pravna oseba. Mešana družba je lahko ustanovitelj samo, če imajo vsi družbeniki stalno bivališče na Švedskem⁴. Ustrezni pogoji veljajo za ustanovitev vseh drugih vrst pravnih oseb. Generalni direktor in vsaj 50 % članov upravnega odbora ima stalno bivališče na Švedskem⁵. Generalni direktor podružnice ima stalno bivališče na Švedskem⁶. Tuji državljani ali državljani Švedske brez stalnega bivališča na Švedskem, ki želijo opravljati trgovinske posle na Švedskem, imenujejo in pri lokalnem organu registrirajo predstavnika s stalnim bivališčem na Švedskem, ki je pristojen za takšne dejavnosti. SI: najmanj polovica rednih članov sveta direktorjev mora biti državljanov Republike Slovenije. Generalni direktor družbe z omejeno odgovornostjo ali vsaj prokurist mora biti slovenski državljan. Če direktor podružnice, ki jo v Republiki Sloveniji ustanovi tuja pravna oseba, ni slovenski državljan, mora imeti stalno bivališče v Republiki Sloveniji. Ustanovitev podružnic tujih družb je možna,		

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
		če je matična družba vsaj eno leto vpisana v sodni register države izvora. SK: tuja fizična oseba, ki jo je treba vnesti v trgovinski register kot osebo, pooblaščen za poslovanje v imenu podjetnika, mora predložiti dovoljenje za bivanje na Slovaškem. 4) Vse države članice, razen AT: ni omejitev. AT: generalni direktorji podružnic in pravne osebe morajo imeti stalno bivališče v Avstriji. Fizične osebe, ki so v pravni osebi ali podružnici odgovorne za spoštovanje avstrijskega Zakona o trgovini, morajo imeti stalno bivališče v Avstriji. <u>Subvencije</u> 3) Vse države članice, razen HU, PL: upravičenost do subvencij iz Evropskih skupnosti ali držav članic je lahko omejena na pravne osebe, ustanovljene na ozemlju države članice ali na njenem določenem ožjem zemljepisnem območju. Brez obvez za subvencije, namenjene za raziskave in razvoj. Ponudba storitve ali njeno subvencioniranje v javnem sektorju ni kršitev teh obvez. Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE in SK: brez obvez za podružnice, ki jo v državi članici ustanovi družba zunaj Skupnosti. HU, PL: brez obvez.		

Oblika ponudbe:	(1) Sektor ali podsektor	Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave	Dodatne obveze
				4) Vse države članice, razen AT, PL: če so kakršne koli subvencije na voljo fizičnim osebam, je treba njihovo razpoložljivost omejiti na državljane države članice Skupnosti. AT, PL: brez obvez.	
		<u>Naložbe</u> 3) Vse države članice, razen CY, ES, FR, HU, FI, IT, MT, PT, PL, SI: ni omejitev. CY: za sodelovanje nerezidentov s pravnimi osebami ali mešanimi družbami na Cipru je potrebno dovoljenje centralne banke. Sodelovanje tujcev v vseh sektorjih ali podsektorjih z liste obvez je običajno omejeno na 49 %. Odločitev organov o odobritvi dovoljenj za tuje sodelovanje temelji na testu ekonomskih potreb, za katerega se na splošno uporabljajo naslednja merila: a) zagotavljanje novih storitev na Cipru; b) spodbujanje izvozne usmerjenosti gospodarstva z razvojem že obstoječih in novih tržišč; c) prenos sodobne tehnologije, znanja in novih strategij upravljanja; d) izboljšanje produktivne strukture gospodarstva ali kakovosti obstoječih izdelkov in storitev; e) dodaten vpliv na obstoječe enote ali dejavnosti; f) izvedljivost predlaganega projekta;		<u>Naložbe</u> 3) Vse države članice, razen HU, CY, LT, MT: ni omejitev. CY: osebe s tujo udeležbo morajo plačati znesek, sorazmeren z njenimi finančnimi zahtevami, nerezidenti pa morajo plačevati prispevek prek uvoza deviznih sredstev. V primeru, ko udeležba nerezidenta preseže 24 %, je treba povečati vso dodatno financiranje za gibljiva sredstva iz lokalnih in tujih virov sorazmerno z udeležbo rezidentov in nerezidentov pri lastniškem kapitalu pravne osebe. V primeru podružnic tujih družb morajo vsa sredstva za začetne naložbe zagotoviti tuji viri. Izposojanje od lokalnih virov je dovoljeno le po začetku izvajanju projekta in samo za financiranje potreb po gibljivih sredstvih. HU: brez obvez za nakup državne lastnine. LT: vlaganja v organizacijo loterij je v skladu z Zakonom o tujih kapitalskih naložbah prepovedano.	

⁷ Ta postopek ne zadeva naložb v Franciji za dejavnosti, ki so povezane z izvajanjem javne oblasti. Slednje je treba obravnavati v smislu člena 55 Rimske pogodbe in ustrezne sodne prakse.

Oblika ponudbe:	(1) Sektor ali podsektor	Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave		Dodatne obveze
		g) nove možnosti zaposlitve za znanstvenike, izboljšanje kakovosti in usposabljanje lokalnega osebja. V izjemnih primerih, kjer predlagana naložba dodobra zadosti večini meril testiranja ekonomskih potreb, se lahko odobri dovoljenje za tuje sodelovanje, ki presega 49 %. V javnih družbah dovoljeni delež udeležbe tujega kapitala navadno znaša do 30 %. V vzajemnih skladih znaša dovoljeni delež tujega lastništva 40 %. Pravne osebe morajo biti registrirane v skladu s pravom družb. Ta zakon določa, da mora tuja družba, ki želi ustanoviti družbo ali pisarno na Cipru, to registrirati kot tujo podružnico. Za registracijo je v skladu z Zakonom o nadzoru nad menjavo potrebna predhodna odobritev centralne banke. Takšna odobritev je odvisna od trenutne politike do tujih naložb, predlaganih dejavnosti korporativnega telesa na Cipru in splošnih meril za naložbe, ki so predvidena zgoraj. ES: za naložbe tujih vlad in oseb javnega prava (takšna oseba bi lahko imela poleg gospodarskih tudi negospodarske interese) v Španiji, ki so neposredne ali prek družb ali drugih oseb, ki so pod neposrednim ali posrednim nadzorom tujih vlad, je potrebno predhodno dovoljenje vlade. FR: za tuje nakupe, ki presegajo 33,33 % delnic ali glasovalnih pravic v obstoječem podjetju v Franciji, ali 20 % v podjetjih v Franciji, ki kotirajo na borzi, veljajo	MT: za družbe, pri katerih so udeležene nerezidenčne pravne ali fizične osebe, mora biti najnižji osnovni kapital vsaj 10 000 malteških lir, od katerih mora biti vplačanih 50 %. Nerezidenti morajo svoj delež osnovnega kapitala plačati s sredstvi iz tujine.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		naslednji predpisi: – naložbe⁷, manjše od 50 milijonov FF v francoskih podjetjih s prihodkom, ki ne presega 500 milijonov FF, postanejo neomejene po 15 dnevnem roku po predhodnem uradnem obvestilu in potrditvi, da so navedeni zneski resnični; – po izteku enega meseca od predhodnega uradnega obvestila, se dovoljenje tiho izda, razen če minister za gospodarske zadeve v izjemnih okoliščinah uveljavi svojo pravico odložitve naložbe. Tuja udeležba v novo privatiziranih družbah se lahko omeji na različno količino javno ponujenega delniškega kapitala, pri čemer to količino določi francoska vlada za vsak primer posebej. Za vzpostavitev nekaterih⁸ komercialnih, industrijskih ali obrtnih dejavnosti je potrebno dovoljenje, če generalni direktor nima dovoljenja za stalno bivanje. HU: brez obvez za nakup državne lastnine. FI: pridobitev delnic večjega finskega podjetja ali družbe (z več kot 1000 zaposlenimi ali katerega/-e promet presega 1000 milijonov FIM ali katerega bilančna vsota presega 1000 milijonov EUR) s strani tujega lastnika, s katerimi pridobi več kot tretjino glasovalnih pravic, morajo potrditi državni organi						

⁸ Komeracionalne, industrijske ali obrtniške dejavnosti se nanašajo na sektorje, kot so: druge poslovne storitve, gradbeništvo, distribucija in turistične storitve. Ne nanašajo se na telekomunikacije in finančne storitve.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			Finske; potrditev se lahko zavrne samo, če bi bil ogrožen pomemben nacionalni interes. Te omejitve ne veljajo za telekomunikacijske storitve. IT: na novo privatiziranim družbam se lahko dodelijo ali ohranijo izključne pravice. Glasovalne pravice v na novo privatiziranih družbah so lahko v nekaterih primerih omejene. Za obdobje petih let se lahko za pridobitev velikega deleža delnic družb, ki delujejo na področju obrambe, prevoznih storitev, telekomunikacij in energetike, zahteva soglasje ministrstva za finance. MT: v smislu oddelka 17 Zakona o deviznem nadzoru morajo nerezidenti Malte, ki želijo opravljati storitve preko podjetja, pristojnega na malteškem trgu, svojo lokalno družbo registrirati s predhodnim dovoljenjem centralne banke Malte. PT: za naložbe družb izven ES je potrebno dovoljenje⁹, če te presegajo 20 % kapitala družbe ali če naložbe povzročijo dejanski nadzor ali okrepitev pristojnosti odločanja. Tuja udeležba v na novo privatiziranih družbah se lahko omeji na različno količino javno ponujenega lastniškega kapitala, pri čemer to količino določi portugalska vlada za vsak primer posebej. PL: dovoljenje za ustanovitev družbe z deležem tujega kapitala je potrebno v					

⁹ Naložba je ocenjena glede na vpliv, ki ga ima na gospodarstvo države. Merila, ki se pri tem upoštevajo, so med drugim: ustvarjanje novih delovnih mest, pozitivno stanje tujih valut; uvedba napredne tehnologije, zmanjšano industrijsko onesnaževanje, strokovno usposabljanje portugalskih delavcev, itd.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
	primeru: – ustanovitve družbe, nakupa ali pridobitve delnic ali deležev v obstoječi družbi, razširitve dejavnosti družbe, ko obseg dejavnosti zajema vsaj eno od naslednjih področij: – upravljanje pristanišč in letališč; – opravljanje poslov z nepremičninami ali delovanje kot posrednik v poslih z nepremičninami; – oskrbo obrambne industrije, ki jo ne zajemajo druge zahteve za izdajo dovoljenja; – trgovino na debelo z uvoženim potrošniškim blagom; – nudenje storitev pravnega svetovanja. – ustanovitve skupnega podjetja z deležem tujega lastniškega kapitala, v katerem je poljski partner pravna oseba na Poljskem in kot ustanovni kapital prispeva nederenarna sredstva; – sklenitve pogodbe, ki vključuje pravico do uporabe državne lastnine za več kot šest mesecev ali odločitve o pridobitvi take lastnine. SI: dovoljenje za finančne storitve izdajo organi, navedeni v specifičnih obvezah po sektorjih, in v skladu s pogoji iz specifičnih obvez po sektorjih. Ni omejitev za ustanovitev novih podjetij (povsem nove naložbe).							
	<u>Nakup nepremičnin</u> Vse države članice, razen CY, DK, EL, HU, LV, MT, PL, SI, SK: ni omejitev.			<u>Nakup nepremičnin</u> Vse države članice, razen AT, CZ, DE, FI, HU, IT, IE, LV, PL, SE in SK: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			CY: brez obvez. DK: omejitve pri nakupu nepremičnin s strani nerezidenčnih fizičnih in pravnih oseb. Omejitve pri nakupu kmetijskih nepremičnin s strani tujih fizičnih in pravnih oseb. EL: v skladu z Zakonom št. 1892/90 morajo državljani za nakup zemlje v obmejnih območjih dobiti dovoljenje ministra za obrambo. V skladu z upravno prakso se dovoljenje zlahka izda za neposredne naložbe. HU: brez obvez za nakup državne lastnine. LV: za način 3: brez obvez glede pridobivanja zemljišč; zemljišče se ne sme najeti za več kot je dovoljeno, tj. 99 let. MT: zahteve malteške zakonodaje in predpisov v zvezi s pridobivanjem nepremičnin veljajo še naprej (za način 4). PL: brez obvez v zvezi s pridobitvijo državne lastnine, tj. predpisov, ki urejajo postopek privatizacije (za način 3). SI: pravne osebe, ustanovljene v Sloveniji ob udeležbi tujega kapitala, lahko pridobijo nepremičnine na ozemlju Slovenije. Podružnice*, ki jih v Sloveniji ustanovijo tuje osebe, lahko pridobijo samo nepremičnine, ki so potrebne za gospodarske dejavnosti, katerim so			AT: za pridobitev, nakup ter najem ali zakup nepremičnin s strani tujih fizičnih in pravnih oseb se zahteva dovoljenje pristojnih regionalnih organov (dežel), ki presodijo ali to vpliva na pomembne gospodarske, socialne ali kulturne interese. CZ: omejitve pri pridobitvi nepremičnin s strani tujih fizičnih in pravnih oseb. Tuji pravni subjekti lahko nepremičnine pridobijo z ustanovitvijo pravnih subjektov na Češkem ali z udeležbo v mešanih družbah. Tuje pravne osebe lahko zemljišče pridobijo z dovoljenjem. DE: tuji potrebujejo dovoljenje za nakup zemljišč v nemških zveznih deželah Berlin, Schleswig-Holstein in Posarje. Obstaja velika verjetnost, da bo po letu 1994 takšno dovoljenje zahtevala le zvezna dežela Berlin. FI: nerezidenti potrebujejo dovoljenje za pridobitev ali najem zemljišča za več kot dve leti za bivališča za prosti čas ali objekte za rekreacijo. (Alandski otoki): omejitve pravice fizičnih oseb brez regionalnega državljanstva na Alandskih otokih in pravice pravnih oseb do pridobitve in lastništva nepremičnin na Alandskih otokih brez dovoljenja pristojnih organov otokov. Omejitve pravice		

* SI: v skladu z Zakonom o gospodarskih družbah v Sloveniji ustanovljena podružnica ni pravna oseba, vendar se v smislu delovanja obravnava enako kot podružnice, kar je v skladu z odstavkom (g) člena XXVIII GATS.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg					Omejitve glede nacionalne obravnave	Dodatne obveze
		namenjene, razen zemljišč. Za lastništvo nepremičnin v 10-kilometrskem obmejnem pasu potrebujejo družbe, v katerih večina kapitala in volilne pravice posredno ali neposredno pripadajo pravnim osebam ali državljanom druge države članice, posebno dovoljenje. SK: ni omejitev, razen za zemljišče (za načina 3 in 4)					ustanavljanja in pravice opravljanja storitev brez dovoljenja pristojnih organov Alandskih otokov za fizične osebe, ki nimajo regionalnega državljanstva Alandskih otokov, in za pravne osebe. HU: brez obvez za pridobitev državne lastnine. Brez obvez za pridobitev nepremičnin s strani tujih fizičnih oseb. IT: brez obvez za nakup nepremičnin. IE: domače ali tuje družbe ali tuji državljani potrebujejo za pridobitev kakršnih koli pravic na irskem zemljišču predhodno pisno dovoljenje komisije za zemljišča. Če je takšno zemljišče namenjeno industrijski rabi (razen kmetijstvu), se ta zahteva ob predložitvi potrdila, ki ga v ta namen izda minister za podjetništvo in zaposlovanje, opusti. Ta zakon ne velja za mestna zemljišča.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
						LV: za način 3: brez obvez glede pridobivanja zemljišč; zemljišče se ne sme najeti za več kot je dovoljeno, tj. 99 let. PL: za pridobitev nepremičnin, posredno ali neposredno, s strani tujcev in tujih fizičnih oseb je potrebno dovoljenje. SE: dovoljenje, običajno lokalnih organov, se zahteva za pridobitev sekundarnega bivališča s strani nerezidenčne fizične osebe ali tujih pravnih oseb. Če tuje pridobitve sekundarnega bivališča povzročijo povišanje cen zemljišč, se lahko pridobitev zavme. SK: omejitve pri pridobitvi nepremičnin s strani tujih fizičnih in pravnih oseb. Tuje osebe lahko nepremičnine pridobijo z ustanovitvijo pravnih oseb na Slovaškem ali z udeležbo v mešanih družbah. Tuje osebe lahko zemljišče pridobijo z dovoljenjem (za načina 3 in 4).		
		<u>Devizni režim^{10 11 12}</u> 1) 2) Vse države članice, razen SK: ni omejitev. SK: v zvezi s tekočimi plačili obstaja omejitev pridobitve deviznih sredstev s strani državljanov za osebne namene. V zvezi s kapitalskimi plačili je za finančna posojila, pridobljena od tujih državljanov, neposredne naložbe v tujini, pridobitev nepremičnin v tujini in nakup tujih vrednostnih papirjev potrebno dovoljenje za devizno poslovanje.		<u>Devizni režim¹³</u> 4) Vse države članice, razen CY: ni omejitev. CY: v skladu z Zakonom o deviznem nadzoru nerezidentom običajno ni dovoljena pridobitev posojila od lokalnih virov.				

¹⁰ CZ: velja nediskriminatorni sistem nadzora deviznega poslovanja, ki ga sestavljajo:

- a) omejitve pridobitve deviznih sredstev državljanov za osebne namene,
b) za finančna posojila od tujih državljanov, neposredne naložbe v tujini, pridobitev nepremičnin v tujini in nakupe tujih vrednostnih papirjev potrebujejo osebe s prebivališčem na Češkem dovoljenje za devizno poslovanje.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze			
	<u>Industrijske, komercialne ali obrtne dejavnosti</u> 4) FR: če generalni direktor industrijske, komercialne ali obrtne dejavnosti¹⁴ nima dovoljenja za stalno bivanje, mora imeti posebno dovoljenje. IT: za dostop do industrijskih, komercialnih in obrtnih dejavnosti je potrebno dovoljenje za bivanje in posebno dovoljenja za opravljanje dejavnosti.							
			<u>Priznavanje diplom</u> Vse države članice: direktive ES o medsebojnem priznavanju diplom se ne uporabljajo za državljane tretjih držav. Priznavanje diplom, ki se zahtevajo za izvajanje zakonsko urejenih poklicnih storitev s strani državljanov nečlanic Skupnosti, ostaja v pristojnosti posameznih držav članic, razen če zakonodaja Skupnosti predvideva drugače. Pravica do izvajanja zakonsko urejenih poklicnih storitev v eni od držav članic ne zagotavlja pravice do					

¹¹ PL: nediskriminatorni sistem deviznega nadzora je povezan z omejitvami v deviznem prihodku in s sistemom deviznih dovoljenj (univerzalnih in individualnih), med drugim z omejitvami pretoka kapitala in deviznih plačil. Dovoljenje je potrebno za naslednje devizne posle:

- prenos deviz iz države;
- prenos poljske valute v državo;
- prenos lastništva nad pravico do denarnega premoženja med domačimi in tujimi osebami;
- odobritev in črpanje posojil iz deviznih poslov s strani domačih oseb;
- določitev in izvršitev plačil v tujih valutah na Poljskem za pridobljeno blago, nepremičnine, lastninske pravice, storitve ali delo;
- odprte in imetje bančnega računa v banki na tujem;
- pridobivanje in imetništvo tujih vrednostnih papirjev in pridobivanje nepremičnin na tujem;
- prevzemanje drugih obveznosti na tujem s podobnim učinkom.

¹² SK: vnosi se navedejo zaradi preglednosti.

¹³ PL: opomba 11 velja tudi za nacionalno obravnavo.

¹⁴ Komercialne, industrijske ali obrtniške dejavnosti se nanašajo na sektorje, kot so: druge poslovne storitve, gradbeništvo, distribucija in turistične storitve. Ne zadevajo telekomunikacijskih in finančnih storitev.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze		
		<u>Kategorije fizičnih oseb v skladu z načinom 4</u> 4) Vse države članice: brez obvez, razen za ukrepe, ki se nanašajo na vstop in začasno bivanje¹⁵ v državni članici, za naslednje kategorije fizičnih oseb, ki zagotavljajo naslednje storitve: (i) <u>Gibanje znotraj družb (GZD):</u> Za vse države članice: za dostop veljajo naslednji pogoji: – zadevna fizična oseba mora delati pri pravni osebi (za AT, BE, CY, DE, DK, EE, EL, ES, FI, FR, IE, IT, LT, LU, LV, MT, NL, PT, SI, UK, ki ni neprofitna organizacija, ustanovljena na območju države članice STO, in biti pri njej zaposlena (za AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: ali biti njen družbenik (ne kot večinski delničar), najmanj leto neposredno pred dnevom dovolitve vstopa (v EE in LT se šteje datum zahtevka) (v SI pa tri leta). V IT mora fizična oseba delati pri pravni osebi, kot je SPA (delniška družba) ali SRL (kapitalska delniška družba z omejeno odgovornostjo). – fizična oseba je zaradi opravljanja gospodarske dejavnosti začasno premeščena na ozemlje druge zadevne države članice Skupnosti. – (AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: zadevna pravna oseba mora imeti svojo glavno		njihovega izvajanja v drugi državni članici. <u>Kategorije fizičnih oseb v skladu z načinom 4</u> 4) Vse države članice: brez obvez, razen kot je navedeno v nadaljevanju. 4) <u>Gibanje znotraj družb (GZD):</u> Vse države članice: brez obvez, razen za ukrepe, ki se nanašajo na kategorije fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.				

¹⁵ Vse druge zahteve iz zakonov in drugih predpisov Skupnosti in držav članic, ki se nanašajo na vstop, bivanje, delo in ukrepe socialne varnosti se še naprej uporabljajo, vključno s predpisi o času bivanja in najnižji plači ter kolektivno pogodbo o plačah. Obveze o prostem gibanju oseb ne veljajo, če je namen ali učinek takega gibanja ovirati ali drugače vplivati na izd kakršnih koli delovnih/upravnih sporov ali pogajanj.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		poslovno enoto na ozemlju pogodbenice STO, razen Skupnosti in njenih držav članic, premestitev pa mora biti izvedena v podjetje (hčerinsko družbo, podružnico, poslovalnico) navedene pravne osebe, ki dejansko opravlja podobno gospodarsko dejavnost na ozemlju zadevne države članice Skupnosti.) (CZ, LT, LV, PL, SK: premestitev mora biti izvedena v podjetje (hčerinsko družbo, podružnico, poslovalnico) ali glavno poslovno enoto navedene pravne osebe. Pravna oseba prejemnica mora biti ustanovljena na območju države članice Skupnosti in tam dejansko opravljati podobne storitve.) (EE: premestitev mora biti izvedena v podjetje (hčerinsko družbo, podružnico, odvisno podjetje) navedene pravne osebe. Pravna oseba prejemnica mora biti ustanovljena na območju države članice Skupnosti in tam dejansko opravljati podobne storitve.) (HU: premestitev mora biti izvedena v hčerinsko družbo navedene pravne osebe. Pravna oseba prejemnica mora biti ustanovljena na območju države članice Skupnosti in tu dejansko opravljati podobne storitve.) – zadevna fizična oseba mora spadati v eno od naslednjih kategorij: a) osebe na vodstvenih položajih v pravni osebi, ki v glavnem upravljajo podjetje pod splošnim nadzorom in s potrebnimi navodili upravnega odbora ali odbora delničarjev podjetja ali drugega enakovrednega organa, vključno z: – vodenjem podjetja, sektorja ali pododdelka podjetja; – nadzorom in kontrolo dela drugega nadzornega, strokovnega ali vodstvenega osebja;						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze
			okviru gibanja znotraj družb opredelijo države članice ter zakoni in drugi predpisi Skupnosti o vstopu, bivanju in delu, če obstajajo. EE: vstop in bivanje je omejeno na obdobje treh let, ki se lahko podaljša za dve dodatni leti, celotno obdobje pa ne presega pet let. LV: dolžina začasnega bivanja je omejena na skupno pet let. LT: dolžina začasnega bivanja je omejena na tri leta. Višjim vodstvenim delavcem se lahko bivanje podaljša. PL: delovna dovoljenja se izdajo le za določen čas – do enega leta z možnostjo podaljšanja – tujemu delavcu, ki dela za določenega delodajalca. SE: začasni vstop in bivanje je omejeno na obdobje dveh let (z možnostjo podaljšanja). SI: dolžina „začasnega bivanja“ za „premeščenca znotraj družbe“ je omejena s „poslovnim vizumom“ in dovoljenjem za bivanje, ki se lahko izda za obdobje enega leta z možnostjo podaljšanja.					Poslovni obiskovalci: Vse države članice: brez obvez, razen za ukrepe, ki se nanašajo na kategorije fizičnih oseb iz stolpca „Dostop na trg dela“.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		a) <u>Ponudniki storitev</u>: vse države članice: osebe, ki nimajo stalnega bivališča na ozemlju države članice, kjer veljajo sporazumi ES, in ki so predstavniki ponudnika storitev in želijo začasní vstop zaradi pogajanj o prodaji storitev ali sklenitve pogodb o prodaji storitev za navedenega ponudnika storitev, če ti predstavniki ne bodo opravljali prodaje neposredno javnosti ali sami zagotavljali storitev (dodatno za EE, HU, LV, SI: ali v svojem imenu prejekali nadomestil od vira v zadevni državi članici). Dodatno za EE, SE: zadevne osebe morajo biti pri navedenem ponudniku storitev zaposlene najmanj eno leto neposredno pred datumom prošnje za dovolitev vstopa. b) <u>Ustanovitev podjetja</u>, ki je prisotno na trgu: vse države članice, razen FI, HU, PL: osebe, zaposlene (vse države članice, razen EE, LV, LT, SI: osebe na vodstvenih položajih, kot so opredeljene v (i) a) zgoraj) pri pravni osebi, ki so v državi članici pristojne za ustanovitev podjetja ponudnika storitev, prisotnega na trgu države članice, če: – predstavniki niso vključeni v neposredno prodajo ali zagotavljanje storitev (dodatno za EE, HU, LV, SI: ali v svojem imenu prejemo nadomestilo iz vira v zadevni državi članici); ter – vse države članice, razen LT, LV, SI: ponudnik storitev ima svojo glavno						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
		poslovno enoto na ozemlju pogodbenice STO, razen v Skupnosti ali njenih državah članicah, in nima drugega predstavnika, sedeža, podružnice ali hčerinske družbe v zadevni državi članici; – dodatno za EE, SE: zadevna oseba mora biti pri navedenem ponudniku storitev zaposlena najmanj eno leto neposredno pred dnevom prošnje za dovolitev vstopa. FI, HU, PL: brez obvez. AT, BE, CY, CZ, DE, DK, ES, FR, EL, IT, IE, LU, MT, NL, PT, SK, UK: dolžino „začasnega bivanja“ poslovnih obiskovalcev opredelijo države članice ter zakoni in drugi predpisi Skupnosti o vstopu, bivanju in delu, če obstajajo. EE: vstop je omejen na največ 90 dni v šestmesečnem obdobju. FI, PL, SE: začasni vstop in bivanje je omejeno na tri mesece. HU: vstop in bivanje je dovoljeno največ za obdobje 90 dni. LT: dolžina začasnega bivanja je omejena na tri mesece letno. LV, SI: dolžina začasnega bivanja je omejena na 90 dni z vizumom. (iii) Pogodbeni ponudniki storitev (PPS): AT, BE, DE, DK, ES, EE, FR, FI, EL, IT, IE, LU, LV, NL, PT, SE, UK: za dostop veljajo naslednji pogoji:	Pogodbeni ponudniki storitev: AT, BE, DE, DK, ES, EE, FI, FR, EL, IE, IT, LV, LU, NL, PT, SE, UK: brez obvez, razen za ukrepe, ki se nanašajo na kategorije fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
	- fizične osebe opravljajo storitve začasno kot osebe, zaposlene pri pravni osebi, ki ni prisotna na trgu v nobeni državi članici Evropske skupnosti; - pravna oseba je na javnem razpisnem postopku ali katerem koli drugem postopku, ki zagotavlja pogodbo v dobri veri (npr. oglaševanje razpoložljivosti pogodbe) pridobila pogodbo o zagotavljanju storitve za največ tri mesece (12 mesecev za računalniške in sorodne storitve v primeru SE in brez določenega obdobja v primeru EE in LV), ki jo je sklenila s končnim potrošnikom v zadevni državi članici (s podjetjem, ki opravlja bistvene poslovne dejavnosti v zadevni državi članici v primeru EE in LV), če ta zahteva obstaja ali je uvedena v državi članici po zakonih, predpisih in zahtevah Skupnosti ali njenih držav članic;			CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez.				

Oblika ponudbe:	(1) Sektor ali podsektor	Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave		Dodatne obveze
		– pogodba za opravljanje storitev je skladna z zakoni, predpisi in zahtevami Evropske skupnosti in države članice, v kateri se pogodba za opravljanje storitev izvaja; – fizična oseba, ki si prizadeva za dostop, mora ponujati storitve kot uslužbenec pravne osebe, ki zagotavlja storitev najmanj leto, (dve leti v primeru EL) ki je neposredno pred tako prenestivijo (datum prošnje za dostop v primeru EE in LV); – začasen vstop v zadevno državo članico in bivanje v njej za obdobje, ki ni daljše od treh mesecev v vsakem 12-mesečnem obdobju (24 mesecev v primeru NL)(90 dni vsakih 12 mesecev v primeru EE) (6 mesecev vsakih 12 mesecev za računalniške in sorodne storitve v primeru SE) ali za čas trajanja pogodbe, glede na to, katero je krajše; – fizična oseba mora imeti ustrezne akademske kvalifikacije in poklicne izkušnje, kot je določeno za področje ali zadevno dejavnost v državi članici, v kateri se storitev izvaja. – test ekonomskih potreb ni potreben, razen, če je tako navedeno za posamezno podpodročje. – obveza se nanaša samo na storitveno dejavnost, ki je predmet pogodbe; ne daje pravice do uporabe strokovnega naziva zadevne države članice. – pogodba o zagotavljanju storitev lahko zajema samo toliko oseb, kot jih je nujno potrebnih za izpolnjevanje pogodbenih obveznosti; te so lahko določene z zakoni in drugimi predpisi Evropske skupnosti in države članice, v kateri se storitev izvaja. – pogodba za opravljanje storitev mora			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
	zadevati eno od dejavnosti, navedenih v nadaljevanju, za katere velja specifična obveza, ki jo prevzame zadevna država članica za del, specifičen za sektor, in ob upoštevanju v pogodbah navedenih dodatnih pogojev: – pravne storitve; – računovodske storitve; – storitve davčnega svetovanja; – arhitekturne storitve, storitve urbanističnega načrtovanja in storitve krajinske arhitekture; – inženirske storitve, integrirane inženirske storitve; – računalniške in sorodne storitve; – storitve na področju raziskav in razvoja; – oglaševanje – poslovno svetovanje; – storitve, povezane s poslovnim svetovanjem; – storitve tehničnega preizkušanja in analitične storitve; – sorodne storitve na področju znanstvenega in tehničnega svetovanja; – prevajalske storitve; – gradbene storitve, nadzor gradbišč; – storitve višjega- in visokošolskega izobraževanja; – storitve turističnih agencij in organizatorjev potovanj; – razvedrilne storitve; – storitve v zvezi s prodajo opreme ali dodelitvijo patenta. CY, CZ, HU, MT, LT, PL, SK, SI: brez obvez.							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
II. SPECIFIČNE OBVEZE PO SEKTORJIH								
1.	POSLOVNE STORITVE							
B.	<u>Strokovne storitve</u>							
a)	Vse države članice, razen CZ, EE, FI, HU, LV, PL, SI, SK: pravno svetovanje na področju nacionalnega in javnega mednarodnega prava (razen prava ES); HU: pravno svetovanje na področju nacionalnega prava (del CPC 861)	2) Vse države članice, razen CY, EE, FR, MT, PT, SE, SI: ni omejitev. CY, MT: brez obvez. EE: brez obvez za CPC 861, razen za CPC 86190 FR, PT, SI: brez obvez glede priprave pravnih dokumentov. SE: „advokat“ (glej naslednji stolpec“) svojega poklica ne sme opravljati v sodelovanju z drugimi osebami, ki niso „advokati“ ali družba z omejeno odgovornostjo (delniška družba) ¹⁷ .			1) Vse države članice, razen AT, CY, DK, EE, FR, MT, PT, SE, SI: ni omejitev. AT: tuji pravni svetovalci morajo biti člani avstrijske odvetniške zbornice; svoj poklicni naziv lahko uporabljajo samo s sklicevanjem na kraj registracije v svoji matični državi. CY, MT: brez obvez. DK: trženje dejavnosti pravnega svetovanja je omejeno na odvetnike z dansko licenco za opravljanje dejavnosti in odvetniške pisarne, registrirane na Danskem. EE: brez obvez za CPC 861, razen za CPC 86190 FR, PT, SI: brez obvez glede priprave pravnih dokumentov. SE: brez obvez, razen za zaščito uporabe švedskega naziva „advokat“ (odvetnik/pravni zastopnik/odvetnik s pravico zastopanja na višjem sodišču), za katerega je potrebno članstvo v švedski odvetniški zbornici. Za članstvo v njej je potreben švedski državni pravniški izpit ali enaka izobrazba in praktične izkušnje, državljanstvo ter stalno			

¹⁶ V EE vključuje kategorija „druge pravno-svetovalne in informacijske storitve“ (CPC 86190) izvajanje a) mednarodnega *javnega* prava in b) estonskega nacionalnega prava, če lahko ponudnik storitev glede na sodno odločbo te jurisdikcije izvaja dejavnosti odvetnika. V te dejavnosti svetovanja ni vključeno: (i) zastopanje oseb, razen sebe, pred sodiščem, sodnikom ali drugimi estonskimi sodnimi organi; (ii) priprava sodnih listin za prenos lastništva nepremičnin v Estoniji in vpis takšnega prenosa v zemljiško knjigo; (iii) priprava oporok ali aktov o ustanovitvi trusta za odsvojitve kakršne koli lastnine, ki se nahaja v Republiki Estoniji in je v lasti estonskega rezidenta, ali dokumentov, ki zadevajo upravljanje takšne lastnine; (iv) priprava dokumentov, ki urejajo zakonske ali starševske odnose, pravice ali dolžnosti rezidentov Republike Estonije, ali skrbništvo in rejništvo otrok teh rezidentov (ostalo v skladu s CPC 86190).

¹⁷ Družbe z omejeno odgovornostjo so dovoljene, vendar pod nekaterimi pogoji.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb

¹⁸ Če tuji odvetniki ne nastopajo pod nazivom „advokat“, lahko prosto nudijo storitve pravnega svetovanja.

¹⁹ Družbe z omejeno odgovornostjo so dovoljene, vendar pod nekaterimi pogoji.

²⁰ Če tuji odvetniki ne nastopajo pod nazivom "advokat", lahko prosto ponujajo storitve pravnega svetovanja.

²¹ Dostop do teh poklicev ureja francoski Zakon št. 90-1259 z dne 31. decembra 1990, ki uvaaja celoten obseg pravnih in pravnosodnih dejavnosti.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
	pripravnik; b) opravljeni zahtevani izpit; c) tri leta delovnih izkušenj kot višji pomočnik. Po tem je mogoče opravljati odvetniški izpit (zahteva se odlično poznavanje estonskega prava in odlično znanje estonsčine). Javni notarji so osebe, ki izvajajo javne storitve; imenuje jih ministrstvo za pravosodje. FR: opravljanje storitev samo prek SEL (anonyme, f responsabilité limitée ou en commandite par actions) ali SCP. FI: pravni svetovalec, član splošne odvetniške zbornice, mora imeti za izvajanje pravnih storitev finsko državljanstvo in stalno bivališče na Finskem. HU: ponudnik storitev mora biti na trgu prisoten v obliki predstavništva. LV: brez omejitev za svetovanje o nacionalnem in javnem mednarodnem pravu. Za CPC 861, razen za svetovanje o nacionalnem in javnem mednarodnem pravu, se zahteva licenca, ki jo izda ministrstvo za pravosodje, in znanje latvijskega jezika. Pooblaščenim odvetnikom lahko zagotavlja vse pravne storitve, razen zastopanja v kazenskih postopkih. Zastopanje v kazenskih postopkih je dovoljeno le zaprišeženim odvetnikom. Za zaprišežene odvetnike in zaprišežene notarje se zahteva državljanstvo. Zaprišeženi odvetniki in zaprišeženi notarji morajo imeti najmanj 25 let, znanje latvijskega jezika, diplomno latvijske univerze ali katere koli druge univerze, ki je enakovredna Pravni fakulteti Univerze v Latviji, in praktične izkušnje. Zaprišeženi odvetniki morajo narediti izpit v skladu s pravili, ki jih			članstvo v švedski odvetniški zbornici. Za članstvo v njej je potreben švedski državni pravniški izpit ali enaka izobrazba in praktične izkušnje, državljanstvo ter stalno bivališče.²⁰ SI: za sprejem v odvetniško zbornico za odvetnike, ki niso državljani Slovenije in imajo licenco za opravljanje dejavnosti v drugi državi članici, se zahteva potrdilo o poznavanju slovenskega prava in odlično znanje slovenščine. SK: odvetniki s pravico zastopanja na višjem sodišču in drugi odvetniki morajo po slovaški zakonodaji diplomirati na eni od slovaških univerz.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave			Dodatne obveze
			določi Svet zaprišeženih odvetnikov. Zaprišeženi notarji morajo opraviti izpit v skladu s pravilnikom, ki ga določi ministrstvo za pravosodje v sodelovanju s Svetom zaprišeženih notarjev. PL: za ustanovitev podjetja je potrebno dovoljenje. Zahteva se državljanstvo. SE: „advokat“ (glej naslednji stolpec^(*)) svojega poklica ne sme opravljati v sodelovanju z drugimi osebami, ki niso „advokati“ ali družba z omejeno odgovornostjo (delniška družba)¹⁹. SI: tržna prisotnost je omejena le na samostojne podjetnike ali odvetniške pisarne z neomejeno odgovornostjo (partnerstvo). Partnerji so lahko le odvetniki z licenco. Za dejavnosti, ki vključujejo sprejetje nacionalne zakonodaje, je obvezen sprejem v odvetniško zbornico („Odvetniška zbornica Slovenije“). Soglasje odvetniške zbornice je obvezno za ustanovitev katere koli odvetniške pisarne. Za sprejem v odvetniško zbornico za odvetnike, ki niso državljani Slovenije in imajo licenco za opravljanje dejavnosti v drugi državi članici, se zahteva potrdilo o poznavanju slovenskega prava in odlično znanje slovenščine. Javni notarji so osebe, ki izvajajo javne storitve. Koncesijo je mogoče pridobiti z licenco. SK: brez omejitev za tujo zakonodajo. Za dejavnosti, ki zajemajo sprejetje nacionalne zakonodaje, je obvezno privoljenje slovaške odvetniške zbornice ali slovaške zbornice komercialnih odvetnikov.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
		4) <u>GZD in PO</u> Vse države članice, razen CY, LU, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v nadaljevanju: na zahtevo potrošnika se lahko pravni svetovalci za zagotovitev posebnih storitev začasno preselijo tudi na ozemlje Avstrije. FR: dejavnosti pravnega svetovanja in pripravljanje pravnih dokumentov kot glavne dejavnosti in kot dejavnosti za javnost so v izključni pristojnosti članov zakonsko urejenih pravnih in pravosodnih poklicev²². Te dejavnosti lahko kot stranske dejavnosti, poleg glavnih, izvajajo tudi drugi člani zakonsko urejenih poklicev ali kvalificirane osebe. FI: pravni svetovalec, član splošne odvetniške zbornice, mora imeti za izvajanje pravnih storitev finsko državljanstvo in stalno bivališče na Finskem. EL: zahteva se državljanstvo. LV: za CPC 861, razen za svetovanje o nacionalnem in javnem mednarodnem pravu, se zahteva licenca, ki jo izda ministrstvo za	4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v stolpcu „Omejitve glede dostopa na trg“. Tuji pravni svetovalci morajo biti člani avstrijske odvetniške zbornice; svoj poklicni naziv lahko uporabljajo samo s sklicevanjem na kraj registracije v svoji matični državi. DK: trženje dejavnosti pravnega svetovanja je omejeno na odvetnike z dansko licenco opravljanja dejavnosti. Zahteva se danski pravniški izpita za pridobitev danske licence opravljanja dejavnosti. SE: brez obvez, razen za zaščito uporabe švedskega naziva „advokat“ (odvetnik/pravni zastopnik/odvetnik s pravico zastopanja na višjem sodišču), za katerega je potrebno članstvo v švedski odvetniški zbornici. Za članstvo v njej je potreben švedski državni pravniški izpit ali enaka izobrazba in praktične izkušnje, državljanstvo ter stalno bivališče.²⁴ CY, MT: brez obvez. FI, LV, PL: ni omejitev.					

