



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III

(SERVICES)

NEPTUNIA

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

NEPTUNIA - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:</p> <p>a) A natural person who has been employed by a juridical person of a Member other than Neptunia for a period of not less than one year immediately preceding the date of his application for the entry and temporary stay in Neptunia, and who is being transferred, for a period not exceeding 5 years, to a branch office or a juridical person constituted or registered in Neptunia owned or controlled by the aforementioned juridical person of a Member other than Neptunia, provided that he will be engaged in one of the following activities:</p>	<p>3) Unbound for research and development subsidies</p> <p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column</p> <p>Unbound for research and development subsidies</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>i) Activities to direct a branch office as its head;</p> <p>ii) Activities to direct a juridical person as its board member or auditor;</p> <p>iii) Activities to direct one or more departments or a juridical person;</p> <p>iv) Activities which require technology and/or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences; and</p> <p>v) Activities which require knowledge at an advanced level pertinent to jurisprudence, economics, business management, accounting or other humanities sciences.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>b) A natural person who has been employed by a juridical person of a Member other than Neptunia or has been a partner in it for a period not less than one year immediately preceding the date of his application for the entry and temporary stay in Neptunia, and who is being transferred to Neptunia, for a period not exceeding 5 years and who will return to the aforementioned juridical person of a Member other than Neptunia upon the expiration of the said period, provided that he will be engaged in one of the following activities of professional services which may be engaged only as a natural person and not as an employee:</p> <p>i) Legal services supplied by a lawyer qualified under Neptunian law;</p> <p>ii) Consultancy on law of jurisdiction where the service supplier is a qualified lawyer;</p> <p>iii) Legal services supplied by a patent attorney qualified under Neptunian law;</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Activities which require technology or knowledge at an advanced level pertinent to natural or humanities sciences referred to in a) iv) and v) mean: activities in which the natural person may not be able to engage without the application of specialized technology or knowledge of natural or humanities sciences acquired by him, in principle, by completing college education (i.e. bachelor's degree) or higher education.</p>		

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
<u>Hotels and restaurants (incl. catering)</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
<u>Travel agencies and tour operators services (7471)</u>	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
<u>Tourist guides services (7472)</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	

* Unbound due to lack of technical feasibility.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>HEALTH-RELATED AND SOCIAL SERVICES</p> <p><u>Hospital services</u> (9311)</p> <p><u>Social services</u></p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Unbound except that there is no limitation on the participation of foreign capital</p> <p>4) Unbound</p> <p>1),2),3),4) Unbound</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Unbound except that there is no limitation on the participation of foreign capital. As indicated in Horizontal Commitments.</p> <p>4) Unbound</p> <p>1),2),3),4) Unbound</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>FINANCIAL SERVICES</p> <p>For prudential reasons within the context of paragraph 2.a) of the Annex on Financial Services, Neptunia shall not be prevented from taking measures such as non-discriminatory limitations on juridical forms of a commercial presence. For the same reasons, Neptunia shall not be prevented from applying non-discriminatory limitations concerning admission to the market of new financial services which shall be consistent with regulatory framework aimed at achieving such prudential objectives. In this context, securities firms are allowed to deal in securities defined in the relevant Neptunia law, and banks are not allowed to deal in those securities unless allowed in accordance with the said law.</p> <p>With respect to specific commitments in the sectors of Financial Services, services supplied in the territory of a Member other than Neptunia to the service consumer in Neptunia without any active marketing from the service supplier are considered as services supplied under paragraph 2.b) of Article I of this Agreement.</p>			
<p><u>All insurance</u></p>	<p>Specific commitments in the market access column with respect to the supply of a service as prescribed in paragraph 2.a) and b) of Article I of this Agreement are unbound except for obligations under paragraph 3 and 4 of the Understanding respectively which are incurred in this sector additionally to those covered by the provisions of Part III of this Agreement and the Annex on Financial Services, subject to conditions and qualifications set out below.</p> <p>1) Commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:</p> <ul style="list-style-type: none"> a) goods being transported within Neptunia b) ships and aircrafts of Neptunia registration. <p>60% of amounts of reinsurance on the compulsory automobile third party liability insurance is subject to the compulsory coverage by the Government.</p> <p>Insurance services are not allowed to be supplied through an intermediary in Neptunia.</p>	<p>1) None</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All insurance</u> (Cont.)	<p>2) Commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:</p> <ul style="list-style-type: none"> a) goods being transported within Neptunia b) ships and aircrafts of Neptunia registration. <p>60% of amounts of reinsurance on the compulsory automobile third party liability insurance is subject to the compulsory coverage by the Government. Insurance services are not allowed to be supplied through an intermediary in Neptunia.</p> <p>3) Establishment of commercial presence as insurance brokers is not allowed.</p> <p>60% of amounts of reinsurance on the compulsory automobile third party liability insurance is subject to the compulsory coverage by the Government.</p> <p>Insurance intermediation services are not allowed to be supplied for insurance contracts made by an insurance service supplier who is not licensed in Neptunia.</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>2) None</p> <p>3) Foreign life insurance companies are required to retain in Neptunia currency an amount corresponding to their technical and claim reserves for Neptunian dollars-denominated insurance policies in Neptunia.</p> <p>As indicated in Horizontal Commitments</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	
<u>Banking</u>	<p>Specific commitments in the market access column with respect to the supply of a service as prescribed in paragraph 2.a) and b) of Article I of this Agreement are unbound except for obligations under paragraph 3 and 4 of the Understanding respectively which are incurred in this sector additionally to those covered by the provisions of Part III of this Agreement and the Annex on Financial Services, subject to conditions and qualifications set out below.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Banking (cont.)	<p>1) Commercial presence is required for discretionary investment management services.</p> <p>2) Overseas deposits and trust contracts denominated in foreign currencies, the sum of which are over 30 million Neptunian dollar value, and those denominated in Neptunian dollars are subject to approval.</p> <p>Commercial presence is required for financial/securities futures and options transaction services, except for the services supplied to the financial institutions in accordance with the designation by Minister of Finance under the relevant Neptunian laws.</p> <p>3) Commercial presence for investment trust management services must be a juridical person established in Neptunia.</p> <p>Unbound for standstill obligation under the Understanding with respect to the limitations below:</p> <p>a) Licences required for establishing subsidiaries and branch offices are not granted to foreign service suppliers.</p> <p>b) Authorization or qualification for licensed service suppliers to expand existing operations or conduct new activities is not granted to foreign service suppliers.</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) The deposit insurance system does not cover deposits taken by branches of foreign banks.</p> <p>Unbound for standstill obligation under the Understanding with respect to the limitations a) and b) referred to in the market access column</p> <p>As indicated in Horizontal Commitments</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>3) Neptunia intends to expand the scope of Employees' Pension Fund (hereinafter referred to as "fund") assets which can be managed by discretionary investment management firms, in respect of the funds qualified by Minister of Health and Welfare, by removing classification between New Money¹ and assets other than New Money.</p>

¹ New Money is asset mainly consisting of accumulation of premiums collected by a fund after the day when the fund is qualified by Minister of Health and Welfare as appropriate for expanding its means of asset management to include discretionary investment management services.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
ENVIRONMENTAL SERVICES			
<u>Sewage services</u> (9401)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments.	
<u>Refuse disposal services</u> (9402)	1) Unbound* 2) None 3) The number of licences conferred to service suppliers of waste oil disposal at sea from vessels may be limited. 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments.	
<u>Sanitation and similar services</u> (9403)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
D. <u>Other</u>			
Cleaning services of exhaust gases (9404)	1) Unbound*	1) Unbound*	
	2) None	2) None	
Noise abatement services (9405)	3) None	3) None except as indicated in Horizontal Commitments	
Nature and landscape protection services (9406)	4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	
Other environmental protection services (9409)			
COMMUNICATION SERVICES			
<u>Postal services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Courrier services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Telecommunication services</u>	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
CONSTRUCTION AND RELATED-ENGINEERING SERVICES			
<u>General construction work for buildings</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>General construction work for civil engineering</u>			
<u>Installation and assembly work</u>	1) Unbound*	1) Unbound*	
<u>Building completion and finishing work</u>	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	
<u>DISTRIBUTION SERVICES</u>			
<u>A. Commission Agents' Services</u> (621, 61111, 61130, 61210)	1) None	1) None	
<u>B. Wholesale Trade Services</u> (622, 61111, 61130, 61210)	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
<u>C. Retailing Services</u> (631, 632, 61112, 61130, 61210)	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>D. <u>Franchising Services</u> (8929) Specific commitments in the sectors of Distribution Services do not include services related to petroleum, petroleum products, rice, tobacco, salt, alcoholic beverages, and those supplied at Public Wholesale Market. Public Wholesale Market is a market established under national or local government approval for commission agents' services and wholesale trade services of fresh foods including vegetables, fruits, marine products, meats and other daily foods, and flowers, with auction or bidding hall, parking lot and other facilities necessary for trade and disposal of above goods, which is operated on a permanent basis.</p> <p>BUSINESS SERVICES</p> <p><u>Professional services</u></p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None except as indicated in Horizontal Commitments</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>3) i) Practice of international law is permitted, provided that the international law is or was in force in the jurisdiction. Practice of third country law and Neptunia law is not permitted. ii) Representation in arbitration is permitted, provided that the applicable law in the arbitration is the law which the service supplier is qualified to practice in Neptunia.</p>

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Computer and related services</u>	1) None	1) None	
	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	
<u>Other business services</u>			
a) Advertising services (871)	1) None	1) None	
	2) None	2) None	
b) Market research and public opinion polling services (864)	3) None	3) None except as indicated in Horizontal Commitments	
c) Management consulting services (865)	4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	
d) Services related to management consulting (86601, 86609)			

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Maritime transport services</u>			
a), b) International maritime transport services (including services of passenger transportation and freight transportation) (7211, 7212)	1) Unbound 2) Unbound 3) Unbound	1) Unbound 2) Unbound 3) Unbound	The following services will be made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: i) pilotage services; ii) pushing and towing services; iii) provisioning, fuelling and watering services; iv) garbage collecting and refuse disposal services; v) port captain's services; vi) navigation aids services; vii) shore based operational services essential to ship operations, including communications, water and electrical supplies; viii) emergency repair services; and ix) anchorage, berths and berthing services.
Specific commitments in the sector of Maritime Transport Services do not include "cabotage services", which cover transportation of passengers or goods between a port located in Neptunia and another port located in Neptunia and traffic with passengers aboard originating and terminating in the same port located in Neptunia.	4) Unbound	4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
A. <u>Maritime Auxiliary Transport Services</u>	1) Unbound*	1) Unbound*	
e) Pushing and towing services (7214)	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	
f) Maritime agency services	1) None	1) None	
	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	
f) Salvaging and refloating services, watering services, fuelling services, garbage collecting services (7454, 7459)	1) None	1) None	
	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments.	
Specific commitments in the sectors of Maritime Auxiliary Transport Services do not include "cabotage services", which cover transportation of passengers or goods between a port located in Neptunia and another port located in Neptunia and traffic with passengers aboard originating and terminating in the same port located in Neptunia.			

