

FREE TRADE AGREEMENT

BETWEEN

THE REPUBLIC OF KOREA

AND

THE EFTA STATES

**FINAL ACT TO THE FREE TRADE AGREEMENT BETWEEN
THE REPUBLIC OF KOREA AND THE EFTA STATES**

Having met in order to conclude the Free Trade Agreement negotiations between them, the plenipotentiaries of:

the Republic of Korea,
(hereinafter referred to as Korea),

and of the Republic of Iceland,
the Principality of Liechtenstein,
the Kingdom of Norway,
the Swiss Confederation,
(hereinafter referred to collectively as the EFTA States)

hereby agree:

- (1) to subscribe to the Free Trade Agreement between the Republic of Korea and the EFTA States,
- (2) to adopt the Joint Declaration hereto, and
- (3) to subscribe to the Record of Understanding hereto.

On this occasion, the plenipotentiaries of Korea and the EFTA States concerned

hereby also agree:

- (1) to adopt the Declaration by Korea and Switzerland on Medical Devices to the Free Trade Agreement between Korea and the EFTA States,
- (2) to subscribe to the Agreement on Investment between the Republic of Korea and the Republic of Iceland, the Principality of Liechtenstein and the Swiss Confederation,
- (3) to subscribe to the Agreement on Agriculture between the Republic of Korea and the Republic of Iceland,
- (4) to subscribe to the Agreement on Agriculture between the Republic of Korea and the Kingdom of Norway, and
- (5) to subscribe to the Agreement on Agriculture between the Republic of Korea and the Swiss Confederation.

All of these texts are attached to this Final Act.

Done at Hong Kong, this 15th day of December 2005, in a single original in the English language, which shall be deposited with the Government of Norway. The Depositary shall transmit certified copies to all Signatory States.

For the Republic of Korea

For the Republic of Iceland

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For the Principality of Liechtenstein

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For the Kingdom of Norway

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For the Swiss Confederation

PREAMBLE

The Republic of Korea (hereinafter referred to as "Korea"),

and

the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation (hereinafter referred to as "the EFTA States"),

hereinafter collectively referred to as "the Parties",

CONSIDERING the important links existing between Korea and the EFTA States;

WISHING to strengthen these links through the creation of a free trade area, thus establishing close and lasting relations;

CONVINCED that the free trade area will create an expanded and secure market for goods and services in their territories and create a stable and predictable environment for investment, thus enhancing the competitiveness of their firms in global markets;

REAFFIRMING their commitment to the United Nations Charter and the Universal Declaration of Human Rights;

RESOLVED by way of the removal of obstacles to trade through the creation of a free trade area to contribute to the harmonious development and expansion of world trade and provide a catalyst to broader international co-operation, in particular between Europe and Asia;

AIMING to create new employment opportunities, improve living standards and ensure a large and steadily growing real income in their respective territories through the expansion of trade and investment flows;

CONVINCED that this Agreement will create conditions encouraging economic, trade and investment relations between them;

BUILDING on their respective rights and obligations under the Marrakesh Agreement Establishing the WTO and the other agreements negotiated thereunder (hereinafter referred to as "the WTO Agreement") and other multilateral and bilateral instruments of co-operation to which they are both parties; and

RECOGNISING that trade liberalisation should allow for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment;

HAVE AGREED, in pursuit of the above, as follows:

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1.1

Objectives

1. Korea and the EFTA States hereby establish a free trade area in accordance with the provisions of this Agreement.

2. The objectives of this Agreement, which is based on trade relations between market economies, are:

- (a) to achieve the liberalisation and facilitation of trade in goods, in conformity with Article XXIV of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as “the GATT 1994”);
- (b) to achieve the liberalisation of trade in services, in conformity with Article V of the General Agreement on Trade in Services (hereinafter referred to as “the GATS”);
- (c) to promote competition in their economies, particularly as it relates to economic relations between the Parties;
- (d) to achieve further liberalisation on a mutual basis of the government procurement markets of the Parties;
- (e) to ensure adequate and effective protection of intellectual property rights, in accordance with international standards; and
- (f) to contribute in this way, by the removal of barriers to trade and by developing an environment conducive to increased investment flows, to the harmonious development and expansion of world trade.

ARTICLE 1.2

Geographical Scope

1. Without prejudice to Annex I, this Agreement shall apply:

- (a) to the land territory, internal waters, and the territorial sea of a Party, and the air-space above the territory in accordance with international law; as well as
- (b) beyond the territorial sea, with respect to measures taken by a Party in

the exercise of its sovereign right or jurisdiction in accordance with international law.

2. Annex II applies with respect to Norway.

ARTICLE 1.3

Trade and Economic Relations Governed by this Agreement

1. The provisions of this Agreement apply to the trade and economic relations between, on the one side, Korea and, on the other side, the EFTA States, but not to the trade relations between individual EFTA States, unless otherwise provided for in this Agreement.

2. As a result of the customs union established by the Treaty of 29 March 1923 between the Swiss Confederation and the Principality of Liechtenstein, the Swiss Confederation shall represent the Principality of Liechtenstein in matters covered thereby.

ARTICLE 1.4

Investment

Regarding investment, reference is made to the agreement on investment separately concluded between Korea, on the one hand, and Iceland, Liechtenstein and Switzerland, on the other. This agreement shall for these Parties form part of the instruments establishing the free trade area.

ARTICLE 1.5

Relationship to other Agreements

The provisions of this Agreement shall be without prejudice to the rights and obligations of the Parties under the WTO Agreement and any other international agreement to which they are party.

ARTICLE 1.6

Regional and Local Government

Each Party shall ensure within its territory the observance of all obligations and commitments under this Agreement by its respective regional and local governments and authorities, and by non-governmental bodies in the exercise of governmental powers delegated to them by central, regional and local governments or authorities.

ARTICLE 1.7

Preferential Agreements

This Agreement shall not prevent the maintenance or establishment of customs unions, free trade areas, arrangements for frontier trade and other preferential agreements to the extent that these do not adversely affect the trade regime provided for by this Agreement.