²² Dostop do teh poklicev ureja francoski Zakon št. 90–1259 z dne 31. decembra 1990, ki uvaja celoten obseg pravnih in pravosodnih dejavnosti.

²³ Družbe z omejeno odgovornostjo so dovoljene, vendar pod nekaterimi pogoji.

²⁴ Če tuji odvetniki ne nastopajo pod nazivom "advokat", lahko prosto ponujajo storitve pravnega svetovanja.

Oblika ponudbe:	(1) Sektor ali podsektor	(2) Čezmejno poslovanje	(3) Potrošnja v tujini	(4) Tržna prisotnost	(5) Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
		pravosodje, in znanje latvijskega jezika. Pooblaščenim odvetnikom lahko zagotavlja vse pravne storitve, razen zastopanja v kazenskih postopkih. Zastopanje v kazenskih postopkih je dovoljeno le zapriseženim odvetnikom. Za zaprisežene odvetnike in zaprisežene notarje se zahteva državljanstvo. Zapriseženi odvetniki in zapriseženi notarji morajo imeti najmanj 25 let, znanje latvijskega jezika, diplomato latvijske univerze ali kakšno drugo univerzo, ki je enakovredna Pravni fakulteti Univerze v Latviji, in praktične izkušnje. Zapriseženi odvetniki morajo narediti izpit v skladu s pravili, ki jih določijo Svet zapriseženih odvetnikov. Zapriseženi notarji morajo opraviti izpit v skladu s pravilnikom, ki ga določi ministrstvo za pravosodje v sodelovanju s Svetom zapriseženih notarjev. PL: zahteva se državljanstvo. SE: „advokat“ (glej naslednji stolpec“) svojega poklica ne sme opravljati v sodelovanju z drugimi osebami, ki niso „advokati“ ali družba z omejeno odgovornostjo (delniška družba)²³. CY, LU, MT: brez obvez. <u>PPS</u> Vse države članice, razen DE in UK: brez obvez.			
				<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
b)	Računovodske storitve (CPC 86212, razen „revizijskih storitev“, 86213, 862419)	DE, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DE, UK: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. DE: brez obvez za dejavnosti, v izključni pristojnosti odvetnika, t.i., „Rechtsanwalt“.			navedeno v oddelku horizontalnih obvez. CY, CZ, HU, MT, LT, PL, SK, SI: brez obvez. LV: ni omejitev.			
		1) Vse države članice, razen CY, FR, EL, HU, IT, MT, SI: ni omejitev. CY, FR, EL, HU, IT, MT, SI: brez obvez.			1) Vse države članice, razen AT, FR, EL, MT, IT, SI: ni omejitev. AT: brez zastopanja pred pristojnimi organi. FR, EL, IT, MT, SI: brez obvez.			
		2) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 3) Vse države članice, razen AT, CY, DE, FR, IT, LV, MT, PT, SI: ni omejitev. AT: kapitalna udeležba in deleži tujih računovodij (ki morajo biti pooblaščen v skladu z nacionalno zakonodajo) v poslovnih rezultatih katere koli avstrijske pravne osebe ne smejo presegati 25 %, kar velja samo za nečlane avstrijske poklicne zbornice. CY: dostop je omejen na fizične osebe, ki so pridobile dovoljenje ministra za finance. Za izdajo dovoljenja je treba testirati ekonomske potrebe. Uporabljeni merila so podobna merilom za izdajo dovoljenja za tuje naložbe (navedene v horizontalnem			2) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 3) Vse države članice, razen DK, MT: ni omejitev. DK: tuji računovodje lahko sklenejo partnerstvo z danskimi pooblaščenimi računovodji po pridobitvi dovoljenja danske Agencije za trgovino in gospodarske družbe. MT: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
		oddelku), če se uporabljajo v tem podsektorju, pri čemer se vedno upošteva stanje na področju zaposlovanja v podsektorju. Poklicna združenja (partnerstva) fizičnih oseb so dovoljena. Dovoljena ni nobena pravna oseba. DE: opravljanje storitev prek „GmbH & CoKG“ in „EWIV“ je prepovedano. FR: opravljanje storitev samo prek SEL (anonyme, f responsabilité limitée ou en commandite par actions) ali SCP. IT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko Združenje zapriseženih revizorjev; c) ki so opravili strokovni preskus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami latvijskega Združenja zapriseženih revizorjev; d) imajo dober ugled. MT: brez obvez. PT: opravljanje storitev samo prek poklicnih ustanov. SI: ponudnik storitev mora biti na trgu prisoten kot pravna oseba. 4) <u>GZD in PO</u>						
						4) <u>GZD in PO</u> Vse države članice, razen FI, LV, MT, PL: brez		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
			kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: poleg horizontalnih obvez se lahko na zahtevo potrošnika računovodje začasno preselijo tudi na ozemlje Avstrije, da bi zagotovili določeno storitev. Vendar pa morajo imeti fizične osebe, ki nudijo računovodske storitve, praviloma svoj strokovni center (poslovna prisotnost) v Avstriji. DK: zahteva se dansko državljanstvo, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. FR: zahteva se državljanstvo. Vendar se lahko strokovnjakom iz držav, ki niso članice ES, dovoli opravljanje storitev s sklepom ministra za gospodarstvo, finance in proračun v dogovoru z ministrom za zunanje zadeve. Zahteva glede stalnega bivališča ne sme preseči 5 let. IT: za „Ragionieri-Periti commerciali“ se zahteva državljanstvo. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko Združenje zapriseženih revizorjev; c) ki so opravili strokovni preskus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami latvijskega Združenja zapriseženih revizorjev; d) imajo dober ugled.		obvez, razen kot je navedeno v oddelku horizontalnih obvez, in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v stolpcu „Dostop na trg“. Brez zastopanja pred pristojnimi organi. DK, IT: zahteva se stalno bivališče. SI: brez obvez, razen kot je navedeno v stolpcu „Dostop na trg“. MT: brez obvez. FI, LV, PL: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		SI: omejitve samo za fizične osebe, ki jih zaposlijo pravne osebe. MT: brez obvez. <u>PPS</u> Vse države članice, razen AT, DE, LU, NL, UK, SE: brez obvez. AT, DE, LU, NL, UK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT, DE, NL, UK, SE: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. AT: izpit pri avstrijski poklicni zbornici. Delodajalec mora biti član ustrezne poklicne zbornice v matični državi, kjer taka zbornica obstaja. DE: brez obvez za dejavnosti, za katere so po zakonu pristojni „Wirtschaftsprüfer“.			<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.			
b)	Revizijske storitve ²⁵ ²⁶ (CPC 86211 in 86212, razen računovodskih storitev)	1) Vse države članice, razen AT, CZ, EE, LV, LT, PL, SE in SK: brez obvez. AT, CZ, EE, LV, PL, SK: ni omejitev. LT: ni omejitev, razen da mora biti revizorsko poročilo pripravljeno s sodelovanjem revizorja, ki je akreditiran za delovanje v Litvi.			1) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, PL, SE in SK: brez obvez. AT: brez zastopanja pred pristojnimi organi. Posebna avstrijska zakonodaja ne predvideva revizijskih pregledov (tj. Zakon o delniških družbah, Zakon o borzah, Zakon o bančništvu).			

²⁵ Pojasnilo za države članice ES-12: glede na to, da se za izvajanje vseh revizorskih dejavnosti zahteva poslovna prisotnost, je čezmejno zagotavljanje storitev brez obvez. Nacionalne poklicne zbornice lahko odobrijo samo registrirane zakonite revizorje. Odobritev je predpogoj za izvajanje dejavnosti.

²⁶ V skladu s slovensko zakonodajo revizijske storitve opravljajo podjetja in ne fizične osebe.

²⁷ Priznajo se tuji izpiti in izkušnje, ki dajejo enakovredno usposobljenost.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
	SE: samo na Švedskem registrirani revizorji lahko opravljajo pravne revizorske storitve pri nekaterih pravnih osebah, zlasti v vseh družbah z omejeno odgovornostjo. Samo take osebe so lahko delničarji ali družbeniki družb, ki izvajajo kvalificirane revizije (za uradne namene). Za odobritev je potreben opravljen švedski izpit, delovne izkušnje in stalno bivališče.				CY, CZ, EE, HU, LV, PL, SK: ni omejitev. LT: ni omejitev, razen da mora biti revizorsko poročilo pripravljeno s sodelovanjem revizorja, ki je akreditiran za delovanje v Litvi. SE: zahteva se stalno bivališče na Švedskem in opravljen izpit²⁷.			
	2) Vse države članice, razen MT: ni omejitev. MT: brez obvez.				2) Vse države članice, razen MT: ni omejitev. MT: brez obvez.			
	3) Vse države članice, razen AT, BE, CY, CZ, DE, FR, FI, IT, IE, LV, LT, MT, PT, PL, SE, SI, SK: ni omejitev.				3) Vse države članice, razen DK, MT, SE: ni omejitev.			
	AT: kapitalna udeležba in deleži tujih revizorjev (ki morajo biti pooblašeni v skladu z nacionalno zakonodajo) v poslovnih rezultatih katere koli avstrijske pravne osebe ne smejo presegati 25 %, kar velja samo za nečlane avstrijske poklicne zbornice. BE: opravljanje storitev prek „SA“ in „Société en commandite“ je prepovedano. CY: dostop je omejen na fizične osebe, ki so pridobile dovoljenje ministra za finance. Za izdajo dovoljenja je treba testirati ekonomske potrebe. Uporabljena merila so podobna merilom za izdajo dovoljenja za tuje naložbe (navedene v horizontalnem oddelku), če se uporabljajo v tem podsektorju, pri čemer se vedno upošteva stanje na področju zaposlovanja				DK: tuji računovodje lahko sklenejo partnerstvo z danskimi pooblaščenimi računovodji po pridobitvi dovoljenja danske Agencije za trgovino in gospodarske družbe. MT: brez obvez. SE: Zahteva se stalno bivališče na Švedskem in opravljen izpit²⁸.			

²⁸ Priznajo se tuji izpiti in izkušnje, ki dajejo enakovredno usposobljenost.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
		v podsektorju. Poklicna združenja (partnerstva) fizičnih oseb so dovoljena. Dovoljena ni nobena pravna oseba. CZ: revizorstvo lahko zagotovijo fizične ali pravne osebe, vpisane na seznam revizorjev pri revizorski zbornici. V primeru pravnih oseb je najmanj 60 % deleža kapitala ali glasovalnih pravic rezerviranih za češke državljanke. DE: opravljanje storitev prek „GmbH & CoKG“ in „EWIV“ je prepovedano. FR: obvezne revizijske preglede lahko opravlja katera družba, razen SNS, SCS in sekundarnimi uradi. FI: vsaj eden od revizorjev v finski družbi z omejeno odgovornostjo mora imeti stalno bivališče na Finskem. IT: za „Ragionieri-Periti commerciali“ in „Dottori commerciali“ je dostop omejen samo na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. IE: storitve opravljajo samo mešane družbe. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko Združenje zapriseženih revizorjev; c) ki so opravili strokovni prekus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami latvijskega Združenja zapriseženih revizorjev; d) imajo dober ugled. LT: ni omejitev, razen da mora najmanj 75 % delnic pripadati revizorjem ali revizorskim						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave					Dodatne obveze
		družbam. Dovoljene so vse pravne oblike družb, razen javna delniška družba (AB). Zahteve glede kvalifikacij za revizorje v državi, iz katere ti revizorji ali revizorske družbe izhajajo, ne smejo biti nižje kot v Litvi. MT: brez obvez. PT: storitve lahko opravljajo samo poklicna združenja. PL: zahteva se državljanstvo. Tuji revizorji lahko storitve opravljajo po potrditvi njihovih kvalifikacij. SE: samo revizorji, registrirani na Švedskem, lahko opravljajo pravne revizorske storitve pri nekaterih pravnih osebah, zlasti v vseh družbah z omejeno odgovornostjo. Samo take osebe so lahko delničarji ali družbeniki družb, ki izvajajo kvalificirane revizije (za uradne namene). Za odobritev je potreben opravljen švedski izpit, delovne izkušnje in stalno bivališče. SI: tržna prisotnost mora biti v obliki pravne osebe. Delež tujcev v revizorskih družbah ne sme preseči 49 % lastniškega kapitala. Storitve lahko opravljajo samo revizorske družbe. SK: revizorske preglede lahko opravljajo fizične ali pravne osebe, vpisane na seznam revizorjev pri revizorski zbornici. V primeru pravnih oseb je najmanj 60 % deleža kapitala ali glasovalnih pravic rezerviranih za državljane Slovaške. 4) <u>GZD in PQ</u> Vse države članice, razen MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: poleg horizontalnih obvez se lahko na	4) <u>GZD in PQ</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v					

²⁹ Priznajo se tuji izpiti in izkušnje, ki dajejo enakovredno usposobljenost.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			zahtevo potrošnika revizorji začasno preselijo tudi na ozemlje Avstrije, da bi zagotovili <u>določeno</u> storitev. Vendar pa morajo imeti fizične osebe, ki nudijo revizorske storitve, praviloma svoj strokovni center (poslovna prisotnost) v Avstriji. DK: zahteva se državljanstvo, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. ES, EL: za zakonite revizorje se zahteva državljanstvo. ES: revizorske družbe: za upravno osebe, vodstveno osebe in družbenike družb, razen tistih, ki jih zajema 8. direktiva EGS o pravi družbi, se zahteva državljanstvo. FI: vsaj eden od revizorjev v finski družbi z omejeno odgovornostjo mora imeti stalno bivališče na Finskem. IT: za „Ragionieri-Periti commerciali“ se zahteva državljanstvo. Revizorske družbe: za upravno osebe in revizorje v „società di revisions“, razen tistih, ki jih zajema 8. direktiva EGS o pravi družbi, se zahteva državljanstvo. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko Združenje zapriseženih revizorjev; c) ki so opravili strokovni preskus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami			stolpcu „Dostop na trg“. Brez zastopanja pred pristojnimi organi. Posebna avstrijska zakonodaja ne predvideva revizijskih pregledov (tj. Zakon o delniških družbah, Zakon o borzah, Zakon o bančništvu). DK: zahteva se stalno bivališče. IT, PT: za samostojne revizorje se zahteva stalno bivališče. SE: zahteva se stalno bivališče na Švedskem in opravljen izpit²⁹. MT: brez obvez. FI, LV, PL: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
			latvijskega združenja zaprišeženih revizorjev; d) imajo dober ugled. PL: zahteva se državljanstvo. Tuji revizorji opravljajo storitve po potrditvi njihovih kvalifikacij. SE: samo revizorji, registrirani na Švedskem, lahko opravljajo pravne revizorske storitve pri nekaterih pravnih osebah, zlasti v vseh družbah z omejeno odgovornostjo. Samo take osebe so lahko delničarji ali družbeniki družb, ki izvajajo kvalificirane revizije (za uradne namene). Za odobritev je potreben opravljen švedski izpit, delovne izkušnje in stalno bivališče. SI: omejitve samo za fizične osebe, ki jih zaposlijo pravne osebe. MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.					
b)	Knjigovodske storitve (CPC 86220)		2) Vse države članice, razen CY, FR, FI, EL, HU, IT, MT, SI: ni omejitev. CY, FR, FI, EL, HU, IT, MT, SI: brez obvez. 2) Vse države članice, razen FI, MT: ni omejitev. FI, MT: brez obvez. 3) Vse države članice, razen AT, CY, FR, FI, IT, LV, MT, SI: ni omejitev. AT: kapitalska udeležba in deleži tujih računovodij (ki morajo biti pooblašeni v skladu					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
	z nacionalno zakonodajo) v poslovnih rezultatih katere koli avstrijske pravne osebe ne smejo presegati 25 %, kar velja samo za nečlane avstrijskega poklicnega združenja. CY: dostop je omejen na fizične osebe, ki so pridobile dovoljenje ministra za finance. Za izdajo dovoljenja je treba testirati ekonomske potrebe. Uporabljena merila so podobna merilom za izdajo dovoljenja za tuje naložbe (navedene v horizontalnem oddelku), če se uporabljajo v tem podsektorju, pri čemer se vedno upošteva stanje na področju zaposlovanja v podsektorju. Poklicna združenja (partnerstva) fizičnih oseb so dovoljena. Dovoljena ni nobena pravna oseba. FR: opravljanje storitev samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions) ali SCP. FI, MT: brez obvez. IT: dostop samo za fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko Združenje zapriseženih revizorjev; c) ki so opravili strokovni prekus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami latvijskega Združenja zapriseženih revizorjev; d) imajo dober ugled. SI: tržna prisotnost mora biti v obliki pravne							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		osebe. 4) <u>GZD in PQ</u> Vse države članice, razen FI, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obveze in ob upoštevanju naslednjih posebnih omejitev: AT: poleg horizontalnih obvez se lahko na zahtevo potrošnika računovodje začasno preselijo tudi na ozemlje Avstrije, da bi zagotovili določeno storitev. Vendar pa morajo imeti fizične osebe, ki zagotavljajo knjigovodske storitve, praviloma svoj strokovni center (poslovna prisotnost) v Avstriji. FR: zahteva se državljanstvo. Vendar se lahko strokovnjakom iz držav, ki niso članice ES, dovoli opravljanje storitev s sklepom ministra za gospodarstvo, finance in proračun v dogovoru z ministrom za zunanje zadeve. Zahteva glede stalnega bivališča ne sme preseči 5 let. IT: za „Ragionieri-Periti commerciali“ se zahteva državljanstvo. LV: delničar ali vodja podjetja mora biti kvalificiran za zapriseženega revizorja v Latviji. Zapriseženi revizorji so lahko osebe starejše od 25 let in: a) imajo srednješolsko izobrazbo iz ekonomije ali kakšne druge stroke in imajo opravljen izpit iz ekonomije na osnovni ravni; b) imajo najmanj 3 leta revizorskih izkušenj, ki jih priznava latvijsko združenje zapriseženih revizorjev; c) ki so opravili strokovni preskus znanja in pridobili licenco za zaprisežene revizorje v skladu z zahtevami latvijskega Združenja zapriseženih revizorjev; d) imajo dober			4) <u>GZD in PQ</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obveze in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v stolpcu „Dostop na trg“. Brez zastopanja pred pristojnimi organi. IT: za „Ragionieri-Periti commerciali“ se zahteva stalno bivališče. PT: zahteva se stalno bivališče. FI, MT: brez obvez. LV, PL: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg					Omejitve glede nacionalne obravnave	Dodatne obveze
c)		ugled. SI: omejitve samo za fizične osebe, ki jih zaposlijo pravne osebe. FI, MT: brez obvez. <u>PPS</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. AT: izpit pri avstrijski poklicni zbornici. Delodajalec mora biti član ustrezne poklicne zbornice v matični državi, kjer taka zbornica obstaja.						
	Storitve davčnega svetovanja (CPC 863, razen zastopanja na sodiščih)	1) Vse države članice, razen CY, FR, MT, PL, SI: ni omejitev. CY: davčne zastopnike mora ustrezno pooblastiti minister za finance. Za izdajo dovoljenja je treba testirati ekonomske potrebe. FR: brez obvez glede priprave pravnih dokumentov. MT, PL, SI: brez obvez. 2) Vse države članice, razen MT, PL, SI: ni omejitev. MT, PL, SI: brez obvez.				1) Vse države članice, razen AT, FR, MT, PL, SI: ni omejitev. AT: brez zastopanja pred pristojnimi organi. FR: brez obvez glede priprave pravnih dokumentov. MT, PL, SI: brez obvez. 2) Vse države članice, razen MT, PL SI: ni omejitev. MT, PL, SI: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave					Dodatne obveze
		3) Vse države članice, razen AT, CY, CZ, FR, IT, MT, PL, SI, SK: ni omejitev. AT: kapitalna udeležba in deleži tujih davčnih svetovalcev (ki morajo biti pooblaščen v skladu s svojo nacionalno zakonodajo) v poslovnih rezultatih katere koli avstrijske pravne osebe ne smejo presegati 25 %, kar velja samo za nečlane avstrijske poklicne zbornice. CY: dostop je omejen na fizične osebe, ki so pridobile dovoljenje ministra za finance. Za izdajo dovoljenja je treba testirati ekonomske potrebe. Uporabljena merila so podobna merilom za izdajo dovoljenja za tuje naložbe (navedene v horizontalnem oddelku), če se uporabljajo v tem podsektorju, pri čemer se vedno upošteva stanje na področju zaposlovanja v podsektorju. Poklicna združenja (partnerstva) fizičnih oseb so dovoljena. Pravna oseba ni dovoljena. CZ, SK: Davčne storitve lahko zagotovijo fizične ali pravne osebe, vpisane na seznam zveze davčnih svetovalcev pri revizorski zbornici. FR: opravljanje storitev samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions) ali SCP. IT: dostop samo za fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen MT, PL, SI: brez obvez, razen kot je navedeno v oddelku	3) Vse države članice, razen MT, PL, SI: ni omejitev. MT, PL, SI: brez obvez.					
			4) <u>GZD in PO</u> Vse države članice, razen FI, LV, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
		horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev:	AT: poleg horizontalnih obvez se lahko na zahtevo potrošnika davčni svetovalci začasno preselijo tudi na ozemlje Avstrije, da bi zagotovili določeno storitev. Vendar pa morajo imeti fizične osebe, ki zagotavljajo davčne storitve, praviloma svoj strokovni center (zaradi poslovne prisotnosti) v Avstriji.		horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev:		AT: brez obvez, razen kot je navedeno v stolpcu „Omejitve glede dostopa na trg“. Brez zastopanja pred pristojnimi organi.	
			FR: dejavnosti pravnega svetovanja in pripravljanje pravnih dokumentov kot glavne dejavnosti in dejavnosti za javnost, so v izključni pristojnosti članov zakonsko urejenih pravniških in pravosodnih poklicev ³⁰ . Te dejavnosti lahko kot stranske dejavnosti, poleg glavnih, izvajajo tudi drugi člani zakonsko urejenih poklicev ali kvalificirane osebe.		IT, PT: zahteva se stalno bivališče.			
			HU: zahteva se stalno bivališče.		MT, PL, SI: brez obvez.		FI, LV: ni omejitev.	
			IT: za „Ragionieri-Periti commerciali“ se zahteva državljanstvo.		PPS			
			MT, PL, SI: brez obvez.		Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.		LV: ni omejitev.	
					CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez.			

³⁰ Dostop do teh poklicev ureja francoski Zakon št. 90-1259 z dne 31. decembra 1990, ki uvaja celoten obseg pravniških in pravosodnih dejavnosti.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave					Dodatne obveze
d)	Arhitekturne storitve (CPC 8671)	izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. AT: izpit pri avstrijski poklicni zbornici. Delodajalec mora biti član ustrezne poklicne zbornice v matični državi, kjer taka zbornica obstaja. DE: brez obvez, razen za svetovanje v zvezi s tujim davčnim pravom: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju.						
		1) Vse države članice, razen BE, CY, EL, IT, MT, PT, PL, SI: ni omejitev. BE, CY, EL, IT, MT, PT, PL, SI: brez obvez.	1) Vse države članice, razen AT, BE, CY, DE, EL, IT, MT, PT, PL: ni omejitev. AT: ni omejitev za storitve načrtovanja; za predložitev načrtov za odobritev s strani pristojnih organov je treba sodelovati z uveljavljenimi službami za načrtovanje. BE, CY, EL, IT, MT, PT, PL: brez obvez. DE: veljajo nacionalna pravila o honorarjih in plačilih za vse storitve, ki se opravijo iz tujine.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
		2) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 3) Vse države članice, razen CY, CZ, ES, FR, IT, LV, MT, PT, PL, SK: ni omejitev. CY, MT, PL: brez obvez. CZ: zahteva se dovoljenje češke zbornice arhitektov. Lahko se prizna tudi dovoljenje podobne tuje institucije. Arhitekturne storitve lahko zagotavljajo fizične in pravne osebe samo prek pooblaščenih arhitektov. Zahteva se državljanstvo in stalno bivališče, vendar se lahko odobrijo tudi izjeme. ES: dostop je omejen na fizične osebe. FR: opravljanje storitev samo prek SEL (anonyme, f responsabilité limitée ou en commandite par actions) ali SCP. IT, PT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. LV: za pridobitev licence, ki omogoča opravljanje poslovne dejavnosti z vso pravno odgovornostjo in pravicami podpisovanja projektov se zahteva 3 letna praksa na področju načrtovanja v Latviji in univerzitetna izobrazba. SK: zahteva se dovoljenje slovaške zbornice arhitektov. Lahko se prizna tudi dovoljenje podobne tuje institucije. Arhitekturne storitve lahko zagotavljajo fizične in pravne osebe samo prek pooblaščenih arhitektov. Zahteva se državljanstvo in stalno bivališče, vendar se lahko odobrijo		2) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 3) Vse države članice, razen CY, EE, MT, PL: ni omejitev. CY, MT, PL: brez obvez. EE: ni omejitev, razen, da mora imeti najmanj ena odgovorna oseba (projektni vodja ali svetovalec) stalno bivališče v Estoniji.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
	tudi izjeme. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. EL, PT: zahteva se državljanstvo. FR: zahteva se državljanstvo, razen če se z dovoljenjem ministrstva od nje odstopi. HU: zahteva se stalno bivališče. CY, MT, PL: brez obvez. <u>PPS</u> Vse države članice, razen DK, ES, EE, LU, NL, UK, SE: brez obvez. DK, ES, EE, LU, NL, UK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK, NL, UK, SE: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. ES: akademske in poklicne kvalifikacije, ki jih priznajo nacionalni organi, ter licenca, ki jo podeli poklicno združenje. Brez obvez za CPC 86713, 86714, 86719. EE: storitve lahko opravljajo le			4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v stolpcu „Dostop na trg“. BE, DE, FR: uporaba poklicnega naziva strokovnjakov, ki jim ga je priznala tretja država, je možna samo na osnovi dogovorov o medsebojnem priznavanju, za BE pa s posebnim dovoljenjem s kraljevim dekretom. IT: zahteva se stalno bivališče. CY, MT, PL: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
e) Inženirske storitve (CPC 8672)		strokovnjaki (obvezna univerzitetna izobrazba in poklicne kvalifikacije) z najmanj 5 let izkušenj na zadevnem področju.			2) Vse države članice, razen AT, CY, EL, IT, MT, PT, SI: ni omejitev. AT, SI: brez obvez, razen za storitve načrtovanja. Storitve načrtovanja: ni omejitev. CY, EL, IT, MT, PT: brez obvez.			
		1) Vse države članice, razen CY, EL, IT, MT, PT: ni omejitev.			2) Vse države članice: ni omejitev.			
		3) Vse države članice, razen ES, IT: ni omejitev.			3) Vse države članice, razen EE: ni omejitev.			
		ES: dostop je omejen na fizične osebe.			EE: ni omejitev, razen, da mora imeti najmanj ena odgovorna oseba (projektni vodja ali svetovalec) stalno bivališče v Estoniji.			
		IT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena.						
		4) <u>GZD in PQ</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. EL: zahteva se državljanstvo. HU: zahteva se stalno bivališče.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
f)	Povezane inženirske storitve (CPC 8673)	1) Vse države članice, razen CY, EL, IT, MT, PT, PL: ni omejitev. CY, EL, IT, MT, PT, PL: brez obvez. 2) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 3) Vse države članice, razen CY, CZ, ES, IT, MT, PT, PL: ni omejitev. CY, CZ, MT, PL: brez obvez. ES: dostop je omejen na fizične osebe. IT, PT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. EL: zahteva se državljanstvo. CY, CZ, MT, PL, SK: brez obvez.			1) Vse države članice, razen AT, CY, EL, IT, MT, PT, PL, SI: ni omejitev. AT, SI: brez obvez, razen za storitve načrtovanja. Storitve načrtovanja: ni omejitev. CY, EL, IT, MT, PT, PL: brez obvez. 2) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 3) Vse države članice, razen CY, CZ, EE, MT, PL: ni omejitev. CY, CZ, MT, PL: brez obvez. EE: ni omejitev, razen, da mora imeti najmanj ena odgovorna oseba (projektni vodja ali svetovalec) stalno bivališče v Estoniji. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez, razen kot je navedeno v stolpcu „Dostop na trg“. IT, PT: zahteva se stalno bivališče. CY, CZ, MT, PL, SK: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV,			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave	Dodatne obveze	
g) Storitve urbanističnega načrtovanja in krajinske arhitekture (CPC 8674)		UK, SE: brez obvez. BE, DK, ES, EE, NL, UK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: BE, DK, NL, UK, SE: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. ES: akademske in poklicne kvalifikacije, ki jih priznajo nacionalni organi, ter licenca, ki jo podeli poklicno združenje. EE: storitve lahko opravljajo le strokovnjaki (obvezna univerzitetna izobrazba in poklicne kvalifikacije) z najmanj 5 let izkušenj na zadevnem področju.			MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez.			
		1) Vse države članice, razen BE, CY, EL, HU, IT, MT, PT, PL, SI: ni omejitev. BE, CY, EL, IT, MT, PT, PL, SI: brez obvez. HU: brez obvez za storitve krajinske arhitekture.			1) Vse države članice, razen AT, BE, CY, DE, EL, HU, IT, MT, PT, PL, SI: ni omejitev. AT: brez obvez za storitve načrtovanja. Storitve načrtovanja: ni omejitev. BE, CY, EL, IT, MT, PT, PL, SI: brez obvez. DE: veljajo nacionalna pravila o honorarjih in plačilih za vse storitve, ki se opravijo iz tujine. HU: brez obvez za storitve krajinske arhitekture.	2) Vse države članice, razen CY, MT, PL, SI: ni omejitev. CY, MT, PL, SI: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor								
Sektor ali podsektor								
		3) Vse države članice, razen HU, IT, LV, PT: ni omejitev. HU: brez obvez za storitve krajinske arhitekture. IT, PT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. LV: ni omejitev za storitve urbanističnega načrtovanja. Za pridobitev licence, ki omogoča opravljanje poslovne dejavnosti z vso pravno odgovornostjo in pravicami podpisovanja projektov, na področju storitev krajinske arhitekture se zahteva 3 letna praksa na področju projektiranja v Latviji in univerzitetna izobrazba. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. EL, PT: zahteva se državljanstvo. HU: zahteva se stalno bivališče za osebe, ki opravljajo storitve urbanističnega načrtovanja. HU: brez obvez za storitve krajinske arhitekture. CY, MT, PL, SI: brez obvez.			Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
h) Zdravstvene ³¹ , zobozdravstvene in babiške storitve (CPC 9312, del CPC 93191)	<u>PPS</u> Vse države članice, razen DK, ES, EE, LU, NL, UK, SE: brez obvez. DK, ES, EE, LU, NL, UK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK, NL, UK, SE: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. ES: akademske in poklicne kvalifikacije, ki jih priznajo nacionalni organi, ter licenca, ki jo podeli poklicno združenje. Brez obvez za CPC 86713, 86714, 86719. EE: storitve lahko opravljajo le strokovnjaki (obvezna univerzitetna izobrazba in poklicne kvalifikacije) z najmanj 5 let izkušenj na zadevnem področju.			FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez.				
	1) Vse države članice, razen CZ, HU, LV, LT, PL, SE, SI: brez obvez. CZ, HU, LV, LT, SI: brez obvez za babiške storitve. PL, SE: ni omejitev. 2) Vse države članice, razen CY, CZ, EE, FI, HU, MT, SI, SK: ni omejitev. CY, FI, MT: brez obvez. CZ, EE, HU, SI, SK: brez obvez za babiške			1) Vse države članice, razen CZ, HU, LV, LT, PL, SE, SI: brez obvez. CZ, HU, LV, LT, SI: brez obvez za babiške storitve. PL, SE: ni omejitev. 2) Vse države članice, razen CY, CZ, EE, FI, HU, MT, SI, SK: ni omejitev.				

³¹ Pri SI niso vključene naslednje dejavnosti: socialna medicina, sanitarne, epidemiološke, medicinske/ekološke storitve, preskrba s krvjo, krvni pripravki, transplantati, obdukcija.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
	storitve. 3) Vse države članice, razen AT, CY, CZ, DE, ES, EE, FR, FI, HU, IT, IE, LV, LT, MT, PT, PL, SE, SI, SK, UK: ni omejitev. AT: brez obvez za zdravstvene in zobozdravstvene storitve, razen za psihologe in psihoterapevte. Za babice: dostop je omejen na fizične osebe. CY, EE, FI, MT: brez obvez. CZ, SK: dostop do zdravstvenih in zobozdravstvenih storitev je omejen samo na fizične osebe. Za tuje fizične osebe se zahteva dovoljenje ministrstva za zdravje. Brez obvez za babiške storitve. DE: dostop je omejen samo na fizične osebe. Testiranje ekonomskih potreb za zdravnike in zobozdravnike, ki so pooblašeni za zdravljenje upravičencev iz sistemov javnega zavarovanja. Merilo je pomanjkanje zdravnikov in zobozdravnikov v zadevni regiji. ES: dostop je omejen samo na fizične osebe. FR: opravljanje storitev samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions) ali SCP. HU: brez obvez za babiške storitve. IT, PT: dostop je omejen samo na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena.	CY, FI, MT: brez obvez. CZ, EE, HU, SI, SK: brez obvez za babiške storitve. 3) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, MT, SE, SI, SK: ni omejitev. AT: brez obvez za zdravstvene in zobozdravstvene storitve, razen za psihologe in psihoterapevte. CY, FI, MT: brez obvez. CZ, HU, SI, SK: brez obvez za babiške storitve. EE: brez obvez za babiške storitve. Ni omejitev, razen, da morajo zdravniki, ki so se usposabljali izven Estonije, predložiti spričevalo dodatnih programov usposabljanja Univerze Tartu. Ta zahteva velja tudi za državljane Estonije, ki se usposabljajo v tujini. LT: sporazumevati se morajo v litovščini (zadeva osebe, zaposlene v družbi). SE: tuji izpiti, ki zagotavljajo enako usposobljenost, se priznajo po opravljenem dodatnem obveznem usposabljanju.						

³² Za ustanavljanje v obliki pravne osebe je potrebno dovoljenje ministrstva za zdravje. Za vstop v zdravstveno omrežje je potrebna koncesija Zavoda za zdravstveno zavarovanje Republike Slovenije.