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Internal waterways transport services</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
<u>Air transport services</u>	1) Unbound* 2) None 3) The number of licences conferred to service suppliers may be limited. 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
d) Aircraft repair and maintenance services defined in paragraph 6.a) of Annex on Air Transport Services	1) Unbound* 2) None 3) The number of licences conferred to service suppliers may be limited. 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
e) Selling and marketing of air transport services defined in paragraph 6.b) of Annex on Air Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
f) Computer reservation system (CRS) services defined in paragraph 6.c) of Annex on Air Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	
TRANSPORT SERVICES			
<u>Space transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Rail transport services</u>	1) Unbound*	1) Unbound*	
d) Maintenance and repair services of rail transport equipment (8868)	2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
e) Rental services of railway transport equipment with operators.	1) None	1) None	
	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	
<u>Road transport services</u>	1) Unbound*	1) Unbound*	
b) Freight transport services (7123)	2) None	2) None	
	3) Emergency safeguard measures concerning the limitations on the number of service suppliers and on the number of service operations or on the quantity of service output	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments.	
d) Maintenance and repair services of road transport equipment (6112, 8867)	1) Unbound*	1) Unbound*	
	2) None	2) None	
	3) None	3) None except as indicated in Horizontal Commitments	
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Pipeline transport services</u>	1) None	1) None	
b) Transport services of goods other than fuels (7139)	2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	2) None 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments.	
<u>Services auxiliary to all modes of transport</u>			
b) Storage and warehouse services (excluding services related to petroleum and petroleum products) (742)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) None 3) None except as indicated in horizontal commitments 4) Unbound except as indicated in horizontal commitments	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
d) Customs clearance agent services in Neptunia	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) Unbound* 3) None except as indicated in Horizontal Commitments 4) Unbound except as indicated in Horizontal Commitments	



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III

(SERVICES)

JUPISTAN

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

JUPISTAN - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE UNLESS OTHERWISE INDICATED	<p>3) <u>Acquisition, Mergers and Take-overs</u> The acquisition of assets or interests of Jupistan companies and businesses, mergers or take-overs requires approval and apply to the following:</p> <p>a) the acquisition of the voting rights of a Jupistan corporation by any single foreign interest or associated group of 15% or more, or an aggregate foreign interest of 30% or more or exceeding J\$5 million in value;</p> <p>b) any proposed acquisition of any assets or interests by any means which will result in ownership or control passing to foreign interest; and</p>	<p>3) <u>Land, Property and Real Estate</u> Approval may be denied if the acquisition, disposal or dealing of land or any interest in land, property and real estate is undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.</p> <p><u>Incentives/Preferences</u> Incentives are limited to eligible Jupistan-owned corporations engaged in service sectors promoted by the Government.</p> <p>Any measure and special preference granted to trust companies and institutions set up to meet the objectives of the New Economic Policy (NEP) and the National Development Policy (NDP) shall be unbound.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>c) control of Jupistan corporations through any form of joint-venture agreement, management agreement, technical assistance agreement or other arrangements.</p> <p>Approval is normally granted. However it may be denied in circumstances where the proposed investment conflicts with the interest of the State.</p> <p>4) Unbound except for measures affecting the entry and temporary stay of natural persons defined below:</p> <p>1. <u>Intra-corporate Transferees</u></p> <p>a) senior managers being persons within an organization having proprietary information of the organization and who exercise wide latitude in decision making relating to the establishment, control and operation of the organization being directly responsible to the CEO and receive only general supervision or direction from the board of directors or partners of the organization; and</p>	<p>Corporations in which the Government has an interest shall, in acquiring services, give first consideration to service suppliers in which the Government has an interest. This requirement does not prevent the acquisition of services from other service suppliers where their services are competitive in terms of price, quality and delivery.</p> <p>4) Unbound except for the categories of natural persons referred to under market access</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>b) two specialists or experts per organization being persons within the organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's new service products and technology, research equipment and techniques or management. Additional specialists or experts may be allowed subject to market test and the training of Jupistans through an acceptable training programme in the relevant services sector or subsector:</p> <p>Provided that such persons are employees of the foreign service supplier and have been in the employment of that foreign service supplier for a period of not less than one year immediately preceding the date of their application for a work permit and he is to serve in at least a similar capacity.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>2. <u>Others</u></p> <p>a) specialists or experts being persons who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organizations's products and services subject to market test and the employment of Jupistans as counterparts and/or training of Jupistans through acceptable training programmes in the relevant services sector or subsector;</p> <p>b) professionals being persons who possess necessary academic credentials, professional qualifications, experience and/or expertise which have been duly recognized by the professional bodies in Jupistan and registered with those respective professional bodies; and</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>c) business visitors being persons not based within Jupistan, receiving no remuneration from a source located within Jupistan, who have been employed for at least one year by a foreign service supplier, whose entry and temporary stay is for the purposes of negotiating for the sale of services or entering into agreements to sell services for that service supplier and who will not engage in direct sales to the general public.</p> <p>3) Entry and stay of natural persons defined in categories 1 a) and b) and 2 a) and b) shall not exceed a total of five years. For category 2 c), the period of stay shall not exceed a total of 90 days.</p>		

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
<u>Hotels and restaurants (incl. catering)</u>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) Entry for service suppliers is permitted only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%; or</p> <p>Entry for service activity under CPC 87909 (convention services) is permitted only for the purposes of services contract awarded in Jupistan and implemented through a branch.</p> <p>4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except for the categories of natural persons referred to under market access.</p>	
<u>Travel agencies and tour operators services</u>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%; and establishment of another office requires additional licence.</p> <p>4) Unbound except as indicated in 1 a) in the horizontal section.</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except for the categories of natural persons referred to under market access.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Tourist guides services</u>			
HEALTH-RELATED AND SOCIAL SERVICES			
<u>Hospital services</u>	1), 2) None	1), 2) None	
Private hospital services (93110*)	3) Economic needs test; Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%; and the joint-venture corporation shall operate a hospital with a minimum of 100 beds. 4) Unbound except as indicated in the horizontal section.	3) Establishment of feeder outpatient clinics is not permitted. 4) Unbound except for the categories of natural persons referred to under market access	
<u>Social services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
FINANCIAL SERVICES, INCLUDING INSURANCE <u>Horizontal Commitments Applicable to the Financial Services Sector</u> 1) The offers in the financial services sector are in accordance with the Framework Agreement on Services and the Annex on Financial Services. 2) The limitations listed under the all-sector horizontal section shall not apply to financial services, unless otherwise indicated. 3) In respect of offshore banks, commercial banks, merchant banks, offshore insurance and offshore reinsurance companies, insurance companies and representative offices of commercial banks and merchant banks, the following conditions and limitations on market access and movement of natural persons shall apply in addition to specific limitations to the activity of each financial service as specified in each offer.			
<u>All insurance</u>	1), 2) Unbound due to lack of technical feasibility 3) Local incorporation of existing foreign branches is required. Aggregate foreign shareholding of the parent company shall not exceed 30%. Unbound for new licences New entry is limited to equity participation in existing locally incorporated insurance companies. Aggregate foreign shareholding in an existing locally incorporated insurance company shall not exceed 30%.	1), 2) Unbound due to lack of technical feasibility. 3) None, except as indicated in the all financial services offer and the respective activity.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All insurance</u> (Cont.)	<p>Acquisition of 5% or more of shareholding in a locally incorporated company requires approval. Acquisition of such shares is limited to foreign insurance companies subject to economic needs test, including ability to contribute to financial and economic development in Jupistan, the country of the insurance company has significant trade and investment interests in Jupistan and does not already have a significant presence in the Jupistan insurance industry.</p> <p>An insurance company is not allowed to acquire a licensed insurance broking company or another insurance company that carries on the same class of insurance business as that carried on by it.</p> <p>A person holding 5% or more of the shares of an insurance company is not allowed to acquire 5% or more of the shares of another insurance company carrying on the same class of insurance business as that carried on by the insurance company or a licensed insurance broking company of which he is a shareholder.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All insurance</u> (Cont.)	<p>4) Unbound except the following:</p> <p>a) Unless otherwise specified, temporary presence of natural persons is offered only in respect of supply through the mode of commercial presence</p> <p>b) For insurance companies, one senior manager for each institution. Specialists or experts are subject to an acceptable training programme for Jupistans to be conducted by these persons, market test and eligibility criteria. A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial services supplier. Specialists are individuals who possess knowledge and expertise relating to new products and services, technique or management of the financial service providers</p> <p>c) Movement of a manager or specialists can be through intra-corporate transfers or otherwise</p> <p>d) Entry shall be limited to a maximum period of five years.</p>	<p>4) Unbound except for the categories of natural persons referred to under market access.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>Banking</u> and other financial services, excluding insurance</p>	<p>1), 2) Financial services associated with lending to residents in any currency must be undertaken jointly with banks incorporated in Jupistan.</p> <p>Soliciting, advertising and acceptance of deposits in Jupistan are not allowed</p> <p>3) Only permitted through existing institutions licensed as a commercial bank, a merchant bank or an offshore bank. Merchant banks are only permitted to accept term deposits from non-individuals. The minimum amount of each term deposit shall be specified by the Central Bank from time to time.</p> <p>Entry as a non-bank for scheduled businesses is limited to establishment of a locally incorporated joint-venture company or a representative office. Aggregate foreign shareholding in such a company shall not exceed 30% and shall be confined to foreign financial institutions. Representative offices can only undertake research and liaison services and cannot carry on any scheduled business</p> <p>Provision of factoring services by a commercial bank requires the setting up of a separate entity. Shareholding by a foreign-controlled commercial bank shall not exceed 30%.</p> <p>For merchant banks, consumer credit and home mortgages are not permitted.</p>	<p>1) None</p> <p>2) None</p> <p>3) Non-resident controlled companies are permitted to obtain up to a maximum of 40% of their total credit facilities (including factoring and leasing) from foreign-controlled banks in Jupistan. (60% must be sourced from Jupistan controlled institutions).</p> <p>For commercial banks, unbound for branching (including off-premises ATMs) and networking with ATMs in Jupistan. For merchant banks, branching is permitted when foreign equity does not exceed 30%.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Banking (Cont.)</u> and other financial services, excluding insurance	<p>Overdraft facilities are not permitted, except when supplied by a commercial bank.</p> <p>Offshore banks are permitted to lend in foreign currencies only.</p> <p>4) Unbound except as indicated in the finance sector horizontal section</p> <p>For non-banks, unbound except one foreign national for a management post other than the CEO, for each establishment. For representative offices of scheduled businesses, one foreign national for a management post.</p>	<p>4) Unbound except as indicated in the finance sector horizontal section</p> <p>For non-banks, unbound except for the categories of natural persons referred to under market access.</p> <p>Residency requirements are required for lending of money.</p>	
ENVIRONMENTAL SERVICES			
<u>Sewage services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Refuse disposal services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Sanitation and similar services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
COMMUNICATION SERVICES			
<u>Postal services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Courrier services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Telecommunication services</u> of which enhanced value-added services must be provided from channels or lines obtained only from licensed network operators Data and transmission services covering electronic mail, voice mail, on-line information and database retrieval, enhanced facsimile, code and protocol conversion (7523)	1), 2) None 3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations; or Only through acquisition of shares of an existing licensed operator/corporation; Aggregate foreign shareholding shall not exceed 30%; The licence shall specify the type of services to be provided; and Simple resale is not permitted.	1), 2) None 3) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Telecommunication Services</u> (Cont.)	4) Unbound except as indicated in the horizontal section.	4) Unbound except for the categories of natural persons referred to under market access.	
Mobile data services (7523*)	1), 2) None	1), 2) None	
Telex and telegraph services (7523*)	3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations; or Only through acquisition of shares of an existing licensed operator/corporation; and Aggregate foreign shareholding shall not exceed 30%	3) None	
	4) Unbound except as indicated in the horizontal section	4) Unbound except for the categories of natural persons referred to under market access	
<u>Audiovisual Services</u>			
Motion picture, video tape and audio recording distribution services (96113)	1) Commercial presence is required 2) None 3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and the aggregate foreign shareholding shall not exceed 30%	1) Unbound 2) None 3) None	
	4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	4) Unbound except for the categories of natural persons referred to under market access	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Broadcasting services covering transmission from foreign broadcast station of foreign broadcast matter from foreign territory through television or radio (7524*)	1) 20% of total screening time; and Dubbing into the national language may be required 2) None 3) Unbound due to lack of technical feasibility 4) Unbound due to lack of technical feasibility	1) Unbound for government channel 2) None 3) Unbound due to lack of technical feasibility 4) Unbound due to lack of technical feasibility	
CONSTRUCTION AND RELATED-ENGINEERING SERVICES <u>General construction work for buildings</u> (512) <u>General construction work for civil engineering</u> (513) <u>Installation and assembly work</u> (514+516) <u>Building completion and finishing work</u> (517)	1) Unbound due to lack of technical feasibility 2) None 3) Only through a representative office, regional office, or locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30% 4) Unbound except as indicated in the horizontal section.	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
BUSINESS SERVICES			
<u>Professional services</u>	1), 2) None	1), 2) None, except that auditing and taxation services must be authenticated by a licensed auditor in Jupistan; Architectural services must be authenticated by a registered architect in Jupistan; Engineering services must be authenticated by a registered professional engineer in Jupistan	4) The qualifying examination to determine the competence and ability to supply the service for the purposes of registration with the professional bodies will be conducted in the English language.
Legal services covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws of Jupistan (8619)	3) Only through a locally registered partnership with Jupistan firms or Jupistan accounting firms and aggregate foreign interests shall not exceed 30%. Architectural services may be supplied only by a natural person.	3) None	
Accounting, auditing and bookkeeping services (862)	4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	4) Unbound except for the categories of natural persons referred to under market access.	
Architectural services (8671) Engineering services (8672)	In respect of 2 b), residency is required for registration.		
Medical speciality services covering forensic medicine, nuclear medicine, geriatrics, microvascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology, intensive care specialist, child psychiatry and physical medicine (93122)	1), 2) None 3) Medical speciality services may be supplied only by a natural person 4) Unbound except as indicated in 2 a) in the horizontal section.	1), 2) None 3) None 4) None other than: practice only in private hospitals of at least 100 beds; practice to be only at a specified location and a change of location requires approval; and the setting up of individual or joint group practices is not permitted.	4) The qualifying examination to determine the competence and ability to supply the service will be conducted in the English language