CHAPTER 2 TRADE IN GOODS

ARTICLE 2.1

Scope

1. This Chapter shall apply to the products listed below, which must originate in Korea or an EFTA State except when the rights and obligations of the Parties are governed by the GATT 1994:

- (a) all products falling within Chapters 25 to 97 of the Harmonized Commodity Description and Coding System (hereinafter referred to as “the HS”), excluding the products listed in Annex III;
- (b) processed agricultural products as provided for in Annex IV; and
- (c) fish and other marine products as provided for in Annex V.

2. Korea and each EFTA State have concluded agreements on trade in agricultural products on a bilateral basis. These agreements form part of the instruments establishing the free trade area between Korea and the EFTA States.

ARTICLE 2.2

Rules of Origin and Customs Procedures

The provisions on rules of origin and customs procedures are set out in Annex I.

ARTICLE 2.3

Customs Duties

1. Upon the entry into force of this Agreement, Korea and the EFTA States shall abolish all customs duties and other duties or charges on imports and exports of products originating in Korea or in an EFTA State except as otherwise provided for in Annex VI.

2. No new customs duties and other duties or charges on imports and exports of products originating in Korea or in an EFTA State shall be introduced.

3. “Customs duties and other duties or charges on imports and exports” includes any duty or charge of any kind imposed in connection with the importation or exportation of a product, including any form of surtax or surcharge in connection with such importation or exportation, but does not include any charge imposed in conformity with Articles III and VIII of the GATT 1994.

ARTICLE 2.4

Base Rate of Customs Duties

1. For each product the base rate of customs duties, to which the successive reductions set out in Annexes IV, V and VI are to be applied, shall be the most-favoured nation (hereinafter referred to as “MFN”) customs duty rate applied on 1 January 2005.

2. If at any moment a Party reduces its MFN customs duty rates for one or more goods covered by this Agreement, that duty rate shall apply if and for as long as it is lower than the customs duty rate calculated in accordance with the tariff elimination schedule set out in Annexes IV, V and VI. During the application of the reduced MFN rate, the Parties shall consult upon request with a view to continuing the elimination schedule based on the reduced MFN customs duty rate.

3. The reduced customs duty rates calculated in accordance with Annexes IV, V and VI shall be applied rounded to the first decimal place.

ARTICLE 2.5

Import and Export Restrictions

1. Upon the entry into force of this Agreement, all import or export prohibitions or restrictions on trade in goods between the Parties, other than customs duties and taxes, whether made effective through quotas, import or export licenses or other measures, shall be eliminated on all products of each Party, except as specified in Annex V.

2. No new measures as referred to in paragraph 1 shall be introduced.

ARTICLE 2.6

National Treatment

The Parties shall apply national treatment in accordance with Article III of the GATT 1994, including its interpretative notes, which is hereby incorporated into and made part of this Agreement.

ARTICLE 2.7

Sanitary and Phytosanitary Measures

1. The rights and obligations of the Parties in respect of sanitary and phytosanitary measures shall be governed by the WTO Agreement on the Application of Sanitary and Phytosanitary Measures.

2. The Parties shall exchange names and addresses of contact points with sanitary and phytosanitary expertise in order to facilitate technical consultations and the exchange of information.

ARTICLE 2.8

Technical Regulations

1. The rights and obligations of the Parties in respect of technical regulations, standards and conformity assessment shall be governed by the WTO Agreement on Technical Barriers to Trade (hereinafter referred to as “the TBT Agreement”), which is hereby incorporated into and made part of this Agreement.

2. The Parties shall strengthen their cooperation in the field of technical regulations, standards and conformity assessment with a view to increasing the mutual understanding of their respective systems and facilitating access to their respective markets. To this end, they shall in particular cooperate in:

- (a) reinforcing the role of international standards as a basis for technical regulations, including conformity assessment procedures;
- (b) promoting the accreditation of conformity assessment bodies on the basis of relevant Standards and Guides of the International Standards Organisation (ISO)/International Electrotechnical Commission (IEC); and
- (c) promoting the mutual acceptance of conformity assessment results of bodies referred to in paragraph 2(b) which have been recognised under an appropriate multilateral agreement between their respective accreditation systems or bodies.

3. The Parties shall, within the context of this Article, expeditiously broaden the exchange of information and give favourable consideration to any written request for consultation.

4. The Parties recognise that a broad range of mechanisms exists to facilitate the acceptance in a Party's territory of the results of conformity assessment procedures conducted in another Party's territory, including:

- (a) agreements on mutual acceptance of the results of conformity assessment procedures with respect to specified regulations conducted by bodies located in the territory of the other Party;
- (b) accreditation procedures for qualifying conformity assessment bodies;
- (c) government designation of conformity assessment bodies;
- (d) recognition by one Party of the results of conformity assessments performed in another Party's territory;
- (e) voluntary arrangements between conformity assessment bodies in each Party's territory; and
- (f) the importing Party's acceptance of a supplier's declaration of conformity.

The Parties shall, at the latest three years after the date of entry into force of this Agreement, assess in the Joint Committee referred to in Article 8.1 (hereinafter referred to as the "Joint Committee") progress with regard to the acceptance of the results of conformity assessment between them and, to the extent necessary, agree on further steps.

메모 [B.M.1]: Proposed by Korea, accepted by EFTA

5. Without prejudice to paragraph 1, the Parties agree to exchange information and to hold expert consultations to address any matter that may arise from the application of specific technical regulations, standards and conformity assessment procedures and which according to Korea or one or more of the EFTA States has created or is likely to create an obstacle to trade between the Parties, with a view to working out an appropriate solution in conformity with the TBT Agreement. The Joint Committee shall be informed of such consultations.

ARTICLE 2.9

Subsidies and Countervailing Measures

1. The rights and obligations of the Parties relating to subsidies and countervailing measures shall be governed by Articles VI and XVI of the GATT 1994 and the WTO

Agreement on Subsidies and Countervailing Measures, except as provided for in paragraph 2.