Oblika ponudbe:	(1) Sektor ali podsektor	Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave		Dodatne obveze
		IE: dostop samo za partnerstva ali fizične osebe. LV: brez obvez za babiške storitve. Za zdravstvene in zobozdravstvene storitve se zahteva državljanstvo. Tujci potrebujejo za opravljanje medicinskega poklica dovoljenje lokalnih zdravstvenih organov, odobritev je odvisna od gospodarske potrebe po zdravnikih in zobozdravnikih v zadevni regiji. LT: ni omejitve za zdravstvene in zobozdravstvene storitve, razen, da je za zagotavljanje storitve potrebno dovoljenje, ki temelji na načrtu zdravstvenih storitev, izdelanem glede na potrebe, upoštevajoč število prebivalcev in že obstoječe zdravstvene in zobozdravstvene službe. Za babiške storitve je dostop omejen samo na individualne lastnike, lahko se testirajo ekonomske potrebe. PL: zahteva se državljanstvo. Tujci potrebujejo za opravljanje medicinskega poklica dovoljenje, razen za babištvo. SE: test ekonomskih potreb, da se določi število zasebnih ordinacij, ki se subvencionirajo v okviru sistema socialne varnosti. SI: zahteva se članstvo v združenju zdravnikov. Pogoji za sprejem zdravnikov, ki niso državljani Slovenije, v združenje zdravnikov, je licenca za opravljanje poklica v kateri koli drugi članici in dobro znanje slovenskega jezika³². Brez obvez za babiške storitve. UK: ustanova za zdravnike v okviru nacionalne zdravstvene službe je odvisna od kadrovskega načrtovanja za medicinske			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
			poklice. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez za zdravstvene in zobozdravstvene storitve, razen za psihologe in psihoterapevte. Za babiške storitve: fizične osebe lahko v Avstriji opravljajo strokovno prakso, pod pogojem, da je zadevna oseba opravljala ta poklic najmanj tri leta pred ustanovitvijo ordinacije v Avstriji. CZ, EE, HU, SI, SK: brez obvez za babiške storitve. DE: zahteva za državljanstvo za zdravnike in zobozdravnike, ki se lahko opusti samo izjemoma, kadar je to v interesu javnega zdravja. Kvota nič za babice. DK: omejeno dovoljenje za opravljanje posebne naloge se lahko izda za največ 18 mesecev. FR: zahteva se državljanstvo. Vendar pa je dostop možen v okviru letno določenih kvot. EL, PT: zahteva se državljanstvo. LV: za zdravstvene in zobozdravstvene storitve se zahteva državljanstvo. Tujci potrebujejo za opravljanje medicinskega poklica dovoljenje lokalnih zdravstvenih organov, odobritev je odvisna od gospodarske potrebe po zdravnikih in		4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: brez obvez za zdravstvene in zobozdravstvene storitve, razen za psihologe in psihoterapevte. CZ, SK: za osebe, ki opravljajo zdravstvene in zobozdravstvene storitve, se zahteva stalno bivališče. Brez obvez za babiške storitve. DK: za pridobitev potrebnega posamičnega dovoljenja nacionalnega zdravstvenega sveta se zahteva stalno bivališče. EE, HU, SI: brez obvez za babiške storitve. IT: zahteva se stalno bivališče. LT: tujci morajo opraviti dodatni izpit. PL: tujci zdravniki imajo omejeno glasovalno pravico v poklicnih zbornicah. SE: tuji izpiti, ki zagotavljajo enako usposobljenost, se priznajo po opravljenem dodatnem obveznem usposabljanju. CY, FI, MT: brez obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze		
		zobozdravnikov v zadevni regiji. Za babiške storitve se zahteva državljanstvo. Dostop je omejen na fizične osebe. Gospodarske potrebe so določene s skupnim številom babic v zadevni regiji, ki ga potrdijo lokalne zdravstveni organi. PL: zahteva se državljanstvo. Tujci potrebujejo za opravljanje medicinskega poklica dovoljenje, razen za babištvo. CY, FI, MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Brez obvez za babiške storitve. LV: ni omejitev.				
i)	Veterinarske storitve (CPC 932)	1) Vse države članice, razen FI, LT, PL, SE: brez obvez. FI, LT, PL, SE: ni omejitev. 2) Vse države članice, razen CY, EE, HU, MT, SI: ni omejitev. CY, EE, HU, MT, SI: brez obvez.		1) Vse države članice, razen FI, LT, PL, SE: brez obvez. FI, LT, PL, SE: ni omejitev. 2) Vse države članice, razen CY, EE, HU, MT, SI: ni omejitev. CY, EE, HU, MT, SI: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
		3) Vse države članice, razen AT, CY, CZ, DE, DK, ES, EE, FR, HU, IE, IT, MT, PT, PL, SE, SI, SK, UK: ni omejitev. AT, CY, EE, HU, MT, SI: brez obvez. CZ, SK: dostop je omejen samo na fizične osebe. Zahteva se dovoljenje veterinarske uprave. DE, DK, ES, PT: dostop je omejen na fizične osebe. FR: opravljanje storitev samo prek SEL (anonyme, f responsabilité limitée ou en commandite par actions) ali SCP. IT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. IE, UK: dostop samo za partnerstva ali fizične osebe. PL: zahteva se državljanstvo. Tujci se lahko prijavijo za pridobitev dovoljenja za opravljanje poklica. SE: test ekonomskih potreb, da se določi število zasebnih ordinacij, ki se subvencionirajo v okviru sistema socialne varnosti.				3) Vse države članice, razen AT, CY, EE, HU, MT, SE, SI: ni omejitev. AT, CY, EE, HU, MT, SI: brez obvez. SE: tuji izpiti, ki zagotavljajo enako usposobljenost, se priznajo po opravljenem dodatnem obveznem usposabljanju in izpiti.		
		4) <u>GZD in PO</u> Vse države članice, razen AT, CY, EE, HU, MT, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: CZ, DE, FR, EL, PT, SK: zahteva se državljanstvo. PL: zahteva se državljanstvo. Tujci se				4) <u>GZD in PO</u> Vse države članice, razen AT, CY, EE, FI, HU, LV, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: CZ, IT, SK: zahteva se stalno bivališče. LT: tujci morajo opraviti dodatni kvalifikacijski izpit.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
		lahko prijavijo za pridobitev dovoljenja za opravljanje poklica. AT, CY, EE, HU, MT, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.		SE: tuji izpiti, ki zagotavljajo enako usposobljenost, se priznajo po opravljenem dodatnem obveznem usposabljanju in izpiti. AT, CY, EE, HU, MT, SI: brez obvez. FI, LV, PL: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
j)	Storitve medicinskih sester, fizioterapevtov in paramedicinskega osebja (Vse države članice, razen AT, FI, LV, PL in SE: del CPC 93191. AT: zajeti so naslednji poklici CPC 9319: medicinske sestre, fizioterapevti, delovni terapevti, logoterapevti, dietetiki in svetovalci za prehrano. FI, LV in PL: samo storitve, ki jih opravljajo medicinske sestre – del CPC 93191; SE: del CPC 9319.)		1) Vse države članice, razen FI, PL, SE: brez obvez. FI, PL, SE: ni omejitev. 2) Vse države članice, CY, CZ, EE, HU, MT, SI, SK: ni omejitev. CY, CZ, EE, HU, MT, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, ES, EE, FR, HU, IT, LT, MT, PT, PL, SE, SI, SK: ni omejitev. AT: dostop je omejen samo na fizične osebe. CY, CZ, EE, HU, MT, SI, SK: brez obvez. ES, PT: medicinske sestre – dostop je omejen na fizične osebe. FR: zagotavljanje storitev samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions) ali SCP. IT: medicinske sestre – dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. LT: dostop omejen samo na individualne lastnike. Lahko se preverijo gospodarske potrebe. PL: zahteva se državljanstvo. SE: test ekonomskih potreb, da se določi število zasebnih ordinacij, ki se subvencionirajo v okviru sistema socialne varnosti. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, HU, MT, SI,		1) Vse države članice, razen FI, PL, SE: brez obvez. FI, PL, SE: ni omejitev. 2) Vse države članice, CY, CZ, EE, HU, MT, SI, SK: ni omejitev. CY, CZ, EE, HU, MT, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, HU, LT, MT, SE, SI, SK: ni omejitev. CY, CZ, EE, HU, MT, SI, SK: brez obvez. LT: ni omejitev, razen v okviru dostopa na trg. SE: tuji izpiti, ki zagotavljajo enako usposobljenost, se priznajo po opravljenem dodatnem obveznem usposabljanju.		4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, MT,	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze			
			AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 3)³³ AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. BE, DK, ES, FR, EL, IT, LU, PT: monopol za farmacevte pri oskrbi javnosti s farmacevtskimi izdelki. BE, DK, IE, PT: test ekonomskih potreb. DE, DK, ES, EL, LU, NL, PT: dostop je omejen na fizične osebe. DE: ustanavljanje novih lekarn je omejeno in je mogoče le z prevzemom že obstoječe lekarn. ES, IT: ustanavljanje novih lekarn je pogojeno s testiranjem ekonomskih potreb. FR: lekarnе so odobrene v skladu s potrebami prebivalstva in v okviru določenih kvot. Dostop samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions), SNC in SARL. IT: dostop je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. UK: ni omejitev. 4) <u>GZD in PO</u>	AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez.		4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev:		

³³ Če se za ustanavljanje lekarn zahteva test ekonomskih potreb, se upoštevajo naslednja glavna merila: prebivalstvo, število obstoječih lekarn in njihova geografska gostota.

Oblika ponudbe:	(1) Sektor ali podsektor	Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
			Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze
k)	Drugo Sorodne znanstvene in tehnične svetovalne storitve ³⁴ (CPC 8675)		FR: zahteva se državljanstvo. Vendar je v okviru določenih kvot dostop za državljanse tretjih držav možen pod pogojem, da ima ponudnik storitev univerzitetno izobrazbo iz farmacije, pridobljeno v Franciji. DE, DK, EL: zahteva se državljanstvo. AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.	IT, DE, DK, PT: zahteva se stalno bivališče. AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez. 1) Vse države članice, razen AT, CZ, CY, EE, FI, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez za geodetske storitve. DE: uporaba nacionalnih pravil o honorarjih in plačilih za vse geodetske storitve, ki se opravijo iz tujine. AT, CZ, EE FI, HU, LV, LT, SK, SE: ni omejitev. CY, MT, PL, SI: brez obvez. 2) Vse države članice, razen CY, MT, PL, SI: ni omejitev. CY, MT, PL, SI: brez obvez. 3) Vse države članice, razen CY, EE, FR, MT, PL, SI: ni omejitev. EE: ni omejitev, razen, da mora imeti najmanj ena odgovorna oseba (projektni vodja ali	

³⁴ Vse države članice, razen AT, CZ, EE, FI, HU, LT, LV, SE in SK: zadevne storitve ne vključujejo sorodnih znanstvenih in tehničnih svetovalnih storitev na področju delovanja rudnikov itd.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	imajo samo fizične osebe. FR: „geodetske storitve“: dostop samo prek SEL (anonyme, à responsabilité limitée ou en commandite par actions), SCP, SA in SARL. IT: za nekatere dejavnosti storitev raziskav v zvezi z rudarstvom (rudami, nafto, plinom, itd.) lahko obstajajo izključne pravice. IT: dostop do poklica geodeta in geologa samo prek fizičnih oseb. Poklicna (neregistrirana) združenja fizičnih oseb so dovoljena. PT: dostop je omejen na fizične osebe. CY, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. DE: za javno imenovane geodete se zahteva državljanstvo. FR: „geodetske storitve“ – dejavnosti, povezane z določanjem lastninskih pravic in zemljiškim pravom so v izključni pristojnosti „experts-géomètres“ iz ES. CY, MT, PL, SI: brez obvez. <u>PPS</u>: Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju			svetovalec) stalno bivališče v Estoniji. FR: za „storitve iskanja in raziskav“ je potrebno dovoljenje. CY, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, MT, LV, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, PT: zahteva se stalno bivališče. CY, MT, PL, SI: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
B. <u>Računalniške in sorodne storitve</u> ³⁵	naslednjih omejitev: EE: storitve lahko opravljajo le strokovnjaki (obvezna univerzitetna izobrazba in poklicne kvalifikacije) z najmanj 5 let izkušenj na zadevnem področju.			horizontalnih obvez. LV: ni omejitev.			
a) Svetovalne storitve, povezane z namestitvijo računalniške strojne opreme (CPC 841)	1), 2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. MT: brez obvez.			1), 2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. MT: brez obvez.			

³⁵ V številnih primerih omogočajo računalniške in sorodne storitve izvajanje drugih storitev* tako prek elektronskih kot drugih sredstev. Vendar je v takih primerih pomembno razlikovati med računalniškimi in sorodnimi storitvami (tj. spletno gostovanje ali gostovanje aplikacij) ter drugimi storitvami*, ki jih omogočajo računalniške in sorodne storitve. Druge storitve, ne glede na to, ali jih omogočajo računalniške in sorodne storitve ali ne, niso zajete v CPC 84.

* ti. W/120.1.A.b. Računovodske, revizijske in knjigovodske storitve, W/120.1.A.d. Arhitekturne storitve, W/120.1.A.h. Zdravniške in zobozdravniške storitve, W/120.2.D. Avdiovizualne storitve, W/120.5. Izobraževalne storitve.

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
b) Storitve uporabe programske opreme (CPC 842)	<u>PPS</u> Vse države članice, razen BE, DK, EL, IT, LU, NL, SE: brez obvez. BE, DK, EL, IT, LU, NL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, NL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. BE, DK, IT, NL, SE: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. IT: zahteva se test ekonomskih potreb. EL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike programskih dokumentov, za katere se zahteva univerzitetna izobrazba in 5-letne poklicne izkušnje v tem sektorju.	<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV: MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.		
	1),2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen MT: brez obvez, razen kot je navedeno v oddelku	1),2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku		

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
	horizontalnih obvez. MT: brez obvez.	horizontalnih obvez. FI, LV, PL: ni omejitev. MT: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
		<u>PPS</u> Vse države članice, razen BE, DK, EL, IT, LU, NL, SE: brez obvez. BE, DK, EL, IT, LU, NL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev.		<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV: MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.				
		IT, NL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. BE, DK, IT, NL, SE: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. IT: zahteva se test ekonomskih potreb. EL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike programskih dokumentov, za katere se zahteva univerzitetna izobrazba in 5-letne poklicne izkušnje v tem sektorju.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
c)	Storitve obdelave podatkov (CPC 843) ³⁶	1),2), 3) Vse države članice, razen LV, MT, SK: ni omejitev. MT: brez obvez. LV: Za načina 1 in 2 in glede na spletne informacije in/ali obdelavo podatkov (vključno z obdelavo transakcij): ni omejitev, razen, da mora izboljšanje storitev do 1. januarja 2003 temeljiti na infrastrukturi, ki jo ponuja Lattelekom. SK: za način 3 in glede na spletne informacije in/ali obdelavo podatkov (vključno z obdelavo transakcij) se zahteva dovoljenje. 4) <u>GZD in PO</u> Vse države članice, razen MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. MT: brez obvez.			1),2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. MT: brez obvez.			

³⁶ To poglavje zajema tudi obveze, ki so jih sprejele CZ, EE, LV, LT in SK v okviru CPC 843 na področju telekomunikacij (podpostavka(-e) spletnih informacij in/ali obdelave podatkov (vključno z obdelavo transakcij)).

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg						
		<u>PPS</u> Vse države članice, razen BE, DK, EL, IT, LU, NL, SE: brez obvez. BE, DK, EL, IT, LU, NL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, NL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. BE, DK, IT, NL, SE: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. IT: zahteva se test ekonomskih potreb. EL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike programskih dokumentov, za katere se zahteva univerzitetna izobrazba in 5-letne poklicne izkušnje v tem sektorju.			<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.			

Oblika ponudbe: (1) Čezmejno poslovanje (2) Potrošnja v tujini (3) Tržna prisotnost (4) Prisotnost fizičnih oseb

Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze
d) Storitve, povezane s podatkovnimi bazami (CPC 844)	1),2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. MT: brez obvez.	1),2), 3) Vse države članice, razen MT: ni omejitev. MT: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. MT: brez obvez.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
		<u>PPS</u> Vse države članice, razen BE, DK, EL, IT, LU, NL, SE: brez obvez. BE, DK, EL, IT, LU, NL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, NL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. BE, DK, IT, NL, SE: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike dokumentov programske opreme in področne inženirje, za katere se zahteva univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju. IT: zahteva se test ekonomskih potreb. EL: brez obvez, razen za znanstvenike s področja računalništva, sistemske analitike, programerje, analitike programskih dokumentov, za katere se zahteva univerzitetna izobrazba in 5-letne poklicne izkušnje v tem sektorju.	<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave					Dodatne obveze
Vzdrževanje in popravila (CPC 845)		1), 2), 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez.	1), 2), 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez.					
		4) <u>GZD in PQ</u> Vse države članice, razen CY, HU, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	4) <u>GZD in PQ</u> Vse države članice, razen CY, FI, HU, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.					
		CY, HU, MT, PL: brez obvez.	CY, HU, MT, PL: brez obvez.					
		<u>PPS</u>	<u>PPS</u>					
		Vse države članice, razen SE: brez obvez.	Vse države članice, razen EE, LV, SE: brez obvez.					
		SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje omejitve: univerzitetna izobrazba in 3-letne poklicne izkušnje v tem sektorju.	EE, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
e)	Druge računalniške storitve (Vse države članice, razen AT: CPC 849. AT: samo CPC 8491)	1),2), 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, HU, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, HU, MT, PL: brez obvez.	1),2), 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, HU, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, HU, MT, PL: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen EE, LV, SE: brez obvez. EE, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.					
C.	<u>Raziskovalne in razvojne storitve</u>							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
a)	Raziskovalne in razvojne storitve v naravoslovnih vedah (vse države članice, razen LV: CPC 851)	1) 2) 3) Vse države članice, razen AT, EE, HU, LV, SI: brez obvez. AT, EE, HU, LV, SI: ni omejitev. 4) <u>GZD in PO</u>			1) 2) 3) Vse države članice, razen AT, EE, HU, LV, SI: brez obvez. AT, EE, HU, LV, SI: ni omejitev. 4) <u>GZD in PO</u>			
LV:	Raziskave in poskusne storitve razvoja v kemiji in biologiji (CPC 85102)	Vse države članice, razen AT, EE, HU, LV: brez obvez. AT, EE, HU, LV, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez, razen za FR v zvezi z začasnim vstopom raziskovalcev, kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: raziskovalci imajo z raziskovalno ustanovo sklenjeno pogodbo o zaposlitvi. – Dovoljenje za delo se lahko izda za največ devet mesecev z možnostjo podaljšanja za čas trajanja pogodbe. – Zahteva se test ekonomskih potreb. – Raziskovalna ustanova mora plačati davek Mednarodnemu uradu za migracije. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: osebnosti z mednarodno priznanim ugledom, ki so jih povabili znanstveno-raziskovalni inštituti, za dobo trajanja povabila.			Vse države članice, razen AT, EE, HU, LV, SI: brez obvez. AT, EE, HU, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen za ukrepe, ki se nanašajo na kategorijo fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
b) Raziskovalne in razvojne storitve v družboslovnih in humanističnih vedah (CPC 852)		1) Vse države članice, razen MT, PL: ni omejitev. MT, PL: brez obvez. 2) Vse države članice, razen MT, PL: ni omejitev. MT, PL: brez obvez. 3) Vse države članice, razen IT, MT, PT, PL: ni omejitev. IT: dostop do poklica psihologa je omejen samo na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. PT: dostop do poklica psihologa je omejen samo na fizične osebe. MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. MT, PL: brez obvez.			1) Vse države članice, razen MT, PL: ni omejitev. MT, PL: brez obvez. 2) Vse države članice, razen MT, PL: ni omejitev. MT, PL: brez obvez. 3) Vse države članice, razen MT, PL: ni omejitev. MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, PT: za psihologe se zahteva stalno bivališče. FI, LV: ni omejitev. MT, PL: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
		<u>PPS</u> Vse države članice: brez obvez, razen za FR in LU: v zvezi z začasnim vstopom raziskovalcev, kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: raziskovalci imajo z raziskovalno ustanovo sklenjeno pogodbo o zaposlitvi. – Dovoljenje za delo se lahko izda za največ devet mesecev z možnostjo podaljšanja za čas trajanja pogodbe. – Zahteva se test ekonomskih potreb. – Raziskovalna ustanova mora plačati davek Mednarodnemu uradu za migracije. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: osebnosti z mednarodno priznanim ugledom, ki so jih povabili znanstveno-raziskovalni inštituti, za dobo trajanja povabila.		<u>PPS</u> Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.		<u>PPS</u> Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.		
		<u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen za ukrepe, ki se nanašajo na kategorijo fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.			<u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen za ukrepe, ki se nanašajo na kategorijo fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
c) Interdisciplinarne raziskovalne in razvojne storitve (CPC 853)	1) 2) 3) Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez, razen za FR v zvezi z začasnim vstopom raziskovalcev, kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: raziskovalci imajo z raziskovalno ustanovo sklenjeno pogodbo o zaposlitvi. – Dovoljenje za delo se lahko izda za največ devet mesecev z možnostjo podaljšanja za čas trajanja pogodbe. – Zahteva se test ekonomskih potreb. – Raziskovalna ustanova mora plačati davek Mednarodnemu uradu za migracije. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: osebnosti z mednarodno priznanim ugledom, ki so jih povabili znanstvenoraziskovalni inštituti, za dobo trajanja povabila.			1) 2) 3) Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LV, LT, MT, PL, SK, SI: brez obvez. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen za ukrepe, ki se nanašajo na kategorijo fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
D. <u>Nepremičninske storitve</u> ³⁷								
a)	Vključujejo lastniško ali zakupljeno posest (Vse države članice, razen SE: CPC 821. SE: CPC 82101, 82102)		1) Vse države članice, razen CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen CY, CZ, ES, EE, FI, HU, LV, LT, MT, PL, SK, SI: ni omejitev. ES: dostop samo za fizične osebe, mešane družbe ali „sociedad en comandita“. FI: predsednik, člani uprave in generalni direktor morajo imeti fínsko državljanstvo. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: ES, EL: zahteva se državljanstvo. AT: zahteva se tržna prisotnost. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez.		1) Vse države članice, razen CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: FR, IT, PT: zahteva se stalno bivališče. FI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez.			

³⁷ Zadevna storitev se nanaša na poklic nepremičninskih zastopnikov in ne vpliva na nobene pravice in/ali omejitve glede fizičnih in pravnih oseb, ki kupujejo nepremičnine. SE: pridobitev ali najem zemljišča in nepremičnine ni vključeno.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS:</u> Vse države članice: brez obvez.			
b)	Na podlagi honorarja ali pogodbe (npr. cenitev posesti, upravljanje posesti, itd.) (Vse države članice, razen SE: CPC 822, SE: CPC 82201, 82202)	1) Vse države članice, razen CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: ni omejitev. IE, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen CY, CZ, ES, EE, FI, HU, LV, LT, MT, PL, SK, SI: ni omejitev. ES: dostop je omejen na fizične osebe. FI: predsednik, člani uprave in generalni direktor morajo imeti finsko državljanstvo. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez.			1) Vse države članice, razen CY, CZ, EE, HU, IE, LV, LT, MT, PL, SK, SI: ni omejitev. IE, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen CY, CZ, DK, EE, HU, LV, LT, MT, PL, SK, SI: ni omejitev. DK: v dovoljenju za pooblaščenega nepremičninskega zastopnika se lahko omeji obseg dejavnosti. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. DK: pooblaščen nepremičninski zastopnik: zahteva se stalno bivališče, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. Zahteva se državljanstvo, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. EL: zahteva se državljanstvo. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS:</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: DK: pooblaščen in nepooblaščen nepremičninski zastopnik: zahteva se stalno bivališče, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. FR, IT, PT: zahteva se stalno bivališče. FI: ni omejitev. CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS:</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
E. <u>Storitve izposojanja/lizinga brez upravljalcev</u> ³⁸ a) V zvezi z ladjami (CPC 83103)		1) Vse države članice, razen CY, DE, FR, HU, MT, PL: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. CY, DE, HU, MT, PL: brez obvez.			1) Vse države članice, razen CY, DE, MT, PL: ni omejitev. CY, DE, MT, PL: brez obvez.			
		2) Vse države članice, razen CY, DE, FR, MT, PL: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. CY, DE, MT, PL: brez obvez.			2) Vse države članice, razen CY, DE, MT, PL: ni omejitev. CY, DE, MT, PL: brez obvez.			
		3) Vse države članice, razen CY, CZ, FR, MT, LT, PL, SE, SK: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. LT: ladje morajo biti v lasti litovskih fizičnih oseb ali v Litvi ustanovljenih družb. SE: za plujne pod švedsko zastavo je potrebno dokazilo o prevladujočem švedskem deležu v primeru tujih lastniških deležih pri ladjah. CY, CZ, MT, PL, SK: brez obvez.			3) Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.			
		4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez: CY, MT, PL: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL: brez obvez. FI, LV: ni omejitev.			

³⁸ SE: razen uporabe zakupljenih vozil in izvajanja storitev kopenskega ali zračnega prevoza.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg						
		PPS: Vse države članice: brez obvez.				Omejitve glede nacionalne obravnave		Dodatne obveze
b) V zvezi z zrakoplovi (CPC 83104)		1) Vse države članice, razen CY, CZ, HU, LV, MT, PL, SK: ni omejitev. CY, CZ, HU, LV, MT, PL, SK: brez obvez. 2) Vse države članice, razen CY, CZ, LV, MT, PL, SK: zrakoplovi, ki jih uporabljajo zračni prevozniki Skupnosti, morajo biti registrirani v državi članici, ki je zračnemu prevozniku izdala dovoljenje, ali druge v Skupnosti. Izjeme se lahko priznajo za pogodbe o kratkoročnem najemu ali v izjemnih okoliščinah. CY, CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice, razen CY, CZ, LV, MT, PL, SK: zrakoplovi morajo biti registrirani v registru zrakoplovov teh držav članic, zrakoplov mora biti v lasti fizične osebe, ki izpolnjuje posebna merila v zvezi z državljanstvom, ali v lasti pravne osebe, ki izpolnjuje posebna merila v zvezi z lastništvom kapitala in nadzorom (vključno z državljanstvom vodstvenega osebja). CY, CZ, LV, MT, PL, SK: brez obvez.				PPS: Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. 1) Vse države članice, razen CY, CZ, LV, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 2) Vse države članice, razen CY, CZ, LV, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice, razen CY, CZ, LV, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
c)	V zvezi z drugo prevozno opremo (vse države članice, razen CZ, SK, SI: CPC 83101, 83102, 83105 CZ, SK: CPC 83101, 83102; SI: CPC 83102, 83105)	4) <u>GZD in PO</u>	Vse države članice, razen CY, CZ, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez:			4) <u>GZD in PO</u>	Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	
			CY, CZ, LV, MT, PL, SK: brez obvez.				FI: ni omejitev.	
			<u>PPS</u> :				CY, CZ, LV, MT, PL, SK: brez obvez.	
			Vse države članice: brez obvez.				<u>PPS</u> :	
							Vse države članice, razen EE: brez obvez.	
		1) Vse države članice, razen CY, HU, LV, MT, PL, SI: ni omejitev.				1) Vse države članice, razen CY, LV, MT, PL: ni omejitev.		
		CY, HU, LV, MT, PL, SI: brez obvez.				CY, LV, MT, PL: brez obvez.		
		2) Vse države članice, razen CY, LV, MT, PL: ni omejitev.				2) Vse države članice, razen CY, LV, MT, PL: ni omejitev.		
		CY, LV, MT, PL: brez obvez.				CY, LV, MT, PL: brez obvez.		
		3) Vse države članice, razen CY, CZ, LV, LT, MT, PL, SK: ni omejitev.				3) Vse države članice, razen CY, CZ, LV, LT, MT, PL, SK: ni omejitev.		
		CY, CZ, LV, LT, MT, PL, SK: brez obvez.				CY, CZ, LV, LT, MT, PL, SK: brez obvez.		
		4) <u>GZD in PO</u> vse države članice, razen CY, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.				4) <u>GZD in PO</u> vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.		
		CY, LV, MT, PL: brez obvez.				FI: ni omejitev.		
						CY, LV, MT, PL: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
d)	V zvezi z drugimi stroji in opremo (CPC 83106, 83107, 83108, 83109)	<u>PPS</u>	Vse države članice: brez obvez.			<u>PPS</u>	Vse države članice, razen EE: brez obvez.	
		1)	Vse države članice, razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez.			1)	Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.	
		2)	Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.			2)	Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.	
		3)	Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.			3)	Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.	
		4)	<u>GZD in PO</u> Vse države članice, razen CY, CZ, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, MT, PL, SK: brez obvez.			4)	<u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, CZ, MT, PL, SK: brez obvez.	
		<u>PPS</u>	Vse države članice: brez obvez.			<u>PPS</u>	Vse države članice, razen EE, LV: brez obvez.	
							EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
e)	Drugo (CPC 832) EE, LV, LT: vključno s predhodno posnetimi videokasetami kot opremo za domačo razvedrilo (CPC 83202)	1) Vse države članice, razen EE, LV, LT: brez obvez. EE, LT, LV: ni omejitev. 2) Vse države članice, razen EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: ni omejitev. 3) Vse države članice, razen EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen za EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			1) Vse države članice, razen EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: ni omejitev. 2) Vse države članice, razen EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: ni omejitev. 3) Vse države članice, razen EE, HU, LV, LT: brez obvez. EE, HU, LV, LT: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen za EE, HU, LV, LT: brez obvez. EE, HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, LT: ni omejitev.		PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
Storitve izposojanja z izvajalci Izposojanje plovil s posadko (Vse države članice, razen FI, LT: CPC 7213 in 7223. FI: samo CPC 7213, LT: only CPC 7223)	1) Vse države članice, razen AT, CY, CZ, DE, EE, FR, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. AT, CY, CZ, DE, EE, HU, LT, MT, PL, SE, SI, SK: brez obvez. LV: brez obvez za CPC 7223 2) Vse države članice, razen AT, CY, DE, EE, FR, HU, MT, PL, SE, SI, SK: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. AT, CY, DE, EE, HU, MT, PL, SE, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, FR, HU, LT, MT, PL, SE, SI, SK: ni omejitev. FR: za zakup katerih koli ladij je potrebno predhodno obvestilo. AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, EE, HU, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, EE, HU, MT, PL, SE, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.	1) Vse države članice, razen AT, CY, CZ, DE, EE, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, DE, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. LV: brez obvez za CPC 7223 2) Vse države članice, razen AT, CY, DE, EE, HU, MT, PL, SE, SI, SK: ni omejitev. AT, CY, DE, EE, HU, MT, PL, SE, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, EE, FI, HU, LV, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, EE, HU, MT, PL, SE, SI, SK: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Izposojanje gospodarskih cestnih vozil z izvajalcem (CPC 7124)	1) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. 2) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: ni omejitev. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, HU, LV, LT, MT, PL, SK, SI, SE: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
F.	Druge poslovne storitve							
a)	Oglaševanje (Vse države članice, razen PL, SI: CPC 871; PL: CPC razen oglaševanja tobačnih izdelkov, alkoholnih pijač in farmacevtskih izdelkov; SI: del CPC 8711 in del CPC 8712, razen oglaševanja prek direktne pošte, oglaševanja na prostem in razen blaga, za katero velja uvozno dovoljenje, ter farmacevtskih izdelkov, alkohola, tobačnih izdelkov, orožja in streliva)		1) Vse države članice: ni omejitev.		1) Vse države članice: ni omejitev.			
			2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez.		2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez.			
			3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez.		3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez.			
			4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez. razen kot je navedeno v oddelku horizontalnih obvez. CY, MT: brez obvez.		4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, MT: brez obvez.			
			<u>PPS</u> Vse države članice, razen BE, DE, EL, IT, LU, SE, UK: brez obvez. BE, DE, EL, IT, LU, UK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: BE, DE, IT, SE, UK: ustrezne kvalifikacije in tri leta poklicnih izkušenj. IT, UK: zahteva se test ekonomskih potreb. EL: ustrezne kvalifikacije in pet let poklicnih izkušenj.		<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
b) Tržne raziskave in raziskave javnega mnenja (CPC 864)	1) 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL: brez obvez. <u>PPS</u> Vse države članice: brez obvez.	1) 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, MT, PL: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.						
c) Poslovno svetovanje (CPC 865)	1) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT: brez obvez.	1) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, MT: brez obvez.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>PPS</u> Vse države članice, razen BE, DE, DK, EE, IT, LU, LV, SE, UK: brez obvez. BE, DE, DK, EE, IT, LU, LV, SE, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: BE, DE, DK, IT, SE, UK: brez obvez, razen za vodstveno osebje in višje svetovalce, za katere se zahteva univerzitetna diploma in tri leta poklicnih izkušenj. EE, LV: storitve lahko opravljajo strokovnjaki (obvezna univerzitetna izobrazba) z najmanj 5 let izkušenj na zadevnem področju. IT, UK: zahteva se test ekonomskih potreb.			<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.			
d)	Storitve, povezane s poslovnim svetovanjem (CPC 866)	1) 2) 3) Vse države članice, razen CY, HU, MT, PL: ni omejitev. CY, HU, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, HU, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, HU, MT, PL: brez obvez.			1) 2) 3) Vse države članice, razen CY, HU, MT, PL: ni omejitev. CY, HU, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, HU, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, HU, MT, PL: brez obvez. FI, LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
		PPS Vse države članice, razen BE, DE, DK, IT, LU, UK, SE, EE, LV: brez obvez. BE, DE, DK, IT, LU, UK, SE, EE, LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: BE, DE, DK, IT, SE, UK: brez obvez. razen za vodstveno osebje in višje svetovalce, za katere se zahteva univerzitetna diploma in tri leta poklicnih izkušenj. EE, LV: storitve lahko opravljajo le strokovnjaki (obvezna univerzitetna izobrazba) z najmanj 5 let izkušenj na zadevnem področju. IT, UK: zahteva se test ekonomskih potreb.		PPS Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
e)	Storitve tehničnega preizkušanja in analiz ³⁹ (CPC 8676)	1) Vse države članice, razen CY, CZ, IT, MT, PL,SK, SE: ni omejitev. IT: brez obvez za poklic biologa in kemijskega analitika. CY, CZ, MT, PL,SK, SE: brez obvez. 2) Vse države članice, razen CY, CZ, MT, PL, SK, SE: ni omejitev. CY, CZ, MT, PL, SK, SE: brez obvez. 3) Vse države članice, razen CY, CZ, ES, IT, MT, PT, PL, SE, SK: ni omejitev. ES: za opravljanje kemijskih analiz dostop samo za fizične osebe. IT: dostop za poklic biologa in kemijskega analitika samo za fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. PT: dostop za poklic biologa in kemijskega analitika samo za fizične osebe. CY, CZ, MT, PL, SK, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, MT, PL, SK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se tržna prisotnost. CY, CZ, MT, PL, SK, SE: brez obvez.			1) Vse države članice, razen CY, CZ, IT, MT, PL, SK, SE: ni omejitev. IT: brez obvez za poklic biologa in kemijskega analitika. CY, CZ, MT, PL, SK, SE: brez obvez. 2) Vse države članice, razen CY, CZ, MT, PL, SK, SE: ni omejitev. CY, CZ, MT, PL, SK, SE: brez obvez. 3) Vse države članice, razen CY, CZ, MT, PL, SE, SK: ni omejitev. CY, CZ, MT, PL, SE, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, PT: za poklic biologa in kemijskega analitika se zahteva stalno bivališče. CY, CZ, MT, PL, SK, SE: brez obvez. FI, LV: ni omejitev.			

³⁹ SI: obstajajo javne službe; pravice za koncesijo se lahko dodelijo zasebnim izvajalcem s sedežem v Republiki Sloveniji.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
		PPS Vse države članice: brez obvez, razen za DE, DK, EE, LU, SE, UK: kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DE, DK, SE, UK: univerzitetna izobrazba ali tehnične kvalifikacije, iz katerih je razvidno znanje, in tri leta poklicnih izkušenj. EE: storitve lahko opravljajo le strokovnjaki (obvezna univerzitetna izobrazba in poklicne kvalifikacije) z najmanj 5 let izkušenj na zadevnem področju. UK: zahteva se test ekonomskih potreb.	PPS Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
f)	Svetovalne storitve v zvezi s kmetijstvom, lovom in gozdarstvom ⁴⁰ (FI: del CPC 88 razen lova. SE: del CPC 881 razen lova.) HU: del CPC 881 LV, PL: storitve, povezane s kmetijstvom, z lovom in gozdarstvom (CPC 881) LT: Svetovalne storitve, povezane s kmetijstvom, z lovom in gozdarstvom (CPC 88)	1) Vse države članice, razen CY, EE, IT, MT, SI: ni omejitev. IT: Brez obvez za dejavnosti, v izključni pristojnosti agronoma in „periti agrari“. CY, EE, MT, SI: brez obvez. 2) Vse države članice, razen CY, EE, MT, SI: ni omejitev. CY, EE, MT, SI: brez obvez. 3) Vse države članice, razen CY, CZ, ES, EE, IT, LT, MT, PT, SK, SI: ni omejitev. ES: dostop za agronome in gozdarske inženirje je omejen na fizične osebe. IT: dostop za agronome in „periti agrari“ je omejen na fizične osebe. Poklicna združenja (neregistrirana) fizičnih oseb so dovoljena. PT: dostop za agronome je omejen na fizične osebe. CY, CZ, EE, LT, MT, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, MT, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT: za „periti agrar“i se zahteva državljanstvo. AT: zahteva se tržna prisotnost. CY, EE, MT, SI: brez obvez.			1) Vse države članice, razen CY, IT, EE, MT, SI: ni omejitev. IT: brez obvez za dejavnosti, v izključni pristojnosti agronoma in „periti agrari“. CY, EE, MT, SI: brez obvez. 2) Vse države članice, razen CY, EE, MT, SI: ni omejitev. CY, EE, MT, SI: brez obvez. 3) Vse države članice, razen CY, CZ, EE, LT, MT, SK, SI: ni omejitev. CY, CZ, EE, LT, MT, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, FI, MT, LV, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, PT: za agronome se zahteva stalno bivališče. FI, LV, PL: ni omejitev. CY, EE, MT, SI: brez obvez.			

⁴⁰ CZ, SK: svetovalne storitve zadevajo metode za izboljšanje produktivnosti, znižanje proizvodnih stroškov in izboljšanje kakovosti proizvodnje na področju kmetijstva, lova in gozdarstva.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
g) Svetovalne storitve, povezane z ribištvom (FI: del CPC 88. EE, HU: del CPC 882).		<u>PPS</u> Vse države članice: brez obvez. 1), 2), 3) Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se tržna prisotnost. CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev. 1), 2), 3) Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
h)	Storitve, povezane z rudarstvom (Vse države članice, razen LV in PL: samo svetovalne storitve, povezane z rudarstvom in za katere veljajo naslednje omejitve: FI: del CPC 88. SE: del CPC 883). LV: CPC 883. PL: storitve, povezane z rudarstvom in naftnimi nahajališči – CPC 883, razen izkoriščanje naravnih virov	1) Vse države članice, razen CY, CZ, EE, LT, MT, SI, SK: ni omejitev. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, EE, LT, MT, SK, SI: ni omejitev. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, ES, EE, LT, MT, PT, SI, SK: ni omejitev. ES, PT: dostop za rudarske inženirje je omejen na fizične osebe. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, LT, MT, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: AT: zahteva se tržna prisotnost. CY, CZ, EE, LT, MT, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen CY, CZ, EE, LT, MT, SI, SK: ni omejitev. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, EE, LT, MT, SI, SK: ni omejitev. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, LT, MT, SI, SK: ni omejitev. CY, CZ, EE, LT, MT, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: PT: zahteva se stalno bivališče. CY, CZ, EE, LT, MT, SI, SK: brez obvez. FI, LV, PL: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
i)	Storitve, povezane s proizvodnjo	1)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.	1)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			
EE:	svetovalne storitve, povezane s proizvodnjo (del CPC 884+ del 885, razen 88442)	2)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.	2)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			
HU	svetovalne storitve, povezane s proizvodnjo (del CPC 884+ del 885)	3)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.	3)	Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			
		4)	<u>GZD in PQ</u> Vse države članice, razen EE, HU: brez obvez. EE, HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	4)	<u>GZD in PO</u> Vse države članice, razen EE, HU: brez obvez. EE, HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			
			<u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
j)	Storitve, povezane z distribucijo energije (LV: CPC 887. HU: samo svetovalne storitve, razen CPC 887. LT: vključene svetovalne storitve, ki so povezane s prenosom in distribucijo električne energije, plina, pare, tople vode na podlagi provizij, in sicer gospodinjstvom, poslovnim in industrijskim objektom ter drugim uporabnikom-CPC 887 ⁴¹ SI: storitve, povezane z distribucijo energije – le za plin ⁴² – del CPC 887)	1) 2) 3) Vse države članice, razen HU, LV, LT, SI: brez obvez. HU, LV, LT, SI: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU, LV, LT, SI: brez obvez. HU, LT, LV, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) 2) 3) Vse države članice, razen HU, LV, LT, SI: brez obvez. HU, LV, LT, SI: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU, LV, LT, SI: brez obvez. HU, LT in SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			

⁴¹ LT: navedena storitev je le del skupine dejavnosti, ki so zajete v tem CPC.