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Computer and related services</u> Consultancy services related to the installation of computer hardware (841) Consultancy services related to software implementation covering advisory and implementation services for customised software (842) Database services (8440) Computer software development services covering development of new software for general application, including, ready-made software packaged for general application (842*)	1), 2) None 3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%. 4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	1), 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access	
<u>Research and Development Services</u> Research and experimental development services on social sciences and humanities (8520 except 85203 and 85204)	1), 2) None 3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%. 4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	1), 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Other business services</u> Advertising services (8711, 8712, 8719) Management consulting services (8650*) Services incidental to agriculture and fishing (881*, 882*) Services incidental to manufacturing (884, 885 except 88442) Technical testing and analysis services (8676 except 86764) Market research and public opinion polling services (864) Student placement services covering promoting, recruiting and facilitating students for studies outside Jupistan (87909)	1) None, except for Advertising services where commercial presence is required 2) None 3) Only through a locally incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%. Advertising through electronic media must have at least 80% local content and be made in Jupistan. 4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section 1), 2), 3) None 4) Unbound except as indicated in the horizontal section	1) None, except for Advertising services 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access 1), 2), 3) None 4) Unbound except for the categories of natural persons referred to under market access	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Translation and interpretation services (87905)	1), 2) None 3) Translation and interpretation services may be supplied only by a natural person 4) Unbound except as indicated in 2 a) in the horizontal section	1), 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access. Translation and/or interpretation from the English language to Jupistan language or vice-versa is not permitted.	
TRANSPORT SERVICES			
<u>Maritime transport services</u> excluding cabotage (7211, 7212)	1), 2) None 3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%. To register a vessel in Jupistan, the following conditions must be met: i) Owner of that vessel must be a Jupistan citizen or corporation incorporated in Jupistan; ii) Majority shareholding to be held by Jupistan nationals; iii) Majority of the board of directors to be Jupistan nationals; and iv) Principal place of business to be in Jupistan.	1), 2) None 3) None	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1) Pilotage 2) Towing and tug assistance 3) Provisioning, fuelling and watering 4) Garbage collection and ballast waste disposal 5) Port Captain's services 6) Navigation aids 7) Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8) Emergency repair facilities 9) Anchorage, berth and berthing services.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Maritime transport services</u> excluding cabotage (cont.) (7211, 7212)	4) Unbound except as indicated in 1 a) and b) and 2 c) in the horizontal section. For manning vessels, ratings is permitted up to 25%. Ship crew is permitted to disembark only for duration of berth.	4) Unbound except for the categories of natural persons referred to under market access.	
Maritime agency services covering marketing and sales of maritime transport and related services and acting on behalf of the companies organizing the call of the ship or taking over cargoes when required (7454*)	1), 2) None 3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Jupistan individuals or Jupistan-controlled corporations or both. 4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	1), 2) None 3) None 4) Unbound except for the categories of natural persons referred to under market access	
Vessel salvage and refloating services except on inland waters (74540)			
<u>Internal waterways transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Air transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	

Sector or subsector	Limitations on market access		Limitations on national treatment		Additional commitments
TRANSPORT SERVICES					
<u>Space transport services</u>	1),2),3),4)	Unbound	1),2),3),4)	Unbound	
<u>Rail transport services</u>	1),2),3),4)	Unbound	1),2),3),4)	Unbound	
<u>Road transport services</u>	1),2),3),4)	Unbound	1),2),3),4)	Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Pipeline transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Services auxiliary to all modes of transport</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III

(SERVICES)

PLUTONA

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

PLUTONA - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	3) In Plutona, 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.*	3) a) Treatment accorded to subsidiaries (of third-country companies) formed in accordance with the law of an autonomous state within Plutona and having their registered office, central administration or principal place of business within Plutona 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 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 Plutona law.	

* 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.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Limitations on real estate purchase by non-resident physical and legal entities. Limitations on agricultural estate purchased by foreign physical and legal entities.</p> <p>Permission from the Minister of Defence is needed for a citizen to acquire land in areas near borders. According to administrative practices, permission is easily granted for direct investment.</p> <p>Authorization* is required for investments by non-Plutona companies, when exceeding 20% 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 state Government on a case by case basis, of the equity offered to the public. Voting rights in newly-privatized companies may be restricted in some cases.</p>	<p>b) 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 Plutona, unless it can be shown that they possess an effective and continuous link with the economy of one of the autonomous states of Plutona.</p> <p>Prior written consent of the Land Commission is necessary for the acquisition of land by domestic or foreign companies or foreign nationals. 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.</p> <p>Subsidies:</p> <p>3) None, other than for branches established in a member state by a non-Plutona company. Eligibility for subsidies from Plutona 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.</p>	

* 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 locals; etc.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For establishing in certain* commercial, industrial or artisanal activities, a specific authorization is needed if the managing director is not holder of a permanent residence permit.</p> <p>4) Unbound except for measures concerning the entry into and temporary stay** within an autonomous state of Plutona, without requiring compliance with an economic needs test***, of the following categories of natural persons providing services:</p>	<p>4) To the extent that any subsidies are made available to natural persons, their availability may be limited to nationals of a member state of Plutona.</p> <p>4) Unbound except for measures concerning the categories of natural persons referred to in the Market Access column.</p>	

* 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.

** The duration of "temporary stay" is defined by the autonomous states of Plutona and, where they exist, Plutona laws and regulations regarding entry, stay and work. The precise duration can vary according to the different categories of natural persons mentioned in this schedule.

*** All other requirements of Plutona and its provincial 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.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>i) the temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:</p> <p>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:</p>	<p>Plutona 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-Plutona nationals remains within the competence of each autonomous state, unless Plutona 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.</p>	

* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<ul style="list-style-type: none"> - 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. <p>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 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.</p> <p>ii) the temporary presence of natural persons in the following categories:</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>a) Persons not residing in the territory of a member state of Plutona, 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.</p> <p>b) Persons working 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 Plutona, of a commercial presence of a service provider when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sale or supplying services; and - the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state. 		

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
<u>Hotels and restaurants (incl. catering)</u> (CPC 641, 642, 643) (excluding catering in transport services sector)	1) Unbound* except for catering: none 2) None 3) Authorization can be denied in order to protect areas of particular historic and artistic interest. Local economic needs test on opening of new bars, cafés and restaurants. 4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: Cafés and bars: condition of nationality.	1) Unbound* except for catering: none 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
<u>Travel agencies and tour operators services</u> (including tour managers) (CPC 7471)	1) None 2) None 3) Authorization for non-Plutona incorporated companies to act as travel agencies is possible only if the company has a permanent base in Plutona and if the person directing the daily operations (or the person asking for the authorization) is a Plutona national.	1) None 2) None 3) None	

* A commitment on this mode of supply is not feasible.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Tourist guides services</u> (CPC 7472)	4) Unbound except as indicated in the horizontal section. 1) Unbound. 2) None 3) None 4) Unbound except as indicated in the horizontal section and subject to the following specific limitations: •The right to exercise the profession is reserved for the local organizations of tourist guides. •Access to the activity is subject to condition of nationality.	4) Unbound except as indicated in the horizontal section. 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
HEALTH-RELATED AND SOCIAL SERVICES <u>Hospital services</u>	1) Unbound 2) None 3) The number of beds and use of heavy medical equipment is limited on the basis of a health plan established on the basis of needs. Private health and sanitary services need authorization from local health authorities. Criteria are based on a ratio in function of population.	1) Unbound 2) None 3) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
FINANCIAL SERVICES 1. Plutona undertakes commitments on Financial Services in accordance with the provisions of the "Understanding on Commitments in Financial Services" (the Understanding). 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 3 and 4 of the market access section of the Understanding 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. 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 2.1 of the Financial Services Annex. 6. As a general rule and in a non-discriminatory manner, financial institutions incorporated in Plutona must adopt a specific legal form.			
<u>All insurance</u>	1) Compulsory air transport insurance policies can be underwritten only by a subsidiary established in Plutona or by a branch established in Plutona. If a foreign insurance company has established a branch in Plutona, it may conclude insurance contracts in Plutona relating to international transport only through the branch established in Plutona. Air and maritime transport insurance, covering goods, vehicles, aircraft, hull and liability insurance regarding risks located in Plutona can be underwritten only by insurance companies established in Plutona or companies having their head office in Plutona. This reservation does not apply to international transport involving imports into Plutona. Only persons or companies established in Plutona may act as intermediaries for such insurance business in Plutona.	1) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>All insurance (cont.)</u></p>	<p>2) Compulsory air insurance policies can be underwritten only by a subsidiary established in Plutona or by a branch established in Plutona.</p> <p>If a foreign insurance company has established a branch in Plutona, it may conclude insurance contracts in Plutona relating to international transport only through the branch established in Plutona.</p> <p>Air and maritime transport insurance, covering goods, vehicles, aircraft, hull and liability insurance regarding risks located in Plutona can be underwritten only by insurance companies established in Plutona or companies having their head office in Plutona. This reservation does not apply to international transport involving imports into Plutona.</p> <p>Only persons or companies established in Plutona may act as intermediaries for such insurance business in Plutona.</p> <p>3) 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.</p>	<p>2) None</p> <p>3) The establishment of branches of insurance companies not having their head office in Plutona is subject to the representative of the branch having received the special authorization as referred to under mode 4.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All insurance</u> (cont.)	<p>Foreign companies may carry out insurance intermediation in Plutona only through a company formed in accordance with the laws of Plutona.</p> <p>In order to establish a branch in Plutona, foreign insurance companies need to demonstrate prior operational experience of at least five years.</p> <p>4) Unbound except as indicated in the horizontal section and subject to the following specific conditions:</p> <ul style="list-style-type: none"> •The general agent of an insurance branch shall be a national of Plutona. The Ministry of Trade and Industry may grant exemption from this requirement. Managers and members of the Board of Directors of a company shall be nationals of Plutona. •However, the Minister of Trade and Industry may grant exemption from this requirement. Exemption is granted on a non-discriminatory basis. 	<p>4) Unbound except as indicated in the horizontal section and subject to the following specific limitations:</p> <ul style="list-style-type: none"> • The general agent of an insurance branch will need to have resided in Plutona for the last two years. The Ministry of Labour may grant exemption. • The representative of a branch of an insurance company which does not have its head office in Plutona is subject to a special authorization. The conditions to be met are related to the technical qualification and good standing of the person. 	
<u>Banking and other Financial Services</u> (excluding insurance)	<p>1) Establishment in Plutona is required for the provision of investment advisory services.</p> <p>2) Issues of securities denominated in Plutona dollars can be managed only by a credit institution, subsidiary or branch, established in Plutona.</p>	<p>1) None</p> <p>2) None</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>Banking and other Financial Services</u> (excluding insurance) (cont.)</p>	<p>3) The establishment of a specialized management company is required to perform the activities of management of unit trusts and investment companies.</p> <ul style="list-style-type: none"> ● Only firms having their registered office in Plutona can act as depositories of the assets of investment funds. ● Financial institutions may engage in securities trading in securities listed in an official stock exchange or in the government securities market only through securities firms incorporated in Plutona. ● The establishment of non-Plutona banks may be subject to an economic needs test. ● Participation by non-Plutona investors in the share capital of a bank established in Plutona is limited in principle to 40%. For the establishment of a branch, a minimum amount of foreign exchange must be imported, converted into Plutona dollars and kept in Plutona as long as a foreign bank continues to operate in Plutona; this minimum amount is equal to the minimum amount of share capital required for the establishment of a Plutona bank. ● The services of provision of venture capital, factoring, enterprise development, pension and investment fund management and broker/dealer services may be provided only by companies incorporated in Plutona. 	<p>3) Representative offices of foreign intermediaries cannot carry out promotional activities in the area of investment in securities.</p> <ul style="list-style-type: none"> ● Branches and subsidiaries of non-Plutona banks need permission to manage Plutona dollars-denominated paper. 	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Banking and other Financial Services</u> (excluding insurance) (cont.)	4) Unbound except as indicated in the horizontal section and subject to the specific conditions: <ul style="list-style-type: none"> ● Condition of Plutona nationality is required 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. 	4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: <ul style="list-style-type: none"> ● Condition of residence for "financial salesmen" is required. 	
ENVIRONMENTAL SERVICES			
<u>Sewage disposal services</u> (CPC 9401)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
<u>Refuse disposal services</u> (CPC 9402)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	