2. Before a Party initiates an investigation to determine the existence, degree and effect of any alleged subsidy in Korea or in an EFTA State, as provided for in Article 11 of the WTO Agreement on Subsidies and Countervailing Measures, the Party considering initiating an investigation shall notify in writing the Party whose goods are subject to investigation and allow for a 30 day period with a view to finding a mutually acceptable solution. The consultations shall take place in the Joint Committee if any Party so requests within ten days from the receipt of the notification.

ARTICLE 2.10

Anti-Dumping

1. The Parties retain their rights and obligations under Article VI of the GATT 1994 and the Agreement on Implementation of Article VI of the GATT 1994 (hereinafter referred to as the "WTO Agreement on Anti-Dumping"), subject to the following:

- (a) The Parties shall endeavour to refrain from initiating anti-dumping procedures against each other. To this end, when a Party receives a properly documented application and before initiating an investigation under the WTO Agreement on Anti-Dumping, the Party shall notify in writing the other Party whose goods are allegedly being dumped and allow for consultations with a view to finding a mutually acceptable solution. The outcome of the consultations shall be communicated to the other Parties.
- (b) If a Party takes a decision to impose an anti-dumping duty pursuant to Article 9.1 of the WTO Agreement on Anti-Dumping, the Party taking such a decision shall apply the "lesser duty" rule by imposing a duty which is less than the dumping margin where such lesser duty would be adequate to remove the injury to the domestic industry.

2. Five years after the entry into force of this Agreement, the Parties shall in the Joint Committee review whether there is need to maintain the possibility to take anti-dumping measures between them. If the Parties decide, after the first review, to maintain the possibility they shall thereafter conduct biennial reviews of this matter in the Joint Committee.

ARTICLE 2.11

Bilateral Safeguard Measures

1. Where, as a result of the reduction or elimination of a customs duty under this Agreement, any product originating in a Party is being imported into the territory of another Party in such increased quantities, in absolute terms or relative to domestic production, and under such conditions as to constitute a substantial cause of serious injury or threat thereof to the domestic industry of like or directly competitive products in the territory of the importing Party, the importing Party may take emergency measures to the minimum extent necessary to remedy or prevent the injury, subject to the provisions of the following paragraphs of this Article.

2. Emergency measures shall only be taken upon clear evidence that increased imports have caused or are threatening to cause serious injury pursuant to an investigation in accordance with the procedures laid down in the WTO Agreement on Safeguards.

3. The Party intending to take an emergency action under this Article shall immediately, and in any case before taking a measure, make notification to the other Parties and the Joint Committee. The notification shall contain all pertinent information, which shall include evidence of serious injury or threat thereof caused by increased imports, precise description of the product involved, and the proposed measure, proposed date of introduction, expected duration and timetable for the progressive removal of the measure. A Party that may be affected by the measure shall be offered compensation in the form of substantially equivalent trade liberalization in relation to the imports from any such Party.

4. If the conditions in paragraph 1 are met, the importing Party may:

- (a) suspend the further reduction of any rate of customs duty provided for under this Agreement for the product; or
- (b) increase the rate of customs duty for the product to a level not to exceed the lesser of:
 - (i) the MFN rate of duty applied at the time the action is taken; or
 - (ii) the MFN rate of duty applied on the day immediately preceding the date of the entry into force of this Agreement.

5. Emergency measures shall be taken for a period not exceeding one year. In very exceptional circumstances, after review by the Joint Committee, measures may be taken up to a total maximum period of three years. No measures shall be applied to the import of a product, which has previously been subject to such a measure, for a period of, at least, three years since the expiry of the measure.

6. The Joint Committee shall, within 30 days from the date of notification, examine the information provided under paragraph 3 in order to facilitate a mutually acceptable resolution of the matter. In the absence of such resolution, the importing Party may adopt a measure pursuant to paragraph 4 to remedy the problem, and, in the absence of mutually agreed compensation, the Party against whose product the measure

is taken may take compensatory action. The safeguard measure and the compensatory action shall be immediately notified to the other Parties and the Joint Committee. In the selection of the safeguard measure and the compensatory action, priority must be given to the action which least disturbs the functioning of this Agreement. The compensatory action shall normally consist of suspension of concessions having substantially equivalent trade effects or concessions substantially equivalent to the value of the additional duties expected to result from the emergency action. The Party taking such action shall apply the action only for the minimum period necessary to achieve the substantially equivalent trade effects and in any event, only while the measure under paragraph 4 is being applied.

7. Upon the termination of the measure, the rate of customs duty shall be the rate which would have been in effect but for the measure.

8. In critical circumstances, where delay would cause damage which would be difficult to repair, a Party may take a provisional emergency measure pursuant to a preliminary determination that there is clear evidence that increased imports constitute a substantial cause of serious injury, or threat thereof, to the domestic industry. The Party intending to take such a measure shall immediately notify the other Parties and the Joint Committee thereof. Within 30 days of the date of the notification, the pertinent procedures set out in paragraphs 2 to 6, including for compensatory action, shall be initiated. Any compensation shall be based on the total period of application of the provisional emergency measure and of the emergency measure.

9. Any provisional measures shall be terminated within 200 days at the latest. The period of application of any such provisional measure shall be counted as part of the duration of the measure set out in paragraph 4 and any extension thereof. Any tariff increases shall be promptly refunded if the investigation described in paragraph 2 does not result in a finding that the conditions of paragraph 1 are met.

10. Five years after the date of entry into force of this Agreement, the Parties shall in the Joint Committee review whether there is need to maintain the possibility to take safeguard measures between them. If the Parties decide, after the first review to maintain the possibility, they shall thereafter conduct biennial review of this matter in the Joint Committee.

ARTICLE 2.12

Balance-of-Payments Difficulties

1. The Parties shall endeavour to avoid the imposition of restrictive measures for balance-of-payments purposes.

2. A Party in serious balance-of-payments difficulties, or under imminent threat thereof, may, in accordance with the conditions established under the GATT 1994 and the WTO Understanding on the Balance-of-Payments Provisions, adopt trade restrictive measures, which shall be of limited duration and non-discriminatory, and may not go

beyond what is necessary to remedy the balance-of-payments situation. The relevant provisions of the GATT 1994 and the WTO Understanding on the Balance-of-Payments Provisions are hereby incorporated into and made part of this Agreement.