⁴² SI: obstajajo javne službe; pravice za koncesijo se lahko dodelijo osebnim izvajalcem s sedežem v Republiki Sloveniji.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
k) Storitve posredovanja in zagotavljanja osebja ⁴³ Storitve iskanja vodstvenega osebja (CPC 87201)	1) Vse države članice, razen AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: brez obvez. 2) Vse države članice, razen AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, DE, ES, EE, FI, LT, LV, MT, PT, PL, SI, SK: ni omejitev. AT, CY, CZ, DE, EE, FI, LT, LV, MT, PT, PL, SI, SK: brez obvez. ES: državni monopol. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: rez obvez, razen kot je navedeno v oddelku horizontalnih obvez: AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, DE, ES, EE, FI, IE, LT, LV, MT, PT, PL, SE, SI, SK: brez obvez. 2) Vse države članice, razen AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, DE, EE, FI, LT, LV, MT, PT, PL, SI, SK: ni omejitev. AT, CY, CZ, DE, EE, FI, LT, LV, MT, PT, PL, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez: AT, CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				

⁴³ SE: državljanji in osebe s stalnim prebivališčem z delovnim dovoljenjem, razen pomorščaki.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Storitve iskanja zaposlitve (CPC 87202)	1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, BE, CY, CZ, DE, FR, ES, EE, FI, IT, LV, LT, MT, PL, PT, SI, SK: ni omejitev. DE: potrebno pooblastilo, ki ga ponudniku storitev izda pristojni organ. Pooblastilo se izda glede na stanje in razvoj trga delovne sile. BE, FR, ES, IT: državni monopol. AT, CY, CZ, EE, FI, LV, LT, MT, PL, PT, SI, SK: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, PT, SI, SK: ni omejitev. AT, CY, CZ, EE, FI, LV, LT, MT, PL, PT, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, FI, CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
Posredovanje administrativnega osebja (CPC 87203)	1) Vse države članice, razen AT, DE, FR, FI, IT, IE, NL, PT, SE, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. AT, DE, FR, FI, IT, IE, NL, PT, SE, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen AT, DE, FI, IT, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. IT: državni monopol. AT, DE, FI, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, DE, FR, FI, IT, IE, NL, PT, SE, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. AT, DE, FR, FI, IT, IE, NL, PT, SE, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. AT, FI, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen AT, DE, FI, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. AT, DE, FI, PT, CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, FI, LV, LT, MT, PL, SK, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Storitve posredovanja osebja za pomoč na domu, drugih trgovskih ali industrijskih delavcev, medicinskih sester in drugega osebja (CPC 87204, 87205, 87206, 87209)	1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 3) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 3) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			
1)	Preiskovalne storitve (CPC 87301)	1) 2) 3) Vse države članice, razen AT in SE: brez obvez. AT in SE: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT in SE: brez obvez. AT in SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje omejitve: AT: zahteva se tržna prisotnost. <u>PPS</u> Vse države članice: brez obvez.			1) 2) 3) Vse države članice, razen AT in SE: brez obvez. AT in SE: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT in SE: brez obvez. AT in SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
I)	Storitve varovanja (Vse države članice, razen AT, FI in SE: CPC 87302, 87303, 87304, 87305. AT in SE: vse vrste dejavnosti 87302–87309. FI, HU: del CPC 873).	1) Vse države članice, razen BE, CY, CZ, ES, EE, FR, FI, IT, LV, LT, MT, PT, PL, SI, SK: ni omejitev. FI: zahteva se ustanovitev podjetja. BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, DK, ES, EE, FI, LV, LT, MT, PL, SI, SK: ni omejitev. DK: brez obvez za storitve varovanja na letališčih. Zahteva se nacionalna pravna oseba. Za dostop je potrebno predhodno dovoljenje. Ministrstvo za pravosodje pri izdaji dovoljenja upošteva merila, kot so usposobljenost, strokovna neoporečnost in samostojnost, izkušnje ter ugled podjetja, ki naj bi se ustanovilo. ES: dostop samo prek „sociedades anónimas“, „sociedades de responsabilidad limitada“, „sociedades anónimas laborales“ in „sociedades cooperativas“. Za dostop je potrebno predhodno dovoljenje. Svet EU pri izdaji dovoljenja upošteva merila, kot so usposobljenost, strokovna neoporečnost in samostojnost, ustreznost zaščite, ki zagotavlja varnost prebivalstva in javni red.			1) Vse države članice, razen BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: ni omejitev. BE, CY, CZ, ES, EE, FR, IT, LV, LT, MT, PT, PL, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, DK, EE, LV, LT, MT, PL, SI, SK: ni omejitev. DK: za večino članov upravnega odbora in vodstveno osebje se zahteva stalno bivališče in državljanstvo. Brez obvez za storitve varovanja na letališčih. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
		FI: za prisotnost na trgu se zahteva dovoljenje finske vlade. Dovoljenje se lahko izda samo finskim državljanom in organizacijam, registriranim na Finskem. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se poslovna prisotnost. DK: brez obvez za storitve varovanja na letališčih. Za vodstveno osebje se zahteva državljanstvo. FR: za generalne direktorje in direktorje se zahteva državljanstvo. BE: za vodstveno osebje se zahteva državljanstvo. ES, PT: za specializirano osebje se zahteva državljanstvo. IT: za pridobitev potrebnega dovoljenja za opravljanje storitev varovanja in prevoza vrednostnih predmetov se zahteva državljanstvo. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				FI: za prisotnost na trgu se zahteva dovoljenje finske vlade. Dovoljenje se lahko izda samo finskim državljanom in organizacijam, registriranim na Finskem. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, LV, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK: brez obvez za storitve varovanja na letališčih. Za vodstveno osebje se zahteva stalno bivališče. BE: Za vodstveno osebje se zahteva stalno bivališče. IT: Za pridobitev potrebnega dovoljenja za opravljanje storitev varovanja in prevoza vrednostnih predmetov se zahteva državljanstvo. CY, CZ, EE, LV, LT, MT, PL, SI, SK: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
n)	Vzdrževanje in popravila opreme (razen pomorskih plovil, zrakoplovov in druge transportne opreme) (Vse države članice, razen AT, CZ, EE, FI, LV, LT, SK, SI, SE: CPC 633, 8861, 8866. SE: 633+886. AT: 633+8861-8866, razen strelnega orožja in streliva; EE, FI, LV, LT: 633, 8861–8866; CZ, SK: 633, 8861–8865; SI: CPC 633+8861+8866, razen pomorskih plovil, zrakoplovov in druge transportne opreme)	1) Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez. 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL: brez obvez.			1) Vse države članice, razen CY, CZ, MT, PL, SK: ni omejitev. CY, CZ, MT, PL, SK: brez obvez. 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, MT, PL: brez obvez.		PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
o) Storitve čiščenja zgradb (CPC 874)	1) Vse države članice, razen HU, LT: brez obvez. HU, LT: ni omejitev. 2) Vse države članice, razen CY, CZ, EE, MT, PL, SK, SI: ni omejitev. CY, CZ, EE, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen CY, EE, MT, PL, SI: ni omejitev. CY, EE, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, EE, MT, PL, SI: brez obvez.			1) Vse države članice, razen HU, LT: brez obvez. HU, LT: ni omejitev. 2) Vse države članice, razen CY, CZ, EE, MT, PL, SI, SK: ni omejitev. CY, CZ, EE, MT, PL, SK, SI: brez obvez. 3) Vse države članice, razen CY, EE, MT, PL, SI: ni omejitev. CY, EE, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, FI, LV, MT, PL, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, EE, MT, PL, SI: brez obvez. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
p)	Fotografske storitve (CPC 875. Vse države članice, razen AT, CZ, EE, FI, HU, LV, PL, SE: razen prodaje). EE: razen fotografranja iz zraka na ozemlju Republike Estonije LV: razen CPC 87504 PL: CPC 875 razen fotografranja iz zraka.	1) Vse države članice, razen AT, CY, EE, HU, LV, LT, MT, PL, SE, SI: brez obvez, razen za fotografranje iz zraka: ni omejitev. AT, EE, HU, LV, LT, PL, SE, SI: ni omejitev. CY, MT: brez obvez. 2) Vse države članice, razen CY, MT, SK: ni omejitev. CY, MT, SK: brez obvez. 3) Vse države članice, razen CY, EE, MT: ni omejitev. CY, EE, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, CY, CZ, EE, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez, razen fotografranja iz zraka: ni omejitev. AT, CZ, HU, LV, LT, PL, SE, SI, SK: ni omejitev. CY, EE, MT: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice, razen CY, EE, MT: ni omejitev. CY, EE, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, MT: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
q) Storitve pakiranja (CPC 876)	1) Vse države članice, razen AT, HU, LT: brez obvez. AT, HU, LT: ni omejitev. 2) 3) Vse države članice, razen CY, EE, FI, MT, PL, SI, SE: ni omejitev. CY, EE, FI, MT, PL, SI, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, FI, MT, PL, SI, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, EE, FI, MT, PL, SI, SE: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, HU, LT: brez obvez. AT, HU, LT: ni omejitev. 2) 3) Vse države članice, razen CY, EE, FI, MT, PL, SI, SE: ni omejitev. CY, EE, FI, MT, PL, SI, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, EE, FI, LV, MT, PL, SI, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, EE, FI, MT, PL, SI, SE: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
r) Tiskarstvo in založništvo (CPC 88442)	1) 2) Vse države članice, razen CY, CZ, MT, SK, SI: ni omejitev. CY, CZ, MT, SK, SI: brez obvez. 3) Vse države članice, razen CY, CZ, IT, MT, LT, LV, PL, SI, SK: ni omejitev. IT: tuja udeležba v založniških družbah je omejena na 49 % kapitala ali glasovalnih pravic. LT: pravice do ustanavljanja v založniškem sektorju se dodelijo le v Litvi registriranim pravnim osebam. LV: pravice do ustanavljanja v založniškem sektorju se dodelijo le v Latviji registriranim pravnim osebam. PL: za glavne urednike časopisov in dnevnikov se zahteva državljanstvo. CY, CZ, MT, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, MT, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: PL: za glavne urednike časopisov in dnevnikov se zahteva državljanstvo. CY, CZ, MT, SK, SI: brez obvez.			1) Vse države članice, razen CY, CZ, MT, SE, SI, SK: ni omejitev. SE: Za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno bivališče. CY, CZ, MT, SK, SI: brez obvez. 2) Vse države članice, razen CY, CZ, MT, SI, SK: ni omejitev. CY, CZ, MT, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, FI, MT, SE, SI, SK: ni omejitev. FI: za osebe, pristojne za založništvo, se zahteva stalno bivališče. SE: za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno bivališče. CY, CZ, MT, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: SE: za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno bivališče. CY, CZ, MT, SK, SI: brez obvez. FI: za osebe, pristojne za založništvo, se zahteva stalno bivališče. LV, PL: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
s) Storitve na področju organiziranja konferenc, seminarjev itn. (FI: samo storitve, povezane z odnosi z javnostmi in organizacijami razstav AT: samo storitve, povezane z organizacijami razstav)	<u>PPS</u> Vse države članice: brez obvez. 1) 2) 3) Vse države članice razen CY, CZ, HU, MT, PL, SI, SK: ni omejitev. CY, CZ, HU, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, HU, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. 1) 2) 3) Vse države članice razen CY, CZ, HU, MT, PL, SI, SK: ni omejitev. CY, CZ, HU, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, HU, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, CZ, HU, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
t)	Drugo Prevajalske storitve (AT, FI in SE: prevajalske storitve in storitve tolmačenja (CPC 87905) PL: storitve tolmačenja, razen storitev zapriseženih tolmačev (del CPC 87905)	1) 2) Vse države članice, razen CY, CZ, EE, HU, MT, SK, SI: ni omejitev. CY, CZ, EE, HU, MT, SK, SI: brez obvez. 3) Vse države članice razen CY, CZ, EE, HU, MT, SK, SI: ni omejitev. CY, CZ, EE, HU, MT, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, EE, HU, MT, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK: za pooblašene uradne prevajalce in tolmače se zahteva državljanstvo, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. CY, CZ, EE, HU, MT, SK, SI: brez obvez.			1) 2) Vse države članice, razen CY, CZ, EE, HU, MT, SK, SI: ni omejitev. CY, CZ, EE, HU, MT, SK, SI: brez obvez. 3) Vse države članice, razen CY, CZ, DK, EE, HU, MT, SK, SI: ni omejitev. DK: v dovoljenju za pooblašene uradne prevajalce in tolmače se lahko omeji obseg dejavnosti. CY, CZ, EE, HU, MT, SK, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: DK: za pooblašene uradne prevajalce in tolmače se zahteva državljanstvo, razen če danska Agencija za trgovino in gospodarske družbe določi drugače. CY, CZ, EE, HU, MT, SK, SI: brez obvez. FI: za pooblašene prevajalce se zahteva stalno bivališče. LV, PL: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		PPS Vse države članice, razen EL, IT, IE, UK, SE: brez obvez. EL, IT, IE, SE, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: EL: ustrezne kvalifikacije in pet let poklicnih izkušenj. IT, IE, SE, UK: ustrezne kvalifikacije in tri leta poklicnih izkušenj. IT, UK: zahteva se test ekonomskih potreb.				PPS Vse države članice, razen CY, CZ, EE, HU, LT, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, EE, HU, LT, MT, PL, SK, SI: brez obvez. LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
Storitve notranjega opremljanja (del CPC 87907) LV: storitve posebnega načrtovanja (CPC 87907)	1) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	1) Vse države članice, razen CY, CZ, DE, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev. DE: veljajo nacionalna pravila o honorarjih in plačilih za vse storitve, ki se opravijo iz tujine. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	1) Vse države članice, razen CY, CZ, DE, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.	1) Vse države članice, razen CY, CZ, DE, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.				
	2) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	2) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.	2) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.	2) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.				
	3) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	3) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.	3) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	3) Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: ni omejitev.				
	4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje omejitve: AT: zahteva se tržna prisotnost. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost. CY, CZ, EE, FI, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave	Dodatne obveze	
Storitve agencij za izterjavo				1) 2) 3) Vse države članice, razen AT in LV: brez obvez. AT, LV: ni omejitev.		1) 2) 3) Vse države članice, razen AT in LV: brez obvez.		
				4) <u>GZD in PO</u> Vse države članice, razen AT, LV: brez obvez. AT, LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost.		4) <u>GZD in PO</u> Vse države članice, razen AT, LV: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		
				<u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.		
Ocenjevanje kreditne sposobnosti (CPC 87901)				1) 2) 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.		1) 2) 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.		
				4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.		4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.		
				<u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Storitve razmnoževanja gradiv (fotokopiranje)(CPC 87904)	1) 2) 3) Vse državne članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PO</u> Vse državne članice, razen LV: brez obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse državne članice: brez obvez.			1) 2) 3) Vse državne članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PO</u> Vse državne članice, razen LV: brez obvez. LV: ni omejitev. <u>PPS</u> Vse državne članice, razen LV: brez obvez. LV: ni omejitev.			
	Druge poslovne storitve, ki drugje niso navedene (CPC 87909)	1) 2) 3) Brez obvez za vse državne članice, razen LV: ni omejitev. 4) <u>GZD in PO</u> Vse državne članice, razen LV: brez obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse državne članice: brez obvez.			1) 2) 3) Brez obvez za vse državne članice, razen LV: ni omejitev. 4) <u>GZD in PO</u> Vse državne članice, razen LV: brez obvez. LV: ni omejitev. <u>PPS</u> Vse državne članice, razen LV: brez obvez. LV: ni omejitev.			
2.	KOMUNIKACIJSKE STORITVE							

Oblika ponudbe: (1) Čezmejno poslovanje (2) Potrošnja v tujini (3) Tržna prisotnost (4) Prisotnost fizičnih oseb

Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze
B. <u>Kurirske storitve:</u> (CPC 7512)	1) Vse države članice, razen AT, EE, LT, LV, PL: brez obvez. AT: Brez obvez, razen za storitve dostave, kjer ni omejitev. EE, LT: ni omejitev. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez. 2) Vse države članice, razen AT, CZ, EE, LT, LV, PL, SI, SK: brez obvez. AT, SI: Brez obvez, razen za storitve dostave, kjer ni omejitev. CZ, EE, LT, SK: ni omejitev. LV: Brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez.	1) Vse države članice, razen AT, EE, LT, LV, PL: brez obvez. AT: brez obvez, razen za storitve dostave, kjer ni omejitev. EE, LT: ni omejitev. LV: Brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez. 2) Vse države članice, razen AT, CZ, EE, LT, LV, PL, SI, SK: brez obvez. AT, SI: brez obvez, razen za storitve dostave, kjer ni omejitev. CZ, EE, LT, SK: ni omejitev. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
		3) Vse države članice, razen AT, CZ, EE, LT, LV, PL, SI, SK: brez obvez. AT, SI: brez obvez, razen za storitve dostave, kjer ni omejitev. CZ, EE, LT, SK: ni omejitev. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez. 4) <u>GZD in PQ</u> Vse države članice, razen AT, CZ, EE, LT, LV, PL, SI, SK: brez obvez. AT, SI: brez obvez, razen storitev dostave, kjer ni obvez, razen kot je navedeno v oddelku horizontalnih obvez. CZ, EE, LT, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni obvez, razen kot je navedeno v oddelku horizontalnih obvez. PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez, razen za pisno korespondenco, kot so pisma, kjer ni obvez. <u>PPS</u> Vse države članice: ni obvez.		3) Vse države članice, razen AT, CZ, EE, LT, LV, SI, SK: brez obvez. AT, SI: brez obvez, razen za storitve dostave, kjer ni omejitev. CZ, EE, LT, SK: ni omejitev. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez. 4) <u>GZD in PQ</u> Vse države članice, razen AT, CZ, EE, LT, LV, PL, SI, SK: brez obvez. AT, SI: brez obvez, razen za storitve dostave, kjer ni obvez, razen kot je navedeno v oddelku horizontalnih obvez. CZ, EE, LT, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev. PL: ni omejitev, razen za pisno korespondenco (npr. pisma), kjer ni obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez. LV: brez obvez, razen za kurirske storitve na kopnem, kjer ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
2.C	Telekomunikacijske storitve ⁴⁴ Vse storitve v zvezi s prenosom in sprejemanjem signalov z elektromagnetnimi sredstvi ⁴⁵ , razen razširjanja programa ⁴⁶ .	1) Vse države članice, razen CY, MT: ni omejitev. CY, MT: ni obvez. 2) Vse države članice: ni omejitev.			1) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 2) Vse države članice: ni omejitev.		ES se zaveže, da bo izpolnila obveze iz priloženega referenčnega dokumenta za naslednje storitve: a) Storitve govorne telefonije (CPC7521) b) Storitve prenosa podatkov po paketno komutiranih omrežjih (del CPC 7523)	

⁴⁴ Opomba za pojasnitev: nekatere države članice ES ohranjajo javno udeležbo pri določenih telekomunikacijskih operaterjih. Države članice ES si pridržujejo pravico, da to javno udeležbo ohranijo tudi v prihodnje. To ne pomeni omejitve dostopa na trg. V Belgiji se udeležba in glasovalne pravice države v družbi Belgacom prosto določajo v skladu z zakonodajnimi pooblastili, kot je trenutno stanje po zakonu z dne 21. marca 1991 o reformi gospodarskih družb v državni lasti.

⁴⁵ Vključeni so podsektorji 2.C.h) do 2.C.m) seznama sektorske klasifikacije storitev iz MTN, GNS/W/120 (storitve z dodano vrednostjo) in podsektorji 2.C.a) do 2.C.g) navedenega seznama. Podsektor 2.C.o) navedenega seznama je vključen, če spada v to opredelitev. Za namen te liste je podsektor 2C.n) navedenega seznama (spletna informacije in/ali obdelava podatkov) izražen na tej listi obvez v 1.B (računalniške in sorodne storitve).

⁴⁶ Radiodifuzija je opredeljena kot neprekinjeno predvajanje, ki je potrebno za prenos signalov televizijskih in radijskih programov do splošne javnosti, ne zajema pa povezav med operaterji.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		3) Vse države članice, razen FI, FR, PL, SI: ni omejitev. FI: za polovico ustanoviteljev, članov upravnega odbora in glavnega direktorja se zahteva stalno bivališče. Če je ustanovitelj pravna oseba, se stalno bivališče zahteva za pravno osebo. FR: fizične ali pravne osebe držav nečlanic ES ne morejo biti neposredno lastniki več kot 20 % deležev ali glasovalnih pravic v gospodarskih družbah, ki imajo dovoljenje za postavitev in upravljanje radijske infrastrukture za nudenje telekomunikacijskih storitev javnosti. Za uporabo te določbe se gospodarske družbe ali podjetja, ki so pravno ustanovljeni v skladu z zakoni države članice ES, štejejo za pravne osebe ES. PL: za domače in mednarodne telekomunikacijske storitve, pri katerih se uporablja kabelsko televizijsko in radijsko omrežje, za javne storitve mobilne telefonije in v celičnem omrežju: za tuj kapital in glasovalne pravice velja omejitev 49 %. SI: tuja udeležba ne sme presegati 99 % lastniškega kapitala. 4) <u>GZD in PO</u>			3) Vse države članice: ni omejitev.		c) Storitve prenosa podatkov po vodovno komutiranih omrežjih (del CPC 7523) d) Storitve teleksa (del CPC 7523) e) Telegrafске storitve (CPC 7522) f) Faksimilne storitve (del CPC 7521 + del CPC 7529) g) Storitve zasebnih skupljenih vodov (del CPC 7522 + del CPC 7523) o) Storitve in sistemi za mobilno in osebno komunikacijo	
GZD in PO					GZD in PO			
Vse države članice: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.					Vse države članice: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>PPS:</u> Vse države članice: brez obvez.			<u>PPS:</u> Vse države članice: brez obvez.			
3.	GRADBENIŠTVO IN SORODNE INŽENIRSKÉ STORITVE Za vse države članice, razen CY, CZ, FI, LV, MT, SK, SI in SE: CPC 511, 512, 513, 514, 515, 516, 517, 518. CZ, SK, SE: CPC 511, 512, 513, 514, 516 in 517. FI: CPC 512, 513, 514, 516; LV: CPC 512, 513, 514, 515, 516, 517, 518. SI: CPC: 511, 512, 513, 514, 515, 516, 517	1) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI in SK: brez obvez, razen za 5111 in 5114: ni omejitev. AT: brez obvez, razen za CPC 518: ni omejitev. CY, CZ, HU, MT, LT, LV, PL, SE, SI, SK: brez obvez. EE, FI: ni omejitev. 2) Vse države članice, razen CY, HU, MT: ni omejitev. CY, FI, MT: brez obvez. 3) Vse države članice, razen CY, CZ, EL, HU, IT, MT, PT, SK: ni omejitev. CY, CZ, LV, MT, SK: brez obvez. EL: za člane upravnega odbora gradbenih podjetij, ki izvajajo storitve v javnem sektorju, se zahteva državljanstvo. IT: izključne pravice se dodelijo za gradnjo, vzdrževanje in upravljanje avtocest in rimskega letališča. PT: izključne pravice se dodelijo za vzdrževanje in upravljanje avtocest.			1) Vse države članice razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI in SK: brez obvez, razen za CPC 5111 in 5114: ni omejitev. AT: brez obvez, razen za CPC 518: ni omejitev. CY, CZ, HU, LV, LT, MT, PL, SE, SK: brez obvez. EE, FI: ni omejitev. SI: brez obvez, razen za CPC 511, 515: ni omejitev. 2) Vse države članice, razen CY, HU, MT: ni omejitev. CY, FI, MT: brez obvez. 3) Vse države članice razen CY, CZ, EE, HU, MT, SK: ni omejitev. CY, CZ, LV, MT, SK: brez obvez. EE: ni omejitev, razen, da mora imeti najmanj ena odgovorna oseba (projektni vodja ali svetovalec) stalno bivališče v Estoniji.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
		- delovno dovoljenje se izda za največ šest mesecev; - tehnik predloži potrdilo ustanove, ki je tržno prisotna v FR, in pismo pravne osebe na ozemlju druge države članice, iz katerega je razvidno, da se ta strinja s premostitvijo; - zahteva se test ekonomskih potreb; - ustanova, ki je tržno prisotna, mora plačati davek Mednarodnemu uradu za migracije. <u>PPS</u> samo za CPC 5111: Vse države članice, razen BE, DE, DK, UK, SE: brez obvez. BE, DK, UK, SE: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju. UK: zahteva se test ekonomskih potreb. DE: brez obvez, razen za omejen obseg storitev raziskave lokacije, pri katerih se zahteva: univerzitetna izobrazba, poklicne kvalifikacije in 3-letne poklicne izkušnje v tem sektorju.						
4.	DISTRIBUCIJSKE STORITVE ⁴⁷							

⁴⁷ Vse države članice, razen Avstrije, Češke, Estonije, Finske, Madžarske, Latvije, Litve, Poljske, Slovaške, Slovenije in Švedske: izključena je distribucija orožja, kemičnih izdelkov, eksplozivov in plemenitih kovin. V Avstriji je izključena distribucija pirotehničnih izdelkov, vnetljivih izdelkov in naprav za razstreljevanje, strelnega orožja, streliva in vojaške opreme, tobaka in tobakovih izdelkov, farmacevtskih izdelkov, medicinskih in kirurških naprav, toksičnih snovi, nekaterih zdravil in predmetov za medicinsko uporabo; na Češkem je izključena distribucija orožja, streliva, eksplozivov, nekaterih kemičnih izdelkov, drog ter plemenitih kovin; na Finskem je izključena distribucija orožja, alkoholnih pijač in farmacevtskih izdelkov; na Slovaškem je izključena distribucija ali trgovina z orožjem, strelivom, eksplozivi, nekaterimi kemičnimi

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
A.	Posredniške storitve (vse države članice, razen SE: CPC 621. SE: CPC 621+6113)	1) Vse države članice razen CY, CZ, FR, HU, IT, MT, PL, SK: ni omejitev. FR: brez obvez za trgovce in borzne posrednike, delujoče na trgu, ki je v nacionalnem interesu. CY, CZ, HU, IT, MT, PL, SK: brez obvez. 2) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, HU, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: državljanstvo se zahteva za dejavnosti trgovcev, posrednikov in borznih posrednikov, delujočih na dvajsetih trgih, ki so v nacionalnem interesu. CY, CZ, LV, MT, PL, SK: brez obvez.			1) Vse države članice razen CY, CZ, FR, HU, MT, IT, PL, SK: ni omejitev. FR: brez obvez za trgovce in borzne posrednike, delujoče na trgu, ki je v nacionalnem interesu. CY, CZ, HU, MT, IT, PL, SK: brez obvez. 2) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, HU, FI, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT, ES, PT: zahteva se stalno bivališče. CY, CZ, LV, MT, PL, SK: brez obvez. FI, LV: ni omejitev.		<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

izdelki in drogami ter plemenitimi kovinami; V Sloveniji je izključena distribucija pirotehničnih izdelkov, vnetljivih izdelkov, naprav za razstreljevanje, strelnega orožja, streliva, vojaške opreme, toksičnih snovi in nekaterih zdravil; na Švedskem je izključena distribucija orožja in prodaja na drobno alkoholnih pijač in farmacevtskih izdelkov.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
B.	<u>Storitve trgovine na debelo</u> Vse države članice, razen PL, SE: CPC 622. PL: trgovina na debelo (CPC 622 razen 62226, 62228, 62251, 62252) SE: CPC 622, 6111, 6113, 6121.	1) Vse države članice razen CY, ES, FR, IT, MT: PT: ni omejitev. ES, IT, PT: državni monopol na tobak. FR: brez obvez za farmacije. CY, MT: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice razen CY, ES, FR, IT, MT: PT, PL: ni omejitev. ES, IT, PT: državni monopol na tobak. FR: grosistične lekarne se odobrijo glede na potrebe prebivalstva in v okviru določenih kvot. Državni monopol na tobak in vžigalice. PL: izdaja dovoljenj za ustanavljanje družb na področju trgovine na debelo z uvoženimi predmeti za splošno rabo. CY, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: državljanstvo se zahteva za prodajo farmacevtskih izdelkov na debelo. CY, MT: brez obvez.			1) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: ES, IT, PT: zahteva se stalno bivališče. FI, LV, PL: ni omejitev. CY, MT: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>PPS</u> Vse države članice: brez obvez.				<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		
C. <u>Storitve trgovine na drobno</u>	<u>na</u> (Vse države članice, razen AT, CZ, EE, FI, HU, LV, LT, PL, SK, SI in SE: CPC 631, 632, 633, 61112, 6113, 6121, razen 63211. AT, CZ, FI, HU, SK: CPC 631, 632, 6111, 6113, 6121. EE, LV, LT: CPC 631; 632; 633; 6111; 6113; 6121) PL: trgovina na drobno znotraj Poljske (CPC 631, 632 razen 63107, 63108, 63211). SI: CPC 631, del 632, 61112, 6113, 6121 razen 63211. SE: CPC 631, 632, 61112, 6113, 6121.)	1) Vse države članice, razen AT, CY, EE, FI, HU, LV, MT, PL, SE, SI: brez obvez, razen za prodajo po pošti: ni omejitev. AT, EE, FI, HU, LT, LV, SE, SI: ni omejitev. CY, MT, PL: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) ⁴⁸ Vse države članice, razen BE, CY, ES, FR, DK, IT, IE, MT, PT, SE: ni omejitev. BE: test ekonomskih potreb za veleblagovnice. ES, FR, IT: državni monopol na tobak. FR: test ekonomskih potreb za večje veleblagovnice. DK: test ekonomskih potreb za nove veleblagovnice. IT: test ekonomskih potreb za odprtje vsake nove veleblagovnice/prodajalne; dovoljenje se lahko zavrne zaradi varstva območij s posebnim zgodovinskim in umetniškim pomenom. IE: brez obvez za prodajo alkoholnih pijač na drobno.	1) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez, razen za prodajo po pošti: ni omejitev. AT, CZ, EE, FI, HU, LT, LV, SE, SI: ni omejitev. CY, MT, PL, SK: brez obvez. 2) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez. 3) Vse države članice, razen CY, MT: ni omejitev. CY, MT: brez obvez.					

⁴⁸ Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE SK in SI: če je ustanavljanje pogojeno s testom ekonomskih potreb, so glavna merila: število obstoječih trgovin in vpliv nanje, gostota prebivalstva, geografska razpršenost, vpliv na prometne razmere in ustvarjanje novih delovnih mest.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		PT: test ekonomskih potreb za velike (tj. več kot 2000 m2) veleblagovnice. SE: posamezne občine lahko uporabijo test ekonomskih potreb za začasno trgovino z oblačili, s čevlji in z živili, ki se ne zaužijejo na kraju prodaje⁴⁹. CY, MT: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez. razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: za prodajalce tobačnih izdelkov („buraliste“) se zahteva državljanstvo. CY, MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				4) <u>GZD in PO</u> Vse države članice razen CY, FI, LV, LT, MT: PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez FI, LV, LT, PL: ni omejitev. CY, MT: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		