*A commitment on this mode of supply is not feasible.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Sanitation and similar services</u> (CPC 9403) Cleaning Services of Exhaust Gases (CPC 9404) Nature and Landscape Protection Services (CPC 9406)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
COMMUNICATION SERVICES			
<u>Postal services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Courrier services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Telecommunication services</u> h) Value-added services**, Electronic Mail, Voice Mail, On-line Information and Data Base Retrieval, EDI, Code and Protocol Conversion	1) None 2) None	1) None 2) None	

*A commitment on this mode of supply is not feasible.

** Excludes voice telephone, packet and circuit switched data services, telegraph, telex, mobile radio telephone, paging and satellite services

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Telecommunication services</u> (Cont.)	<p>3) The direct or indirect participation of natural persons, who are non-nationals of Plutona or non-Plutona companies or firms in the capital of carriers of complementary telecommunications services, whose exploitation involves the use of complementary telecommunications infrastructures, cannot exceed 25%. Complementary telecommunications infrastructures are all public telecommunications infrastructures which are not part of the basic telecommunications network.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>CONSTRUCTION AND RELATED-ENGINEERING SERVICES (CPC 511, 512, 513, 514, 515, 516, 517, 518)</p> <p><u>General construction work for buildings</u> (CPC 512)</p>	<p>1) Unbound* except for 511 and 514: none</p>	<p>1) Unbound* except for CPC 511 and 514: none.</p>	

* A commitment on this mode of supply is not feasible.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>CONSTRUCTION AND RELATED-ENGINEERING SERVICES (CPC 511, 512, 513, 514, 515, 516, 517, 518) <i>Cont.</i></p> <p><u>General construction work for buildings</u> (CPC 512)</p> <p><u>General construction work for civil engineering</u> (CPC 513)</p> <p><u>Installation and assembly work</u> (CPC 514+516)</p> <p><u>Building completion and finishing work</u> (CPC 517)</p> <p><u>Other</u> (CPC 511+515+518)</p>	<p>2) None</p> <p>3) Exclusive rights are granted for maintenance and management of highways. Nationality condition for managers of the board of directors of construction companies supplying in the public sector.</p> <p>4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: Nationality condition for managers of construction companies supplying in the public sector.</p>	<p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
DISTRIBUTION SERVICES*			
<u>Commission Agents' Services</u> (CPC 621)	1) Unbound for traders and brokers working in markets of national interest. 2) None 3) None 4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: •Condition of nationality for activities of traders, commissioners, and brokers working in markets of national interest.	1) Unbound for traders and brokers working in markets of national interest. 2) None 3) None 4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: •Residence requirement	
<u>Wholesale Trade Services</u> (CPC 622)	1) State monopoly on tobacco. Unbound for pharmacies. 2) None 3) State monopoly on tobacco and matches. Wholesale pharmacies are authorized according to the needs of the population and within established quotas. 4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: •Condition of nationality for wholesale of pharmaceuticals.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: •Residence requirement	

* Excluding trade in arms, chemical products, explosives and precious metals.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Retailing Services</u> (CPC 631, 632, 633, 61112, 6113, 6121 excluding 63211)	1) Unbound except for mail order: none 2) None 3) Economic needs test on establishment of any new department store/outlet and authorization can be denied in order to protect areas of particular historic and artistic interest. •State monopoly on tobacco •Unbound for retail of alcoholic beverages. 4) Unbound except as indicated in the horizontal section, and subject to the following specific limitation: •Condition of nationality for tobacconists.	1) Unbound except for mail order: none 2) None 3) None 4) Unbound except as indicated in the horizontal section	
<u>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>BUSINESS SERVICES</p> <p><u>Professional services</u></p> <p>a) Legal advice home country law and public international law (excluding Plutona law)</p>	<p>1) Unbound for drafting of legal documents.</p> <p>2) None</p> <p>3) Access subject to acceptance into a Bar Association according to the "Federal Lawyers Act" which requires establishment and is restricted to sole proprietorship or partnership only.</p> <p>4) Unbound except as indicated in the horizontal section and subject to the following specific limitation:</p> <ul style="list-style-type: none"> ●Condition of nationality 	<p>1) Unbound for drafting of legal documents. Marketing of legal advice activities is restricted to lawyers with a Plutona licence to practise and law firms registered in Plutona.</p> <p>2) None</p> <p>3) Marketing of legal advice activities is restricted to law firms registered in Plutona. Only lawyers with a Plutona licence to practise and law firms registered in Plutona may own shares in a Plutona law firm. Only lawyers with a Plutona licence to practise may sit on the board or be part of the management of a Plutona law firm.</p> <p>4) Unbound except as indicated in the horizontal section and subject to the following specific limitation:</p> <ul style="list-style-type: none"> ●Marketing of legal advice activities is restricted to lawyers with a Plutona license to practise. Requirement of a Plutona legal examination in order to obtain a Plutona licence to practise. 	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Accounting services</u>	1) Unbound	1) Unbound	
<u>Auditing services</u>	2) None	2) None	
<u>Bookkeeping services</u>	3) Access is restricted to natural persons. Provision through partnership or professional association only.	3) None	
<u>Taxation Advisory services</u>	4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: ●Condition of nationality	4) Unbound except as indicated in the horizontal section and subject to the following specific limitation: ●Residence requirement	
<u>Architectural services</u> (CPC 8671)			
<u>Engineering services</u>			
<u>Computer and related services</u>	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
<u>Other business services</u>	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound except as indicated in the horizontal section.	4) Unbound except as indicated in the horizontal section.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Maritime transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Internal waterways transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Air transport services</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	

* A commitment on this mode of supply is not feasible.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Space transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Rail transport services</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
<u>Road transport services</u>	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section and subject to the following specific limitations: ●Residence requirement for managers.	

* A commitment on this mode of supply is not feasible.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Pipeline transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Services auxiliary to all modes of transport</u>	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	

* A commitment on this mode of supply is not feasible.



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III (SERVICES)

ELARA

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

ELARA - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) The proportion of the foreign joint venture's investment in an equity joint venture shall be, in general, no less than 25% of the registered capital of the equity joint venture.</p> <p>The establishment of foreign-capital enterprises shall be restricted in the following sectors and subsectors, and application for the establishment of a foreign-capital enterprise in these sectors shall be submitted to the Ministry of Foreign Trade and Economy for approval:</p> <ul style="list-style-type: none"> a) public utilities, b) communications and transportation, c) real estate, d) trust investment, and e) leasing. <p>No establishment of foreign-capital enterprises shall be permitted in the following sectors and subsectors:</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>a) the press, publication, broadcasting, television and movies;</p> <p>b) post and telecommunications; and</p> <p>c) other sectors in which the establishment of foreign-capital enterprises is forbidden, as prescribed by Elara Government.</p> <p>Land in Elara is state-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations:</p> <p>a) 70 years for residential purposes;</p> <p>b) 50 years for industrial purposes;</p> <p>c) 50 years for the purpose of education, science, culture, public health and physical education;</p> <p>d) 40 years for commercial, tourist and recreational purposes;</p> <p>e) 50 years for comprehensive utilization or other purposes.</p> <p>4) Unbound except for measures concerning the entry and temporary stay of a natural person who fall into one of the following categories:</p> <p>a) Managers, executives and specialists defined as senior employees of a corporation that has established a branch or subsidiary in Elara, temporarily moving as intracorporate transferees, shall be permitted entry for an initial period of one year without requiring compliance with labour market test. Upon the expiry, the temporary stay may, if necessary, be extended to a total period not exceeding 5 years.</p>	<p>4)Unbound except for categories of natural persons referred to under market access.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>b) Managers, executives and specialists of nationalities of other WTO Members, being engaged in Elara-foreign equity joint ventures and foreign-capital enterprises in Elara, for conducting business within the scope as stipulated in the contracts concerned, shall be granted entry and a 1-5 years long-term stay permit.</p> <p>c) Service salespersons - persons not based in Elara and receiving no remuneration from a source located in Elara, and who are engaged in activities related to representing a service provider for the purpose of negotiating for the sale of the services of that provider where: a) such sales are not directly made to the general public; and b) the salesperson is not engaged in supplying the service. Entry for salespersons is limited to a 90-day period.</p> <p>All other requirements of Elara laws and regulations regarding entry and temporary stay of foreigners shall continue to apply.</p>		

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
A. <u>Hotels (including apartment buildings) and restaurants</u> (CPC 6411, 64193, 64201)	<ol style="list-style-type: none"> 1) Unbound 2) None 3) Foreign service providers may construct, renovate and operate hotel and restaurant establishments in Elara by way of Elara-foreign equity joint ventures or contractual joint ventures. Such joint venture hotels are subject to approval by the National Planning Commission, Ministry of Foreign Trade and Economy and National Tourism Board in line with economic needs. Such joint venture restaurants are subject to approval by local competent authorities in line with economic needs. 4) Foreign managers, specialists and senior executives who have signed contracts with joint venture hotels and restaurants in Elara shall be permitted to provide services in Elara. 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments 	
B. Travel Agency and Tour Operator (CPC 7471)	<ol style="list-style-type: none"> (1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by Elara government: 	<ol style="list-style-type: none"> (1) None (2) None (3) None except that joint ventures or wholly-owned travel agencies and tour operators are not permitted to engage in the activities of Elara nationals travelling abroad. 	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(a) a travel agency and tour operator mainly engaged in travel business;</p> <p>(b) Annual world-wide turnover exceeds Elara dollars 50 million.</p> <p>The registered capital of joint venture travel agency/tour operator shall be no less than Elara dollars 3 million.</p> <p>Foreign majority ownership will be permitted after three years.</p> <p>Wholly foreign-owned subsidiaries will be permitted and geographic restrictions will be removed after 6 years. The business scope of the travel agency/ tour operator is as follows:</p> <p>(a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in Elara covering such operations;</p> <p>(b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in Elara covering such operations;</p> <p>(c) conducting of tours within Elara for both domestic and foreign travellers, and</p> <p>(d) travellers check cashing services within Elara.</p> <p>None within six years; there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator and the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Elara travel agency/tour operator.</p> <p>(4) Unbound, except as indicated in horizontal commitments.</p>	<p>(4) Unbound, except as indicated in horizontal commitments.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
HEALTH-RELATED AND SOCIAL SERVICES			
<u>Hospital services</u> (9311)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
<u>Social services</u> (933)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
FINANCIAL SERVICES			
A. <u>All Insurance and Insurance-Related Services</u> (CPC 812)	1) Unbound 2) Unbound	1) Unbound 2) Unbound	
a) Life insurance ¹ b) Non-life insurance ² c) Reinsurance ³ d) Services auxiliary to insurance ⁴	3) A. Two types of foreign insurance institutions are permitted in Elara: the branch of a foreign insurance company and Elara-foreign joint insurance company.	3) A. Requirements of registered capital and guarantee funds: - a branch of a foreign insurance company underwriting either life insurance or non-life insurance shall pay in as its guarantee funds Elara dollars 5 million or equivalent in other convertible currencies to the branch of the State Bank of Elara;	

¹ The life insurance service refers to the service provided to foreign and Elara citizens who bear payment of premiums by themselves.