3. The Party introducing a measure under this Article shall promptly notify the other Parties and the Joint Committee thereof.

ARTICLE 2.13

Exceptions and other Rights and Obligations

The following rights and obligations of the Parties shall be governed by the corresponding Articles of the GATT 1994, which are hereby incorporated into and made part of this Agreement:

- (a) in respect of state trading enterprises, by Article XVII and the Understanding on the Interpretation of Article XVII;
- (b) in respect of general exceptions, by Article XX; and
- (c) in respect of security exceptions, by Article XXI.

CHAPTER 3 TRADE IN SERVICES

ARTICLE 3.1

Scope and Coverage

1. This Chapter applies to measures affecting trade in services taken by central, regional or local governments and authorities as well as by non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities. It applies to measures in all services sectors except as provided for in Article 4.1. It does not apply to measures affecting air traffic rights or measures affecting services directly related to the exercise of air traffic rights, except as provided for in paragraph 3 of the GATS Annex on Air Transport Services.

2. Articles 3.4, 3.5 and 3.6 shall not apply to laws, regulations or requirements governing the procurement by government agencies of services purchased for governmental purposes and not for commercial resale or for use in the supply of services for commercial sale.

ARTICLE 3.2

Incorporation of Provisions from the GATS

Wherever a provision of this Chapter provides that a provision of the GATS is incorporated into and made part of this Chapter, the meaning of the terms used in the GATS provision shall be understood as follows:

- (a) “Member” shall mean “Party”, except that “among Members” shall mean “among Members of the WTO”;
- (b) “Schedules” shall mean the Schedules referred to in Article 3.16 and contained in Annex VII; and
- (c) “Specific Commitment” shall mean a specific commitment in a Schedule referred to in Article 3.16.

ARTICLE 3.3

Definitions

For purposes of this Chapter:

- 1. The following definitions of Article I of the GATS are incorporated into and made part of this Chapter:
 - (a) “trade in services”;
 - (b) “services”; and
 - (c) “a service supplied in the exercise of governmental authority”.
- 2. “Service supplier” means any person that supplies, or seeks to supply, a service.¹
- 3. “Natural person of a Party” is, under its legislation, a national of that Party, or a permanent resident of that Party if that Party accords substantially the same treatment to its permanent residents as to its nationals in respect of measures affecting trade in services.
- 4. “Juridical person of a Party” means a juridical person which is either:

¹ Where the service is not supplied directly by a juridical person but through other forms of commercial presence such as a branch or a representative office, the service supplier (i.e. the juridical person) shall, nonetheless, through such commercial presence be accorded the treatment provided for service suppliers under this Chapter. Such treatment shall be extended to the commercial presence through which the service is supplied or sought to be supplied and need not be extended to any other parts of the service supplier located outside the territory where the service is supplied or sought to be supplied.

- (a) constituted or otherwise organised under the law of that Party, and
 - (i) is engaged in substantive business operations in the territory of any Party; or
 - (ii) is engaged in substantive business operations in the territory of any Member of the WTO and is owned or controlled by natural persons of that Party or by juridical persons that meet the conditions of paragraph 4(a)(i);

or

- (b) in the case of the supply of a service through commercial presence, owned or controlled by:
 - (i) natural persons of that Party; or
 - (ii) juridical persons that meet the conditions of paragraph 4(a).

5. The following definitions of Article XXVIII of the GATS are hereby incorporated into and made part of this Chapter:

- (a) “measure”;
- (b) “supply of a service”;
- (c) “measures by Members affecting trade in services”;
- (d) “commercial presence”;
- (e) “sector” of a service;
- (f) “service of another Member”;
- (g) “monopoly supplier of a service”;
- (h) “service consumer”;
- (i) “person”;
- (j) “juridical person”;
- (k) “owned”, “controlled” and “affiliated”; and
- (l) “direct taxes”.

ARTICLE 3.4

Most Favoured Nation Treatment

1. Without prejudice to measures taken in accordance with Article VII of the GATS, and except as provided for in its List of MFN-exemptions contained in Annex VIII, a Party shall accord immediately and unconditionally, in respect of all measures affecting the supply of services, to services and service suppliers of another Party treatment no less favourable than the treatment it accords to like services and service suppliers of any non-Party.
2. Treatment granted under other agreements concluded by one of the Parties and notified under Article V or Article V *bis* of the GATS shall not be subject to paragraph 1.
3. If a Party enters into an agreement of the type referred to in paragraph 2, it shall upon request from another Party afford adequate opportunity to that Party to negotiate the benefits granted therein.
4. The rights and obligations of the Parties in respect of advantages accorded to adjacent countries shall be governed by paragraph 3 of Article II of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.5

Market Access

Commitments on market access shall be governed by Article XVI of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.6

National Treatment

Commitments on national treatment shall be governed by Article XVII of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.7

Additional Commitments

Additional commitments shall be governed by Article XVIII of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.8

Domestic Regulation

The rights and obligations of the Parties in respect of domestic regulation shall be governed by Article VI of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.9

Recognition

1. Where a Party recognises, by agreement or arrangement, the education or experience obtained, requirements met or licenses or certifications granted in the territory of a non-Party, that Party shall accord another Party adequate opportunity to negotiate its accession to such an agreement or arrangement, whether existing or future, or to negotiate a comparable agreement or arrangement with it. Where a Party accords recognition autonomously, it shall afford adequate opportunity for another Party to demonstrate that the education or experience obtained, requirements met or licenses or certifications granted in the territory of that other Party should also be recognised.
2. Any such agreement or arrangement or autonomous recognition shall be in conformity with the relevant provisions of the WTO Agreement and, in particular, Article VII of the GATS.
3. Annex IX applies to mutual recognition of, *inter alia*, education or experience, qualifications, licenses, certification or accreditation of service suppliers.

ARTICLE 3.10

Movement of Natural Persons

The rights and obligations of the Parties in respect of the movement of natural persons of a Party supplying services shall be governed by the GATS Annex on Movement of Natural Persons Supplying Services, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.11

Monopolies and Exclusive Service Suppliers

The rights and obligations of the Parties in respect of monopolies and exclusive service suppliers shall be governed by paragraphs 1, 2 and 5 of Article VIII of the GATS, which are hereby incorporated into and made part of this Chapter.