⁴⁹ Ta pravila ne vplivajo na stalno prodajo na določenem mestu prodaje ali v proizvodnih obratih.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
D. <u>Franšizing</u> (CPC: 8929)	1) 2) 3) Vse države članice, razen CY, MT, PL, SE: ni omejitev. CY, MT, PL, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL, SE: brez obvez.				1) 2) 3) Vse države članice, razen CY, MT, PL, SE: ni omejitev. CY, MT, PL, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, FI, LV, MT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL, SE: brez obvez. FI, LV: ni omejitev.			
5. IZOBRAŽEVALNE STORITVE (vse države članice: samo zasebno financirane storitve)	PPS Vse države članice: brez obvez.				PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			
Samo za Estonijo: storitve zasebnega izobraževanja, pri katerih dolžina udeležbe študentov ne presega šest mesecev.	Samo za EE: 1), 2), 3) ni omejitev. 4) <u>GZD in PO</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. PPS brez obvez.				Samo za EE: 1), 2), 3) ni omejitev. 4) <u>GZD in PO</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. PPS brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
A. Storitve osnovnošolskega izobraževanja (Vse države članice, razen EE: CPC 921. EE: storitve obveznega osnovnošolskega izobraževanja)	1) Vse države članice razen CY, FR, FI, MT, PL, SE, SI: ni omejitev. FR: zahteva se državljanstvo, vendar lahko državljani tretjih držav dobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove ter za poučevanje. CY, FI, MT, SE, SI: brez obvez. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo iz tujine. 2) Vse države članice, razen CY, FI, MT, PL, SE, SI: ni omejitev. CY, FI, MT, SE, SI: brez obvez. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo v tujini.			1) Vse države članice razen CY, FI, IT, MT, SE, SI: ni omejitev. CY, FI, MT, SE, SI: brez obvez. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblaščenici za izdajanje uradno priznanih diplom. 2) Vse države članice, razen CY, FI, MT, SE, SI: ni omejitev. CY, FI, MT, SE, SI: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze				
3)	Vse države članice, razen CY, CZ, FI, HU, MT, SE, SI, SK: ni omejitev.	CY, FI, MT, SE, SI: brez obvez.	CZ: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitve in vodenje izobraževalne ustanove in za poučevanje. Pogoj je zagotavljanje kakovosti, ravni izobraževanja in ustreznosti šolskih objektov.	HU: za ustanavljanje šol je potrebno dovoljenje lokalnih oblasti.	SK: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitve in vodenje izobraževalne ustanove in za poučevanje, vendar morajo izpolnjevati kvalifikacijske in materialne zahteve za ustanovitve takšne ustanove.	4) <u>GZD in PO</u>	3) Vse države članice, razen CY, CZ, FI, EL, LT, MT, SE, SI, SK: ni omejitev. CY, FI, MT, SE, SI: brez obvez. CZ: ni omejitev, razen da mora imeti večina članov upravnega odbora češko državljanstvo. EL: večina članov upravnega odbora mora imeti grško državljanstvo. LT: ni omejitev, razen zahteve za dovoljenje, ki ga izda ministrstvo za šolstvo in znanost državno priznanim izobraževalnim ustanovam. SK: ni omejitev, razen da mora imeti večina članov upravnega odbora slovaško državljanstvo.	
4)	Vse države članice, razen CY, FI, MT, SE, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: zahteva se državljanstvo, vendar lahko državljani tretjih držav pridobijo dovoljenje pristojnih organov za ustanovitve in vodenje izobraževalne ustanove in za poučevanje. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblaščenici za izdajanje uradno priznanih diplom. EL: državljanstvo se zahteva za učitelje.	CY, FI, MT, SE, SI: brez obvez.	4) <u>GZD in PO</u>	Vse države članice, razen CY, FI, MT, LV, PL, SE, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, FI, MT, SE, SI: brez obvez. LV, PL: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
B. <u>Storitve srednješolskega izobraževanja</u> (Vse države članice, razen EE: CPC 922. EE: storitve obveznega in neobveznega srednješolskega izobraževanja. LV: razen CPC 9224.)	PPS Vse države članice: brez obvez.			PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.				
	1) Vse države članice razen CY, FR, FI, MT, PL, SE: ni omejitev. CY, FI, MT, SE: brez obvez. FR: zahteva se državljanstvo, vendar lahko državljani tretjih držav pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo iz tujine. 2) Vse države članice, razen CY, FI, MT, PL, SE: ni omejitev. CY, FI, MT, SE: brez obvez. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo v tujini.			1) Vse države članice, razen CY, FI, IT, MT, SE: ni omejitev. CY, FI, MT, SE: brez obvez. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblaščen za izdajanje uradno priznanih diplom. 2) Vse države članice, razen CY, FI, MT, SE: ni omejitev. CY, FI, MT, SE: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
		3) Vse države članice, razen CY, CZ, FI, HU, MT, SE, SK: ni omejitev.		3) Vse države članice, razen CY, CZ, FI, EL, LT, MT, SE, SI, SK: ni omejitev.				
		CY, FI, MT, SE: brez obvez.		CY, FI, MT, SE: brez obvez.				
		CZ: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. Pogoj je zagotavljanje kakovosti, ravni izobraževanja in ustreznosti šolskih objektov.		EL: večina članov upravnega odbora mora imeti grško državljanstvo.				
		HU: za ustanavljanje šol je potrebno dovoljenje lokalnih oblasti.		CZ: ni omejitev, razen da mora imeti večina članov upravnega odbora češko državljanstvo.				
		SK: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje, vendar morajo izpolnjevati kvalifikacijske in materialne zahteve za ustanovitev takšne ustanove.		LT: ni omejitev, razen zahteve za dovoljenje, ki ga izda ministrstvo za šolstvo in znanost državno priznanim izobraževalnim ustanovam.				
				SK: ni omejitev, razen da mora imeti večina članov upravnega odbora slovaško državljanstvo.				
				SI: ni omejitev, razen da mora imeti večina članov upravnega odbora slovensko državljanstvo.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen CY, FI, MT, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: zahteva se državljanstvo, vendar lahko državljanji tretjih držav pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblaščen za izdajanje uradno priznanih diplom. EL: državljanstvo se zahteva za učitelje. CY, FI, MT, SE: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice razen CY, FI, LV, MT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, PL: ni omejitev. CY, FI, MT, SE: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
C. Storitve <u>višje- in visokošolskega izobraževanja</u> (Vse države članice, razen CZ, SK: CPC 923. CZ, SK: samo CPC 92310.)	1) Vse države članice, razen AT, CY, FR, FI, MT, PL, SE: ni omejitev. AT, CY, FI, MT, SE: brez obvez.			1) Vse države članice, razen AT, CY, FI, IT, MT, SE: ni omejitev. AT, CY, FI, MT, SE: brez obvez. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblašeni za izdajanje uradno priznanih diplom. 2) Vse države članice, razen AT, CY, FI, MT, SE: ni omejitev. AT, CY, FI, MT, SE: brez obvez.				
	2) Vse države članice razen AT, CY, FI, MT, PL, SE: ni omejitev. AT, CY, FI, MT, SE: brez obvez.			FR: zahteva se državljanstvo, vendar lahko državljanji tretjih držav dobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo iz tujine. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo v tujini.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		3) Vse države članice, razen AT, CY, CZ, ES, FI, HU, EL, IT, MT, SE, SK: ni omejitev. AT, CY, FI, MT, SE: brez obvez. CZ: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. Pogoj je zagotavljanje kakovosti, ravni izobraževanja in ustreznosti šolskih objektov. ES, IT: preverjanje potreb za ustanavljanje zasebnih univerz, pooblaščenih za izdajanje uradno priznanih diplom; postopek vključuje mnenje parlamenta. EL: brez obvez za izobraževalne ustanove, ki izdajajo uradno priznane državne diplome. HU: za ustanavljanje šol je potrebno dovoljenje centralnih organov. SK: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje, vendar morajo izpolnjevati kvalifikacijske in materialne zahteve za ustanovitev takšne ustanove.	3) Vse države članice, razen AT, CY, CZ, FI, SE, SK, SI: ni omejitev. AT, CY, FI, MT, SE: brez obvez. CZ: ni omejitev, razen da mora imeti večina članov upravnega odbora češko državljanstvo. SK: : ni omejitev, razen da mora imeti večina članov upravnega odbora slovaško državljanstvo. SI: ni omejitev, razen da mora imeti večina članov upravnega odbora slovensko državljanstvo.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
	4) <u>GZD in PO</u> Vse države članice, razen AT, CY, FI, MT, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK: državljanstvo se zahteva za profesorje. FR: zahteva se državljanstvo, vendar pa lahko državljani tretjih držav pridobijo dovoljenje pristojnih organov za ustanovitve in vodenje izobraževalne ustanove in za poučevanje. IT: državljanstvo se zahteva za ponudnike storitev, ki so pooblaščen za izdajanje uradno priznanih diplom. AT, CY, FI, MT, SE: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen AT, CY, FI, LV, MT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, PL: ni omejitev. AT, CY, FI, MT, SE: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
	<u>PPS</u> Vse države članice: brez obvez, razen za FR in LU, kjer se v zvezi z začasnim vstopom profesorjev, kot je navedeno v oddelku horizontalnih obvez, in ob upoštevanju naslednjih posebnih omejitev zahteva: FR: profesorji imajo sklenjeno pogodbo o zaposlitvi z univerzo ali drugo visokošolsko ustanovo; – dovoljenje za delo se lahko izda za največ devet mesecev in se lahko podaljša za čas trajanja pogodbe; – zahteva se test ekonomskih zahtev, razen če je te profesorje neposredno imenoval minister, pristojen za višje- in visokošolsko izobraževanje; – ustanova, ki najame profesorja, mora plačati davek Mednarodnemu uradu za migracije. <u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: osebnosti z mednarodno priznanim ugledom, ki jih je povabila visokošolska ustanova, za dobo trajanja povabila.				<u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.			
					<u>Drugo:</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen za ukrepe, ki se nanašajo na kategorijo fizičnih oseb iz stolpca „Omejitve glede dostopa na trg“.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
D.	<u>Storitve izobraževanja odraslih</u> (CPC 924; za AT CPC 9240, razen storitve izobraževanja odraslih prek radijskih in televizijskih postaj. Za EE: prav tako zajema storitve izobraževanja odraslih, ki jih ne zagotovi država)	1) Vse države članice, razen CY, FI, MT, PL, SE: ni omejitev. CY, FI, MT, SE: brez obvez. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo iz tujine. 2) Vse države članice, razen CY, FI, MT, PL, SE: ni omejitev. CY, FI, MT, SE: brez obvez. PL: javni sistem izobraževanja in štipendij ne zajema izobraževalnih storitev, ki se zagotavljajo v tujini. 3) Vse države članice, razen CY, CZ, FI, HU, MT, SE, SK: ni omejitev. CY, FI, MT, SE: brez obvez.			1) Vse države članice, razen CY, FI, MT, SE: ni omejitev. CY, FI, MT, SE: brez obvez. 2) Vse države članice, razen CY, FI, MT, SE: ni omejitev. CY, FI, MT, SE: brez obvez.		3) Vse države članice razen CY, CZ, FI, MT, SE, SK: ni omejitev. CY, FI, MT, SE: brez obvez. CZ: ni omejitev, razen da mora imeti večina članov upravnega odbora češko državljanstvo. SK: ni omejitev, razen da mora imeti večina članov upravnega odbora slovaško državljanstvo.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		HU: za ustanavljanje šol je potrebno dovoljenje lokalnih (v primeru gimnazij centralnih) oblasti. SK: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje, vendar morajo izpolnjevati kvalifikacijske in materialne zahteve za ustanovitev takšne ustanove. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, MT, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, FI, MT, SE: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				4) <u>GZD in PO</u> Vse države članice razen CY, FI, LV, MT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, PL: ni omejitev. CY, FI, MT, SE: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave			Dodatne obveze
E.	<u>Druge storitve izobraževanja</u> (CPC 929)		1) Vse države članice, razen CZ in SK: brez obvez. CZ, SK: ni omejitev.	1) Vse države članice, razen CZ in SK: brez obvez. CZ, SK: ni omejitev.	1) Vse države članice, razen CZ in SK: brez obvez.			
			2) Vse države članice, razen CZ in SK: brez obvez.	2) Vse države članice, razen CZ in SK: brez obvez.	2) Vse države članice, razen CZ in SK: brez obvez.			
			CZ in SK: ni omejitev.		3) Vse države članice, razen CZ in SK: brez obvez.			
			3) Vse države članice, razen CZ in SK: brez obvez.		CZ: ni omejitev, razen da mora imeti večina članov upravnega odbora češko državljanstvo.			
			CZ: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje. Pogoj je zagotavljanje kakovosti in ravni izobraževanja ter ustreznosti šolskih objektov.		SK: ni omejitev, razen da mora imeti večina članov upravnega odbora slovaško državljanstvo.			
			SK: tuji državljani lahko pridobijo dovoljenje pristojnih organov za ustanovitev in vodenje izobraževalne ustanove in za poučevanje, vendar morajo izpolnjevati kvalifikacijske in materialne zahteve za ustanovitev takšne ustanove.					
			4) <u>GZD in PO</u> Vse države članice, razen CZ in SK: brez obvez.		4) <u>GZD in PO</u> Vse države članice, razen CZ in SK: brez obvez.			
			CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.		CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			
			<u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
6.	STORITVE NA PODROČJU OKOLJA (SE: ponudba ne zajema javnih gradenj, ki so bodisi v lasti in v upravljanju občin, države ali zveznih uprav bodisi so te zanje sklenile pogodbe s podizvajalcem)							
A.	<u>Storitve čiščenja odpadkov</u> (Vse države članice razen EE: CPC 9401; EE: CPC 9401 ki jih izvajajo zasebna podjetja)	1) Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: ni omejitev. 2) Vse države članice, razen CY, FI, HU, MT: PL: ni omejitev. CY, FI, HU, MT, PL: brez obvez. 3) Vse države članice, razen CY, FI, HU, MT, PL: ni omejitev. CY, FI, HU, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, FI, HU, MT: PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: CY, FI, HU, MT, PL: brez obvez.			1) Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: ni omejitev. 2) Vse države članice, razen CY, FI, HU, MT, PL: ni omejitev. CY, FI, HU, MT, PL: brez obvez. 3) Vse države članice, razen CY, FI, HU, MT: PL: ni omejitev. CY, FI, HU, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice razen CY, FI, HU, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: CY, FI, HU, MT, PL: brez obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
B. <u>Storitve odstranjevanja odpadkov</u> (Vse države članice razen EE: CPC 9402; EE: CPC 9402, ki jih izvajajo zasebna podjetja)	<u>PPS</u>			Vse države članice: brez obvez.		<u>PPS</u>	
	1) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev. 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL: brez obvez.			Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		1) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev. 2) 3) Vse države članice, razen CY, MT, PL: ni omejitev. CY, MT, PL: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT, PL: brez obvez. FI, LV: ni omejitev.	
	<u>PPS</u>			Vse države članice: brez obvez.		<u>PPS</u>	
	Vse države članice: brez obvez.			Vse države članice, razen EE, LV: brez obvez.		EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
C.	<u>Sanitarne in podobne storitve</u> (CPC 9403)	1) Vse države članice, razen EE, HU, LT: brez obvez. EE, HU, LT: ni omejitev. 2) 3) Vse države članice, razen CY, FI, MT, PL: ni omejitev. CY, FI, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, FI, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost. CY, FI, MT, PL: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen EE, HU, LT: brez obvez. EE, HU, LT: ni omejitev. 2) 3) Vse države članice, razen CY, FI, MT, PL: ni omejitev. CY, FI, MT, PL: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: CY, FI, MT, PL: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Storitve čiščenja izpušnih plinov (Vse države članice, razen PL: CPC 9404. PL: del CPC 9404).	1)	Vse države članice, razen EE, FI, LT, PL: brez obvez. EE, FI, LT, PL: ni omejitev.	1)	Vse države članice, razen EE, FI, LT, PL: brez obvez. EE, FI, LT, PL: ni omejitev.			
		2)	Vse države članice, razen CY, CZ, HU, MT: SK, SI: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez.	2)	Vse države članice, razen CY, CZ, HU, MT: SK, SI: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez.			
		3)	Vse države članice, razen CY, CZ, HU, MT, SE, SK, SI: ni omejitev. SE: državni monopol na storitve nadzora izpušnih plinov iz avtomobilov in tovornjakov. Takšne storitve morajo biti ponujene na nepridobitni osnovi. CY, CZ, HU, MT, SK, SI: brez obvez.	3)	Vse države članice, razen CY, HU, MT, SK, SI: ni omejitev. CY, HU, MT, SK, SI: brez obvez.			
		4)	<u>GZD in PO</u> Vse države članice razen CY, CZ, HU, MT, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se poslovna prisotnost. CY, CZ, HU, MT, SK, SI: brez obvez.	4)	<u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, HU, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, FI, PL: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez.			
			<u>PPS</u> Vse države članice: brez obvez.		<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Storitve na področju zmanjševanja hrupa (Vse države članice, razen PL: CPC 9405. PL: del CPC 9405).	1) Vse države članice, razen EE, FI, LT, PL: brez obvez. EE, FI, LT, PL: ni omejitev. 2) 3) Vse države članice, razen AT, EE, FI, LV, LT, PL, SE: brez obvez. AT, EE, FI, LV, LT, PL, SE: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice razen AT, FI, LV, LT, PL: SE: brez obvez. AT, EE, FI, LV, LT, PL, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se tržna prisotnost.			1) Vse države članice, razen EE, FI, LT, PL: brez obvez. EE, FI, LT, PL: ni omejitev. 2) 3) Vse države članice, razen AT, EE, FI, LV, LT, PL, SE: brez obvez. AT, EE, FI, LV, LT, PL, SE: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen FI, LV, LT, PL, SE: brez obvez. AT, EE, LT, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev.		PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
	Storitve varstva narave in krajine (Vse države članice razen LT: CPC 9406. LT: CPC 9406, razen storitev, namenjenih nacionalnim parkom).	1) Vse države članice, razen EE, FI: brez obvez. EE, FI: ni omejitev. 2) 3) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PQ</u> Vse države članice razen CY, CZ, HU, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se poslovna prisotnost. CY, CZ, LV, MT, PL, SK: brez obvez.			1) Vse države članice, razen EE, FI: brez obvez. EE, FI: ni omejitev. 2) 3) Vse države članice razen CY, CZ, HU, MT, PL, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, CZ, HU, FI, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez.			
		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
D.	<u>Druge storitve varstva okolja</u> (Vse države članice razen PL: CPC 9409. PL: spremljanje okolja. Svetovanje v zvezi z varstvom okolja).	1) Vse države članice, razen EE, FI, PL: brez obvez. EE, FI, PL: ni omejitev. 2) 3) Vse države članice razen CY, CZ, HU, MT, SK, SI: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez. 4) <u>GZD in PQ</u> Vse države članice razen CY, CZ, HU, MT, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: AT: zahteva se poslovna prisotnost. CY, CZ, HU, MT, SK, SI: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen EE, FI, PL: brez obvez. EE, FI, PL: ni omejitev. 2) 3) Vse države članice razen CY, CZ, HU, MT, SK, SI: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez. 4) <u>GZD in PQ</u> Vse države članice, razen CY, CZ, HU, FI, LV, MT, PL, SK, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, CZ, HU, MT, SK, SI: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
7.	SEKTOR FINANČNIH STORITEV (prvi del) ⁵⁰							
1.	Del držav članic ES (AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK in UK) sprejema obveze na področju finančnih storitev v skladu z določbami Sporazuma o obvezah pri finančnih storitvah (Sporazum). Te obveze so navedene v naslednjem oddelku. Obveze pri finančnih storitvah preostalega dela ES (CY, EE, LV, LT, MT, PL, SI) ne temeljijo na Sporazumu in so navedene v drugem oddelku.							
2.	Te obveze so predmet omejitev dostopa na trg in nacionalne obravnave v oddelku „Vsi sektorji“ na tej listi in tistih, ki se nanašajo na spodaj navedene podsektorje.							
3.	Obveze dostopa na trg v zvezi z načinoma (1) in (2) se uporabljajo samo za transakcije, navedene v odstavkih B.3 in B.4 oddelka „Omejitve dostopa na trg“ v Sporazumu, razen za Madžarsko, pri kateri se uporabljajo samo za transakcije iz odstavkov B.3(a) in (b) oziroma B.4(a) in (b).							
4.	Ne glede na opombo 1 zgoraj so obveze glede dostopa na trg in nacionalne obravnave za način (4) pri finančnih storitvah tiste iz oddelka „Vsa področja“ te liste, razen za Češko, Madžarsko, Slovaško in Švedsko, pri katerih se obveze sprejemajo v skladu z Sporazumom.							
5.	Sprejem novih finančnih storitev ali izdelkov na trg je lahko pogojen z obstojem in skladnostjo z regulativnim okvirom, katerega namen je doseči cilje, navedene v členu 2(a) Priloge „Finančne storitve“.							
6.	Kot splošno pravilo in na nediskriminatoren način morajo finančne ustanove, ki so registrirane v državi članici Skupnosti, sprejeti posebno pravno obliko.							
7.	CZ, SK: ne glede na opombo 1 zgoraj ureja nakup in pridobitev finančnih storitev s strani javnih subjektov Češke ali Slovaške v tej listi člen XIII Splošnega sporazuma o trgovini s storitvami.							
8.	HU: prenos informacij, ki vsebujejo osebne podatke, bančne zaupne podatke, zaupne podatke o vrednostnih papirjih in/ali poslovne skrivnosti, ni dovoljen.							
9.	HU: zavarovalniške in bančne storitve, storitve upravljanja z vrednostnimi papirji in kolektivnimi naložbami morajo opravljati pravni ločeni in neodvisno kapitalizirani ponudniki finančnih storitev.							
10.	HU: trenutno je v pripravi zakonodaja, ki bo podružnicam omogočala dostop na trg. Podrobnosti in pogoje je treba še določiti. V skladu z namenom naj bi bila zakonodaja zavezujoča takoj po sprejetju.							
11.	HU: v vodstvu finančne ustanove morata biti vsaj dva člana madžarska državljan, rezidenta v skladu z ustreznimi predpisi o deviznih zadevah, in imeti na Madžarskem stalno bivališče vsaj eno leto.							
12.	HU: posredno ali neposredno lastništvo ali glasovalne pravice v kreditni ustanovi edinega delničarja, ki ni kreditna ustanova, zavarovalniška družba ali investicijska družba, ne smejo preseči 15 %.							

⁵⁰ Za razliko od tujih hčerinskih družb, za podružnice, ki jih finančna ustanova nečlanice Skupnosti ustanovi neposredno v državi članici, ne veljajo, razen nekaterih omejenih izjem, previdnostni ukrepi, usklajeni na ravni Skupnosti, ki takšnim hčerinskim družbam omogočajo izkoristiti povečane možnosti za ustanavljanje novih podjetij in zagotavljanje čezmejnih storitev po vsej Skupnosti. Zato takšne podružnice prejmejo dovoljenje za delovanje na ozemlju države članice pod enakimi pogoji, kot veljajo za domače finančne ustanove navedene države članice in se lahko od njih zahteva, da izpolnjujejo nekaj posebnih previdnostnih zahtev, kot so, v primeru bančništva in vrednostnih papirjev, ločena kapitalizacija in druge zahteve solventnosti ter poročanje in objava zahtev v zvezi z računi ali v primeru zavarovanj, zahteve v zvezi s posebnimi jamstvi in pologi, ločeno kapitalizacijo in lokalizacijo sredstev, ki predstavljajo tehnične rezervacije in najmanj eno tretjino minimalnega kapitala, v zadevni državi članici. Države članice lahko uporabijo omejitve, navedene na tej listi, samo v zvezi z neposredno ustanovitvijo hčerinske družbe iz tretje države, ki je tržno prisotna, ali v zvezi z zagotavljanjem čezmejnih storitev iz tretje države; posledično država članica teh omejitev, vključno s tistimi, ki zadevajo ustanavljanje, ne sme uporabljati za hčerinske družbe

Oblika ponudbe:		(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
A. <u>Zavarovanje in z njim povezane storitve</u>									
1. CZ: monopolne pravice so navedene v odstavku B.1 Sporazuma: obvezno zavarovanje odgovornosti voznika motornega vozila zagotavlja izključni izvajalec. ⁵¹ Obvezno zdravstveno zavarovanje zagotavljajo le pooblašчени izvajalci s českim lastništvom.									
2. SK: izključni izvajalci zagotavljajo naslednje zavarovalniške storitve: obvezno zavarovanje odgovornosti voznika motornega vozila, obvezno zavarovanje za letalski prevoz, zavarovanje odgovornosti delodajalca za poškodbe ali poklicne bolezni mora izvajati slovaška zavarovalniška družba. Osnovno zdravstveno zavarovanje izvajajo slovaška podjetja za zdravstveno zavarovanje, ki imajo licenco slovaškega ministrstva za zdravje za izvajanje zdravstvenega zavarovanja v skladu z zakonom 273/1994 Coll. Pokojninske sklade in zdravstveno zavarovanje izvaja družba za socialno zavarovanje. Ti izključni izvajalci delujejo na način, ki je v skladu z obveznostmi iz člena II GATS in specifičnimi obvezami.									
			1) BE, EL, IE, LU, NL, UK: ni omejitev.	1) BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: ni omejitev.			Del ES (AT, BE, DE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, in UK) prevzame dodatne obveze, ki so navedene v dodatku.		
			AT: promocijska dejavnost in posredovanje v imenu hčerinske družbe, ki ni ustanovljena v Skupnosti, ali podružnice, ki ni ustanovljena v Avstriji, (razen pozavarovanja in retrocesije) sta prepovedana.	AT: za zavarovalne pogodbe (razen za pogodbe o pozavarovanju in retrocesiji), ki jih sklene hčerinska družba, ki ni ustanovljena v Skupnosti, ali podružnica, ki ni ustanovljena v Avstriji, se plača višji davek na zavarovalne premije. Pri višjem davku se lahko priznajo izjeme.					
			AT: obvezno zavarovanje za letalski prevoz lahko prevzame samo hčerinska družba, ustanovljena v Skupnosti, ali podružnica, ustanovljena v Avstriji.						
			CZ: ni omejitev, razen naslednjega: tuji ponudniki finančnih storitev lahko ustanovijo zavarovalnico s sedežem na Češkem v obliki delniške družbe ali pa storitve izvajajo prek podružnic z registriranim sedežem na Češkem, v skladu s pogoji zakona o zavarovalništvu.						

tretjih držav, ustanovljene v drugi državi članici Skupnosti, razen če se te omejitve lahko uporabljajo tudi za družbe ali državljane drugih držav članic v skladu z zakonodajo Skupnosti.

⁵¹ CZ: kadar se umaknejo monopolne pravice glede obveznega zavarovanja odgovornosti voznika motornega vozila, je zagotavljanje te storitve na nediskriminatorni osnovi na voljo registriranim českim ponudnikom storitev.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		Ponudniki zavarovalniških storitev morajo biti prisotni na trgu in imeti dovoljenje: – za opravljanje storitev, skupaj s pozavarovanjem, in – za sklepanje posredniških pogodb s posredniki, katerih namen je sklepanje pogodb med ponudnikom zavarovanja in tretjimi strankami. Posrednik potrebuje dovoljenje, če namerava izvajati posredniške dejavnosti za podružnico, ki ima registriran sedež na Češkem. DK: obvezno zavarovanje za letalski prevoz lahko prevzamejo samo družbe s sedežem v Skupnosti. DK: nobena oseba ali družba (vključno z zavarovalniškimi družbami) ne sme za poslovne namene na Danskem pomagati pri izvajanju neposrednega zavarovanja za osebe s stalnim bivališčem na Danskem, za danske ladje ali za lastnino na Danskem, razen zavarovalniških družb, ki jim to dovoljuje danska zakonodaja ali danski pristojni organi. DE: polico obveznega zavarovanja za letalski prevoz lahko prevzame samo hčerinska družba, ustanovljena v Skupnosti, ali podružnica s sedežem v Nemčiji. DE: če ima tuja zavarovalniška družba podružnico v Nemčiji, lahko sklepa zavarovalne pogodbe v Nemčiji v zvezi z mednarodnim prevozom samo preko podružnice, ki ima sedež v Nemčiji. ES, IT: brez obvez za poklic aktuarja.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		FI: samo zavarovatelji s sedežem v Evropski skupnosti ali s podružnico na Finskem lahko nudijo zavarovalniške storitve, navedene v pododstavku 3(a) Sporazuma. FI: za zagotavljanje storitev zavarovalnih posrednikov se zahteva stalni sedež poslovanja v Evropski skupnosti. FR: zavarovanje tveganj v zvezi s kopenskim prevozom lahko izvajajo samo zavarovalniške družbe s sedežem v Skupnosti. HU: <u>neposredno zavarovanje (življenjsko in neživljenjsko)</u> storitve lahko izvajajo le podjetniki, ki se ukvarjajo z mednarodno poslovno dejavnostjo, določeno v pravnih predpisih o deviznem poslovanju. Zavarujejo se lahko le škodni primeri v tujini. IT: zavarovanje tveganj v zvezi z izvozom CIF s strani rezidentov v Italiji lahko prevzemajo samo zavarovalniške družbe s sedežem v Skupnosti. IT: transportno zavarovanje blaga, zavarovanje samih vozil in zavarovanje odgovornosti v zvezi s tveganji v Italiji lahko prevzemajo samo zavarovalniške družbe s sedežem v Skupnosti. Ta pridržek se ne uporablja za mednarodni prevoz, ki vključuje uvoz v Italijo. PT: zavarovanje v zračnem in pomorskem prometu, ki zajema blago, letala, ladje brez tovora in odgovornost, lahko prevzemajo samo družbe s sedežem v ES; samo osebe ali družbe s sedežem v ES lahko delujejo kot posredniki za take zavarovalne posle na Portugalskem.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb	
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
		SK: tržna prisotnost je potrebna za zagotavljanje storitev: – življenjskega zavarovanja oseb s stalnim bivališčem na Slovaškem; – zavarovanja lastnine na ozemlju Slovaške; – zavarovanja odgovornosti za izgubo ali materialno škodo, povzročeno z dejavnostjo fizičnih in pravnih oseb na ozemlju Slovaške; – zavarovanja v zračnem in pomorskem prometu, ki zajema blago, letala, ladje brez tovora in odgovornost. SE: neposredno zavarovanje lahko izvaja le na Švedskem pooblaščen ponudnik zavarovalnih storitev, če tuji ponudnik storitev in švedska zavarovalniška družba pripadata isti skupini družb ali imata sklenjen sporazum o sodelovanju. 2) BE, ES, FI, EL, IE, LU, NL, SE, UK: ni omejitev. AT: promocijska dejavnost in posredovanje v imenu hčerinske družbe, ki ni ustanovljena v Skupnosti ali podružnice, ki ni ustanovljena v Avstriji (razen pozavarovanja in retrocesije), sta prepovedana. AT: obvezno zavarovanje za letalski prevoz lahko prevzame samo hčerinska družba s sedežem v Skupnosti ali podružnica s sedežem v Avstriji.							
					2) BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: ni omejitev.				
					AT: za zavarovalne pogodbe (razen za pogodbe o pozavarovanju in retrocesiji), ki jih sklene hčerinska družba, ki nima sedeža v Skupnosti, ali podružnica, ki nima sedeža v Avstriji, se plača višji davek na zavarovalne premije. Pri višjem davku se lahko priznajo izjeme.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		CZ: ni omejitev, razen naslednjega: spodaj navedene zavarovalniške storitve niso na voljo v tujini. – življenjsko zavarovanje oseb s stalnim bivališčem na Češkem; – zavarovanje lastnine na ozemlju Češke; – zavarovanje odgovornosti za izgubo ali materialno škodo, povzročeno z dejavnostjo fizičnih in pravnih oseb na ozemlju Češke. DK: obvezno zavarovanje za letalski prevoz lahko prevzamejo samo družbe s sedežem v Skupnosti. DK: nobena oseba ali družba (vključno z zavarovalniškimi družbami) ne sme za poslovne namene na Danskem pomagati pri izvajanju neposrednega zavarovanja za osebe s stalnim bivališčem na Danskem, za danske ladje ali za lastnino na Danskem, razen zavarovalniških družb, ki jim to dovoljuje danska zakonodaja ali danski pristojni organi. DE: polico obveznega zavarovanja za letalski prevoz lahko prevzame samo hčerinska družba s sedežem v Skupnosti ali podružnica s sedežem v Nemčiji. DE: če ima tuja zavarovalniška družba podružnico v Nemčiji, lahko sklepa zavarovalne pogodbe v Nemčiji v zvezi z mednarodnim prevozom samo preko podružnice, ki ima sedež v Nemčiji. FR: zavarovanje tveganj v zvezi s kopenskimi prevozom lahko izvajajo samo zavarovalniške družbe s sedežem v Skupnosti.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			HU: <u>Neposredno zavarovanje (živiljenjsko in neživiljenjsko)</u> storitve so na voljo le podjetnikom, ki se ukvarjajo z mednarodno poslovno dejavnostjo, določeno v pravnih predpisih o deviznem poslovanju. Zavarujejo se lahko le škodni primeri v tujini. IT: zavarovanje tveganj v zvezi z izvozom CIF s strani rezidentov v Italiji lahko prevzemajo samo zavarovalniške družbe s sedežem v Skupnosti. IT: transportno zavarovanje blaga, zavarovanje samih vozil in zavarovanje odgovornosti v zvezi s tveganji v Italiji lahko prevzemajo samo zavarovalniške družbe s sedežem v Skupnosti. Ta pridržek se ne uporablja za mednarodni prevoz, ki vključuje uvoz v Italijo. PT: zavarovanje v zračnem in pomorskem prometu, ki zajema blago, letala, ladje brez tovora in odgovornost, lahko prevzemajo samo družbe s sedežem v ES; samo osebe ali družbe s sedežem v ES lahko delujejo kot posredniki za take zavarovalne posle na Portugalskem. SK: nakup zavarovalniških storitev, zajetih v načinu (1), razen zgoraj omenjenega zavarovanja v zračnem in pomorskem prometu, ki zajema blago, letala, ladje brez tovora in odgovornost, v tujini ni mogoč.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
		3) DK, DE, HU, LU, NL, UK: ni omejitev.		3) AT, BE, CZ, DK, DE, ES, FR, EL, HU, IT, IE, LU, NL, PT, UK: ni omejitev.				
		AT: dovoljenje za podružnice tujih zavarovateljev je treba zavrniti, če zavarovatelj v matični državi nima pravne oblike, ki je ustrezna ali primerljiva z delniško družbo ali vzajemnim zavarovalnim združenjem.		FI: generalni zastopnik tuje zavarovalniške družbe mora imeti stalno bivališče na Finskem, razen če je glavna uprava družbe v Evropski skupnosti.				
		BE: vsaka javna ponudba za pridobitev belgijskih vrednostnih papirjev s strani ali v imenu osebe, družbe ali ustanove izven pristojnosti ene od držav članic Evropske skupnosti se predloži v odobritev ministru za finance.		SE: za družbe za neživiljsko zavarovanje, ki niso registrirane na Švedskem in poslujejo na Švedskem se – namesto obdavčitve glede na neto rezultat – uporablja obdavčitev, ki temelji na dohodku od premij neposrednega zavarovanja.				
		CZ: ni omejitev, razen naslednjega: tuji ponudniki finančnih storitev lahko ustanovijo zavarovalnico s sedežem na Češkem v obliki delniške družbe ali pa storitve zagotavljajo prek podružnic z registriranim sedežem na Češkem, v skladu s pogoji zakona o zavarovalništvu. Ponudniki zavarovalniških storitev morajo biti prisotni na trgu in imeti dovoljenje za:		SE: ustanovitelj zavarovalniške družbe je fizična oseba s stalnim bivališčem v Evropski skupnosti ali pravna oseba, registrirana v Evropski skupnosti.				
		– opravljanje storitev, skupaj s pozavarovanjem in		SK: večina članov uprave zavarovalniške družbe mora imeti stalno bivališče na Slovaškem.				
		– sklepanje posredniških pogodb s posredniki, katerih namen je sklepanje zavarovalniških pogodb med ponudniki zavarovalniških storitev in tretjimi strankami.						
		Posrednik potrebuje dovoljenje, če namerava izvajati posredniške dejavnosti za podružnico, ki ima registriran sedež na Češkem.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		ES: za ustanovitev podružnice ali agencije za zagotavljanje nekaterih vrst zavarovanja v Španiji mora imeti tuji zavarovatelj najmanj 5 let dovoljenje za poslovanje z istimi vrstami zavarovanja v svoji matični državi. ES, EL: pravica do ustanavljanja ne zajema ustanavljanja predstavništev podjetij ali druge stalne prisotnosti zavarovalniških družb, razen če so takšna podjetja ustanovljena kot agencije, podružnice ali sedeži podjetij. FI: glavni direktor, vsaj en revizor in najmanj polovica ustanoviteljev in članov upravnega odbora ter nadzornega odbora zavarovalniške družbe ima stalno bivališče v Evropski skupnosti, razen če ministrstvo za socialne zadeve in zdravstvo prizna izjemo. FI: tuji zavarovatelji ne morejo dobiti dovoljenja na Finskem kot podružnica za izvajanje obveznega socialnega zavarovanja (obvezno pokojninsko zavarovanje, obvezno nezgodno zavarovanje). FR: za ustanavljanje podružnic mora imeti predstavnik podružnice posebno dovoljenje. IT: poklic aktuarja lahko izvajajo samo fizične osebe. Poklicna združenja (neregistrirana), katerih člani so fizične osebe, so dovoljena. IT: dovoljenje za ustanavljanje podružnic je pogojeno z oceno nadzornih organov. IE: pravica do ustanavljanja ne zajema ustanavljanja predstavništev. PT: tuje družbe lahko posredujejo zavarovanje na Portugalskem samo preko družbe, ustanovljene v skladu z zakonodajo države članice Skupnosti.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		PT: za ustanovitev podružnice na Portugalskem morajo tuje družbe dokazati najmanj pet let predhodnih operativnih izkušenj. SE: tuje družbe se lahko ustanovijo le kot hčerinske družbe ali preko zastopnika s stalnim bivališčem. SE: družbe za zavarovalno posredništvo, ki niso registrirane na Švedskem, so lahko tržno prisotne samo v obliki podružnice. SK: tuji državljani lahko ustanovijo zavarovalniško družbo samo v obliki delniške družbe ali lahko zavarovalniške storitve izvajajo preko hčerinske družbe z registriranim sedežem na Slovaškem. Zavarovalni posli pomenijo zavarovalne dejavnosti, vključno s posredniškimi in pozavarovalnimi dejavnostmi. Posredniške dejavnosti, katerih namen je sklenitev zavarovalne pogodbe med tretjo stranko in zavarovalnico, lahko opravljajo fizične ali pravne osebe s stalnim bivališčem na Slovaškem, v prid zavarovalnice pa morajo imeti dovoljenje organa za nadzor zavarovalnic.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: EL: večina članov upravnega odbora družbe s sedežem v Grčiji je državljanov ene od držav članic Skupnosti.				4) <u>GZD in PO</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: Brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: vodstvo podružnice morata sestavljati dve fizični osebi s stalnim bivališčem v Avstriji. DK: generalni zastopnik zavarovalniške podružnice mora imeti stalno bivališče na Danskem zadnji dve leti, razen če je državljan ene od držav članic Skupnosti. Ministre za trgovino in industrijo lahko prizna izjemo. DK: za večino članov upravnega odbora družbe in za vodstveno osebje se zahteva stalno bivališče. Vendar pa lahko minister za trgovino in industrijo prizna izjemo. Izjeme se priznajo na nediskriminatorni osnovi. ES, IT: za poklic aktuarja se zahteva stalno bivališče.		
		<u>PPS</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez.				<u>PPS</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez.		

Oblika ponudbe:		(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb	
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
B. Bančne in druge finančne storitve (razen zavarovanja):										
1. CZ: glede storitev izdaje valut necentralnih bank, trgovine z izvedenimi finančnimi instrumenti in plemenitimi kovinami, denarnega posredništva in storitev poravnave in obračunov za izvedene produkte in svetovanje, posredništva ter ostali pomožnih finančnih storitev, povezanih z naštetimi dejavnostmi, ni obvez.										
2. SK: glede trgovine z izvedenimi produkti in plemenitimi kovinami, denarnega posredništva in drugih posredništev ni obvez.										
			1) ⁵² AT, DK, DE, ES, FI, FR, EL, HU, LU, NL, PT, SE, UK: ni omejitev. BE: v Belgiji se za zagotavljanje svetovalnih storitev v zvezi z naložbami zahteva ustanovitev podjetja. CZ: brez obvez za trgovanje s prenosljivimi vrednostnimi papirji in ostalimi prenosljivimi instrumenti in finančnimi sredstvi, sodelovanje pri izdaji vseh vrst vrednostnih papirjev, upravljanje s sredstvi ter storitve poravnave in obračunov za finančna sredstva. ni omejitev, razen naslednjega: Samo banke, ustanovljene na Češkem, in podružnice tujih bank z ustreznim dovoljenjem lahko: – opravljajo storitve pologa; – trgujejo z deviznimi sredstvi; – opravijo čezmejna negotovinska plačila.			1) AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: ni omejitev.			Del ES (AT, BE, DK, DE, ES, FI, FR, EL, IT, IE, LU, NL, PT, SE in UK) prevzame dodatne obveze, ki so navedene v dodatku.	

⁵² IT: zagotavljanje in prenos finančnih informacij ter obdelava finančnih podatkov, katerih posledica je trgovanje s finančnimi instrumenti, so lahko prepovedani, če bi to lahko močno posegalo v varstvo investorjev. Samo pooblaščen banke in investicijske družbe morajo izpolnjevati poslovna pravila pri zagotavljanju svetovanja glede investicij v zvezi s finančnimi instrumenti in svetovanju podjetjem glede kapitalne strukture, industrijske strategije in s tem povezanih zadev ter svetovanju v zvezi z združitvami in pridobivanjem podjetij. Svetovalna dejavnost ne sme zajemati upravljanja s sredstvi.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		Dovoljenje za devizno poslovanje, ki ga izda češka nacionalna banka ali ministrstvo za finance, je pri čeških rezidentih brez bančniških pooblastil potrebno za: (a) odpiranje in financiranje računa v tujini s strani čeških državljanov, (b) kapitalska plačila v tujini (razen neposrednih tujih naložb), (c) odobritev finančnih kreditov in jamstev, (d) poslovanje z izvedenimi finančnimi instrumenti, (e) nakup tujih vrednostnih papirjev, razen v primerih, ki jih opisuje Zakon o deviznem poslovanju, (f) izdajo tujih vrednostnih papirjev za javno in nejavno trgovino na Češkem ali njihovo predstavitev na domačem trgu. IT: brez obvez za „promotori di servizi finanziari“ (prodajalce finančnih storitev). IE: za zagotavljanje investicijskih storitev ali svetovanja v zvezi z investicijami se zahteva (IT) dovoljenje na Irskem, ki ponavadi zahteva, da je oseba registrirana ali je partner ali pa samostojni trgovec, ki mora imeti sedež/registrirani sedež na Irskem (v nekaterih primerih dovoljenje ni potrebno, npr. če ponudnik storitev iz tretje države ni tržno prisoten na Irskem in storitev ne izvaja za posameznike) ali (II) dovoljenje v drugi državi članici v skladu z Direktivo ES o investicijskih storitvah.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave			Dodatne obveze
		SK:	brez obvez za trgovanje s prenosljivimi vrednostnimi papirji in ostalimi prenosljivimi instrumenti in finančnimi sredstvi, sodelovanje pri izdaji vseh vrst vrednostnih papirjev, upravljanje s sredstvi ter storitve poravnave in obračunov za finančna sredstva.					
			Ni omejitev, razen naslednjega:					
			(i) depozitne storitve opravljajo le domače banke in podružnice tujih bank na Slovaškem,					
			(ii) z deviznimi sredstvi lahko poslujejo samo pooblaščen domače banke, podružnice tujih bank na Slovaškem in osebe z dovoljenjem za trgovanje z deviznimi sredstvi. Trgovanja na bratislavski borzi se lahko udeležijo le člani borze. Državljeni lahko znotraj slovaškega sistema RM trgujejo brez omejitev, nedržavljeni pa samo prek trgovcev z vrednostnimi papirji.					
			(iii)čezmejna negotovinska plačila lahko izvajajo samo pooblaščen domače banke in podružnice tujih bank na Slovaškem.					
			(iv) dovoljenje za devizno poslovanje, ki ga izda slovaška nacionalna banka, je potrebno za:					
			(a) odpiranje računa v tujini s strani slovaških rezidentov brez bančniških pooblastil, razen za fizične osebe med njihovim bivanjem v tujini.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		(b) kapitalna plačila v tujini; (c) pridobitev finančnega kredita od nerezidenta, ki posluje z devizami, razen za kredite iz tujine, ki jih prejmejo rezidenti, in je odplačilna doba daljša od treh let, ter za posojila, ki jih izvajajo fizične osebe za neposlovne dejavnosti. (v) za izvoz in uvoz slovaške valute in deviz v gotovini, ki presega vrednost 150 tisoč slovaških kron in plemenitih kovin je podvržen zahtevam se zahteva poročanje. (vi) za plog finančnih sredstev s strani rezidentov v tujini je potrebno dovoljenje ali licenca za devizno poslovanje, ki ga izda organ za devizno poslovanje. (vii) samo devizni subjekti, ustanovljeni na Slovaškem, lahko odobrijo in pridobijo zagotovila in odgovornosti v skladu z določenimi omejitvami in določili slovaške nacionalne banke. 2)⁵³ AT, BE, DK, ES, FR, HU, IT, IE, LU, NL, PT, SE: ni omejitev. CZ: brez obvez za upravljanje s sredstvi. Ni omejitev, razen naslednjega: Samo banke, ustanovljene na Češkem, in podružnice tujih bank z ustreznim dovoljenjem lahko: – opravljajo depozitne storitve; – trgujejo z deviznimi sredstvi; – opravijo čezmejna negotovinska plačila.			2) AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: ni omejitev.			

⁵³ IT: pooblaščen osebe, usposobljene za izvajanje kolektivnega naložbenega poslovanja, se štejejo za odgovorne za vse investicijske dejavnosti, ki jih izvajajo njihovi pooblaščen svetovalci (kolektivno naložbeno poslovanje, razen KNPVP).