² The non-life insurance service refers to any type of non-life insurance of foreign enterprises abroad, and property insurance, liability insurance of foreign-capital enterprises in Elara.

³ The reinsurance service refers to that service related to life insurance and non-life insurance.

⁴ The insurance brokerage and agency are not included.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
		<ul style="list-style-type: none"> - a branch of a foreign insurance company underwriting both life insurance and non-life insurance shall pay in as its guarantee funds Elara dollars 10 million or equivalent in other convertible currencies to the Branch of the State Bank of Elara; - the registered capital of an Elara-foreign joint insurance company underwriting either life or non-life insurance shall be Elara dollars 25 million or equivalent in other convertible currencies; - the registered capital of an Elara-foreign joint insurance company underwriting both life insurance and non-life insurance shall be Elara dollars 50 million or equivalent in other convertible currencies; - paid-in capital of an Elara-foreign joint insurance company shall be no less than 50% of its registered capital; - an Elara-foreign joint insurance company must draw 25% of the net profit after tax each year as reserve funds until the total amount of its paid-in capital plus reserve funds is twice as its registered capital; - an Elara-foreign joint insurance company shall pay in 20% of its paid-in capital as its guarantee funds to the branch of the State Bank of Elara. 	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All insurance and Insurance-Related Services</u> (Cont.)	<p>B. Qualifications for establishing a foreign insurance institution are as follows:</p> <ul style="list-style-type: none"> - the investor shall be a foreign insurance company with more than 30 years of establishment; - it shall have a representative office of over three consecutive years in Elara; - it shall have total assets of more than Elara dollars 6 billion at the end of the year prior to application. 	<p>B. Other regulations on insurance business:</p> <ul style="list-style-type: none"> - requirement of reinsurance: a foreign insurance institution shall transact 30% of its total insurance business as reinsurance to the Elara National Insurance Company. The responsibility for each perilous unit in non-life insurance underwritten by a foreign insurance institution shall not exceed 10% of its total net assets, the exceeded portion shall be transacted as reinsurance to other insurance institutions; - the branch of a foreign insurance company and Elara-foreign joint insurance company to engage in part or all of the following investment operations in Elara: <ul style="list-style-type: none"> - deposit in Elara financial institutions; - purchasing bonds issued by the government; - purchasing bonds issued by enterprises (not exceeding 10% of its total investment); - purchasing financial bonds; - trust lending in foreign currencies (it shall have collateral or guarantee by the financial institutions, each unit of its lending shall not exceed 5% of its total investment, the whole sum of its lending shall not exceed 30% of its total investments); - equity investment (not exceeding 15% of its total investment); 	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>All Insurance and Insurance-Related services</u> (Cont.)		<ul style="list-style-type: none"> - other business operations ratified by the State Bank of Elara; - senior managerial personnel in a foreign insurance institutions shall not concurrently hold important positions in other economic organizations; - a foreign insurance institution shall appoint a regular accountant and actuary, such appointment is subject to the approval by the branch of the State Bank of Elara; - the foreign insurance institution shall not conduct the statutory insurance business. 	
B. Banking and Other Financial Services (excluding insurance)	4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	
Banking services	1) Unbound	1) Unbound	
- Acceptance of non-resident deposit in foreign currencies ⁵ (CPC 81115-81119)	2) Unbound	2) Unbound	
- Payment and money transmission service including credit, charge and debit cards, travellers' cheques and banking drafts (CPC 81339)	3) A. Resident representative office: The establishment of Resident Representative Offices in Elara by foreign financial institutions, including banks, security companies, investment companies, insurance companies, finance companies, credit card companies, and financial leasing companies, shall be approved by the State Bank of Elara.	3) A. Requirements of registered capital and operating funds: The minimum registered capital of a foreign bank and an Elara-foreign joint bank shall be Elara dollars 40 million or equivalent in other freely convertible currencies. The minimum registered capital of an Elara-foreign jointly owned finance company and totally foreign-owned finance company shall be Elara dollars 30 million or equivalent in other convertible currencies. Their paid-in capital shall be no less than 50% of their registered capital.	

⁵ Each deposit which an Elara-foreign joint finance company can take shall be no less than Elara dollars 120,000 or its equivalent in other convertible currencies for a period of at least three months.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Banking (cont.)</p> <ul style="list-style-type: none"> - Lending in foreign currencies⁶ (CPC 8113) - Guarantees (CPC 81199) - Trading for account of customers⁷ (CPC 81339, 81333) - Custodial depository and trust service⁸ (CPC 8119 or 81319) - Advisory and other auxiliary financial services (including credit reference and analysis (CPC 8133, excluding 8131) 	<p>The scope of work of a representative office shall include consultancy, liaison, market survey and other non-profit making activities. A representative office shall be prohibited from undertaking, in the course of its work, any profit-making activities.</p> <p>B. Five types of foreign financial institutions are permitted to provide services in Elara. They are: subsidiary of a foreign bank, branch of a foreign bank, Elara-foreign joint bank, Elara-foreign joint finance company and totally foreign-owned finance company.</p>	<p>A foreign bank branch shall be allocated by its head office a sum of no less than Elara dollars 15 million or equivalent in other convertible currencies as its operating funds.</p> <p>Within 30 days from receipt of the approval certificate issued by the State Bank of Elara, a financial institution must raise in full its paid-in capital or operating funds to be verified by an Elara registered accountant who shall issue a certificate of capital verification.</p> <p>A foreign bank, an Elara-foreign joint bank, an Elara-foreign joint finance company or a totally foreign-owned finance company must draw 25% of the net profit after tax each year as reserve until the total amount of its paid-in capital plus reserve funds is twice as its registered capital.</p> <p>A foreign branch bank must keep 25% of its after-tax profit in Elara to supplement its operating funds until the kept profit is equal to its operating funds.</p> <p>B. Other regulation on banking business: The total amount of loans and other facilities granted by a financial institution of the five types to any enterprise and its related enterprise shall not be more than 30% of its paid-in capital plus total reserves, unless otherwise specially approved by the State Bank of Elara.</p>	

⁶ Loans to Elara citizens are excluded.

⁷ Excluding transferable securities and other negotiable instrument and financial assets inclusive of bullion.