ARTICLE 3.12

Business Practices

The rights and obligations of the Parties in respect of business practices shall be governed by Article IX of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 3.13

Payments and Transfers

1. Subject to its specific commitments and except under the circumstances envisaged in Article 3.14, a Party shall not apply restrictions on international transfers and payments for current transactions relating to the supply of a service with another Party.
2. Nothing in this Chapter shall affect the rights and obligations of the Parties under the Articles of the Agreement of the International Monetary Fund (IMF), including the use of exchange actions which are in conformity with the Articles of the Agreement of the IMF, provided that a Party shall not impose restrictions on capital transactions inconsistently with its specific commitments, except under Article 3.14 or at the request of the IMF.

ARTICLE 3.14

Restrictions to Safeguard the Balance of Payments

1. The Parties shall endeavour to avoid the imposition of restrictions to safeguard the balance of payments.
2. The rights and obligations of the Parties in respect of such restrictions shall be governed by paragraphs 1 to 3 of Article XII of the GATS, which are hereby incorporated into and made part of this Chapter.
3. A Party adopting or maintaining such restrictions shall promptly notify the Joint Committee thereof.

ARTICLE 3.15

Exceptions

The rights and obligations of the Parties in respect of general and security exceptions shall be governed by Articles XIV and XIV *bis* of the GATS, which are hereby incorporated into and made part of this Chapter.

ARTICLE 3.16

Schedules of Specific Commitments

1. Each Party shall set out in a Schedule the specific commitments it undertakes under Articles 3.5, 3.6 and 3.7. With respect to sectors where such specific commitments are undertaken, each Schedule shall specify the elements set forth in paragraphs (a) to (d) of paragraph 1 of Article XX of the GATS.
2. Measures inconsistent with both Articles 3.5 and 3.6 shall be dealt with as provided for in paragraph 2 of Article XX of the GATS.
3. The Parties' Schedules of specific commitments are set out in Annex VII.
4. Particular aspects of market access, national treatment and additional commitments applicable to telecommunications services and to co-production of broadcasting programmes are dealt with in Annexes X and XI.

ARTICLE 3.17

Modification of Schedules

The Parties shall, upon written request by a Party, hold consultations to consider any modification or withdrawal of a specific commitment in its Schedule of specific commitments. The consultations shall be held within three months after the requesting Party made its request. In the consultations, the Parties shall aim to ensure that a general level of mutually advantageous commitments not less favourable to trade than that provided for in the Schedule of specific commitments prior to such consultations is maintained. Modifications of Schedules are subject to the procedures set out in Article 8.1.

ARTICLE 3.18

Transparency

The rights and obligations of the Parties in respect of transparency shall be governed by paragraphs 1 and 2 of Article III and by Article III *bis* of the GATS, which are hereby incorporated into and made part of this Chapter.

ARTICLE 3.19

Review

With the objective of further liberalisation of trade in services between them, the Parties commit themselves to review every two years their Schedules of specific commitments and their Lists of MFN-exemptions. The first review shall take place not later than three years after the entry into force of this Agreement.

ARTICLE 3.20

Annexes

The following Annexes attached to this Agreement form an integral part of this Chapter:

- Annex VII (Schedules of Specific Commitments);
- Annex VIII (Lists of MFN-exemptions);
- Annex IX (Mutual Recognition);
- Annex X (Telecommunications Services); and
- Annex XI (Co-production of Broadcasting Programmes).

CHAPTER 4 FINANCIAL SERVICES

ARTICLE 4.1

Scope and Coverage

1. This Chapter applies to measures affecting trade in financial services taken by central, regional or local governments and authorities as well as by non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities.

2. Articles 4.4, 4.5 and 4.6 shall not apply to laws, regulations or requirements governing the procurement by government agencies of financial services purchased for governmental purposes and not for commercial resale or for use in the supply of services for commercial sale.

3. Chapter 3 applies to measures described in paragraph 1 where this is specifically provided for by this Chapter.

ARTICLE 4.2

Incorporation of Provisions from the GATS

Article 3.2 shall apply to this Chapter.

ARTICLE 4.3

Definitions

1. Except for its paragraph 1(c), Article 3.3 shall apply to this Chapter.
2. The following definitions of the GATS Annex on Financial Services are incorporated into and made part of this Chapter:
 - (a) “services supplied in the exercise of governmental authority” (paragraphs 1 (b) and (c) of the Annex);
 - (b) “a financial service” (paragraph 5 (a) of the Annex);
 - (c) “financial service supplier” (paragraph 5 (b) of the Annex); and
 - (d) “public entity” (paragraph 5 (c) of the Annex).

ARTICLE 4.4

Most Favoured Nation Treatment

Article 3.4 shall apply to this Chapter.

ARTICLE 4.5

Market Access

Commitments on market access shall be governed by Article XVI of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 4.6

National Treatment

1. Commitments on national treatment shall be governed by Article XVII of the GATS, which is hereby incorporated into and made part of this Chapter.
2. In addition, under terms and conditions that accord national treatment, each Party shall grant to financial service suppliers of another Party established in its territory access to payment and clearing systems operated by public entities and to official funding and refinancing facilities available in the normal course of ordinary

business. This paragraph is not intended to confer access to a Party's lender of last resort facilities.

3. Where membership or participation in, or access to, a self-regulatory body, securities or futures exchange or market, clearing agency, or any other organisation or association is required by a Party in order for financial service suppliers of any other Party to supply financial services on an equal basis with financial service suppliers of the Party, or where the Party provides directly or indirectly such entities with privileges or advantages in supplying financial services, the Party shall ensure that such entities accord national treatment to financial service suppliers of any other Party established in its territory.

ARTICLE 4.7

Additional Commitments

Additional commitments shall be governed by Article XVIII of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 4.8

Domestic Regulation

1. The rights and obligations of the Parties in respect of domestic regulation shall be governed by Article VI of the GATS, which is hereby incorporated into and made part of this Chapter.