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		Dovoljenje za devizno poslovanje, ki ga izda češka nacionalna banka ali ministrstvo za finance, se zahteva v primeru čeških rezidentov brez bančniških pooblastil za: (a) odpiranje in financiranje računa v tujini s strani čeških državljanov, (b) kapitalna plačila v tujini (razen neposrednih tujih naložb), (c) odobritev finančnih kreditov in jamstev, (d) poslovanje z izvedenimi finančnimi instrumenti, (e) nakup tujih vrednostnih papirjev, razen v primerih, navedenih v Zakonu o deviznem poslovanju, (f) izdajo tujih vrednostnih papirjev za javno in nejavno trgovino na Češkem ali njihovo predstavitev na domačem trgu. DE: pri izdaji vrednostnih papirjev, nominiranih v nemških markah, je lahko vodilna banka samo kreditna ustanova, hčerinska gospodarska družba ali podružnica s sedežem v Nemčiji. FI: plačila državnih ustanov (stroški) se posredujejo preko finskega poštne sistema za brezgotovinsko denarno poslovanje pri Postipankki Ltd. Izjemo k tej zahtevi lahko s posebnim razlogom odobri ministrstvo za finance. EL: potrebna je organizacijska enota za opravljanje hrambenih in depotnih storitev, ki vključujejo vodenje plačil obresti in glavnice, predpisanih za vrednostne papirje, izdane v Grčiji.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
		SK: brez obvez za upravljanje s sredstvi. Ni omejitev, razen naslednjega: i) depozitne storitve opravljajo le domače banke in podružnice tujih bank na Slovaškem; (ii) z deviznimi sredstvi lahko poslujejo pooblašene domače banke, podružnice tujih bank na Slovaškem in osebe z dovoljenjem za trgovanje z deviznimi sredstvi; na bratislavski borzi lahko trgujejo le člani borze. Državljeni lahko trgujejo znotraj sistema RM Slovaška brez omejitev, nadržavljeni pa samo prek trgovcev z vrednostnimi papirji; (iii)negotovinska čezmejna plačila lahko izvajajo samo pooblašene domače banke in podružnice tujih bank na Slovaškem. (iv) dovoljenje za devizno poslovanje, ki ga izda slovaška nacionalna banka, je potrebno za: (a) odpiranje računa v tujini s strani slovaških rezidentov brez bančniških pooblastil, razen za fizične osebe med njihovim bivanjem v tujini; (b) kapitalska plačila v tujini; (c) pridobitev finančnega kredita od nerezidenta, ki posluje z devizami, razen za kredite iz tujine, ki jih prejmejo rezidenti, z odplačilno dobo daljšo od treh let, ter za posojila, ki jih izvajajo fizične osebe za neposlovne dejavnosti. (v) za izvoz in uvoz slovaške valute in deviz v gotovini, ki presega vrednost 150 tisoč slovaških kron in plemenitih kovin, se zahteva poročanje.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
		(vi) za polog finančnih sredstev s strani rezidentov v tujini je potrebno dovoljenje ali licenca za devizno poslovanje, ki ga izda organ za devizno poslovanje. (vii) samo devizni subjekti, ustanovljeni na Slovaškem, lahko odobrijo in pridobijo zagotovila in odgovornosti v skladu z določenimi omejitvami in določili slovaške nacionalne banke. UK: izdaje v šterlingih, vključno s privatnimi izdajami, lahko vodi le družba s sedežem v Evropski skupnosti.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		3) ⁵⁴ AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: – Za opravljanje dejavnosti upravljanja skupnih investicijskih skladov in investicijskih družb se zahteva ustanovitev specializirane družbe za upravljanje (člena 6 in 13 Direktive KNPVP, 85/611/EGS). – Samo podjetja z registriranim sedežem v Skupnosti so lahko depozitarji sredstev investicijskih skladov (člena 8.1 in 15.1 Direktive KNPVP, 85/611/EGS). AT: pri trgovanju z vrednostnimi papirji na borzi lahko sodelujejo samo člani avstrijske borze. AT: za trgovanje z devizami in tujimi valutami se zahteva dovoljenje avstrijske nacionalne banke. AT: hipotekarne obveznice in komunalne obveznice lahko izdajajo samo banke, ki so specializirane in pooblašene za to dejavnost. AT: za izvajanje storitev upravljanja pokojninskih skladov je potrebna gospodarska družba, ki je specializirana samo za to dejavnost in je v Avstriji registrirana kot delniška družba. BE: vsaka javna ponudba za pridobitev belgijskih vrednostnih papirjev s strani ali v imenu osebe, družbe ali ustanove izven pristojnosti ene od držav članic Evropske skupnosti se predloži v odobritev ministru za finance.			3) AT, BE, CZ, DK, DE, ES, FI, EL, IE, LU, NL, PT, SK, UK: ni omejitev. FR: poleg francoskih kreditnih ustanov so lahko pri izdajah, nominiranih v francoskih frankih, vodilne banke samo francoske hčerinske gospodarske družbe (po francoskem pravu) nefrancoskih bank, ki pridobijo dovoljenje na osnovi zadostnih sredstev in obveze, ki jih ima v Parizu francoska hčerinska gospodarska družba nefrancoske banke, ki kandidira. Ti pogoji veljajo za vodilne banke, ki vodijo knjige. Nefrancoska banka je lahko – brez omejitev ali zahteve glede ustanavljanja – sovodilna banka (jointly-lead manager) ali pridružena vodilna banka (co-lead manager) pri izdajanju obveznic, nominiranih v eurih in frankih. IT: predstavniška podjetja tujih posrednikov ne morejo izvajati dejavnosti, namenjenih zagotavljanju investicijskih storitev. SE: ustanovitelj bančne družbe je fizična oseba s stalnim bivališčem v Evropski skupnosti ali tuja banka. Ustanovitelj hranilnice je fizična oseba s stalnim bivališčem v Evropski skupnosti.			

⁵⁴ HU: razen Országos Takarékpénztár és Kereskedelmi Bank Rt., kjer se bo dolgoročno državno lastništvo ohranilo na minimalni stopnji 25 % + 1 glas.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze	
		CZ: ni omejitev, razen naslednjega: Bančne storitve lahko izvajajo samo češke banke ali podružnice tujih bank, ki imajo dovoljenje češke nacionalne banke in sporazum z ministrstvom za finance. Dovoljenje se izda na podlagi upoštevanja meril, ki se uporabljajo v skladu z GATS. Hipotekna posojila lahko dajejo le češke banke. Banke so lahko ustanovljene le v obliki delniških družb. Nakup delnic obstoječih bank je pogojen s predhodno odobritvijo češke nacionalne banke. Z vrednostnimi papirji se lahko javno trguje, če je izdano ustrezno dovoljenje in odobren prospekt, ki opredeljuje varnost. Dovoljenje se ne izda, če je javno trgovanje z vrednostnimi papirji v nasprotju z interesi investitorjev, če ni v skladu z vladno finančno politiko ali če ne ustreza zahtevam finančnega trga.⁵⁵ Za ustanovitev in dejavnosti trgovcev z vrednostnimi papirji, borznih posrednikov, borze ali organizatorjev trga OTC, investicijskih družb in investicijskih skladov je potrebno dovoljenje organov, ki je povezano z usposobljenostjo, poštenostjo, upravljanjem in materialnimi zahtevami. Storitve poravn in obračunov za vse načine plačila spremlja in pregleduje češka nacionalna banka ter tako zagotavlja nemoteno in ekonomsko poslovanje.						

⁵⁵ CZ: trenutno se v parlamentu razpravlja o zakonodaji glede odprave merila zahtev finančnega trga.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave					Dodatne obveze
		DK: finančne ustanove se lahko ukvarjajo s trgovanjem z vrednostnimi papirji na kopenhagenski borzi samo preko hčerinskih gospodarskih družb, registriranih na Danskem. ES: finančne ustanove se lahko ukvarjajo s trgovanjem z vrednostnimi papirji, ki kotirajo na uradni borzi ali na trgu državnih vrednostnih papirjev, samo preko podjetij za vrednostne papirje, registriranih v Španiji. FI: vsaj eden od ustanovitelj, članov upravnega odbora, nadzornega sveta in direktor mora imeti stalno prebivališče v Evropski skupnosti. Finančni nadzorni organ lahko odobri izjeme glede izpolnjevanja teh zahtev. Vsaj eden revizor mora imeti stalno bivališče v Evropski skupnosti. FI: borzni posrednik (posameznik) na borzi izvedenih vrednostnih papirjev ima stalno bivališče v Evropski skupnosti. Izjeme pri izpolnjevanju te zahteve se lahko priznajo pod pogoji, ki jih določi ministrstvo za finance. FI: plačila državnih ustanov (stroški) se posredujejo preko finskega poštne sistema za brezgotovinsko denarno poslovanje pri Postipankki Ltd. Izjemo k tej zahtevi lahko s posebnim razlogom odobri ministrstvo za finance. EL: finančne ustanove se lahko ukvarjajo s trgovanjem z vrednostnimi papirji, ki kotirajo na atenski borzi, samo preko borznih podjetij, registriranih v Grčiji.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		EL: za ustanovitev in poslovanje podružnic je treba uvoziti minimalno količino tuje valute, jo pretvoriti v drahme in jo obdržati v Grčiji, dokler tuja banka v Grčiji posluje: – do štirih (4) podružnic je ta minimalni znesek enak polovici minimalnega zneska delniškega kapitala, ki se zahteva za registracijo kreditne ustanove v Grčiji; – za delovanje dodatnih podružnic mora biti minimalni znesek kapitala enak minimalnemu delniškemu kapitalu, ki se zahteva za registracijo kreditne ustanove v Grčiji. IT: pri izvajanju prodaje od vrat do vrat morajo posredniki uporabljati pooblaščen prodajalce finančnih storitev s stalnim bivališčem na ozemlju države članice Evropskih skupnosti. IT: medbančni kliring in poravnava vrednostnih papirjev se lahko izvajata samo preko uradnega klirinškega sistema. Gospodarski družbi, ki ima dovoljenje Banke Italije v soglasju z Consob, se lahko poveri dejavnost kliringa do končne poravnave vrednostnih papirjev. IT: javno ponudbo vrednostnih papirjev (kot je predvidena v členu 18 Zakona 216/74), ki niso delnice ali dolžniški vrednostni papirji (vključno z zamenljivimi dolžniškimi vrednostnimi papirji), lahko dajo samo italijanske družbe z omejeno odgovornostjo, uradno odobrene tuje gospodarske družbe, javni organi ali gospodarske družbe, ki pripadajo lokalnim oblastem, katerih preneseni kapital ni nižji od 2 milijard italijanskih lir.						

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
	IE: oseba, ki želi postati član borze na Irskem, mora biti (I) pooblaščen na Irskem, za kar mora biti registrirana ali mora biti partnerska družba z glavnim/registriranim sedežem na Irskem, ali (II) biti pooblaščen v drugi državi članici v skladu z Direktivo ES o investicijskih storitvah. IE: za zagotavljanje investicijskih storitev ali svetovanja v zvezi z investicijami se zahteva (I) pooblastilo na Irskem, ki ponavadi zahteva, da je oseba registrirana ali je partner ali pa je samostojni trgovec, ki mora imeti sedež/registrirani sedež na Irskem (nadzorni organ lahko pooblasti tudi podružnice oseb iz tretjih držav) ali (II) pooblastilo v drugi državi članici v skladu z Direktivo ES o investicijskih storitvah. PT: za ustanovitev nesкупnostnih bank je potrebno dovoljenje ministra za finance, ki se izda za vsak primer posebej. Ustanovitev mora prispevati k povečanju učinkovitosti nacionalnega bančnega sistema ali imeti pomembne učinke na internacionalizacijo portugalskega gospodarstva.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			PT: storitev v zvezi s tveganim kapitalom ne smejo zagotavljati podružnice družb za tvegani kapital, ki imajo svoj glavni sedež v državi nečlanici ES. Storitve borznih posrednikov na lizbonski borzi lahko opravljajo samo borznoposredniške družbe, registrirane na Portugalskem, ali podružnice investicijskih družb, ki imajo dovoljenje za opravljanje teh storitev v drugi državi članici in v svoji matični državi. Borznoposredniških storitev na borzi izvedenih finančnih instrumentov Oporto in na trgu OTC ne morejo opravljati podružnice borznoposredniških družb iz držav nečlanice ES. Upravljanje pokojninskih skladov lahko zagotavljajo samo družbe, registrirane na Portugalskem, in zavarovalniške družbe, ustanovljene na Portugalskem, ki imajo dovoljenje za opravljanje dejavnosti življenjskega zavarovanja. SK: bančne storitve lahko izvajajo samo slovaške banke ali podružnice tujih bank, ki imajo dovoljenje slovaške nacionalne banke in sporazum z ministrstvom za finance. Odobritev dovoljenja temelji na upoštevanju meril, ki so še posebno povezana z dotacijskim ustanovitvenim kapitalom (finančna moč), strokovno usposobljenostjo, poštenostjo in sposobnostjo upravljanja načrtovanih bančniških dejavnosti. Banke so pravni subjekti, registrirani na Slovaškem, ustanovljeni kot delniške družbe ali javne (državne) finančne ustanove. Nakup delnic, s katerim je izražen interes za lastniški kapital obstoječe poslovne banke in presega določeno omejitev, mora predhodno odobriti slovaška nacionalna banka.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
		Investicijske storitve lahko na Slovaškem izvajajo banke, investicijske družbe, investicijski skladi in posredniki vrednostnih papirjev, katerih pravna oblika je delniška družba z zakonsko določenim lastniškim kapitalom. Tuja investicijska družba ali investicijski sklad mora dobiti dovoljenje ministrstva za finance za prodajo lastnih vrednostnih papirjev ali enot investicijskih certifikatov na ozemlju Slovaške, kot je določeno z zakonom. Za izdajo dolžniških vrednostnih papirjev je potrebno dovoljenje ministrstva za finance, tako za izdajo v državi kot v tujini. Izdajanje vrednostnih papirjev in trgovanje z njimi je možne šele potem, ko ministrstvo za finance odobri dovoljenje za javno trgovanje v skladu z zakonom o vrednostnih papirjih. Za delovanje posrednika vrednostnih papirjev, borznega posrednika ali organizatorja trga OTC je potrebno dovoljenje ministrstva za finance. Storitve poravnave in obračunov za vse vrste plačil ureja slovaška nacionalna banka. Storitve poravnave in obračunov, povezanih s spremembo fizične lastnine vrednostnih papirjev, so zabeležene na centru za varnostne papirje (hiša za obračun in poravnavo vrednostnih papirjev). Center za vrednostne papirje lahko izvaja le prenose znotraj lastniških računov lastnikov vrednostnih papirjev. Obračun in poravnava denarnih sredstev poteka prek bančniške hiše za obračune in poravnave – (pri kateri je slovaška nacionalna banka glavni delničar) za borzo v Bratislavi, preko delniške družbe ali računa Jumbo v sistemu RM Slovaška.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave			Dodatne obveze
	UK: posredniki med borznimi trgovci, ki so kategorija finančnih ustanov, ki opravljajo borzne posle z državnim dolgom, morajo imeti sedež v Evropsko skupnosti in biti ločeno kapitalizirani. SE: podjetja, ki niso registrirana na Švedskem, so lahko tržno prisotna samo v obliki podružnice, banke, pa tudi predstavniškega podjetja. 4) <u>GZD in PO</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: Sociétés d'investissement à capital fixe: državljanstvo se zahteva za predsednika upravnega odbora, generalne direktorje in vsaj dve tretjini upravnega osebja, in če ima podjetje, ki se ukvarja z vrednostnimi papirji, nadzorni odbor ali svet, tudi za člane takšnega odbora ali generalnega direktorja ter za najmanj dve tretjini članov nadzornega sveta. EL: kreditne ustanove morajo imenovati vsaj dve osebi, ki sta odgovorni za delovanje ustanove. Za te osebe se zahteva stalno bivališče. <u>PPS</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez.				4) <u>GZD in PO</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: IT: zahteva se stalno bivališče na ozemlju države članice Evropskih skupnosti za „promotorji di servizi finanziari“ (prodajalce finančnih storitev). <u>PPS</u> AT, BE, CZ, DK, DE, ES, FI, FR, EL, HU, IT, IE, LU, NL, PT, SE, SK, UK: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
7.	SEKTOR FINANČNIH STORITEV (drugi del) ⁵⁶							
1.	Obveze glede finančnih storitev preostalega dela ES (CY, EE, LV, LT, MT, PL, SI) so v naslednjem oddelku.							
2.	CY: velja kot dogovorjeno, da se ta lista razlaga v povezavi s horizontalnimi obvezami, ki veljajo za vse sektorje/podsektorje, ki jih je Ciper predložil v svoji listi specifičnih obvez do GATS in s seznamom izdelkov II (MFN) Izjeme.							
3.	CY: tudi če na listi ni navedenih omejitev ali pogojev, veljajo naslednji splošni pogoji ali omejitve: (i) upoštevanje nacionalne varnosti in ciljev javne politike; (ii) ta lista se v ničemer ne nanaša na storitve, ki se zagotavljajo pri opravljanju vladnih funkcij. Prav tako ne vpliva na ukrepe, ki se nanašajo na trgovino z blagom in lahko predstavljajo vložek v navedeno storitev ali v druge storitve. Poleg tega še naprej veljajo omejitve dostopa na trg ali nacionalna obravnava glede storitev, ki lahko pomenijo vložek v storitve z liste ali se uporabijo za njihovo zagotavljanje.							
4.	CY: zakoni in predpisi, navedeni v tej listi, se ne smejo razlagati kot izčrpní sklici na vse zakone in predpise, ki veljajo za finančni sektor. Na primer prenos informacij, ki vsebujejo osebne podatke, bančne zaupne podatke ali poslovne skrivnosti ni dovoljen. Tak prenos ureja domača zakonodaja o zaščiti zaupnosti informacij o strankah bank. Poleg tega se opozarja, da nediskriminatorni kakovostni ukrepi, ki se nanašajo na tehnične standarde, javno zdravje in okoljske vidike, izdajo dovoljenj, skrbno presojo, poklicne kvalifikacije in zahteve glede pristojnosti, niso bili navedeni kot pogoji ali omejitve dostopa na trg in nacionalne obravnave.							
5.	CY: neregulirane finančne storitve in izdelki ter sprejetje novih finančnih storitev ali izdelkov na trg so lahko pogojeni z obstojem ali uvedbo regulativnega okvira, katerega namen je doseči cilje, navedene v členu 2(a) priloge „Finančne storitve,,.							
6.	CY: zaradi deviznega nadzora velja na Cipru naslednje: - rezidentom med bivanjem v tujini ni dovoljen nakup bančnih storitev, ki lahko vključujejo prenos sredstev v tujino; - za posojila nerezidentom/tujcem ali podjetjem, ki jih upravljajo tujci, je potrebno dovoljenje centralne banke; - dovoljenje centralne banke je prav tako potrebno, če želijo nerezidenti pridobiti vrednostne papirje; - s tujimi valutami lahko poslujejo le banke, katerim je centralna banka podelila status „pooblaščenega trgovca“.							
7.	MT: v zvezi z obvezami iz načina (3) lahko na podlagi zakonov, ki urejajo devizni nadzor, nerezidenti, ki želijo izvajati storitve preko v Malti registriranega podjetja, to storijo s predhodnim dovoljenjem centralne banke Malte. Za družbe, ki sodelujejo z nerezidenčnimi pravnimi ali fizičnimi osebami, znaša minimalni delniški kapital vsaj 10 000 malteških lir, od katerih mora biti vplačanih 50 %. Delež nerezidentov mora biti plačan s sredstvi iz tujine. Družbe, pri katerih so udeležene pravne ali fizične nerezidenčne osebe, morajo v skladu z ustrezno zakonodajo za pridobitev prostorov z zaprositi za dovoljenje ministristvo za finance.							
8.	MT: v zvezi z obvezami iz načina (4) še naprej veljajo zahteve malteških zakonov in drugih predpisov, ki se nanašajo na vstop, bivanje, pridobitev nepremičnin, delo in ukrepe socialne varnosti, vključno s predpisi o času bivanja, najnižji plači kakor tudi kolektivni pogodbi o plačah. Za izdajo dovoljenj za vstop, delo in bivanje je pristojna vlada Malte.							

⁵⁶ PL: na Poljskem se pripravljajo previdnostni ukrepi v finančnem sektorju. Morda bodo zahtevali spremembo trenutno veljavnih pravil ter pripravo novih zakonov. Uporabljali se bodo v skladu z določili priloge „Finančne storitve“, prvim pododstavkom drugega odstavka „Notranja ureditev“.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
9.	MT: v zvezi z obvezami iz načinov (1) in (2) lahko na podlagi zakonodaje, ki ureja devizni nadzor, rezidenti za portfeljsko naložbo prenesejo v tujino letno do 5 000 Lm. Za zneske, ki presegajo 5 000 Lm, je potrebno dovoljenje deviznega nadzora.							
10.	MT: rezidenti lahko najamejo čezmorska posojila brez dovoljenja nadzora nad menjavo, če se posojilo najema za obdobje več kot tri leta. Taka posojila pa se morajo registrirati na centralni banki.							
11.	SI: sprejem novih finančnih storitev ali izdelkov na trg je lahko pogojen z obstojem regulativnega okvira in skladnostjo s tem okvirom, katerega namen je doseči cilje, navedene v členu 2(a) priloge „Finančne storitve“.							
12.	SI: kot splošno pravilo in na nediskriminatoren način morajo finančne ustanove, registrirane v Sloveniji, sprejeti posebno pravno obliko.							
13.	SI: zavarovalniške in bančne dejavnosti morajo opravljati pravno ločeni izvajalci finančnih storitev.							
14.	SI: investicijske storitve lahko izvajajo samo banke in investicijske družbe.							
A.	<u>Zavarovalniške in sorodne storitve</u>							
1.	EE: glede storitev obveznega socialnega varstva ni obvez.							
2.	LV: (i), (ii) (3): kot splošno pravilo in na nediskriminatoren način morajo tuje zavarovalnice sprejeti posebno pravno obliko – delniško družbo. Pravica do neposrednega ustanavljanja tujih podružnic je bila uvedena 31. decembra 2002.							
3.	LV: (iii) (3): posrednik je lahko samo fizična oseba (državljanstvo se ne zahteva) in lahko izvaja storitve v imenu zavarovalniške družbe, ki ima dovoljenje latvijskega organa za nadzor zavarovalnic.							
4.	LT: vsi podsektorji: zavarovalnice ne smejo ponujati življenjskega in obenem neživljenjskega zavarovanja. Za ti dve vrsti (a) in (b) morata biti ustanovljeni ločeni družbi.							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
(i)	Neposredno zavarovanje (vključno s sozavarovanjem):	1)	CY:			1)	CY, EE, LV, LT: ni omejitev.	
(a)	življenjsko,	<u>Življenjsko zavarovanje</u>			MT:			
(b)	neživljenjsko,	Zavarovatelji na Cipru ne smejo izvajati storitev življenjskega zavarovanja, če nimajo dovoljenja, ki ga v skladu z zakoni o zavarovalnicah izda glavni zavarovalniški nadzornik.			<u>Življenjsko zavarovanje, neživljenjsko zavarovanje in pozavarovanje ter retrocesija:</u>			
(ii)	Pozavarovanje in retrocesija	<u>Neživljenjsko zavarovanje</u>			ni omejitev.			
(iii)	Posredovanje zavarovanja, na primer borzno posredništvo in zastopništvo.	Zavarovatelji na Cipru ne smejo izvajati storitev neživljenjskega zavarovanja (razen pomorskega, letalskega in tranzitnega), če nimajo dovoljenja, ki ga v skladu z zakoni o zavarovalnicah izda glavni zavarovalniški nadzornik.			<u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u>			
CY:	ni obvez.	<u>Pozavarovanje in retrocesija</u>			brez obvez.			
		Tuji zavarovatelji, ki imajo dovoljenje glavnega zavarovalniškega nadzornika (na podlagi meril varnega poslovanja) lahko izvajajo storitve pozavarovanja in retrocesije za zavarovalnice, ki so ustanovljene in registrirane na Cipru.			PL:			
(iv)	Pomožne zavarovalniške storitve, kot so svetovanje, aktuarske storitve, ocena tveganja in obravnavanje odškodninskih zahtevkov.	EE: ni omejitev.			brez obvez, razen za pozavarovanje, retrocesijo in zavarovanje blaga v mednarodni trgovini.			
		LV:			SI:			
		<u>življenjsko zavarovanje, neživljenjsko zavarovanje in posredovanje zavarovanja:</u>			storitve pomorskega, zračnega in transportnega zavarovanja, posredovanje zavarovanja ter pomožne zavarovalniške storitve:			
		brez obvez.			ni omejitev.			
CY:	ni obvez.	<u>Pozavarovanje in retrocesija ter pomožne zavarovalniške storitve:</u>			<u>Življenjsko zavarovanje, neživljenjsko zavarovanje (razen pomorskega, zračnega in transportnega zavarovanja) in pozavarovanje ter retrocesija:</u>			
PL:	ni obvez.	ni omejitev.			brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		
		LT: <u>Življenjsko zavarovanje, neživljenjsko zavarovanje (razen pomorskega in letalskega zavarovanja) ter posredovanje zavarovanja:</u> brez obvez. <u>Pomorsko in letalsko zavarovanje, pozavarovanje in retrocesija ter pomožne zavarovalniške storitve:</u> ni omejitev. MT: <u>Pomorsko, letalsko in transportno zavarovanje, pozavarovanje ter retrocesija in posredovanje zavarovanja:</u> ni omejitev. <u>Življenjsko zavarovanje, neživljenjsko zavarovanje (razen za pomorsko, letalsko in transportno zavarovanje), pozavarovanje in retrocesija (razen za pomorsko, letalsko in transportno zavarovanje) ter pomožne bančne storitve:</u> brez obvez. PL: brez obvez, razen za pozavarovanje, retrocesijo in zavarovanje blaga v mednarodni trgovini. SI: <u>pomorsko, zračno in transportno zavarovanje:</u> Zavarovalniške dejavnosti, ki jih izvajajo vzajemne zavarovalniške ustanove, so omejene na registrirane družbe s sedežem v Sloveniji. <u>Življenjsko zavarovanje, neživljenjsko zavarovanje (razen pomorskega, zračnega in transportnega zavarovanja), pozavarovanje ter retrocesija, posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> brez obvez.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		2) CY, EE, LV, LT: ni omejitev. MT: <u>živiljenjsko zavarovanje, neživiljenjsko zavarovanje in pozavarovanje ter retrocesija:</u> ni omejitev. <u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> brez obvez. PL: brez obvez, razen za pozavarovanje, retrocesijo in zavarovanje blaga v mednarodni trgovini. SI: <u>pomorsko, zračno in transportno zavarovanje:</u> Zavarovalniške dejavnosti, ki jih izvajajo vzajemne zavarovalniške ustanove, so omejene na registrirane družbe s sedežem v Sloveniji. <u>Živiljenjsko zavarovanje in neživiljenjsko zavarovanje (razen pomorskega, zračnega in transportnega zavarovanja):</u> brez obvez. <u>Pozavarovanje in retrocesija</u> Pozavarovalne družbe v Sloveniji imajo prednost pri zbiranju zavarovalnih premij. Če te družbe ne morejo izravnati vseh tveganj, so lahko pozavarovana in retrocesirana v tujini. (Ni omejitev po sprejetju novega zakona o zavarovalnicah).			2) CY, EE, LV, LT: ni omejitev. MT: <u>živiljenjsko zavarovanje, neživiljenjsko zavarovanje in pozavarovanje ter retrocesija:</u> ni omejitev. <u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> brez obvez. PL: brez obvez, razen za pozavarovanje, retrocesijo in zavarovanje blaga v mednarodni trgovini. SI: <u>pomorsko, zračno in transportno zavarovanje, pozavarovanje ter retrocesija, posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> ni omejitev. <u>Živiljenjsko zavarovanje in neživiljenjsko zavarovanje (razen pomorskega, zračnega in transportnega zavarovanja):</u> brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> ni omejitev. 3) CY: <u>Življenjsko in neživljenjsko zavarovanje:</u> Na Cipru ali s Cipra ne more delovati noben, zavarovatelj, če nima dovoljenja, ki ga izda glavni zavarovalniški nadzornik, v skladu z zakoni o zavarovalnicah. Tuje zavarovalniške družbe lahko na Cipru delujejo preko ustanovljene podružnice ali agencije. Da lahko tuji zavarovatelj sploh ustanovi podružnico ali agencijo, mora imeti predhodno dovoljenje za delovanje v matični državi. Za udeležbo nerezidentov v zavarovalnicah, registriranih na Cipru, je potrebno predhodno dovoljenje centralne banke. Obseg tuje udeležbe se določi na podlagi posameznega primera v skladu z gospodarskimi potrebami. <u>Pozavarovanje in retrocesija</u> Na Cipru družbe ne morejo delovati kot pozavarovatelji, če nimajo dovoljenja glavnega zavarovalniškega nadzornika. Nerezidenti lahko v pozavarovalnice investirajo le s predhodnim dovoljenjem centralne banke. Delež tujega sodelovanja v kapitalu lokalnih pozavarovalnic se določi za vsak primer posebej. Trenutno ni lokalnih pozavarovalnic. EE, LV, LT: ni omejitev. MT: možna zahteva po testu ekonomskih potreb.			3) CY, LV, LT, MT, PL: ni omejitev. EE: <u>Življenjsko in neživljenjsko zavarovanje:</u> ni omejitev, razen tega, da lahko pravni organ zavarovalniške delniške družbe s sodelovanjem tujega kapitala vključuje državljanе tujih držav skladno z deležem tujega sodelovanja, vendar pa mora polovica članov upravnega odbora, vodja uprave hčerinske družbe ali neodvisnega podjetja imeti stalno bivališče v Estoniji. <u>Pozavarovanje in retrocesija, posredovanje zavarovanja ter pomožne zavarovalniške storitve:</u> ni omejitev. SI: <u>Življenjsko zavarovanje, neživljenjsko zavarovanje in pozavarovanje ter retrocesija:</u> ni omejitev. <u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> za individualne lastnike se zahteva stalno bivališče v Sloveniji.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze
			PL: ustanovitev je mogoča samo s predhodnim dovoljenjem in le v obliki delniške družbe – razen za storitve posredovanje zavarovanja, pri katerih veljajo horizontalne zahteve. Po 1. januarju 1999 ali datumu začetka veljavnosti Petega protokola, pri čemer se upošteva poznejši datum, bo mogoč dostop na trg preko pooblaščenih podružnic. Zahteva po dovoljenju za pridobitev delnic ali pravic na podlagi delnic katere koli družbe, ki je delničar najmanj 15 % delnic zavarovalniške družbe, preneha veljati 1. januarja 1999 ali na datum začetka veljavnosti Petega protokola, pri čemer se upošteva poznejši datum. V tujino se ne sme investirati več kot 5 % zavarovalniških skladov. Oseba, ki se ukvarja z dejavnostjo posredovanja zavarovanja, mora imeti licenco. Posredniki zavarovanja morajo biti ustanovljeni na Poljskem.					
			SI: <u>Življenjsko in neživljenjsko zavarovanje:</u> Za ustanovitev je potrebno dovoljenje ministrstva za finance. Tujci lahko zavarovalnico ustanovijo samo v obliki mešane družbe z domačo osebo, največji dovoljeni delež tujih oseb znaša 99 %. Omejitev največjega dovoljenega tujega lastniškega deleža bo odpravljena s sprejetjem novega zakona o zavarovalniških družbah. Tujci lahko pridobijo ali povečajo delež v domači zavarovalnici le s predhodnim dovoljenjem ministrstva za finance.					

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
	Ob izdaji licence ali odobritve za pridobitev delnic domače družbe ministrstvo za finance upošteva naslednja merila: – porazdelitev lastništva delnic in obstoj delničarjev iz različnih držav; – ponudbo novih zavarovalniških produktov in prenos z njimi povezanega znanja, če je tuji vlagatelj zavarovalniška družba. Brez obvez glede tuje udeležbe v zavarovalnicah, ki so v postopku privatizacije. Članstvo v vzajemni zavarovalniški ustanovi je omejeno na družbe s sedežem v Sloveniji in na domače fizične osebe. <u>Pozavarovanje in retrocesija</u> Tuja udeležba v pozavarovalnici je omejena do nadzornega deleža kapitala. (Ni omejitev, razen za podružnice ob sprejetju novega zakona o zavarovalnicah). <u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> Za izvajanje storitev svetovanja in poravnave škod je potrebna registracija pravnega subjekta s soglasjem predsedstva zavarovalnice. Izvajanje storitev na področju aktuarstva in dejavnosti ocene tveganja se lahko izvajajo samo preko strokovne ustanove. Delovanje je omejeno na dejavnosti v okviru točk 7A(i) in (ii) te liste.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> CY: <u>Življenjsko in neživljenjsko zavarovanje:</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>Pozavarovanje in retrocesija</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Fizične osebe nimajo dovoljenja za opravljanje storitev pozavarovanja. EE, LV, LT, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednje posebne omejitve: za posrednike zavarovanja se zahteva stalno bivališče. SI: <u>Življenjsko zavarovanje, neživljenjsko zavarovanje in pozavarovanje ter retrocesija:</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>Posredovanje zavarovanja in pomožne zavarovalniške storitve:</u> Brez obvez, kot je navedeno v oddelku horizontalnih obvez, ter za storitve na področju aktuarstva in ocene tveganja, za katere se zahteva stalno bivališče in strokovni izpit, članstvo v Slovenskem aktuarskem društvu in aktivno znanje slovenščine.			4) <u>GZD in PO</u> CY: <u>Življenjsko in neživljenjsko zavarovanje:</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>Pozavarovanje in retrocesija</u> brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Fizične osebe nimajo dovoljenja za opravljanje storitev pozavarovanja. EE, LT, MT, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV, PL: ni omejitev.			

Oblika ponudbe: (1) Čezmejno poslovanje (2) Potrošnja v tujini (3) Tržna prisotnost (4) Prisotnost fizičnih oseb

Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze
	<u>PPS</u> CY, EE, LV, LT, MT, PL, SI: brez obvez. V CY fizične osebe nimajo dovoljenja za opravljanje storitev pozavarovanja.	<u>PPS</u> CY: <u>Življenjsko in neživljenjsko zavarovanje:</u> brez obvez. <u>Pozavarovanje in retrocesija</u> brez obvez. Fizične osebe nimajo dovoljenja za opravljanje storitev pozavarovanja. LT, MT, PL, SI: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez. LV: ni omejitev.	
B. <u>Bančne in druge finančne storitve</u> (razen zavarovanja): 1. CY: zakonska zahteva, ki se uporablja nediskriminatno, je, da morajo biti banke, ki nudijo storitve v Republiki Ciper, pravni subjekti. Pravni subjekti vključujejo podružnice tujih bank/finančnih ustanov, ki so registrirane na Cipru. 2. CY: posredno ali neposredno lastništvo osebe ali njenih družbenikov ali glasovalne pravice v banki ne smejo presegati 10 %, razen v primeru predhodnega dovoljenja centralne banke. 3. CY: poleg zgoraj navedenega velja, da je v treh obstoječih bankah, ki kotirajo na borzi, neposredno ali posredno lastništvo delnic ali pridobitev deleža kapitala za tujce omejeno na 0,5 % na posameznika ali organizacijo in skupno 6,0 %. 4. LV: način 4: vodje podružnic ali hčerinskih družb tujih bank morajo biti latvijski davkoplačevalci (rezidenti). Obveze glede prisotnosti fizičnih oseb so omejene v skladu s splošnimi določbami, ki veljajo za vse sektorje na tej listi. 5. LT: vsi podsektorji: pri načinu 3 mora biti vsaj ena vodstvena oseba litovski državljan.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
(v)	Sprejemanje depozitov in drugih vračljivih sredstev od občanov	1) CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez/bančne storitve na Cipru lahko izvajajo samo pravne osebe, ki imajo dovoljenje centralne banke. <u>Podsektor (x) (e)</u> : ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez.	1) CY: brez obvez, razen za <u>Podsektor (x) (e)</u> : ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez. EE, LV, LT, SI: ni omejitev. MT: <u>podsektorja (v) in (vi)</u> : ni omejitev. <u>podsektor (xv)</u> : brez obvez, razen za mednarodne ponudnike finančnih informacij. PL: brez obvez, razen za <u>podsektor (xv)</u> : ni omejitev.					
(vi)	Vse vrste posojil, vključno s potrošniškimi krediti, hipotekarnimi posojili, in faktoringom in financiranjem trgovinskih transakcij.	EE: <u>sprejemanje depozitov in drugih vračljivih sredstev od občanov</u> Zahteva se dovoljenje banke Eesti Pank in registracija kot delniška družba, hčerinska družba ali podružnica, kot to določajo estonski zakoni. EE, LT: - Za izvajanje dejavnosti upravljanja vzajemnih skladov in investicijskih družb je potrebna ustanovitev specializirane družbe (člena 6 in 13 Direktive KNPVP, 85/611/EGS). - Samo podjetja s sedežem v Skupnosti so lahko skrbniki premoženja v investicijskih skladih (člena 8.1 in 15.1 Direktive KNPVP, 85/611/EGS). LV: brez obvez, razen za <u>podsektorje (xi) (xv) in (xvi)</u> : ni omejitev. LT: <u>upravljanje pokojninskih skladov</u> : zahteva se poslovna prisotnost.						
(vii)	Finančni zakup							
MT: ni obvez.								
PL: ni obvez.								
(viii)	Opravljanje vseh storitev plačilnega prometa in prenosa denarja, vključno s kreditnimi plačili in bančnimi plačili karticami, potovalnimi čeki in bančnimi menicami;							
MT: ni obvez.								
(ix)	Jamstva in obvez							
MT: ni obvez.								
PL: Jamstva in finančne obveze državne blagajne so izvzete.								

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
(x) Trgovanje za lastni račun ali za račun strank, bodisi na borzi, na trgu OTC ali drugače:	MT: <u>podsektorja (v) in (vi)</u> : ni omejitev. <u>podsektor (xv)</u> : brez obvez, razen za mednarodne ponudnike finančnih informacij. PL: brez obvez, razen za <u>podsektor (xv)</u> : v primeru čezmejnega izvajanja teh storitev se zahteva uporaba javnega telekomunikacijskega omrežja ali omrežja drugega pooblaščenega operaterja.							
(a) z instrumenti denarnega trga (ki zajemajo čke, menice, depozitne certifikate);								
(b) s tujo valuto;								
(c) z izvedenimi finančnimi instrumenti, ki vključujejo terminske posle in opcije, vendar niso omejeni z njimi;								
(d) z instrumenti menjalnih tečajev in obrestnih mer, vključno s produkti, kot so posli zamenjave (swap) in nestandardizirane terminske pogodbe;								
(e) s prenosljivimi vrednostnimi papirji								
(f) z drugimi prenosnimi vrednostnimi papirji in finančnimi sredstvi, vključno s plemenitimi kovinami.								
CY: Obveze samo za (x) (b) in (e).								
MT: ni obvez.								
PL: Obveze samo za (x) (e).								