⁸ Custodial depository services are applicable to foreign banks/branches of foreign banks/Elara-foreign joint banks; trust services are applicable to Elara-foreign joint finance companies.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Provision and transfer of financial information data processing and related software by provider of financial services (CPC 8131)</p>	<p>C. Qualifications for establishing a foreign bank are as follows:</p> <ul style="list-style-type: none"> - the investor shall be a financial institution; - it shall have a representative office of over three years' standing in Elara; - it shall have total assets of more than Elara dollars 30 billion at the end of the year prior to the application; 	<p>The total amount of investment by a financial institution of the five types shall not be more than 30% of its paid-in capital plus its total reserves. The preceding sentence does not apply to the investments in financial enterprises approved by the State Bank of Elara.</p> <p>The total assets of a financial institution of the five types shall not be more than 20 times of its paid-in capital plus total reserves.</p> <p>A financial institution of the five types shall engage at least one Elara citizen as its senior managerial personnel. Senior managerial personnel in a financial institution of the five types shall not concurrently hold important positions in other economic organizations.</p> <p>A financial institution of the five types shall appoint a regular registered accountant and such appointment is subject to the approval by the State Bank of Elara or its branches.</p> <p>The chief representative of a representative office from foreign financial institutions shall be required to reside in Elara.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>D. Qualifications for establishing a branch of a foreign bank are as follows:</p> <ul style="list-style-type: none"> - it shall have had a representative office of over three years' standing in Elara; - it shall have total assets of more than Elara dollars 30 billion at the end of the year prior to the application; - its home country or region shall have a sound financial supervisory system. <p>E. Qualifications for establishing an Elara-foreign joint bank, an Elara-foreign joint finance company or a totally foreign-owned finance company are as follows:</p> <ul style="list-style-type: none"> - each investing party shall be a financial institution; - the foreign investor shall have a representative office in Elara. <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p>4) Unbound except as indicated in Horizontal Commitments</p>	
<p>ENVIRONMENTAL SERVICES</p> <p><u>Sewage services</u> (9401)</p> <p><u>Refuse disposal services</u> (9402)</p> <p><u>Sanitation and similar services</u> (9403)</p>	<p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p>	<p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
COMMUNICATION SERVICES			
<u>Postal services</u>	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
<u>Courrier services</u>	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
<u>Telecommunication services</u>	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
CONSTRUCTION AND RELATED-ENGINEERING SERVICES (CPC 511-518)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments	1) Unbound 2) None 3) Subject to Provisional Measures on the Qualification of Foreign Enterprises in Project Contraction in Elara. 4) Unbound except as indicated in Horizontal Commitments	
EDUCATIONAL SERVICES (CPC 921)	1) Unbound 2) None 3) Unbound 4) Licence shall be obtained from Elara Ministry of Education.	1) Unbound 2) None 3) Unbound 4) Qualification are as follows: possession of Master's degree or above, and an appropriate professional title (e.g. professor, senior engineer or lecturer or above, etc.)	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
BUSINESS SERVICES			
<u>Professional Services</u>	1) Unbound	1) Unbound	
b) Accounting, auditing and bookkeeping services (CPC 862)	2) Unbound	2) Unbound	
	3) Foreign accounting firms which meet the following conditions are permitted to establish branch offices or contractual joint venture accounting firms in Elara: <ul style="list-style-type: none"> a) with professional personnel no less than 200; and b) with annual business income not less than Elara dollars 30 million. <p>The total number of this kind of foreign accounting firms providing services in Elara shall not exceed 15.</p>	3) Foreign accountants' auditing reports shall be valid for the competent authorities of Elara providing that they obtain the titles of Elara CPA. The foreign professional staff members employed by a branch office or a contractual joint venture accounting firm must hold the CPA or equivalent titles of their home countries.	
	4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
c) Taxation services (CPC 8630)	1) None 2) Unbound 3) Foreign accounting firms which meet the following conditions may be permitted to establish branch offices in Elara: a) with professional personnel no less than 200; and b) with annual business income not less than Elara dollars 30 million 4) Unbound except as indicated in Horizontal Commitments.	1) None 2) Unbound 3) The qualifications of foreign professionals employed by a representative office shall be examined and recognized by the Ministry of Finance of Elara. 4) Unbound except as indicated in Horizontal Commitments.	
d) Architectural services (CPC 8671)	1) Unbound 2) None	1) Unbound 2) None	
e) Engineering services (CPC 8672)	3) In the form of equity joint venture or contractual joint venture. The foreign venturers shall have to be competitive and registered institutions in their own countries. 4) Unbound except as indicated in Horizontal Commitments.	3) Registered architect or engineer in his own country. 4) Unbound except as indicated in Horizontal Commitments.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
g) Urban planning (excluding general urban planning) (CPC 8674)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments.	
h) Medical and dental services (CPC 9312)	1) Unbound 2) Unbound 3) Foreign solely-owned hospital or clinics (i.e. foreign-capital enterprises) are not permitted, but foreigners are permitted to establish equity joint venture or contractual joint venture hospitals or clinics with Elara partners with a quantitative limitation in line with Elara's needs. Such establishments must be approved by the Ministry of Health and the Ministry of Foreign Trade and Economy.	1) Unbound 2) Unbound 3) The trial equity or contractual joint venture hospitals and clinics shall assume sole responsibility for foreign exchange balance of payments and for its profits or losses. The majority of the doctors and medical personnel of the joint venture hospitals and clinics shall be Elara nationals.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>B. <u>Computer and Related Services</u></p> <p>a) Consultancy services related to installation of computer hardware (CPC 841)</p> <p>b) Software implementation services (CPC 842)</p> <ul style="list-style-type: none"> - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422) - Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433) 	<p>4) Foreign doctors with professional certificates issued by home state shall be permitted to provide short-term medical services in Elara. The licence shall be obtained from the health authorities at provincial level. The term of service is 6 months and may be extended to one year. For medical services, foreign doctors shall submit the following documents to the competent authorities: a) an application; b) notarized educational résumé, professional certificate and more than five years of medical experience as a doctor; c) contracts with Elara medical institutions.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal commitments</p>	<p>4) Unbound except as indicated in Horizontal Commitments</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Qualifications required from the certified engineer are as follows: Bachelor's degree or above and 5 years of experience in these fields.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<ul style="list-style-type: none"> - Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance (CPC 8425) 	1) Unbound 2) None 3) In the form of equity joint venture only 4) Unbound except as indicated in horizontal commitments	1) Unbound 2) None 3) None 4) Qualifications required from the certified engineer are as follows: Bachelor's degree or above and 5 years of experience in these fields.	
c) Data processing services (CPC 843) <ul style="list-style-type: none"> - Input preparation services (CPC 8431) 	1) Unbound 2) None 3) In the form of equity joint venture only. 4) Unbound except as indicated in horizontal commitments	1) Unbound 2) None 3) None 4) Qualifications required from the certified engineer are as follows: Bachelor's degree or above and 3 years of experience in these fields. Data entry operator shall be an Elara national.	
e) Maintenance and repair services of office machinery and equipment including computers (CPC 845)	1) Unbound* 2) None 3) In the form of equity joint venture only. 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound* 2) None 3) None 4) Qualifications required from the certified engineer are as follows: Bachelor's degree or above and 5 years of experience in these fields.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
D. <u>Real Estate Services</u>			
a) Real estate services involving own or leased property (CPC 821)	1) Unbound 2) None 3) In the form of equity joint venture or contractual joint venture only 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments.	
b) Real estate services on a fee or contract basis (CPC 822)	1) Unbound 2) None 3) In the form of equity joint venture appraising company 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	
F. <u>Other Business Services</u>			
a) Advertising services (CPC 871)	1) Foreign enterprises or businessmen that need release advertisement in Elara shall entrust their advertisement to Elara advertising agents possessing the right to operate foreign advertisement. 2) Foreign service providers who want to solicit advertisement from Elara shall conduct advertising business through Elara advertising agents possessing the right to operate foreign advertisement.	1) Unbound 2) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
c) General management consulting services (CPC 86501)	<p>3) Foreign service providers may establish advertising companies in Elara by way of Elara-foreign equity joint venture or contractual joint venture, subject to the following conditions: a) foreign partner shall have the capacity in providing advanced technology and equipment and managerial experience; b) the foreign partner must be an enterprise in terms of juridical person whose business is mainly involved in advertising services. Foreign-capital advertising enterprises are not permitted.</p> <p>4) Unbound except as indicated in Horizontal Commitments.</p> <p>1) None</p> <p>2) Unbound</p> <p>3) Foreign accounting firms which meet the following conditions may be permitted to establish branch offices in Elara and provide management consulting services:</p> <p>a) with professional personnel no less than 200; and</p> <p>b) with annual business income not less than Elara dollars 30 million.</p> <p>4) Unbound except as indicated in Horizontal Commitments.</p>	<p>3) None</p> <p>4) Unbound except as indicated in Horizontal Commitments.</p> <p>1) None</p> <p>2) Unbound</p> <p>3) The qualifications of foreign professionals employed by a representative office shall be examined and recognized by the Ministry of Finance of Elara</p> <p>4) Unbound except as indicated in Horizontal Commitments.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
e) Technical testing and analysis services (CPC 8676)	1) Unbound 2) None 3) Foreign service providers are permitted to establish technical testing and analysis institutions or companies with Elara partners in the form of equity joint ventures subject to approval jointly by the Ministry of Foreign Trade and Economy and other competent authorities in accordance with Elara-foreign equity joint venture law. 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in Horizontal Commitments.	
f) Services incidental to agriculture, forestry, hunting and fishing (CPC 881)	1) None 2) None 3) Foreign service providers are permitted to establish service companies with Elara partners in the form of equity joint venture subject to approval jointly by the Ministry of Foreign Trade and Economy and other competent authorities in accordance with the provisions of Elara-foreign equity joint venture law. 4) Unbound except as indicated in Horizontal Commitments.	1) None 2) Unbound 3) None 4) Unbound except as indicated in Horizontal Commitments.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
- Onshore oilfield services	<p>v) the list of foreign undertakers, items and content of contracted projects and the list of main resident personnel in Elara.</p> <p>After verification and approval of the registration by Elara Chamber of Industry and Commerce, a business licence shall be issued to the foreign contractor.</p> <p>4) Unbound except as indicated in Horizontal Commitments.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) In the designated areas approved by Elara Government. In the form of petroleum exploitation in corporation with Elara National Oil and Gas Exploration & Development Corp (ENOGEDC).</p> <p>In order to carry out the petroleum contract, the foreign service provider shall establish a branch or subsidiary or representative office in Elara and go through registration formalities in accordance with the laws. The domiciles of the said offices shall be determined through consultation with ENOGEDC.</p> <p>The foreign service provider shall open its bank account with a bank approved by Elara government authorities to engage in foreign exchange business in Elara.</p> <p>To meet the requirements of the Bidding Documents and Model Contract from the Elara side.</p>	<p>4) Unbound except as indicated in Horizontal Commitments.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) The foreign service provider shall furnish ENOGEDC accurately and promptly with the report on the petroleum operations, and shall submit to ENOGEDC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations.</p> <p>ENOGEDC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations.</p> <p>The foreign service provider shall use appropriate and advanced technology and managerial experience, and shall have the obligation to transfer its technology and pass on its experience to Elara personnel.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>n) Maintenance and repair of equipment services (CPC 886)</p> <p>t) Translation and interpretation services (CPC 87905)</p>	<p>4) Unbound except as indicated in Horizontal Commitments</p> <p>1) None</p> <p>2) None</p> <p>3) Foreign service providers are permitted to establish maintenance companies with Elara partners in the form of equity joint venture subject to approval jointly by the Ministry of Foreign Trade and Economy and other competent authorities in accordance with the provisions of Elara-foreign equity joint venture law.</p> <p>4) Unbound except as indicated in Horizontal Commitments</p> <p>1) Unbound</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Licence shall be obtained from Elara National Bureau of Foreign Experts (ENBFE) and other competent authorities concerned.</p>	<p>The investment of foreign service provider shall be made in Elara dollars or other hard currency.</p> <p>With regard to personnel, materials, equipment, facilities and services required in the petroleum operations, priority shall be given to the employment of Elara subcontractors, provided that they are competitive in delivery, time, price and quality.</p> <p>4) Unbound except as indicated in Horizontal Commitments</p> <p>1) None</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in Horizontal Commitments</p> <p>1) Unbound</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Qualifications are as follows: specified years of experience in translation or interpretation and a good command of the working language(s).</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>- International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport)</p>	<p>1) a) Liner shipping (including passenger transportation): none</p> <p>b) Bulk, tramp and other international shipping including passenger transportation: none.</p> <p>2) None</p> <p>3) a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: unbound</p> <p>b) Other forms of commercial presence for the supply of international maritime transport services: unbound.</p> <p>4) a) Ship's crews: unbound except as indicated in Part I Commitments.</p> <p>b) Key personnel employed in relation to a commercial presence as defined under mode 3) b) above: unbound except as indicated in Part I Commitments</p>	<p>1) a) None</p> <p>b) None</p> <p>2) None</p> <p>3) a) Unbound</p> <p>b) Unbound</p> <p>4) a) Unbound except as indicated in Horizontal Commitments</p> <p>b) Unbound except as indicated in Horizontal Commitments.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
B. <u>Internal Waterways Transport Services</u> b) Freight transportation (CPC 7222)	1) Only international shipping in ports open to foreign vessels shall be permitted. 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments.	1) Limitations as indicated under market access 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments	
F. <u>Road Transport Services</u> b) Freight transport (CPC 7123, including 71231 to 71233)	1) Unbound 2) None 3) Foreigners may provide road freight transport services by way of joint ventures subject to an economic needs test. 4) Unbound except as indicated in Horizontal Commitments	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in Horizontal Commitments	
H. <u>Maritime Auxiliary Services</u> a) Maritime cargo-handling services (CPC 741) b) Storage and warehousing services (CPC 742) <ul style="list-style-type: none"> ● Customs clearance services ● Container station and depot services ● Maritime agency services ● Maritime freight forwarding services 	1) Unbound* 2) None 3) In the form of joint ventures only. 4) Unbound except as indicated in Horizontal Commitments.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III

(SERVICES)

VENUSIA

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

VENUSIA - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p> <p>All Sectors: Temporary Entry And Stay of Natural Persons¹</p>	<p>4) Unbound, except for measures concerning temporary entry and stay of nationals of another member who fall into the categories listed below:</p> <p><u>Services Salespersons</u> - persons not based in the territory of Venusia and receiving no remuneration from a source located within Venusia, who are engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier where: a) such sales are not directly made to the general public and b) the salesperson is not engaged in supplying the service. Entry for persons named in this section is limited to a 90-day period.</p>	<p>4) Unbound</p>	