2. Nothing in this Chapter shall be construed to prevent a Party from adopting or maintaining reasonable measures for prudential reasons, including for:

- (a) the protection of investors, depositors, policy-holders, policy-claimants, persons to whom a fiduciary duty is owed by a financial service supplier, or any similar financial market participants; or
- (b) ensuring the integrity and stability of a Party's financial system.

Where such measures do not conform with the provisions of this Chapter, they shall not be used as a means of avoiding the Party's commitments or obligations under such provisions. Such measures shall not be more burdensome than necessary to achieve their aim.

3. Nothing in this Chapter shall be construed to require a Party to disclose information relating to the affairs and accounts of individual consumers or any confidential or proprietary information in the possession of public entities.

ARTICLE 4.9

Recognition

1. Article 3.9 shall apply to this Chapter.
2. In addition, where a Party recognises prudential measures of a non-Party in determining how the Party's measures relating to financial services shall be applied, that Party shall afford adequate opportunity for another Party to negotiate its accession to such agreement or arrangement, or to negotiate a comparable agreement or arrangement with it, under circumstances in which there would be equivalent regulation, oversight, implementation of such regulation and, if appropriate, procedures concerning the sharing of information between the parties to the agreement or arrangement. Where a Party accords such recognition autonomously, it shall afford adequate opportunity for another Party to demonstrate that such circumstances exist.

ARTICLE 4.10

Movement of Natural Persons

The rights and obligations of the Parties in respect of the movement of natural persons of a Party supplying services shall be governed by the GATS Annex on Movement of Natural Persons Supplying Services, which is hereby incorporated into and made part of this Chapter.

ARTICLE 4.11

Monopolies and Exclusive Service Suppliers

The rights and obligations of the Parties in respect of monopolies and exclusive service suppliers shall be governed by paragraphs 1, 2 and 5 of Article VIII of the GATS, which are hereby incorporated into and made part of this Chapter.

ARTICLE 4.12

Business Practices

The rights and obligations of the Parties in respect of business practices shall be governed by Article IX of the GATS, which is hereby incorporated into and made part of this Chapter.

ARTICLE 4.13

Payments and Transfers

Article 3.13 shall apply to this Chapter.

ARTICLE 4.14

Restrictions to Safeguard the Balance of Payments

Article 3.14 shall apply to this Chapter.

ARTICLE 4.15

Exceptions

The rights and obligations of the Parties in respect of general and security exceptions shall be governed by Articles XIV and XIV *bis* of the GATS, which are hereby incorporated into and made part of this Chapter.

ARTICLE 4.16

Schedules of Specific Commitments

Each Party shall set out in its schedule referred to in Article 3.16 the specific commitments it undertakes for services defined under paragraph 2(b) of Article 4.3 in accordance with the provisions of paragraphs 1 to 3 of Article 3.16.

ARTICLE 4.17

Modification of Schedules

Article 3.17 shall apply to this Chapter.

ARTICLE 4.18

Transparency

1. The rights and obligations of the Parties in respect of transparency shall be governed by paragraphs 1 and 2 of Article III and by Article III *bis* of the GATS, which are hereby incorporated into and made part of this Chapter.

2. In addition, each Party commits to promote regulatory transparency in financial services. Accordingly, the Parties undertake to consult, as appropriate, with the goal of promoting objective and transparent regulatory processes in each Party, taking into account:

- (a) the work undertaken by the Parties in the GATS and the Parties' work in other fora relating to trade in financial services; and
- (b) the importance of regulatory transparency of identifiable policy objectives and clear and consistently applied regulatory processes that are communicated or otherwise made available to the public.

ARTICLE 4.19

Review

Article 3.19 shall apply to this Chapter.

ARTICLE 4.20

Sub-Committee on Financial Services

1. A Sub-Committee on Financial Services (hereinafter referred to as "the Sub-Committee") is to be set up under the Joint Committee. The principal representative of each Party shall be from an authority competent for this Agreement or from a financial authority.

2. The mandate of the Sub-Committee shall be:

to supervise the implementation of this Chapter, assess its functioning, and oversee its further elaboration; and

to consider issues regarding financial services that are referred to it by a Party.

3. The Sub-Committee shall meet in conjunction with Joint Committee meetings, or as otherwise agreed upon between the Parties.

4. The Sub-Committee shall be chaired jointly by Korea and one of the EFTA States. It shall act by consensus.

ARTICLE 4.21

Dispute Settlement

1. Relevant Articles in Chapter 9 shall apply to the settlement of disputes arising under this Chapter as modified by this Article.

2. Consultations regarding financial services held pursuant to Chapter 9 shall include officials from an authority competent for this Agreement or from a financial

authority. The Parties shall report the results of their consultations to the Sub-Committee.

3. Article 9.4 shall apply, with the following modifications:

- (a) where the Parties to the disputes so agree, the arbitration panel shall be composed entirely of individuals meeting the qualifications in paragraph 4; and
- (b) in any other case,
 - (i) each Party to the dispute may select individuals meeting the qualifications set out in paragraph 7 of Article 9.5; and
 - (ii) if the Party complained against invokes Article 4.8, the chair of the panel shall meet the qualifications set out in paragraph 4, unless the Parties to the dispute agree otherwise.

4. Unless otherwise provided for in this Chapter, financial services panellists shall:

- (a) meet the qualifications set out in Article 9.5; and
- (b) have expertise or experience in financial services law or practice, which may include the regulation of financial institutions.

5. With regard to paragraph 5 of Article 9.10, the following shall apply wherever practical. Where the measure under dispute affects:

- (a) only the financial services sector, the complaining Party shall first seek to suspend benefits only in the financial services sector;
- (b) the financial services sector and any other sector, the complaining Party shall first seek to suspend benefits in the respective sectors and with an effect equivalent to the effect of the measure complained against in each sector; or
- (c) only a sector other than the financial services sector, the complaining Party shall seek to avoid suspending benefits in the financial services sector.