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
(xi)	Udeležba pri izdaji vseh vrst vrednostnih papirjev, vključno z vpisom primarne izdaje vrednostnih papirjev in plasiranjem (javnim ali zasebnim) prek agenta, ter zagotavljanjem storitev, povezanih s takšnimi izdajami. CY: ni obvez. MT: ni obvez. PL: izvzeta je udeležba pri izdaji zakladnih papirjev. SI: izvzeta je udeležba pri izdaji zakladnih menic.	2) CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez. Rezidenti Cipra morajo imeti dovoljenje centralne banke v skladu z zakonom o nadzoru deviznega poslovanja, če želijo posojila tujih valut v tujini ali bančne storitve, za katere je potreben izvoz sredstev. <u>Podsektor (x) (e)</u> : ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez. EE, LV, LT: ni omejitev. MT: <u>podsektorja (v) in (vi)</u> : ni omejitev. <u>podsektor (xv)</u> : brez obvez, razen za mednarodne ponudnike finančnih informacij. PL: brez obvez, razen za <u>podsektor (xv)</u> : ni omejitev.			2) CY: brez obvez, razen za <u>Podsektor (x) (e)</u> : ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez. EE, LV, LT, SI: ni omejitev. MT: <u>podsektorja (v) in (vi)</u> : ni omejitev. <u>podsektor (xv)</u> : brez obvez, razen za mednarodne ponudnike finančnih informacij. PL: brez obvez, razen za <u>podsektor (xv)</u> : ni omejitev.			
(xii)	Denarnoposredniški posli CY: ni obvez. MT: ni obvez. PL: ni obvez.		brez obvez, razen za mednarodne ponudnike finančnih informacij. PL: brez obvez, razen za <u>podsektor (xv)</u> : v primeru uporabe teh storitev v tujini se zahteva uporaba javnega telekomunikacijskega omrežja ali omrežja drugega pooblaščenega operaterja.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
(xiii)	Upravljanje premoženja, kot na primer upravljanje gotovine ali portfelja, vse oblike upravljanja skupnih investicij, upravljanje pokojninskih skladov, depotne in skrbniške storitve ter storitve upravljanja skladov.	SI: ni omejitev za podsektorja (xv) in (xvi). Brez obvez, razen za sprejemanje kreditov (posojil vseh vrst) in sprejemanje jamstev ter obvez od tujih kreditnih ustanov s strani domačih pravnih subjektov in individualnih lastnikov. (Pripomba: potrošniški krediti bodo neomejeni s sprejetjem novega zakona o deviznem poslovanju). Vsi zgoraj omenjeni kreditni posli morajo biti registrirani pri Banki Slovenije. (Pripomba: ta določba bo odpravljena s sprejetjem novega zakona o bančništvu.) Pravni subjekti, ustanovljeni v Sloveniji, so lahko depozitarji sredstev investicijskih skladov.						
	CY: ni obvez.							
	MT: ni obvez.							
	PL: samo storitve upravljanja portfelja.							
	SI: brez upravljanja pokojninskih skladov.							
(xiv)	Storitve v zvezi s poravnavamami in obračuni finančnih sredstev, vključno z vrednostnimi papirji, izvedenimi produkti in drugimi prenosnimi vrednostnimi papirji.							
	CY: ni obvez.							
	MT: ni obvez.							
	PL: ni obvez.							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
(xv) Zagotavljanje in posredovanje finančnih informacij, obdelave finančnih podatkov in z njimi povezane programske opreme s strani izvajalcev drugih finančnih storitev. CY: ni obvez.	3) EE, LV: - Za opravljanje dejavnosti upravljanja skupnih investicijskih skladov in investicijskih družb se zahteva ustanovitev specializirane družbe za upravljanje (člena 6 in 13 Direktive KNPVP, 85/611/EGS). - Samo podjetja z registriranim sedežem v Skupnosti so lahko depozitarji sredstev investicijskih skladov (člena 8.1 in 15.1 Direktive KNPVP, 85/611/EGS). CY: <u>podsektorji (v) do (ix) in (x) (b):</u> za nove banke veljajo naslednje zahteve: (a) Za izvajanje bančnih poslov se zahteva dovoljenje centralne banke. Centralna banka lahko za odobritev dovoljenja preveri gospodarske potrebe. (b) Podružnice tujih bank morajo biti registrirane na Cipru v skladu z zakonom o gospodarskih družbah in zakonom o bančništvu. <u>Podsektor (x) (e):</u> samo člani (borzni posredniki) ciprske borze lahko izvajajo storitve, povezane s posredništvom vrednostnih papirjev na Cipru. Podjetja, ki delujejo kot posredniki, lahko zaposlijo le posameznike, ki lahko poslujejo kot posredniki, pod pogojem da imajo ustrezna dovoljenja. Banke in zavarovalnice ne morejo opravljati posredniških poslov. Take posle lahko opravljajo njihove hčerinske posredniške družbe.				3) CY: <u>podsektorji (v) do (ix) in (x) (b):</u> ni omejitev, ko so ustanovljene in licencirane. <u>Podsektor (x) (e):</u> borzno posredniško podjetje je lahko registrirano kot član ciprske borze, če je bilo ustanovljeno in registrirano v skladu s ciprskim zakonom o gospodarskih družbah. EE, LV, LT, PL, SI: ni omejitev. MT: brez obvez, razen za <u>podsektorja (v), (vi) in (xv):</u> ni omejitev.			
(xvi) Svetovalne, posredniške in druge pomožne finančne storitve za vse dejavnosti, navedene v točkah pododstavkih od (v) do (xv), vključno z bonitetnimi podatki in analizo, raziskavami in svetovanjem glede investicij in portfelja, svetovanje pri nakupih ter prestrukturiranju in strategiji podjetij CY: ni obvez. MT: ni obvez. PL: Svetovalne in druge pomožne finančne storitve samo v povezavi z dejavnostmi, ki so obveza za Poljsko.								

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
SI:	Razen svetovalnih, posredniških in drugih pomožnih finančnih storitev, ki so povezane z udeležbo pri izdaji državnih obveznic in upravljanjem sredstev pokojninskih skladov.	LV: <u>podsektor (xi)</u>: banka Latvije (centralna banka) je finančni agent za potrebe države na trgu zakladnih menic. <u>Podsektor (xiii)</u>: upravljanje s sredstvi pokojninskih skladov zagotavlja državni monopol. LT: brez omejitev, razen kot je navedeno v oddelku horizontalnih zavez „Bančne in druge finančne storitve“, in za: <u>podsektor (vii)</u>: Finančni zakup se lahko omeji le na posebne finančne ustanove (kot so banke in zavarovalniške družbe). Ni omejitev od 1. januarja 2001, razen kot je navedeno v oddelku horizontalnih obvez v delu „Bančne in druge finančne storitve“. <u>Podsektor (xiii)</u>: mogoča je ustanovitev javnih delniških družb in zaprtih družb, ki jih je treba ustanoviti na zaprt način (vse prvotno izdane delnice pridobijo ustanovitelji). Za upravljanje s sredstvi je treba ustanoviti specializirano družbo za upravljanje. Samo podjetja s sedežem, registriranim v Litvi, so lahko depozitarji sredstev. V skladu z navedbami horizontalnih obvez v delu „Bančne in druge finančne storitve“. MT: brez obvez, razen za <u>podsektorja (v) in (vi)</u>: kreditne in druge finančne ustanove v tuji lasti lahko delujejo v obliki podružnice ali lokalne hčerinske družbe. Pogoj za dovoljenje je lahko preveritev gospodarskih potreb.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		PL: <u>podsektorji (v), (vi), (viii) in (ix) (razen jamstev in obvez državne blagajne):</u> ustanovitev banke je mogoča le v obliki delniške družbe. Sistem dovoljenj glede ustanavljanja vseh bank na podlagi varnega in skrbnega poslovanja. Po 1. januarju 1999 ali datumu začetka veljavnosti Petega protokola, pri čemer se upošteva poznejši datum, bo mogoč dostop na trg preko pooblaščenih podružnic. Najmanj za enega bančnega vodstvenega delavca se zahteva državljanstvo. <u>Podsektorji (x) (e), (xi) (razen udeležbe pri izdaji zakladnih papirjev), (xiii) (samo storitve upravljanja portfelja) in (xvi) (svetovanje in druge pomožne finančne storitve samo v zvezi z dejavnostmi, ki so obveza za Poljsko):</u> Ustanovitev je mogoča samo s predhodnim dovoljenjem in le v obliki delniške družbe ali podružnice tuje pravne osebe, ki opravlja storitve z vrednostnimi papirji. <u>Podsektor (xv):</u> v primeru čezmejnega izvajanja in/ali porabe v tujini teh storitev se zahteva uporaba javnega telekomunikacijskega omrežja ali omrežja drugega pooblaščenega operaterja. SI: ni omejitev za podsektorja (xv) in (xvi). Za ustanovitev kakršnih koli vrst bank je potrebno dovoljenje Banke Slovenije. Dovoljenje Banke Slovenije je prav tako potrebno, če želijo tujci postati delničarji bank ali pridobiti dodatne delnice bank. (Pripomba: ta določba bo odpravljena s sprejetjem novega zakona o bančništvu.)						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		Z dovoljenjem Banke Slovenije lahko banke, hčerinske družbe in podružnice tujih bank opravljajo vse ali omejene bančniške storitve, odvisno od količine kapitala. Pri odločanju glede izdaje dovoljenja za ustanovitev banke v popolni lasti ali z večinskim deležem tujih investitorjev ali odobritve pridobitve dodatnih delnic bank upošteva Banka Slovenije naslednje smernice⁵⁷: - obstoj investitorjev iz različnih držav; - mnenje tuje ustanove, odgovorne za bančni nadzor. (Pripomba: ta določba bo odpravljena s sprejetjem novega zakona o bančništvu.) Brez obvez v zvezi s tujo udeležbo v bankah, ki so v postopku privatizacije. Podružnice tujih bank morajo biti registrirane v Sloveniji in biti pravne osebe. (Pripomba: ta določba bo odpravljena s sprejetjem novega zakona o bančništvu.) Brez obvez za vse vrste hipotekarnih bank ter varčevalnih in posojilnih ustanov. Brez obvez glede z ustanovitve zasebnih pokojninskih skladov (neobvezni pokojninski skladi). Družbe za upravljanje so komercialna podjetja, katerih edini namen je upravljanje investicijskih skladov.						

⁵⁷ Poleg zneska kapitala upošteva Banka Slovenije pri izdaji neomejenega ali omejenega bančnega dovoljenja tudi naslednje smernice (tako za domače kot za tuje prosilce):

- nacionalno-gospodarske prednosti za nekatere bančne dejavnosti;
 - območna pokritost Republike Slovenije z bankami;
 - dejansko izvajanje dejavnosti banke v primerjavi s tistimi iz obstoječega dovoljenja.
- (Opomba: ta določba bo odpravljena s sprejetjem novega zakona o bančništvu.)

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
			Tuje osebe lahko neposredno ali posredno pridobijo največ do 20 odstotkov delnic ali glasovalnih pravic družb za upravljanje. Za večji delež je potrebno dovoljenje Agencije za trg vrednostnih papirjev. Pooblaščen (privatizacijska) investicijska družba je investicijska družba, katere edini namen je zbiranje lastniških certifikatov (kuponov) in nakup delnic, ki so izdane v skladu z uredbami o lastninskem preoblikovanju. Pooblaščen družba za upravljanje je družba, katere edini namen je upravljanje pooblaščenih investicijskih družb. Tuje osebe lahko neposredno ali posredno pridobijo največ do 10 odstotkov delnic ali glasovalnih pravic pooblaščenih (privatizacijskih) družb upravljanje; za večji delež je potrebno dovoljenje Agencije za trg vrednostnih papirjev s soglasjem Ministrstva za gospodarstvo. Naložbe investicijskih skladov v vrednostne papirje tujih izdajateljev ne smejo preseči 10 odstotkov naložb investicijskih skladov. Ti vrednostni papirji se uvrstijo na borze, ki jih predhodno določi agencija za trg z vrednostnimi papirji. Tujci lahko postanejo delničarji ali partnerji v borzno posredniški družbi do 24 % odstotkov kapitala borzno posredniške družbe s predhodnim dovoljenjem Agencije za trg vrednostnih papirjev. (Opomba: ta določba bo odpravljena s sprejetjem novega zakona o trgu vrednostnih papirjev.)					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
				Vrednostne papirje tujega izdajatelja, ki še niso bili naprodaj na ozemlju Slovenije, lahko prodaja samo borzno posredniška družba ali banka, ki je pooblaščen za izvajanje takega poslovanja. Pred objavo ponudbe mora borzno posredniška družba ali banka pridobiti dovoljenje Agencije za trg vrednostnih papirjev. Prošnja za dovoljenje za prodajo vrednostnih papirjev tujega izdajatelja v Sloveniji mora vsebovati osnutek prospekta in dokazila o tem, da je porok izdaje vrednostnih papirjev tujega izdajatelja banka ali borzno posredniška družba, razen v primeru izdaje delnic tujega izdajatelja.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		4) <u>GZD in PO</u> CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>Podsektor (x) (e)</u> : posamezniki, ki delujejo kot samostojni posredniki ali preko borzno posredniških družb, morajo v ta namen izpolnjevati pogoje za licenco. EE, LT, MT, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez ter v oddelku horizontalnih obvez v sektorju „Bančne in druge finančne storitve“. PL: <u>podsektorji (v), (vi), (viii) in (ix)</u> : brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Najmanj za enega bančnega vodstvenega delavca se zahteva državljanstvo. <u>podsektorji (x) (e), (xi), (xiii), (xv), (xvi)</u> : brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> EE, LV, LT, MT, PL, SI: brez obvez. CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez. <u>Podsektor (x) (e)</u> : brez obvez.	4) <u>GZD in PO</u> CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>Podsektor (x) (e)</u> : brez obvez. EE, LT, MT, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez ter v oddelku horizontalnih obvez v sektorju „Bančne in druge finančne storitve“. PL: ni omejitev. <u>PPS</u> LT, MT, PL, SI: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez. LV: ni omejitev, razen kot je navedeno v oddelku horizontalnih obvez ter v oddelku horizontalnih obvez v sektorju „Bančne in druge finančne storitve“. CY: <u>podsektorji (v) do (ix) in (x) (b)</u> : brez obvez. Za tuje bančne uslužbence se zahteva dovoljenje za delo in bivanje. <u>Podsektor (x) (e)</u> : brez obvez.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
8.	ZDRAVSTVENE STORITVE IN STORITVE SOCIALNEGA VARSTVA							
A.	<u>Bolnišnične storitve</u> (vse države članice, razen LV, PL in SI: CPC 9311. LV, PL in SI: Samo storitve zasebnih bolnišnic in sanatorijev – CPC 9311)		1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice razen CY, CZ, FI, MT, SE, SK: ni omejitev. CY, CZ, FI, MT, SE, SK: brez obvez.		1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen CY, CZ, FI, MT, SE, SK, SI: ni omejitev. CY, CZ, FI, MT, SE, SK: brez obvez. SI: potrebno je dovoljenje Zavoda za zdravstveno zavarovanje Republike Slovenije. 3) Vse države članice, razen CY, CZ, EE, FI, LT, MT, PL, SE, SI, SK: ni omejitev. CY, CZ, FI, MT, SE, SK: brez obvez. EE: ni omejitev, razen tega, da morajo zdravniki, ki so se usposabljali zunaj Estonije, predložiti spričevalo pomožnih tečajev usposabljanja Univerze Tartu. Ta zahteva velja tudi za državljane Estonije, ki so se usposabljali v tujini. LT: ni omejitev, razen tega, da tuja zasebna ustanova in njene stranke morda niso upravičene do finančne podpore iz javnih sredstev, vključno z uporabo javnih skladov za zdravstveno zavarovanje.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		BE: število postelj in uporaba težke medicinske opreme sta omejena glede na zdravstveni načrt. Prevežanje potreb je namenjeno stopnji specializacije, zmogljivosti in opremljenosti. Merila so določena, matematična pravila ali formule so namenjena izračunu potreb glede prebivalstva, starostne strukture, stopnje umrljivosti in geografske razpršenosti. ES: zahteva se predhodno dovoljenje „Comunidades Autónomas“, ki temelji na testu ekonomskih potreb ob upoštevanju prebivalstva in že obstoječih zdravstvenih storitev v določeni zdravstveni regiji. FR, IT, LU: število odobrenih postelj je omejeno z zdravstvenim načrtom, izdelanim na podlagi potreb. FR, IT, LU, PT: število odobrenih postelj je omejeno z zdravstvenim načrtom, izdelanim na podlagi potreb. IT: za zasebne zdravstvene in sanitarne storitve je potrebno dovoljenje lokalnih zdravstvenih oblasti. Merila temeljijo na strukturi prebivalstva. NL: količinsko testiranje ekonomskih potreb na podlagi zdravstvenega načrta, ki določa največje število postelj glede na število prebivalcev posamezne zdravstvene regije.				PL: tuja zasebna ustanova in njene stranke morda niso upravičene do finančne podpore iz javnih sredstev. SI: tuja zasebna ustanova in njene stranke morda niso upravičene do finančne podpore iz javnih sredstev, vključno z uporabo javnih programov za zdravstveno zavarovanje.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave			Dodatne obveze		
		LV: vodja zdravstvene ustanove ali njegov namestnik mora imeti izobrazbo zdravnika. Uporabljajo se vse omejitve, ki se nanašajo na zdravstvene in zobozdravstvene storitve in storitve babic in medicinskih sester. Za storitve zasebnih bolnišnic je potrebna odobritev lokalnih zdravstvenih organov. Število postelj in uporaba težke medicinske opreme temelji na potrebah prebivalstva, starostni strukturi in na stopnji umrljivosti. LT: ni omejitev, razen da se zahteva dovoljenje zdravstvenih organov, ki temelji na načrtu zdravstvenih storitev, narejenem glede na potrebe, upoštevajoč število prebivalcev in že obstoječih zdravstvenih storitev. PL: vodja zdravstvene ustanove ali njegov namestnik mora imeti izobrazbo zdravnika. Uporabljajo se vse omejitve, ki se nanašajo na zdravstvene in zobozdravstvene storitve ter storitve babic in medicinskih sester. SI: dovoljenje zdravstvenih organov; pri izdajanju dovoljenj za ustanovitev bolnišnic se upošteva posamezne primere in sicer glede na gostoto prebivalstva, obstoječe objekte, prometno infrastrukturo, specializacijo in razdaljo med bolnišnicami. Za vstop v javno zdravstveno omrežje je potrebna koncesija Zavoda za zdravstveno zavarovanje Republike Slovenije.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		4) <u>GZD in PO</u> Vse države članice razen CY, CZ, FI, MT, SE, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: EL: za javne bolnišnice se zahteva državljanstvo. FR: za dostop do vodstvenih funkcij je potrebno predhodno dovoljenje. Pri izdaji dovoljenja se upoštevajo pogoji, kot so strokovne izkušnje in znanja, razpoložljivost lokalnih vodstvenih delavcev in stopnja zahtevane specializacije. LV: vodja zdravstvene ustanove ali njegov namestnik mora imeti izobrazbo zdravnika. Uporabljajo se vse omejitve, ki se nanašajo na zdravstvene in zobozdravstvene storitve in storitve babic in medicinskih sester. PL: vodja zdravstvene ustanove ali njegov namestnik mora imeti izobrazbo zdravnika. Uporabljajo se vse omejitve, ki se nanašajo na zdravstvene in zobozdravstvene storitve in storitve babic in medicinskih sester. CY, CZ, FI, MT, SE, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SE, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez: LV, PL: ni omejitev. CY, CZ, FI, MT, SE, SK: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
B. Druge zdravstvene storitve (AT in SI: ki jih zagotavljajo zdravstvene ustanove, kot so zdravilišča in toplice – CPC 93193. EE: CPC 9319 razen 93191)	1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) 3) Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: ni omejitev.			1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: ni omejitev. 3) Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, HU, SI: ni omejitev. EE: ni omejitev, razen tega, da morajo zdravniki, ki so se usposabljali zunaj Estonije, predložiti spričevalo pomožnih tečajev usposabljanja Univerze Tartu. Ta zahteva velja tudi za državljane Estonije, ki so se usposabljali v tujini. 4) <u>GZD in PO</u> Vse države članice, razen AT, EE, HU, SI: brez obvez. AT, EE, HU, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
C. Storitve socialnega skrbstva (Vse države članice, razen AT, EE, LT in LV: samo okrevalešča in počitniški domovi, domovi za ostarele. AT in EE: vsi CPC 933. LT: samo zasebno financirani del CPC 933)	1) Vse države članice, razen LT in LV: brez obvez. LT, LV: ni omejitev.	1) Vse države članice, razen LT in LV: brez obvez. LT, LV: ni omejitev.		2) Vse države članice, razen CZ, FI, HU, MT, PL, SE, SI, SK: ni omejitev. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.	2) Vse države članice, razen CZ, FI, HU, MT, PL, SE, SI, SK: ni omejitev. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.			
3) Vse države članice, razen CZ, FR, FI, HU, MT, PL, SE, SI, SK: ni omejitev. FR: zagotavljanje storitev dovolijo pristojni organi v skladu z lokalnimi potrebami. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.	3) Vse države članice, razen CZ, EE, FI, HU, MT, PL, SE, SI, SK: ni omejitev. EE: ne obstajajo, razen tega, da morajo zdravniki, ki so se usposabljali zunaj Estonije, predložiti spričevalo pomožnih tečajev usposabljanja Univerze Tartu. Ta zahteva velja tudi za državljane Estonije, ki se usposabljajo v tujini. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: zahteva se tržna prisotnost. FR: Za dostop do vodstvenih funkcij je potrebno predhodno dovoljenje. Pri izdaji dovoljenja se upoštevajo pogoji, kot so strokovne izkušnje in znanja, razpoložljivost lokalnih vodstvenih delavcev in stopnja zahtevane specializacije. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CZ, FI, HU, LV, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. CZ, FI, HU, MT, PL, SE, SI, SK: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
D. Drugo (storitve, povezane z zdravstvom)		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			
		1) Vse države članice, razen HU: brez obvez. HU: ni omejitev.			1) Vse države članice, razen HU: brez obvez. HU: ni omejitev.			
		2) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			2) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			
		3) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev.			3) Vse države članice, razen EE, HU: brez obvez. EE: ne obstajajo, razen tega, da morajo zdravniki, ki so se usposabljali zunaj Estonije, predložiti spričevalo pomožnih tečajev usposabljanja Univerze Tartu. Ta zahteva velja tudi za državljane Estonije, ki so se usposabljali v tujini. HU: ni omejitev.			
		4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			
		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			

Oblika ponudbe:		(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze			
9.	TURIZEM STORETIVE, POVEZANE POTOVANJI	IN	S						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
A. <u>Hoteli, restavracije ter priprava in dostava hrane (CPC 641, 642, 643)</u> (ne vključuje priprave in dostave hrane v sektorju prevoznih storitev, razen v AT, HU, FI, SE) (CZ, PL: hoteli in restavracije CPC 641 – 642)	1) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SI, SK: brez obvez, razen za pripravo in dostavo hrane: ni omejitev. EE, FI, HU: ni omejitev. AT, CY, CZ, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY: ni omejitev. CY: brez obvez. 3) Vse države članice, razen CY, ES, EL, IT, LT, PT, SI: ni omejitev. ES, EL, PT: dovoljenje se lahko zavrne zaradi varstva območij s posebnim zgodovinskim in umetniškim pomenom. IT: Test ekonomskih potreb glede barov, kavarn in restavracij na podlagi nacionalne obravnave. Z opravljenim testom ekonomskih potreb se omeji število ponudnikov storitev. Glavna merila: število obstoječih ponudnikov storitev in vpliv nanje, gostota prebivalstva, geografska razpršenost, vpliv na promet in ustvarjanje novih delovnih mest. LT: omejitve dostopa do ustanavljanja tržne prisotnosti v okoljsko zaščiteneh območjih. SI: ni omejitev, razen da je za lokacije na zaščiteneh območjih s posebnim zgodovinskim in umetniškim pomenom ter znotraj nacionalnih ali krajinskih parkov potrebno dovoljenje, ki se lahko zavrne. CY: brez obvez.	1) Vse države članice, razen AT, CY, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez, razen za pripravo in dostavo hrane: ni omejitev. EE, FI, HU, SE: ni omejitev. AT, CY, CZ, LV, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice, razen CY: ni omejitev. CY: brez obvez. 3) Vse države članice, razen CY: ni omejitev. CY: brez obvez.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: kavarne in bari: zahteva se državljanstvo. CY, MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, MT: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
B.	<u>Storitve turističnih agencij in organizatorjev potovanj</u> (vse države članice razen CZ, HU,LT, LV, MT, PL, SI, SK: vključno z vodji potovanj) (CPC 7471)	1) Vse države članice, razen CY, CZ, HU, MT, PL, SE, SI, SK: ni omejitev. CY, CZ, LV, MT, SK: brez obvez. PL, SI: zahteva se tržna prisotnost. SE: zahteva se ustanovitev podjetja. 2) Vse države članice, razen CY, PL: ni omejitev. PL: zahteva se tržna prisotnost. CY: brez obvez. 3) Vse države članice razen BE, CY, FI, IT, PT, SE: ni omejitev. BE: družbe, ki niso registrirane v ES, lahko dobijo dovoljenje za delovanje kot potovalna agencija le v primeru, da imajo sedež podjetja v Belgiji (siège d'opérations permanent) in da je oseba, ki vodi vsakodnevno poslovanje (ali oseba, ki zaprosi za dovoljenje), državljan ES.			1) Vse države članice razen CY, CZ, MT, PL, SI, SK: ni omejitev. CY, CZ, MT, SK: brez obvez. PL, SI: zahteva se tržna prisotnost. 2) Vse države članice, razen CY, PL: ni omejitev. PL: zahteva se tržna prisotnost. CY: brez obvez. 3) Vse države članice, razen CY: ni omejitev. CY: brez obvez.			
		FI: potrebno je dovoljenje nacionalne uprave za varstvo potrošnikov. Dovoljenje se lahko izda samo finskiim državljanom in organizacijam, registriranim na Finskem. IT: zahteva po testiranju ekonomskih potreb. PT: zahteva se ustanovitev komercialne družbe s sedežem na Portugalskem. SE: zahteva se ustanovitev podjetja. CY: brez obvez.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen CY: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: EL: dostop je omejen na dve osebi na pravni subjekt. FI: potrebno je dovoljenje nacionalne uprave za varstvo potrošnikov. Dovoljenje se lahko izda samo finskim državljanom in organizacijam, registriranim na Finskem. SI: zahteva se tržna prisotnost. CY: brez obvez. <u>PPS</u> Vse države članice, razen AT, BE, DE, DK, FI, IT, IE, SE: brez obvez. AT, BE, DE, DK, IT, FI, IE, SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT, BE, DE, DK, FI, IT, IE, SE: brez obvez, obvez, razen za vodje potovanj (osebe, delo katerih je spremljanje potovalne skupine najmanj 10 oseb, ne da bi bili vodiči na določenih lokacijah), medtem ko je za AT, BE, DE, DK, IT, IE, SE: potrebno poklicno spričevalo in 3-letne delovne izkušnje. IT: potrebno je testiranje ekonomskih potreb.				4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: SI: zahteva se tržna prisotnost. FI, LV, PL: ni omejitev. CY: brez obvez. <u>PPS</u> Vse države članice, razen CY, CZ, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
C. Storitve turističnih vodnikov (CPC 7472)	1) Vse države članice, razen AT, CY, CZ, HU, IT, LT, MT, PL, PT, SK, SI: ni omejitev. AT, CY, CZ, HU, IT, LT, MT, PL, PT, SK, SI: brez obvez. 2) Vse države članice razen CY, HU, LT, MT, PL, SI: ni omejitev. CY, HU, LT, MT, PL, SI: brez obvez. 3) Vse države članice razen CY, HU, LT, MT, PL, SI: ni omejitev. CY, HU, LT, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. ES, IT: pravica do opravljanja poklica imajo le lokalne organizacije turističnih vodnikov. EL, ES, FR, IT, PT: za dostop do dejavnosti se zahteva državljanstvo. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				1) Vse države članice, razen AT, CY, CZ, HU, LT, MT, PL, SK, SI: ni omejitev. AT, CY, CZ, HU, LT, MT, PL, SK, SI: brez obvez. 2) Vse države članice razen CY, HU, LT, MT, PL, SI: ni omejitev. CY, HU, LT, MT, PL, SI: brez obvez. 3) Vse države članice razen CY, HU, LT, MT, PL, SI: ni omejitev. CY, HU, LT, MT, PL, SI: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, LT, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. FI, LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
D.	<u>Drugo</u>	1) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	1) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	1) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	1) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
		2) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	2) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	2) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	2) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
		3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.	3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
		4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez	4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
		<u>PPS</u> Vse države članice: brez obvez.	<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.	<u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
10.	REKREACIJSKE, KULTURNE IN ŠPORTNE STORITVE (razen avdiovizualnih storitev)							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
A. <u>Razvedrilne storitve</u> (vključno z gledališči, ansambli, ki igrajo v živo, in cirkusi) (CPC 9619) EE: vključuje samo (a) CPC 9619 razen CPC 9619 in (b) storitve kinematografov in gledališč (del CPC 9619) LV: vključuje samo storitve delovanja kinematografov in gledališč (del CPC 9619).	1) Vse države članice, razen AT, SE: brez obvez. AT, SE: ni omejitev. 2) Vse države članice, razen CY, CZ, FI, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, FI, MT, PL, SI, SK: brez obvez. LT: brez obvez razen za storitve delovanja kinematografov in gledališč (del CPC 9619). 3) Vse države članice, razen CY, CZ, EE, FI, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, FI, MT, PL, SI, SK: brez obvez. EE: brez obvez razen za storitve delovanja kinematografov in gledališč (del CPC 9619). LT: ni omejitev, razen prepovedi ustanavljanja in vzdrževanja objektov za igre na srečo, in prirejanja iger na srečo.⁵⁸			1) Vse države članice, razen AT, HU, SE: brez obvez. AT, HU, SE: ni omejitev. 2) Vse države članice, razen CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: ni omejitev. EE: brez obvez za storitve delovanja kinematografov in gledališč (del CPC 9619). CY, CZ, FI, LV, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, FR, FI, IT, LT, LV, MT, PL, SE, SI, SK: ni omejitev. CY, CZ, FI, MT, PL, SI, SK: brez obvez. EE: brez obvez razen za storitve delovanja kinematografov in gledališč (del CPC 9619). Za storitve delovanja kinematografov in gledališč (del CPC 9619): ni omejitev razen dostopa do subvencij, brez obvez. FR, IT: brez obvez za subvencije in vse druge oblike neposredne in posredne podpore. LV: ni omejitev, razen dostopa do subvencij: brez obvez. LT: ni omejitev, razen: (a) kot je navedeno v stolpcu „Omejitve glede dostopa na trg“ (tudi izjeme, navedene v delu I, glede prepovedi tujih naložb v igre na srečo) in (b) brez obvez za subvencije, ki zadevajo delovanje kinematografov in gledališč (del CPC 9619). SE: namenska finančna podpora za posebne lokalne, regionalne ali nacionalne dejavnosti.				

⁵⁸ Zakon o podjetjih; dopolnilo iz leta 1995

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
		4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: FR: za dostop do vodstvenih funkcij je potrebno predhodno dovoljenje pristojnih organov. Če se zahteva dovoljenje za več kot dve leti, je za vodstvene osebe podjetij, ki opravljajo razvedrilno dejavnost, pogoj državljanstvo. IT: test ekonomskih potreb. CY, CZ, FI, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice, razen AT, FR: brez obvez. AT, FR: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: AT: dostop je omejen na osebe, katerih glavna poklicna dejavnost je na področju lepih umetnosti in katerih glavni vir dohodka je opravljanje te dejavnosti. Te osebe v Avstriji ne opravljajo nobene druge komercialne dejavnosti.		4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, FI, MT, PL, SI, SK: brez obvez. LV: ni omejitev. EE, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Ni omejitev za storitve delovanja kinematografov in gledališč (del CPC 96199). <u>PPS</u> Vse države članice, razen CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, MT, LT, PL, SI, SK: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. Ni omejitev za storitve delovanja kinematografov in gledališč (del CPC 96199). LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor				Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze
				FR: – umetniki imajo pogodbo o zaposlitvi od podjetja, ki se ukvarja z razvedrilno dejavnostjo; – dovoljenje za delo se lahko izda za največ devet mesecev in se lahko podaljšuje za tri mesece; – potrebno je testiranje ekonomskih potreb; – podjetje, ki opravlja razvedrilno dejavnost, mora plačati davek Mednarodnemu uradu za migracije.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
B.	<u>Storitve tiskovnih agencij</u> (CPC 962)	1) Vse države članice, razen CY, CZ, EE, HU, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, EE, HU, LT, MT, PL, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, HU, LT: MT, PL, SI, SK: ni omejitev. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, FR, IT, HU, LT, MT, PT, PL, SI, SK: ni omejitev. FR: tuja udeležba v družbah, ki izdajajo publikacije v francoskem jeziku ne sme presegati 20 % kapitala ali glasovalnih pravic družbe. Tiskovne agencije: brez obvez. IT: pri dnevnem tisku in radijskih postajah se uporabljajo posebna pravila za preprečevanje koncentracij, medtem ko so za lastništvo večpredstavnosti določene posebne omejitve. Tuja podjetja ne smejo obvladovati založniških ali radiodifuzijskih družb: delež tuje kapitalске udeležbe je omejen na 49 %.			1) Vse države članice, razen CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: ni omejitev. SE: za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno prebivališče. CY, CZ, EE, HU, LT, MT, PL, SI, SK: brez obvez. 2) Vse države članice, razen CY, CZ, HU, LT, MT, PL, SI, SK: ni omejitev. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, HU, LT, MT, PL, SE, SI, SK: ni omejitev. SE: za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno bivališče. CY, CZ, EE, HU, LT, MT, PL, SI, SK: brez obvez.			

Oblika ponudbe:	(1) Sektor ali podsektor	(2) Čezmejno poslovanje	(3) Potrošnja v tujini	(4) Tržna prisotnost	(5) Prisotnost fizičnih oseb
		Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave		Dodatne obveze
		PT: tuja udeležba, tako fizičnih kot pravnih oseb v kapitalu založniških družb, vključno s časopisi, je omejena na 10 %, brez glasovalnih pravic. Tiskovne družbe, ki so na Portugalskem registrirane v pravni obliki „societade anónima“, morajo imeti socialni kapital v obliki nominalnih delnic. CY, CZ, EE, HU, LT, MT, PL, SI, SK: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: SE: za založnike in lastnike založniških ali tiskarskih družb se zahteva stalno bivališče. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez. FI, LV: ni omejitev.		
		4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, HU, LT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: PT: za upravno in vodstveno osebje se zahteva državljanstvo. CY, CZ, HU, LT, MT, PL, SI, SK: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze					
C. Storitve knjižnic, arhivov in muzejev ter druge kulturne storitve (CPC 963)	1) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 2) Vse države članice, razen AT, EE: brez obvez. AT, EE: ni omejitev. 3) Vse države članice, razen AT, LT: brez obvez. AT: ni omejitev. LT: potrebne so licence za raziskovanje, ohranitev in obnovo nepremičnih kulturnih vrednot, za pripravo pogojev, programov in projektov za taka dela, za obvarovanje in obnovo premičnih kulturnih vrednot. 4) <u>GZD in PO</u> Vse države članice, razen AT, EE: brez obvez. AT, EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.	1) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 2) Vse države članice, razen AT, EE: brez obvez. AT, EE: ni omejitev. 3) Vse države članice, razen AT, LT: brez obvez. AT: ni omejitev. LT: ni omejitev, razen v okviru Omejitve glede dostopa na trg.	4) <u>GZD in PO</u> Vse države članice, razen AT, EE, LT: brez obvez. AT, EE, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
D. Športne in druge rekreacijske storitve (vse države članice razen AT, FI, HU, LT SE in SI: CPC 9641, 96491, razen storitev na področju igraništva in stav. AT: CPC 964 razen storitev smučarskih šol in gorskih vodnikov, storitve na področju igraništva in stav. FI: CPC 964, razen igraništva, tj. igralni avtomati in podobne dejavnosti. LT: (CPC 964) (razen CPC 96492 – storitve na področju igraništva in stav. SE: CPC 964 razen igraništva. SI: CPC 9641, 96491 razen storitev smučarskih šol, storitev smučarskih in gorskih vodnikov, storitev na področju igraništva in stav).	1) Vse države članice, razen CY, CZ, EE, LV, MT, PL, SK: ni omejitev. CY, CZ, EE, LV, MT, PL, SK: brez obvez. 2) Vse države članice, razen CZ, LV, MT, PL, SK: ni omejitev. CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, LV, MT, PL, SK: ni omejitev. CY, CZ, EE, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevjanju naslednjih posebnih omejitev: IT: test ekonomskih potreb. CY, CZ, LV, MT, PL, SK: brez obvez.				1) Vse države članice, razen CY, CZ, EE, LV, MT, PL, SK: ni omejitev. CY, CZ, EE, LV, MT, PL, SK: brez obvez. 2) Vse države članice, razen CZ, LV, MT, PL, SK: ni omejitev. CZ, LV, MT, PL, SK: brez obvez. 3) Vse države članice, razen CY, CZ, EE, LV, MT, PL, SE, SK: ni omejitev. SE: namenska finančna podpora za posebne lokalne, regionalne ali nacionalne dejavnosti. CY, CZ, EE, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			
11.	PREVOZNE STORITVE							
	A. Storitve pomorskega prevoza	1) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			1) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			
	MT: razen kabotaže	2) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			2) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			
	(a) Prevoz potnikov (CPC 7211);	3) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			3) Vse države članice, razen LV, MT: brez obvez. LV, MT: ni omejitev.			
	(b) Prevoz tovora (CPC 7212);							

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen LV, MT: brez obvez. LV, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez <u>PPS</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen LV, MT: brez obvez. LV: ni omejitev. MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
(d)	Vzdrževanje in popravila plovil (del CPC 8868).	1) Vse države članice, razen EE, HU, LV: brez obvez. EE, HU, LV: ni omejitev. 2) Vse države članice, razen EE, HU, LV, SI: brez obvez. EE, HU, LV, SI: ni omejitev. 3) Vse države članice, razen EE, HU, LV in SI: brez obvez. EE, HU, LV, SI: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen EE, HU, LV, SI: brez obvez. EE, HU, LV, SI: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		1) Vse države članice, razen EE, HU, LV: brez obvez. EE, HU, LV: ni omejitev. 2) Vse države članice, razen EE, HU, LV, SI: brez obvez. EE, HU, LV, SI: ni omejitev. 3) Vse države članice, razen EE, HU, LV, SI: brez obvez. EE, HU, LV, SI: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen EE, HU, LV, SI: brez obvez. EE, HU, LV, SI: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
(e) Potiskanje in vleka plovil (CPC 7214)	1) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 2) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen LV, LT: brez obvez. LV, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 2) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen LV, LT: brez obvez. LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb	
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze		
	(f) Pomožne storitve v pomorskem prometu, razen za LV: Pomožne storitve v pomorskem prometu: Storitve agencije za ladje (del 7480)	1) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 2) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 3) Vse države članice, razen LV, LT: brez obvez. LV: ni omejitev. LT: za pridobitev dovoljenja za ustanovitev podjetja, ki je prisotno na trgu, mora direktor govoriti litovski jezik. 4) <u>GZD in PO</u> Vse države članice, razen LV, LT: brez obvez. LV, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 2) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 3) Vse države članice, razen LV, LT: brez obvez. LV, LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen LV, LT: brez obvez. LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				
	B. <u>Prevoz po celinskih vodah</u>								
	a) Prevoz potnikov (CPC 7221)	1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.				