¹ "Temporary entry" means entry without intent to establish permanent residence under immigration laws of Venusia and confers no rights with respect to citizenship. Venusia commitments regarding entry and temporary stay in Venusia do not apply in cases of labour/management disputes.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-corporate Transferees</u> - managers, executives and specialists, as defined below, who are employees of firms that provide services within Venusia through a branch, subsidiary, or affiliate established in Venusia and who have been in the prior employ of their firm outside Venusia for a period of not less than one year immediately preceding the date of their application for admission and who are one of the following:</p> <p>a) Managers - persons within an organization who primarily direct the organization, or a department or sub-division of the organization, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions (such as promotion or leave authorization), and exercise discretionary authority over day-to-day operations. Does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>b) Executives - persons within the organization who primarily direct the management of the organization, establish the goals and policies of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the business. Executives would not directly perform tasks related to the actual provision of a service or services of the organization.</p> <p>c) Specialists - persons within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management. (Specialists may include, but are not limited to, members of licenced professions.)</p> <p>Entry for persons named in this section is limited to a 3-year period that may be extended for up to two additional years for a total term not to exceed 5 years.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Personnel Engaged in Establishment</u> - A person who has been employed in the immediately preceding year by an entity, receiving remuneration from that source, who occupies a managerial or executive position with that entity and is entering the territory of Venusia for the purpose of establishing an entity that will support employment of persons. The subject persons shall present proof of acquisition of physical premises for the entity that shall commence its business operations within one year of the date of entry of that person.</p> <p>d) the employer has not laid off or otherwise displaced workers in the subject occupation in the previous six months and will not lay off or displace any Venusian worker during the 90-day period following the filing of an application or the 90-day periods preceding and following the filing of any visa petition supported by the application; e) the employer has taken and is taking timely and significant steps to recruit and retain sufficient Venusian workers in the specialty occupation; and f) notice is given at the time of application by the employer to employees or their representatives at the place of employment.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
All Sectors: Acquisition of Land	3) None	<p>3) The federal government restricts initial sale of federally-owned lands to Venusian citizens. (Preceding restriction does not apply to foreign-owned companies formed under the laws of any state of Venusia.)</p> <p>Acquisition of land reclaimed with federal funds and reclamation of desert land is restricted to individual Venusian citizens</p> <p>Ownership of land by non-Venusian citizens is limited.</p>	
All Sectors: Taxation Measures	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1), 2), 3) At the federal level, with respect to direct taxes:</p> <p>Differential tax treatment may be provided between trusts created or organized in Venusia to provide employee benefits and trusts not created or organized in Venusia and their respective beneficiaries. Such provisions affect the taxation of the income of the trust or the beneficiary, the availability of deductions to taxpayers for contributions to the trust, and tax administration requirements; these provisions include different rules for allowing deductions to, and determining the earnings of, foreign employee benefit plans.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>4) Unbound, except as indicated in the horizontal section</p>	<p>An increase in the rate or a widening of the base of a federal income tax may be imposed on a national, resident or corporation of a foreign country where a national, resident or corporation of Venusia is being subjected to discriminatory or extraterritorial taxes.</p> <p>At the federal level, with respect to taxes other than direct taxes:</p> <p>An excise tax may be imposed in connection with transfers of any property by a citizen or resident of Venusia, or by a domestic entity (corporations, partnership, estate or trust) to a foreign entity (corporation partnership, estate or trust).</p> <p>An excise tax may be imposed on Venusia source gross investment income of foreign organizations that are private foundations.</p> <p>4) None</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
All Sectors: Subsidies	1) Unbound 2) Unbound 3) None	1) Unbound 2) Unbound 3) The Foreign Private Investment Corporation (FPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, and foreign-controlled enterprises established in Venusia Trade and Development Agency financing is limited to: I. individuals 1) who are either Venusia citizens or non-Venusia citizens lawfully admitted for permanent residence in Venusia and 2) whose principal places of business are in Venusia, or II. privately-owned commercial corporations or partnerships that are incorporated or legally organized under the laws of Venusia and whose principal places of business are in Venusia and (1) that are more than 50 per cent beneficially owned by individuals who are Venusia citizens or (2) that have been incorporated or legally organized in Venusia for more than 3 years, have performed similar services in each of the prior 3 years, and employ Venusia citizens in more than half of their permanent full-time positions in Venusia and have the existing capability in Venusia to perform the contract.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>4) Unbound, except as indicated in the horizontal section</p>	<p>Unbound for measures that accord rights or preferences to members of socially or economically disadvantaged groups in Venusia, including:</p> <p>Federal Small Business Administration - loans are restricted to Venusia citizens or companies that are 100 per cent owned by Venusia citizens and whose directors are all Venusia citizens.</p> <p>Unbound for research and development subsidies</p> <p>4) None</p>	

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
<u>Hotels and restaurants (incl. catering)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	
<u>Travel agencies and tour operators services</u>	1) None 2) None 3) Official tourism offices with diplomatic or official status are not permitted to operate on a commercial basis in Venusia or to act as agents or principals in commercial transactions. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	
<u>Tourist guides services</u>	1) None 2) None 3) The number of concessions available for commercial operations in local facilities is limited. 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
HEALTH-RELATED AND SOCIAL SERVICES			
<u>Hospital services</u>	1) Unbound* 2) None 3) Establishment of hospitals or other health care facilities, procurement of specific types of medical equipment, or provision of specific types of medical procedures may be subject to needs-based quantitative limits. 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) Government reimbursement of medical expenses is limited to licensed, certified facilities in Venusia. 3) None 4) None	
<u>Social services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
FINANCIAL SERVICES			
<u>All insurance</u>	1) None 2) None 3) Government-owned or government-controlled insurance companies, whether Venusia or foreign, are not authorized to conduct business without prior authorization. Branches are not permitted to provide surety bonds for Venusia government contracts. Venusia citizenship is required for members of the board of directors of locally established and licenced companies. 4) Unbound, except as indicated in the horizontal section.	1) A 1% excise tax is imposed on all life insurance premiums and a 4% excise tax is imposed on all non-life insurance premiums covering Venusia risks that are paid to companies not incorporated under Venusia law, except for premiums that are earned by such companies through an office or dependent agent in Venusia. When more than 50% of the value of a maritime vessel whose hull was built under guaranteed mortgage funds is insured by a non-Venusia insurer, the insured must demonstrate that the risk was substantially first offered in the Venusia market. 2) Unbound 3) None 4) None.	
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments

<p>Banking</p> <p>1. This subsector shall be unbound with respect to market access through modes 1 and 3 for the expansion of existing operations, the establishment of a new commercial presence (in mode 3 only) or the conduct of new activities.</p> <p>2. National treatment commitments are subject to the following limitation: National treatment will be provided according to the location of the foreign bank in Venusia, where applicable, as that term is defined under the International Banking Act¹.</p> <p>3. Service suppliers choosing to supply a service through a juridical person constituted under the laws of Venusia are subject to non-discriminatory limitations on juridical form².</p> <p>5. It does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound for initial entry by establishment or acquisition of chartered or licensed banks. The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary, branch or agency by a foreign person that does not already have a banking presence in Venusia. All directors of a national bank must be citizens unless a national bank is an affiliate or subsidiary of a foreign bank, in which case only a majority of the board need be citizens. Venusia's law do not permit a credit union, savings bank, home loan or thrift business to be provided through branches of corporations organized under a foreign country's law. In order to accept or maintain domestic retail deposits of less than 100,000 Venusia dollars, a foreign bank must establish an insured banking subsidiary.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) Foreign banks are required to register before they could engage in securities advisory and investment management services in Venusia, while domestic banks are exempt from registration. The registration requirement involves record maintenance, inspections, submission of reports and payment of a fee. Foreign banks cannot be members of Venusia Reserve System, and thus may not vote for directors of a Venusia Reserve Bank. Foreign-owned bank subsidiaries are not subject to this measure. Branch, agency and representative offices of foreign banks are required to be charged for the cost of Venusia Reserve examinations.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments

¹ Foreign banking organizations are generally subject to geographic limitations in Venusia on a national treatment basis. Where geographic limits do not conform to national treatment, they have been reserved as market access restrictions. For purposes of illustration, under this approach the following situations do not accord national treatment and are therefore scheduled as limitations: 1) where a foreign bank from a particular State is accorded less favourable treatment than that accorded to a domestic bank from that State with respect to expansion by branching, and 2) where a foreign bank is treated less favourably than a domestic bank holding company from the foreign bank's home State with respect to expansion through acquisition or establishment of a bank subsidiary.

² For example, partnerships and sole proprietorships are generally not acceptable juridical forms for depository financial institutions in Venusia.

<p>ENVIRONMENTAL SERVICES</p> <p><u>Sewage services</u></p> <p><u>Refuse disposal services</u></p> <p><u>Sanitation and similar services</u></p>	<p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) None.</p> <p>1) None 2) None 3) None 4) None.</p> <p>1) None 2) None 3) None 4) None.</p>	
---	---	---	--

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
COMMUNICATION SERVICES			
<u>Postal services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None.	
<u>Courier services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None.	
<u>Telecommunication services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>CONSTRUCTION AND RELATED-ENGINEERING SERVICES</p> <p><u>General construction work for buildings</u></p> <p><u>General construction work for civil engineering</u></p> <p><u>Installation and assembly work</u></p> <p><u>Building completion and finishing work</u></p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
DISTRIBUTION SERVICES			
<u>Wholesale trade services</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None.	
<u>Retailing services</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
<u>Franchising</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Maritime transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Internal waterways transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Air transport services</u>	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in horizontal measures	1) Unbound* 2) None 3) None 4) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Space transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Rail transport services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in horizontal measures	1) None 2) None 3) None 4) None	
<u>Road transport services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in horizontal measures	1) None 2) None 3) None 4) None	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES			
<u>Pipeline transport services</u>	1),2),3),4) Unbound	1),2),3),4) Unbound	
<u>Services auxiliary to all modes of transport</u>	1) Unbound* 2) None 3) Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's licence in order for the entity to engage in such business. A customs broker's licence may only be obtained by a Venusia citizen. 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	

ADVANCED TRADE NEGOTIATIONS SIMULATION SKILLS COURSE

PART III (SERVICES)

HIMALIA

Schedule of Specific Commitments

Prof. Dickson Yeboah
Head, Intensive Trade Negotiations Skills Unit
Institute for Training and Technical Cooperation
WTO, Geneva.

Tel. +4122-739-5503
Fax +4122- 739-5764
Email: dickson.yeboah@wto.org

10.07.2015

HIMALIA - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>4) Unbound except for measures affecting the entry and temporary stay of natural persons who fall in any of the following categories:</p> <p>a) <u>Business Visitors</u> Persons who visit Himalia for the purposes specified in (i) and (ii) below and who will not receive remuneration from within Himalia:</p> <p>i) for business negotiations, or ii) for preparatory work for establishing a commercial presence in Himalia.</p> <p>Entry for persons in this category shall be for a period of not more than 90 days</p>	<p>3) In case of collaboration with public sector enterprises or government undertakings as joint venture partners, preference in access will be given to foreign service suppliers/entities which offer the best terms for transfer of technology.</p> <p>4) Unbound except for measures referred to under Market Access.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>b) <u>Intra-corporate transferees</u> At the level of Managers, Executives and Specialists who have been in the employment of a juridical person of another Member for a period not less than one year prior to the date of application for entry into Himalia and are being transferred to a branch or a representative office or a juridical person owned or controlled by the aforesaid juridical person.</p> <p>Managers are: Persons who direct a branch office or one or more departments as their head, or supervise or control the work of other supervisory, professional or managerial personnel and have the authority to appoint or remove the personnel and powers to exercise discretionary authority over day-to-day operations.</p> <p>Executives are: Persons who are in senior positions within a juridical person including a branch who primarily direct the management, have wide decision-making powers and are either members of the board of directors or receive directions from the board or the general body of shareholders.</p> <p>Specialists are: Persons who possess high qualifications and knowledge at an advanced level relevant to the organisation's activities or of the organisation's research, equipment, techniques or management and may include persons who are members of accredited professional bodies.</p>		

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Entry for persons in the above categories shall be for a maximum period of 5 years.</p> <p>c) <u>Professionals</u> Natural persons to be engaged by a juridical person in Himalia as part of a services contract for rendering professional services for which he/she possesses the necessary academic credentials and professional qualifications with three years experience in the field of physical sciences, engineering or other natural sciences.</p> <p>Entry and stay in this category shall be for a maximum period of one year.</p>		