CHAPTER 5 COMPETITION

ARTICLE 5.1

Rules of Competition concerning Enterprises

1. The Parties recognise that anti-competitive business conduct may frustrate the benefits arising from this Agreement. Such conduct is therefore incompatible with the proper functioning of this Agreement in so far as it may affect trade between Korea and an EFTA State.
2. For the purposes of this Agreement, “anti-competitive business conduct”:
 - (a) means all agreements between enterprises, decisions by associations of enterprises and concerted practices between enterprises, as well as abuse by one or more enterprises of a dominant position in the territories of the Parties as a whole or in a substantial part thereof, which have, as their object or effect, the prevention, restriction or distortion of competition; and
 - (b) may occur with regard to trade in goods or services. Such conduct may be effected by private or public enterprises, or by enterprises to which special or exclusive rights have been granted unless the particular tasks assigned to them are obstructed.
3. The provisions of paragraphs 1 and 2 shall not be construed to create any direct obligations for enterprises.
4. The Parties undertake to apply their respective competition laws with a view to removing anti-competitive business conduct. To that end, they shall notify each other of relevant enforcement activities and exchange information. No Party shall be required to disclose information that is confidential according to its laws.
5. Upon request, competition authorities and/or other relevant authorities of the Parties shall enter into consultations in order to facilitate the removal of anti-competitive business conduct. The Party addressed shall accord full and sympathetic consideration to that request.
6. Upon request, consultations shall also be held in the Joint Committee if a Party considers that an anti-competitive business conduct in the territory of another Party continues to affect trade between them. Consultations shall be held within 30 days of receipt of the request. The Parties concerned shall give to the Joint Committee all the support and information in order for the Joint Committee to examine the case and to assist the Parties concerned in removing the conduct objected to and, where appropriate, in re-establishing the balance of rights and obligations under this Agreement.

CHAPTER 6 GOVERNMENT PROCUREMENT

ARTICLE 6.1

Scope and Coverage

1. The rights and obligations of the Parties in respect of government procurement shall be governed by the WTO Agreement on Government Procurement (hereinafter referred to as “the GPA”).
2. The Parties agree to co-operate in the Joint Committee with the aim of increasing the mutual understanding of their respective government procurement systems, and achieving further liberalisation and mutual opening up of their government procurement markets.

ARTICLE 6.2

Exchange of Information

To facilitate communication between the Parties on any matter regarding government procurement, contact points, responsible for providing information on the rules and regulations in the field of government procurement, are listed in Annex XII.

ARTICLE 6.3

Further Negotiations

1. Upon conclusion of bilateral negotiations between the Parties on further liberalisation of their respective government procurement markets in the framework of the negotiations aimed at amending the GPA, such liberalisation, including provisions from the agreement amending the main part of the GPA in so far as they are relevant for these additional liberalisations, shall be included in this Agreement. The Joint Committee shall take a decision to this effect within three months after conclusion of these bilateral negotiations. This decision shall be subject to ratification or acceptance by the Parties.
2. If a Party grants to a non-Party, after the entry into force of this Agreement, additional benefits with regard to the access to its government procurement markets, this Party shall agree to enter into negotiations on the possible extension of these benefits to another Party on a reciprocal basis.

CHAPTER 7 INTELLECTUAL PROPERTY

ARTICLE 7.1

Protection of Intellectual Property

1. The Parties shall grant and ensure adequate, effective and non-discriminatory protection of intellectual property rights, and provide for measures for the enforcement of those rights against infringement, including counterfeiting and piracy, in accordance with this Article as well as Annex XIII and the international agreements referred to therein.
2. The Parties shall accord to each other's nationals treatment no less favourable than the treatment they accord to their own nationals. Exemptions from this obligation must be in accordance with the substantive provisions of Articles 3 and 5 of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (hereinafter referred to as "the TRIPS Agreement").
3. With regard to the protection of intellectual property, the Parties shall, in accordance with the TRIPS Agreement, in particular Articles 4 and 5 thereof, grant to each other's nationals treatment no less favourable than that accorded to nationals of any third State.
4. The Parties agree, upon request of any Party made to the Joint Committee, and subject to consensus of the Parties, to review the provisions on intellectual property of this Agreement as appropriate, with a view to avoiding or remedying trade distortions caused by actual levels of protection of intellectual property rights, and to promoting intellectual property that facilitates trade and investment relations between the Parties.

ARTICLE 7.2

Scope of Intellectual Property

"Intellectual property" refers in particular to copyright, including computer programmes and compilations of data, as well as related rights, trademarks for goods and services, geographical indications, including appellations of origin, industrial designs, patents, plant varieties, layout-designs/topographies of integrated circuits, as well as undisclosed information.

ARTICLE 7.3

Co-operation in the Field of Intellectual Property

1. The Parties, recognising the growing importance of intellectual property rights as a factor of social, economic and cultural development, shall enhance their co-operation in this field.
2. The Parties agree, if circumstances permit, to co-operate on activities relating to the identified or to future international conventions on harmonisation, administration

and enforcement of intellectual property rights and on activities in international organisations, such as the WTO and the Word Intellectual Property Organization (WIPO), as well as to share experiences and exchange information on relations of the Parties with third countries on matters concerning intellectual property.

3. The Parties, pursuant to paragraph 1, may co-operate in:
 - (a) programmes for personnel interchange, including for examiners, between the Parties;
 - (b) the field of information systems on intellectual property;
 - (c) the promotion of mutual understanding of each Party's policy, activities and experiences in the field of intellectual property; and
 - (d) the promotion of education on intellectual property and invention awareness.

CHAPTER 8 INSTITUTIONAL PROVISIONS

ARTICLE 8.1

The Joint Committee

1. The Parties hereby establish the Korea-EFTA Joint Committee. It shall be composed of representatives of the Parties, which shall be headed by Ministers or by senior officials delegated by them for this purpose.

2. The Joint Committee shall:
 - (a) supervise and review the implementation of this Agreement, *inter alia* by means of a comprehensive review of the application of the provisions of this Agreement, with due regard to any specific reviews contained in this Agreement;
 - (b) keep under review the possibility of further removal of barriers to trade and other restrictive measures concerning trade between Korea and the EFTA States;
 - (c) oversee the further development of this Agreement;
 - (d) supervise the work of all sub-committees and working groups established under this Agreement;

- (e) endeavour to resolve disputes that may arise regarding the interpretation or application of this Agreement; and
- (f) consider any other matter that may affect the operation of this Agreement.