Oblika ponudbe:	(1) Čezmejno poslovanje	(2) Potrošnja v tujini	(3) Tržna prisotnost	(4) Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave	Dodatne obveze	
	4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave			Dodatne obveze
b) Prevoz (CPC 7222)	tovora	CZ, LV, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	<u>PPS</u>	CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	LV: ni omejitev.	<u>PPS</u>	
		Vse države članice: brez obvez	brez	Vse države članice, razen LV: brez obvez.	LV: ni omejitev.		
		1) Vse države članice: brez obvez.		1) Vse države članice: brez obvez.			
		2) Vse države članice, razen CZ, LV, SK: brez obvez.	CZ, LV, SK: ni omejitev.	2) Vse države članice, razen CZ, LV, SK: brez obvez.	CZ, LV, SK: ne obstajajo.		
		3) Vse države članice, razen LV: brez obvez.	LV: ni omejitev.	3) Vse države članice, razen LV: brez obvez.	LV: ni omejitev.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
		4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.	4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.					
d) Vzdrževanje in popravila plovil (del CPC 8868)		1) Vse države članice, razen HU: brez obvez, HU: ni omejitev.	1) Vse države članice, razen HU: brez obvez, HU: ni omejitev.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
e) Potiskanje in vleka plovil (CPC 7224)		2) Vse države članice, razen CZ, HU, LV, SK: brez obvez. CZ, HU, LV, SK: ni omejitev. 3) Vse države članice, razen HU, LV: brez obvez. HU, LV: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen CZ, HU, LV, SK: brez obvez. CZ, HU, LV, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.	2) Vse države članice, razen CZ, HU, LV, SK: brez obvez. CZ, HU, LV, SK: ni omejitev. 3) Vse države članice, razen HU, LV: brez obvez. HU, LV: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen CZ, HU, LV, SK: brez obvez. CZ, HU, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.					
		1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev.	1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev.					

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
f) Pomožne storitve v celinskih vodah (del CPC 745)		3) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		3) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.				
		1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev.		1) Vse države članice: brez obvez. 2) Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: ni omejitev.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
C. <u>Storitve</u> <u>zračnega</u> <u>prevoza</u>		3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			3) Vse države članice, razen LV: brez obvez. LV: ni omejitev.			
		4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, LV, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen CZ, LV, SK: brez obvez. CZ, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
c) Najem zrakoplovov s posadko (CPC 734)	s	1) 2) Vse države članice, razen PL: brez obvez. PL: ni omejitev, razen tega, da morajo biti zrakoplovi, ki jih uporabljajo letalski prevozniki Skupnosti, registrirani v državi članici, ki je letalskemu prevozniku izdala dovoljenje, ali druge v Skupnosti. Izjeme se lahko priznajo za pogodbe o kratkoročnem najemu ali v izjemnih okoliščinah. 3) Vse države članice, razen PL: brez obvez. PL: ni omejitev, razen tega, da morajo biti zrakoplovi, ki jih uporabljajo letalski prevozniki Skupnosti, registrirani v registru zrakoplovov teh držav članic, zrakoplov pa mora biti v lasti fizične osebe, ki izpolnjuje posebna merila v zvezi z državljanstvom ali v lasti pravne osebe, ki izpolnjuje posebna merila v zvezi z lastništvom kapitala in obvladovanjem (vključno z državljanstvom direktorjev). 4) <u>GZD in PO</u> Vse države članice, razen PL: brez obvez. PL: Brez obvez, razen za horizontalne ukrepe <u>PPS</u> Vse države članice: brez obvez.				1) 2) 3) Vse države članice, razen PL: brez obvez. PL: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen PL: brez obvez. PL: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
d)	Vzdrževanje in popravilo zrakoplovov in njihovih delov (del CPC 8868).	1) Vse države članice, razen AT, EE, HU, LV, PL: brez obvez. AT, EE, HU, LV, PL: ni omejitev. 2) Vse države članice, razen CY, MT: ni omejitev. CY in MT: brez obvez. 3) Vse države članice razen CY, CZ, MT, SK: ni omejitev. CY, MT: brez obvez. CZ: sedež družbe mora biti na Češkem. SK: sedež družbe mora biti na Slovaškem. 4) <u>GZD in PO</u> Vse države članice, razen CY, MT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, MT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen AT, EE, HU, LV, PL: brez obvez. AT, EE, HU, LV, PL: ni omejitev. 2) Vse države članice, razen CY, MT: ni omejitev. CY in MT: brez obvez. 3) Vse države članice razen CY, CZ, MT, SK: ni omejitev. CY, MT: brez obvez. CZ: sedež družbe mora biti na Češkem. SK: sedež družbe mora biti na Slovaškem. 4) <u>GZD in PO</u> Vse države članice, razen CY, FI, LV, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FI, LV, PL: ni omejitev. CY, MT: brez obvez. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Petrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave				Dodatne obveze
Prodaja in trženje		1) Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK: ni omejitev. CY, CZ, HU, LV, LT, MT, PL, SK.: brez obvez. 2) Vse države članice razen CY, HU, LV, LT, MT, PL: ni omejitev. CY, HU, LV, LT, MT in PL: brez obvez. 3) Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK: ni omejitev. CY, CZ, HU, LV, LT, MT, PL, SK: brez obvez. 4) GZD in PO Vse države članice razen CY, HU, LV, LT, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, HU, LV, LT, MT, PL: brez obvez.		1) Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK: za distribucijo storitev zračnega prevoza s sistemom CRS, ki jih zagotavlja matični prevoznik, ki uporablja CRS: brez obvez. CY, CZ, HU, LV, LT, MT, PL, SK: brez obvez. 2) Vse države članice razen CY, HU, LV, LT, MT, PL: ni omejitev. CY, HU, LV, LT, MT in PL: brez obvez. 3) Vse države članice, razen CY, CZ, HU, LV, LT, MT, PL, SK: za distribucijo storitev zračnega prevoza s sistemom CRS, ki jih zagotavlja matični prevoznik, ki uporablja CRS: brez obvez. CY, CZ, HU, LV, LT, MT, PL, SK: brez obvez. 4) GZD in PO Vse države članice, razen CY, FL, HU, LV, LT, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. FL: ni omejitev. CY, HU, LV, LT, MT, PL: brez obvez.				
PPS		Vse države članice: brez obvez.		PPS				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb	
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
Računalniški sistem rezervacij Samo za HU: računalniški sistemi rezervacij (kot je določeno v odstavku 6(c) Priloge o storitvah zračnega prevoza.		1)	Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK: ni omejitev. CY, CZ, EE, LV, LT, MT, PL in SK: brez obvez.			1)	Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL, SK: za obveze matičnih ali udeleženi prevoznikov v zvezi s CRS-om, ki ga nadzirajo eden ali več letalskih prevoznikov iz tretjih držav: brez obvez. CY, CZ, EE, LV, LT, MT, PL, SK.: brez obvez.		
		2)	Vse države članice razen CY, EE, LV, LT, MT, PL: ni omejitev. CY, EE, LV, LT, MT, PL: brez obvez.			2)	Vse države članice razen CY, EE, LV, LT, MT, PL: ni omejitev.		
		3)	Vse države članice, CY, CZ, EE, LV, LT, MT, PL, SK: ni omejitev. CY, CZ, EE, LV, LT, MT, PL, SK: brez obvez.			3)	Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL in SK: za obveze matičnih ali udeleženi prevoznikov v zvezi s CRS, ki ga nadzira letalski prevoznik ene ali več tretjih držav: brez obvez. CY, CZ, EE, LV, LT, MT, PL, SK: brez obvez.		
		4)	<u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, LV, LT, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, EE, LV, LT, MT, PL: brez obvez.			4)	<u>GZD in PO</u> Vse države članice, razen CY, CZ, EE, FI, LV, LT, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, EE, LV, LT, MT, PL: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.		
E. <u>Prevozne storitve v železniškem prometu</u>			<u>PPS</u> Vse države članice: brez obvez.						

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
a) Prevoz potnikov		1) Vse države članice: brez obvez. 2) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 3) Vse države članice, razen HU: brez obvez. HU: Storitve se lahko zagotovijo s koncesijsko pogodbo, ki jo odobri država ali lokalni organ. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.				1), 2), 3) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		
b) Prevoz tovora		1) Vse države članice: brez obvez. 2) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 3) Vse države članice, razen HU: brez obvez. HU: storitve se lahko zagotovijo s koncesijsko pogodbo, ki jo odobri država ali lokalni organ. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.				1), 2), 3) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU: brez obvez. HU: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
d)	Vzdrževanje in popravila železniške prevozne opreme (del CPC 8868).	1) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev. 2) Vse države članice, razen AT, CY, MT, LV, PL: ni omejitev. AT, CY, MT, LV, PL: brez obvez. 3) Vse države članice, razen AT, CY, CZ, LV, MT, PL, SE, SK: ni omejitev. AT, CY, CZ, LV, MT, PL, SK: brez obvez. SE: operaterji lahko ustanavljajo in vzdržujejo lastne naprave terminalske infrastrukture, ob upoštevanju prostorskih in zmogljivostnih omejitev⁵⁹. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, MT, LV, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, LV, MT, PL: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen EE, HU: brez obvez. EE, HU: ni omejitev. 2) Vse države članice, razen AT, CY, MT, LV, PL: ni omejitev. AT, CY, MT, LV, PL: brez obvez. 3) Vse države članice, razen AT, CY, CZ, LV, MT, PL, SK: ni omejitev. AT, CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen AT, CY, FI, MT, LV, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, LV, MT, PL: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.			

⁵⁹ Koncesije za javne službe ali postopki za izdajanje dovoljenj se lahko uporabljajo v primeru uporabe javnih površin.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
e)	Pomožne storitve v železniškem prometu Agencija za železniški prevoz blaga in storitve odpreme tovora (CPC del 7480)	1) Vse države članice: brez obvez. 2) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 3) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen LT: brez obvez. LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	1) Vse države članice: brez obvez. 2) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 3) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen LT: brez obvez. LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	1) Vse države članice: brez obvez. 2) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 3) Vse države članice, razen LT: brez obvez. LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen LT: brez obvez. LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.				
F.	<u>Storitve cestnega prevoza</u>	<u>PPS</u> Vse države članice: brez obvez.	<u>PPS</u> Vse države članice: brez obvez.	<u>PPS</u> Vse države članice: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
a) Prevoz potnikov Vse države članice, razen FI, LV, LT: 71213 in 7122. FI: CPC 71213, 71222 in 71223. LV: CPC 71213, 71222, 71223. LT: CPC 7121, 7122). Za LV, LT in SE: razen kabotaže.	1) Vse države članice: brez obvez. 2) Vse države članice, razen AT, CY, CZ, EE, HU, MT, PL, SK, SI: ni omejitev. AT, CY, CZ, EE, HU, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: za prevoz znotraj države članice (kabotaže), ki ga opravlja prevoznik s sedežem zunaj te države članice: brez obvez, razen za najem posebnih <u>avtobusnih</u> prevozov z voznikom (71223) ⁶⁰ , za kar od leta 1996 ni nobene omejitve. AT, CZ, EE, HU, MT, PL, SI, SK: brez obvez. FI: zahteva se dovoljenje, ki ne zadeva vozil, registriranih v tujini. LT: ni omejitev. LV: zahteva se dovoljenje (licenco), ki ne zadeva vozil, registriranih v tujini. SE: za opravljanje storitev komercialnega kopenskega prevoza se zahteva dovoljenje. Dovoljenje se izda na podlagi finančnega položaja prosilca, njegovih izkušenj ter sposobnosti zagotavljanja storitev. Omejitve uporabe zakupljenih vozil za takšne dejavnosti. – Za 7122: ES: test ekonomskih potreb.				1) Vse države članice: brez obvez. 2) Vse države članice, razen AT, CY, CZ, EE, HU, MT, PL, SK, SI: ni omejitev. AT, CY, CZ, EE, HU, MT, PL, SI, SK: brez obvez. 3) Vse države članice, razen AT, CZ, EE, FI, HU, LV, LT, MT, PL, SE, SI, SK: brez obvez glede prevoza znotraj države članice (kabotaže), ki ga opravlja prevoznik s sedežem zunaj te države članice. AT, CZ, EE, HU, MT, PL, SI, SK: brez obvez. FI, LT: ni omejitev. LV, SE: ustanovljene pravne osebe morajo uporabljati vozila z nacionalno registracijo.			

⁶⁰ Pomeni, da je določena storitev le del skupine dejavnosti, ki so zajete v tem CPC.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor			Omejitve glede dostopa na trg	Omejitve glede nacionalne obravnave				Dodatne obveze
		–	Za 71221 (storitve taksijev): Vse države članice, razen tistih, pri katerih ni obvez in razen FI, LT, LV, SE: test ekonomskih potreb ⁶¹ , ter: DK: dostop samo za fizične osebe in zahteva se ustanovitev domačega podjetja. IT: dostop samo za fizične osebe.					

⁶¹ Preverjanje potreb temelji na številu ponudnikov storitev na lokalnem geografskem območju.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze	
	– Za 71222 (storitve limuzin): DK: dostop samo za fizične osebe in zahteva se ustanovitev domačega podjetja. FI: zahteva se dovoljenje, ki ne zadeva vozil, registriranih v tujini. IT: dostop samo za fizične osebe in test ekonomskih potreb. LV: zahteva se dovoljenje (licenco), ki ne zadeva vozil, registriranih v tujini. PT: test ekonomskih potreb. – Za 71213 (storitve rednega medkrajevnega prometa):⁶² IT, ES, IE: test ekonomskih potreb. FR: brez obvez. FI: zahteva se dovoljenje, ki ne zadeva vozil, registriranih v tujini. DK: za vodstveno osebe se zahteva test ekonomskih potreb, stalno bivališče in državljanstvo. LV: zahteva se dovoljenje (licenco in posebno dovoljenje), ki ne zadeva vozil, registriranih v tujini. PT: dostop samo z ustanovitvijo pravne osebe. - Za 71223: FI: zahteva se dovoljenje, ki ne zadeva vozil, registriranih v tujini. LV: zahteva se dovoljenje (licenco), ki ne zadeva vozil, registriranih v tujini.							

⁶² Če se za zagotavljanje storitve zahteva test ekonomskih potreb, to temelji predvsem na obstoječi ponudbi javnega prevoza na zadevni liniji.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
		4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, HU, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK: za vodstveno osebje se zahteva državljanstvo. PT: za specializirano osebje se zahteva državljanstvo. AT, CY, CZ, EE, HU, MT, PL, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, HU, MT, LV PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev: DK: za vodstveno osebje se zahteva stalno bivališče. AT, CY, CZ, EE, HU, MT, LV, PL, SI, SK: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze
Storitve mednarodnega prometa		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice: brez obvez.			
		1) Vse države članice: brez obvez. 2) 3) Vse države članice, razen EE: brez obvez. EE: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez.			1) Vse države članice: brez obvez. 2) 3) Vse države članice, razen EE: brez obvez. EE: ni omejitev. 4) <u>GZD in PQ</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez.			
		<u>PPS</u> Vse države članice: brez obvez.			<u>PPS</u> Vse države članice, razen EE: brez obvez. EE: brez obvez, razen kot je določeno v oddelku horizontalnih obvez.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
d)	Vzdrževanje in popravila cestne prevozne opreme (Vse države članice razen AT, CZ, EE, FI, HU, SK in SI: CPC 6112. AT, CZ, EE HU in SK: 6112+8867. FI: 6112 in deli 88 SI: del CPC 6112).	1)	Vse države članice, razen CY, CZ, FI, LT, LV, MT, PL, SE, SK: ni omejitev.	CY, CZ, FI, LT, LV, MT, PL, SE, SK: brez obvez.	1)	Vse države članice, razen CY, CZ, FI, LT, LV, MT, PL, SE, SK: ni omejitev.	CY, CZ, FI, LT, LV, MT, PL, SE, SK: brez obvez.	Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.
		2)	Vse države članice, razen CY, LT, MT, PL: ni omejitev.		2)	Vse države članice, razen CY, LT, MT, PL: ni omejitev.		
			CY, LT, MT, PL: brez obvez.			CY, LT, MT, PL: brez obvez.		
		3)	Vse države članice razen CY, CZ, LT, LV, MT, PL, SE, SK: ni omejitev.	LV: potrebno je dovoljenje – licenca.	3)	Vse države članice razen CY, CZ, LT, MT, PL, SK: ni omejitev.	CY, CZ, LT, MT, PL, SK: brez obvez.	
			SE: operaterji lahko ustanavljajo in vzdržujejo lastne naprave terminalske infrastrukture, ob upoštevanju prostorskih in zmogljivostnih omejitev.	CY, CZ, LT, MT, PL, SK: brez obvez.	4)	<u>GZD in PO</u>	Vse države članice razen CY, FI, LT, MT, LV, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.	
		4)	<u>GZD in PO</u>	Vse države članice, razen CY, LT, MT, PL: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez.		FI, LV: ni omejitev.	CY, LT, MT, PL: brez obvez.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
(e) Pomožne storitve za cestni promet oprema (Samo za LV: CPC 7441, CPC 7449)		1) Vse države članice: brez obvez. 2) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: potrebno je dovoljenje (dogovor z avtobusno postajo, licenca). 4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.				1) Vse države članice: brez obvez. 2) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 3) Vse države članice, razen LV: brez obvez. LV: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen LV: brez obvez. LV: ni omejitev.		
G. <u>Cevovodni transport</u> LT: CPC 713.		1) Vse države članice: brez obvez. 2) Vse države članice, razen HU, LT: brez obvez. HU, LT: ni omejitev. 3) Vse države članice, razen HU, LT: brez obvez. HU: storitve se lahko zagotavljajo s koncesijsko pogodbo, ki jo odobri država ali lokalni organ. LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU, LT: brez obvez. <u>PPS</u> Vse države članice: brez obvez.				1) Vse države članice, razen HU: brez obvez. HU: ni omejitev. 2) Vse države članice, razen HU, LT: brez obvez. HU, LT: ni omejitev. 3) Vse države članice, razen HU, LT: brez obvez. HU, LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen HU, LT: brez obvez. HU, LT: brez obvez. razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor		Omejitve glede dostopa na trg		Omejitve glede nacionalne obravnave		Dodatne obveze	
H. <u>Pomožne storitve pri vseh vrstah prevoza (FI: brez pomorskega prometa)</u> (a) Storitve pretovarjanja (EE, LV in LT: CPC 741)			1) Vse države članice, razen EE, LV: brez obvez. EE, LV: ni omejitev. 2) Vse države članice, razen EE, LV in LT: brez obvez. EE, LV in LT: ni omejitev. 3) Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: ni omejitev, razen na letališčih, kjer so kategorije dejavnosti odvisne od velikosti letališča; zaradi dostopnega prostora se lahko omeji število ponudnikov storitev, iz drugih razlogov pa ne sme biti manj od dveh ponudnikov storitev; lahko se uporabljajo tudi nediskriminatorni predodbitveni postopki. 4) <u>GZD in PO</u> Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.		1) Vse države članice, razen EE, LV: brez obvez. EE, LV: ni omejitev. 2) Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: ni omejitev. 3) Vse države članice, razen EE, LV, LT: brez obvez. EE, LV, LT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen EE, LV, LT: brez obvez. EE, LT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
b)	Storitve skladiščenja (CPC 742) (za vse države članice, razen AT, EE, FI, HU, LT, LV: razen v pristaniščih)	1) Vse države članice, razen EE, HU, LV: brez obvez. EE, HU, LV: ni omejitev. 2) 3) Vse države članice, razen CY, CZ, MT, PL, SE, SK: ni omejitev. CY, CZ, MT, PL, SE, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, LT, MT PL, SE, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, MT, LT, PL, SE, SK: brez obvez.			1) Vse države članice, razen EE, HU, LV: brez obvez. EE, HU, LV: ni omejitev. 2) 3) Vse države članice, razen CY, CZ, MT, PL, SE, SK: ni omejitev. CY, CZ, MT, PL, SE, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, LV, MT, PL, SE, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, MT, PL, SE, SK: brez obvez. FI, LV: ni omejitev.		PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
c)	Agencija za tovarni promet/storitve odpreme tovara (CPC 748)	1)2) 3) Vse države članice razen CY, CZ, HU, MT, PL, SE, SK: ni omejitev. CY, CZ, LV, MT, PL, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice razen CY, CZ, HU, MT, PL, SK in SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, HU, MT, PL, SE, SK: brez obvez.			Vse države članice, razen CY, CZ, HU, MT, PL, SE, SI, SK: ni omejitev. CY, CZ, HU, MT, PL, SK, SE: brez obvez. SI: brez omejitev, razen za carinjenje, ki je omejeno na pravno osebo s sedežem v Sloveniji. Vse države članice razen CY, CZ, HU, MT, PL, SE, SI, SK: ni omejitev. CY, CZ, HU, MT, PL, SK, SE: brez obvez. SI: brez omejitev, razen za carinjenje, ki je omejeno na pravno osebo s sedežem v Sloveniji. 4) <u>GZD in PO</u> Vse države članice, razen CY, CZ, FI, HU, LV, MT, PL, SK in SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih omejitev: CY, CZ, HU, MT, PL, SE, SK: brez obvez. FI, LV: ni omejitev. <u>PPS</u> Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.			

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
	Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave		Dodatne obveze	
	Pregledi pred odpremo (del CPC 749) ⁶³ , razen EE: zlasti storitve pregleda tovara, del CPC 749; FI: samo CPC 7490; LV: drugo CPC 749; LT: pregled tovara, del CPC 749.	1)2) 3) Vse države članice razen AT, CY, CZ, HU, MT, PL, SE, SK: ni omejitev. AT, CY, CZ, HU, MT, PL, SE, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, HU, MT, PL, SK in SE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, HU, MT, PL, SK, SE: brez obvez.			1) Vse države članice razen AT, CY, CZ, HU, MT, PL, SE, SK: ni omejitev. AT, CY, CZ, HU, MT, PL, SE, SK: brez obvez. 2) Vse države članice razen AT, CY, CZ, HU, MT, PL, SK, SE: ni omejitev. AT, CY, CZ, HU, MT, PL, SK, SE: brez obvez. 3) Vse države članice razen AT, CY, CZ, HU, MT, PL, SE, SK: ni omejitev. AT, CY, CZ, HU, MT, PL, SK, SE: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, FI, HU, LV, MT, PL, SE, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, HU, MT, PL, SE, SK: brez obvez. FI, LV: ni omejitev.		PPS Vse države članice, razen EE, LV: brez obvez. EE: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. LV: ni omejitev.	

⁶³ Pomeni, da je določena storitev le del skupine dejavnosti, ki so zajete v tem CPC.

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
I. <u>Druge prevozne storitve</u> (zagotavljanje storitve kombiniranega prevoza)	1) Vse države članice, razen FI: brez obvez. FI: ni omejitev. 2) Vse države članice, razen AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev, brez poseganja v omejitve, ki vplivajo na kakršno koli obliko prevoza. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice, razen FI: brez obvez. FI: ni omejitev. 2) Vse države članice, razen AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 3) Vse države članice, razen AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: ni omejitev, brez poseganja v omejitve, ki vplivajo na kakršno koli obliko prevoza. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. 4) <u>GZD in PO</u> Vse države članice, razen AT, CY, CZ, EE, FI, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. AT, CY, CZ, EE, HU, LT, LV, MT, PL, SE, SI, SK: brez obvez. FI: ni omejitev. <u>PPS</u> Vse države članice: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
12. STORITVE, KI DRUGJE NISO VKLJUČENE – Frizerske storitve (CPC 97021)	1) Vse države članice: brez obvez. 2), 3) Vse države članice, razen AT, CZ, FI, HU in SK: brez obvez. AT, CZ, FI, HU in SK: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice: brez obvez. 2) 3) Vse države članice, razen AT, CZ, FI, HU in SK: brez obvez. AT, CZ, FI, HU in SK: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez v okviru <u>PPS</u> Vse države članice: brez obvez.				
– Kozmetične storitve, vključno z manikuro in pedikuro (CPC 97022)	1) Vse države članice: brez obvez. 2) 3) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice: brez obvez. 2) 3) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.				
– Druge storitve na področju lepotilne nege, druge neomejene (CPC 97029)	1) Vse države članice: brez obvez. 2), 3) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.			1) Vse države članice: brez obvez. 1) 2) Vse države članice, razen AT: brez obvez. AT: ni omejitev. 4) <u>GZD in PO</u> Vse države članice, razen AT: brez obvez. AT: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. <u>PPS</u> Vse države članice: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor	Omejitve glede dostopa na trg			Omejitve glede nacionalne obravnave			Dodatne obveze	
– Storitve v zvezi s prodajo opreme ali dodelitvijo patenta	1), 2), 3) Vse države članice: brez obvez. 4) <u>GZD in PO</u> Vse države članice: brez obvez. <u>PPS</u> Vse države članice, razen FR: brez obvez. FR: brez obvez, razen v zvezi z začasnimi vstopom tehnikov, kjer, kot je navedeno v oddelku horizontalnih obvez in ob upoštevanju naslednjih posebnih omejitev, velja: – tehnik je uslužbenec pravne osebe na ozemlju druge države članice in – ta pravna oseba izdeluje opremo in je to opremo prodala podjetju, ki je tržno prisotno v Franciji ali – je ta pravna oseba dodelila patent podjetju, ki je tržno prisotno v Franciji. – tehnik je odgovoren za nadziranje izdelave opreme ali za zagotovitev priprave za uporabo patenta; – delovno dovoljenje se izda za največ šest mesecev;			1), 2), 3) Vse države članice: brez obvez. 4) <u>GZD in PO</u> Vse države članice: brez obvez. <u>PPS</u> Vse države članice, razen CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: brez obvez, razen kot je navedeno v oddelku horizontalnih obvez. CY, CZ, EE, HU, LT, LV, MT, PL, SI, SK: brez obvez.				

Oblika ponudbe:	(1)	Čezmejno poslovanje	(2)	Potrošnja v tujini	(3)	Tržna prisotnost	(4)	Prisotnost fizičnih oseb
Sektor ali podsektor		Omejitve glede dostopa na trg				Omejitve glede nacionalne obravnave		Dodatne obveze
		– tehnik predloži potrdilo podjetju ki je tržno prisotno v Franciji, in pismo pravne osebe na ozemlju druge države članice, iz katerega je razvidno, da se strinja s premestitvijo; – podjetje, ki je tržno prisotno v Franciji, mora plačati davek Mednarodnemu uradu za migracije.						

**EVROPSKE SKUPNOSTI IN NJIHOVE
DRŽAVE ČLANICE** (nadaljevanje)

**Priloga A
GLOSAR**

IZRAZI, UPORABLJENI ZA POSAMEZNE DRŽAVE ČLANICE

Francija

SC	Société Civile
SCP	Société Civile Professionnelle
SEL	Société d'Exercice Libéral
SNC	Société en Nom Collectif
SCS	Société en Commandite Simple
SARL	Société à Responsabilité Limitée
SCA	Société en Commandite par Actions
SA	Société Anonyme

Napotilo: Toutes ces sociétés sont dotées de la personnalité morale

Nemčija

GmbH & CoKG	Kommanditgesellschaft, bei der der persönlich haftende Gesellschafter eine GmbH (delniška družba z omejeno odgovornostjo) ist.
EWIV	Europäische Wirtschaftliche Interessenvereinigung (Evropsko gospodarsko interesno združenje)

Italija

SPA	Società per Azioni (delniška družba)
SRL	Società a Responsabilità Limitata (družba z omejeno odgovornostjo)

Pri Italiji zajema ponudba ES naslednje strokovne storitve:

Ragionieri-periti commerciali	Knjigovodstvo, računovodstvo in revidiranje
Commercialisti	knjigovodstvo, računovodstvo in revidiranje
Geometri	veodeti
Ingegneri	inženirji
Architetti	arhitekti
Geologi	geologi
Medici	zdravniki
Farmacisti	farmacevti
Psicologi	psihologi
Veterinari	veterinarji
Biologi	biologi
Chimici	kemiki
Periti agrari	kmetijski strokovnjaki
Agronomi	agronomi
Attuari	aktuarji

DODATNE OBVEZE EVROPSKIH SKUPNOSTI IN NJUNIH DRŽAV ČLANIC

PODROČJE UPORABE

V nadaljevanju so navedene opredelitve in načela regulativnega okvira za osnovne telekomunikacijske storitve, ki podpira obveze dostopa na trg Evropskih skupnosti in njunih držav članic.

OPREDELITVE POJMOV

Uporabnik pomeni potrošnike in izvajalce storitev.

Osnovna infrastruktura so objekti in naprave javnega telekomunikacijskega omrežja in storitve, ki jih:

- a) zagotavlja izključno ali pretežno en izvajalec ali omejeno število izvajalcev ter
- b) za zagotavljanje storitev ni mogoče nadomestiti na ekonomsko ali tehnično izvedljiv način.

Glavni izvajalec je izvajalec, ki lahko (glede cene in ponudbe) bistveno vpliva na pogoje za udeležbo na zadevnem trgu temeljnih telekomunikacijskih storitev, ker:

- a) ima nadzor nad osnovno infrastrukturo; ali
- b) izrablja svoj tržni položaj.

1. UKREPI ZA VARSTVO KONKURENCE:

1.1. Preprečevanje protikonkurenčne prakse na področju telekomunikacij:

Vzdržujejo se primerni ukrepi z namenom, da se izvajalcem, ki so sami ali skupaj glavni izvajalec, prepreči začeti ali nadaljevati protikonkurenčne prakse.

1.2. Zaščitni ukrepi:

Zgoraj omenjene protikonkurenčne prakse zajemajo zlasti:

- a) vpletenost v protikonkurenčno navzkrižno subvencioniranje;
- b) uporabo informacij, pridobljenih od konkurentov, s protikonkurenčnimi rezultati ter
- c) nepravočasno zagotavljanje tehničnih informacij o bistvenih zmogljivostih ter komercialno pomembnih informacij, potrebnih za izvajanje storitev, drugim izvajalcem storitev.

2. MEDOMREŽNO POVEZOVANJE

2.1. Ta oddelek se nanaša na povezovanje z izvajalci, ki zagotavljajo javna telekomunikacijska prenosna omrežja ali storitve, da lahko uporabniki enega izvajalca komunicirajo z uporabniki drugega izvajalca in imajo dostop do storitev, ki jih zagotavlja drugi izvajalec

2.2. Medomrežno povezovanje, ki ga je treba zagotoviti

V okviru dopustnega dostopa na trg se zagotovi medomrežno povezovanje z glavnim izvajalcem na vsaki točki v omrežju, kjer je to tehnično izvedljivo. Takšno medomrežno povezovanje se zagotovi⁶⁴:

- a) po nediskriminacijskih pogojih (vključno s tehničnimi standardi in specifikacijami) in cenah ter s kakovostjo, ki ni slabša od tiste, ki jo zagotavlja za enake storitve za sebe ali za enake storitve nepovezanih izvajalcev storitev ali za svoje podružnice ali druga povezana podjetja⁶⁵;
- b) pravočasno po pogojih (vključno s tehničnimi standardi in specifikacijami) in stroškovno naravnanih cenah, ki so pregledni, primerni, ekonomsko izvedljivi in razvezani tako, da izvajalcu ni treba plačevati elementov omrežja ali zmogljivosti, ki jih za opravljanje storitve ne potrebuje; ter
- c) na zahtevo, dodatno na drugih točkah, kot so omrežne priključne točke, ponujene pretežnemu delu uporabnikov, in po cenah, ki odražajo stroške potrebne dodatne infrastrukture.

2.3. Javna razpoložljivost postopkov za pogajanja o medomrežnem povezovanju

Postopki za medomrežno povezovanje z glavnim izvajalcem bodo javno dostopni.

2.4. Transparentnost dogovorov o medomrežnem povezovanju

Zagotovi se, da glavni izvajalec omogoči, da so javnosti dostopni njegovi sporazumi o medomrežnih povezavah ali referenčna ponudba za medomrežno povezovanje.

2.5. Medomrežno povezovanje: reševanje sporov

Izvajalec storitev, ki zaprosi za medomrežno povezavo z glavnim izvajalcem, se lahko:

- a) kadar koli ali
- b) po preteku primerne obdobja, ki ga je javno objavil, se obrne na neodvisni domači organ, ki je lahko tudi regulativni organ iz odstavka 5 spodaj, da v primernem času reši spore glede ustreznih pogojev in cen za medomrežno povezovanje - če ti niso bili že predhodno določeni.

⁶⁴ Izvajalcem storitev ali omrežjem, ki na splošno niso dostopni javnosti, kot so zaprte skupine uporabnikov, so zajamčene pravice za povezovanje z javnim telekomunikacijskim omrežjem ali storitvami glede pogojev in cen, ki so nediskriminatorni, transparentni in stroškovno naravnani. Vendar pa ti pogoji in cene lahko odstopajo od pogojev in cen, veljavnih za medsebojno povezovanje med javnim telekomunikacijskim omrežjem ali storitvami.

⁶⁵ Skupnost lahko za operaterje v različnih tržnih segmentih določi različne pogoje in cene, na podlagi neskriminatorskih in transparentnih nacionalnih določb za izdajo dovoljenj, kadar je take razlike mogoče objektivno utemeljiti, ker se te storitve ne štejejo za „podobne storitve“.

3. UNIVERZALNE STORITVE

Vsaka članica ima pravico opredeliti vrsto obveze zagotavljanja univerzalne storitve, ki jo želi ohraniti. Take obveze se same po sebi ne bodo štele za protikonkurenčne, če se bodo obravnavale na transparenten, nediskriminatoren in konkurenčno nevtralen način ter ne bodo povzročale večjega bremena, kot je potrebno za vrsto univerzalne storitve, ki jo opredeli članica.

4. JAVNA RAZPOLOŽLJIVOST MERIL ZA PODELJEVANJE DOVOLJENJ

Kjer se zahteva dovoljenje, so javno razpoložljivi:

- a) vsa merila za podeljevanje dovoljenj in obdobje, ki je praviloma potrebno za odločitev glede vloge za dovoljenje, in
- b) pogoji za posamezna dovoljenja.

Na zahtevo se vlagatelju sporočijo razlogi za zavrnitev izdaje dovoljenja.

5. NEODVISNI REGULATORJI

Regulativni organ je ločen od katerega koli izvajalca temeljnih telekomunikacijskih storitev in mu ni odgovoren. Odločitve in postopki regulatorjev so nepristranski do vseh udeležencev na trgu.

6. DODELJEVANJE IN UPORABA OMEJENIH VIROV

Vsi postopki za dodeljevanje in uporabo omejenih virov, vključno s frekvencami, številkami in pravicami poti, se izvajajo pravočasno ter na objektivni, pregleden in nediskriminatorni način. Javnosti bo dostopno trenutno stanje dodeljenih frekvenčnih pasov, razkritje podrobnosti o frekvencah, dodeljenih za posebno državno uporabo, pa se ne zahteva.

DODATNE OBVEZE DELA ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK)

ZAVAROVANJE

- a) Del držav članic ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) opaza tesno sodelovanje med regulativnimi in nadzornimi organi držav članic na področju zavarovanja in podpira njihova prizadevanja za spodbujanje izboljšanih nadzornih standardov.
- b) Te države članice si bodo po svojih najboljših močeh prizadevale, da bodo v 6 mesecih rešile vloge podjetij, za katera velja zakonodaja tretjih držav, za izdajo dovoljenj za poslovanje na področju sklepanja neposrednega zavarovanja preko hčerinske družbe, ustanovljene v državi članici, v skladu z zakonodajo te države članice. V primeru zavrnjenih vlog si bo pristojni organ države članice čimbolj prizadeval, da bo zadevno podjetje o tem uradno obvestil in utemeljil zavrnitev vloge.
- c) Nadzorni organi teh držav članic si bodo po svojih najboljših močeh prizadevali, da bodo brez neupravičene zamude odgovorili na zahteve glede informacije o statusu popolnih vlog podjetij, za katera velja zakonodaja tretjih držav, za izdajo dovoljenj za poslovanje na področju sklepanja neposrednega zavarovanja, preko hčerinske družbe, ustanovljene v državi članici, v skladu z zakonodajo te države članice.
- d) Del držav članic ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) si bo po svojih najboljših močeh prizadeval preučiti vsa vprašanja v zvezi z nemotenim delovanjem notranjega trga na področju zavarovanja in obravnavati vse zadeve, ki bi lahko vplivale na notranji trg na področju zavarovanja.
- e) Del držav članic ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) opozarja, da se lahko pri izračunu premij za avtomobilsko zavarovanje v skladu z zakonodajo ES, veljavno 31. decembra 1997, in brez poseganja v prihodnjo zakonodajo, upošteva več dejavnikov tveganja.
- f) Del držav članic ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) opozarja, da se v skladu z zakonodajo ES, veljavno 31. decembra 1997, in brez poseganja v prihodnjo zakonodajo, na splošno ne zahteva predhodne odobritve nacionalnih nadzornih organov za pogoje zavarovanja in višine premij, ki jih namerava uporabiti zavarovalniška družba.
- g) Del držav članic ES (AT, BE, DK, DE, ES, FI, FR, EL, IE, IT, LU, NL, PT, SE, UK) opozarja, da se v skladu z zakonodajo ES, veljavno 31. decembra 1997, in brez poseganja v prihodnjo zakonodajo, na splošno ne zahteva predhodne odobritve nacionalnih nadzornih organov za povišanje premijskih stopenj.

DRUGE FINANČNE STORITVE

- a) Pri uporabi ustreznih direktiv ES si bodo države članice čim bolj prizadevale, da bodo v 12 mesecih obravnavale popolne vloge podjetij, za katera velja zakonodaja tretjih držav, za izdajo dovoljenj za izvajanje bančnih dejavnosti, preko hčerinske družbe, ustanovljene v državi članici, v skladu z zakonodajo te države članice. V primeru zavrnjenih vlog si bo država članica čim bolj prizadevala, da bo zadevno podjetje o tem uradno obvestila in utemeljila zavrnitev vloge.
- b) Te države članice si bodo čim bolj prizadevale, da bodo brez neupravičene zamude odgovorile na zahteve podjetij, za katera velja zakonodaja tretjih držav, glede informacij o statusu popolnih vlog za izdajo dovoljenj za izvajanje bančnih dejavnosti, preko hčerinske družbe, ustanovljene v državi članici, v skladu z zakonodajo te države članice.

- c) Pri uporabi ustreznih direktiv ES si bodo te države članice čim bolj prizadevale, da bodo v 6 mesecih obravnavale popolne vloge podjetij, za katera velja zakonodaja tretjih držav, za izdajo dovoljenj za izvajanje investicijskih storitev na področju vrednostnih papirjev, kot je opredeljeno v Direktivi o investicijskih storitvah, preko hčerinske družbe, ustanovljene v državi članici, v skladu z zakonodajo te države članice. V primeru zavrnjenih vlog si bo država članica čim bolj prizadevala, da bo zadevno podjetje o tem uradno obvestila in utemeljila zavrnitev vloge.
- d) Te države članice si bodo čim bolj prizadevale, da bodo brez neupravičene zamude odgovorile na zahteve podjetij, za katera velja zakonodaja tretjih držav, glede informacij o statusu popolnih vlog za izdajo dovoljenj za izvajanje investicijskih storitev na področju vrednostnih papirjev, preko hčerinske družbe, ustanovljene v državi, v skladu z zakonodajo te države članice.