II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
TOURISM AND TRAVEL-RELATED SERVICES			
a) <u>Hotels and other lodging services</u> (CPC Ex.641)	1) Unbound* 2) Unbound 3) Only through incorporation with a foreign equity ceiling of 51%. 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section.	
b) <u>Travel Agency and Tour Operators Services</u> (CPC 747)	1) Unbound 2) Unbound 3) Only through incorporation with a foreign equity ceiling of 51%. 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>HEALTH-RELATED AND SOCIAL SERVICES</p> <p>A. <u>Hospital services</u> (CPC 9311)</p> <p><u>Social services</u> (CPC 933)</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) Only through incorporation with a foreign equity ceiling of 51%.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	
<p>FINANCIAL SERVICES</p> <p>The commitments in financial services are made in accordance with the General Agreement on Trade in Services and the Annex on Financial Services. All the commitments are subject to entry requirements, domestic laws, rules and regulations and the terms and conditions of the Reserve Bank of Himalia, Securities and Exchange Board of Himalia and any other competent authority in Himalia.</p>			
<p>A. <u>Insurance and Insurance-related services</u></p> <p>Non-life, limited to insurance of freight Ex.5(a)(i)(B)</p>	<p>1) Unbound except in the case of insurance of freight, where there is no requirement that goods in transit to and from Himalia should be insured with Himalia insurance companies only. Insurance is taken by the buyer or seller in accordance with the terms of the contract. This position will be maintained. Once under a contract, the Himalian importer or exporter agrees to assume the responsibility for insurance such as in the case of f.o.b. contracts for imports into Himalia or c.i.f. contracts for exports from Himalia; insurance has to be taken only with a Himalian insurance company.</p>	<p>1) Unbound</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<u>Insurance and Insurance-related services</u> (Cont.)	2) Unbound	2) Unbound	
	3) Unbound	3) Unbound	
	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
Reinsurance and Retrocession 5 (a) ii)	1),(2) Reinsurance can be taken with foreign reinsurers to the extent of the residual uncovered risk after obligatory or statutory placements domestically with Himalian insurance companies.	1) Unbound	
	3) Unbound	2) Unbound	
	4) Unbound except as indicated in the horizontal section	3) Unbound	
		4) Unbound except as indicated in the horizontal section	
Insurance intermediation, limited to reinsurance Ex.5(a)(iii)	1),(2) Reinsurance of domestic risks can be placed with foreign reinsurers through overseas brokers, to the extent mentioned under reinsurance and retrocession.	1) Unbound	
	3) i) Overseas brokers are allowed to have resident representatives and representative offices who can procure reinsurance business from Himalian insurance companies to the extent mentioned above. They can also place reinsurance business from abroad with Himalian insurance companies.	2) Unbound	
	ii) Except for the business indicated above, the resident representatives and representative offices cannot undertake any other activity in Himalia.	3) Unbound	
	iii) All the expenses of the resident representatives and representative offices have to be met by remittances from abroad and no income can be received in Himalia from Himalian residents.		
	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>B. <u>Banking and other financial services (excluding insurance)</u></p> <p>1. (i) Acceptance of deposits and other repayable funds from the public 5 (a)(v)</p> <p>ii) Lending of all types, including consumer credit, mortgage credit and financing of commercial transactions but excluding factoring Ex. 5(a)(vi)</p> <p>iii) All payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers' drafts 5 (a) (viii)</p> <p>iv) Guarantees and commitments 5(a)(ix)</p> <p>v) Trading for own account of: a) money market instruments b) foreign exchange c) transferable securities Ex.5(a)(x)(A)(B)(E)</p> <p>vi) Portfolio management, custodial and trust services Ex.5(a) (xiii)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) (i) Only through branch operations of a foreign bank licensed and supervised as a bank in its home country. ii) Grant of licence as permissible under existing laws. (iii) A limit of 12 licences per year both for new entrants and existing banks. (iv) Banks are allowed to install ATMs at branches and at other places identified by them. Installation of ATM at a place other than in licensed branches is treated as a new place of business and requires a licence. Licences issued for ATMs installed by foreign banks will not be included in the ceiling of 12 licences referred to in item (iii) above.</p> <p>(v) Investments in other financial services companies by branches of foreign banks licensed to do banking business in Himalia individually not to exceed 10% of owned funds or 30% of the invested company's capital whichever is lower.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) i) Foreign banks are required to constitute Local Advisory Boards consisting <i>inter-alia</i> of professionals and persons having expertise in areas such as small scale industry and exports. The Chairman and members of the Local Advisory Board must be resident Himalian nationals except for the Chief Executive Officer who may be a foreign national. The appointment of Chairman and members of the Board requires the approval of the Reserve Bank of Himalia.</p> <p>ii) Public sector enterprises can invest surplus funds in term deposits only with scheduled commercial banks incorporated in Himalia.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>vii) Clearing services for other banks for cheques, drafts and other instruments Ex. 5(a)(xiv)</p> <p>2. 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 5 (a)(xi)</p> <p>3. Stock broking Ex.5(a)(x)(E)</p>	<p>(vi) Licences for new foreign banks may be denied when the maximum share of assets in Himalia both on and off balance sheet of foreign banks to total assets both on and off balance sheet of the banking system exceeds 15%.</p> <p>(vii) Foreign banks are subject to non-discriminatory resource allocation requirements.</p> <p>4) Unbound except as indicated in horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) (i) Allowed for foreign bank branches licensed to do banking business in Himalia. (ii) Allowed for foreign financial services companies (including banks) through incorporation with foreign equity not exceeding 51%.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Through establishment of locally incorporated joint venture company with foreign equity not exceeding 49%. The foreign equity participation will be limited to recognized foreign stock broking companies.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound except for entities established in accordance with the limitations specified in the market access column.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound except for entities established in accordance with the limitations specified in the market access column.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
4) Financial consultancy services, i.e. financial advisory services provided by financial advisors, etc. to customers on financial matters, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. Ex.5(a)(xvi)	1) Unbound 2) Unbound 3) (i) Allowed for foreign bank branches licensed to do banking business in Himalia. (ii) Allowed for foreign financial services companies (including banks) through incorporation with foreign equity not exceeding 51%. 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) Unbound except for entities established in accordance with the limitations specified in the market access column. 4) Unbound except as indicated in the horizontal section.	
5. Factoring Ex.5(a)(vi)	1) Unbound 2) Unbound	1) Unbound 2) Unbound	
6. Financial leasing 5(a)(vii)	3) Allowed for foreign financial services companies (including banks) through incorporation with foreign equity not exceeding 51%. 4) Unbound except as indicated in the horizontal section.	3) Unbound except for entities established in accordance with the limitations specified in the market access column. 4) Unbound except as indicated in the horizontal section.	
7. Venture capital	1) Unbound 2) Unbound 3) (i) Allowed for foreign financial services companies (including banks) through incorporation with foreign equity not exceeding 51%. (ii) Funding has to be entirely out of equity. 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) Unbound except for entities established in accordance with the limitations specified in the market access column. 4) Unbound except as indicated in the horizontal section.	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
ENVIRONMENTAL SERVICES			
<u>Sewage services</u> (9401)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
<u>Refuse disposal services</u> (9402)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
<u>Sanitation and similar services</u> (9403)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
COMMUNICATION SERVICES			
C. <u>Telecommunication services</u>¹			
a) Voice telephone service (CPC 7521**) Limited to local/long distance, for public use over a public telecommunication transport network.	1) Unbound 2) Unbound 3) The service will be permitted to be provided only after the operator gets a licence from the Designated Authority who shall determine the need, if any, for issuance of new licences. The terms and conditions of the licence will be as laid down by the Designated Authority or Government or the prevailing laws in the country.	1) Unbound 2) Unbound 3) Unbound	

¹ excluding broadcasting services and measures affecting such services. Broadcasting is defined as a form of the uni-directional telecommunications intended for large number of users having appropriate receiving facilities and carried out by means of radio or cable network. This may include sound transmission, television transmission or other types of transmission.

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Wire based (i.e. for fixed network of subscribers)</p> <p>c) Circuit switched data transmission services (CPC 7523**)</p> <p>f) Facsimile services (CPC 7521**)</p>	<p>There will be one operator other than Himalia Telecom in each service area for a period of 10 years from the grant of licence after which the position will be reviewed.</p> <p>The private operator should be a company registered in Himalia in which total foreign equity must not exceed 25%.</p> <p>Service operator will be permitted to provide long distance service within the licensed service area only.</p> <p>Resale of voice telephone services will not be permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>The detailed terms and conditions for providing the service will be as per licence conditions.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Licensed voice telephone service operators will be permitted for transmission of data on the Public Switched Voice Telephone Network.</p> <p>4) Unbound except as indicated in the horizontal commitments.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Licensed voice telephone service operators will be permitted for transmission of facsimile on the Public Switched Voice Telephone Network in its licensed service area. Franchisees of service operators can provide commercial facsimile services.</p>	<p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in the horizontal commitments.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Data and message transmission services, the following:</p> <p>h) Electronic mail (CPC 7523**)</p> <p>i) Voice mail (CPC 7523**)</p> <p>j) On-line information and data base retrieval (CPC 7523**)</p> <p>l) Enhanced/value added facsimile services, including store and forward, store and retrieve (CPC 7523**)</p> <p>n) On-line information and/or data processing (CPC 843**)</p> <p>D. <u>Audiovisual Services</u></p> <p>a) Motion picture or video tape distribution services (CPC 96113)</p>	<p>4) Unbound except as indicated in the horizontal commitments.</p> <p>1) None</p> <p>2) Unbound</p> <p>3) Only through incorporation with a foreign equity ceiling of 51 per cent.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound*</p> <p>3) i) Only through representative offices which will be allowed to function as branches of companies incorporated outside Himalia. ii) Import of titles restricted to 100 per year</p>	<p>4) Unbound except as indicated in the horizontal commitments.</p> <p>1) None</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound*</p> <p>3) Subject to the prescribed authority having certified that the motion picture has:</p> <p>a) won an award in any of the international film festivals notified by the Ministry of Information & Broadcasting, Government of Himalia (MIB); or</p> <p>b) participated in any of the official sections of the notified international film festivals; or</p> <p>c) received good reviews in prestigious film journals notified by MIB.</p>	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments	
CONSTRUCTION AND RELATED-ENGINEERING SERVICES B. <u>Construction work for civil engineering</u> Roads & Bridges only: Construction of highways, streets, railways, runways, bridges, tunnels, subways, waterways, harbours, dams, pipelines, communication lines, power lines and construction work of constructions for mining and manufacturing not elsewhere classified e.g. power plants, iron foundries, blast furnaces and coke ovens. It excludes construction work of warehouses and industrial buildings, residential and non-residential buildings. (CPC Ex. 513)	1) Unbound* 2) Unbound* 3) Only through incorporation with a foreign equity ceiling of 51% 4) Unbound except as indicated in Horizontal Commitments	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in the horizontal section	
EDUCATIONAL SERVICES (CPC 921)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
BUSINESS SERVICES			
A. <u>Professional Services</u>			
e) Engineering Services (CPC 8672)	1) Unbound 2) Unbound	1) Unbound 2) Unbound	
B. <u>Computer and Related Services</u>			
a) Consultancy services related to the installation of computer hardware (CPC 841)	3) Only through incorporation with a foreign equity ceiling of 51% 4) Unbound except as indicated in the horizontal section	3) None 4) Unbound except as indicated in the horizontal section	
b) Software implementation services (CPC 842)			
c) Data processing services (CPC 843)			
d) Data base services (CPC 844)			
e) Maintenance and repair services of office machinery and equipment including computers (CPC 845)			
C. <u>Research and Development Services</u>			
a) R&D services on the following natural sciences only: - Heat, light, electro-magnetism, astronomy, but excluding atomic energy and related matters (CPC 85101)	1) Unbound 2) Unbound* 3) Only through incorporation with a foreign equity ceiling of 51% 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Engineering and technology, including applied science and technology for casting, metal, machinery, electricity, communications, vessels, aircrafts, civil engineering, construction, information, etc. (CPC 85103)</p> <p>F. <u>Other Business Services</u></p> <p>e) Technical testing and analysis services (CPC 8676)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Only through incorporation with a foreign equity ceiling of 51%</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>B. <u>Internal Waterways Transport Services</u></p> <p>F. <u>Road Transport Services</u></p>	<p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p>	<p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p> <p>1), 2), 3), 4) Unbound</p>	