3. The Joint Committee may decide to set up such sub-committees and working groups as it considers necessary to assist it in accomplishing its tasks. Except where otherwise provided for in this Agreement, the sub-committees and working groups shall work under a mandate established by the Joint Committee.

4. The Joint Committee shall take decisions as provided for in this Agreement, and may make recommendations, by consensus.

5. The Joint Committee shall meet within one year of the entry into force of this Agreement. Thereafter, it shall meet whenever necessary upon mutual agreement but normally every two years. Its meetings shall be chaired jointly by Korea and one of the EFTA States. The Joint Committee shall establish its rules of procedure.

6. Each Party may request at any time, through a notice in writing to the other Parties, that a special meeting of the Joint Committee be held. Such a meeting shall take place within 30 days of receipt of the request, unless the Parties agree otherwise.

7. The Joint Committee may decide to amend the Annexes and Appendices to this Agreement. Subject to paragraph 8, it may set a date for the entry into force of such decisions.

8. If a representative of a Party in the Joint Committee has accepted a decision subject to the fulfilment of constitutional requirements, the decision shall enter into force on the date that the last Party notifies that its internal requirements have been fulfilled, unless the decision itself specifies a later date. The Joint Committee may decide that the decision shall enter into force for those Parties that have fulfilled their internal requirements, provided that Korea is one of those Parties. A Party may apply a decision of the Joint Committee provisionally until it enters into force, subject to the constitutional requirements of this Party.

ARTICLE 8.2

Secretariat

1. The Parties hereby designate the following competent organs to serve as their respective secretariats for purposes of this Agreement:

- (a) in the case of Korea, the Ministry of Foreign Affairs and Trade; and
- (b) in the case of the EFTA States, the EFTA Secretariat.

2. Without prejudice to Article 10.7 and unless otherwise agreed by the Parties or stated in this Agreement, all official communications or notifications to or by a Party for purposes of this Agreement shall be made through its secretariat.

CHAPTER 9 DISPUTE SETTLEMENT

ARTICLE 9.1

Scope and Coverage

1. The provisions of this Chapter shall apply with respect to the avoidance or the settlement of any dispute arising from this Agreement, taking into account the modalities set out in Article 4.21 of this Agreement and Article 25 of Annex I.

2. Disputes on the same matter arising under both this Agreement and the WTO Agreement may be settled in either forum at the discretion of the complaining Party. The forum thus selected shall be used to the exclusion of the other.

3. For purposes of this Article, dispute settlement proceedings under the WTO Agreement or this Agreement are deemed to be initiated upon a request for a panel by a Party.

4. Before a Party initiates dispute settlement proceedings under the WTO Agreement against another Party or Parties as regards a matter arising under both this Agreement and the WTO Agreement, it shall notify all the Parties of its intention.

5. The arbitration rules provided for in Articles 9.4 to 9.10 do not apply to Articles 2.7, 2.9, 2.10 and Chapter 5.

ARTICLE 9.2

Good Offices, Conciliation or Mediation

1. Good offices, conciliation and mediation are procedures that are undertaken voluntarily if the Parties involved so agree. They may begin at any time and be terminated at any time.

2. Proceedings involving good offices, conciliation and mediation shall be confidential and without prejudice to the Parties' rights in any other proceedings.

ARTICLE 9.3

Consultations

1. The Parties shall at all times endeavour to agree on the interpretation and application of this Agreement, and shall make every attempt through co-operation and consultations to arrive at a mutually satisfactory resolution of any matter that might affect its operation.
2. Any one or more of the EFTA States may request in writing consultations with Korea and vice-versa whenever a Party considers that a measure applied by the Party or Parties to which the request is made is inconsistent with this Agreement or that any benefit accruing to it directly or indirectly under this Agreement is impaired or nullified by such measure. Consultations shall take place in the Joint Committee unless the Party or Parties making or receiving the request for consultations disagree.
3. Consultations shall be held within 30 days from the date of receipt of the request for consultations. Consultations on urgent matters, including those on perishable agricultural goods, shall commence within 15 days from the receipt of the request for consultations.
4. The Parties involved in the consultations shall provide sufficient information to enable a full examination of how the measure or other matter might affect the operation of this Agreement and treat any confidential or proprietary information exchanged in the course of consultations in the same manner as the Party providing the information.
5. The consultations shall be confidential and without prejudice to the rights of the Parties involved in any further proceedings.
6. The Parties involved in the consultations shall inform the other Parties of any mutually agreed resolution of the matter.

ARTICLE 9.4

Establishment of Arbitration Panel

1. If the matter has not been resolved within 60 days, or 30 days in relation to a matter of urgency, after the date of receipt of the request for consultations, it may be referred to arbitration by one or more of the Parties involved by means of a written request addressed to the Party or Parties complained against. A copy of this request shall also be communicated to all Parties so that each Party may determine whether to participate in the dispute.
2. Where more than one Party requests the establishment of an arbitration panel relating to the same matter, a single arbitration panel shall be established to examine these complaints whenever feasible².

² In the following, the terms “Party to the dispute”, “complaining Party”, “Party complained against” are used regardless of whether two or more Parties are involved in a dispute

3. A request for arbitration shall give the reason for the complaint including the identification of the measure at issue and an indication of the legal basis of the complaint.

ARTICLE 9.5

Arbitration Panel

1. The arbitration panel referred to in Article 9.4 shall consist of three members.

2. Each Party to the dispute shall appoint one member of the arbitration panel within 15 days of the receipt of the request under Article 9.4.

3. The Parties to the dispute shall agree on the appointment of the third member within 30 days of the appointment of the second member. The member thus appointed shall chair the arbitration panel.

4. If all three members have not been designated or appointed within 45 days from the date of receipt of the request referred to in Article 9.4, the necessary designations shall be made at the request of any Party to the dispute by the Director-General of the WTO within a further 30 days. Where the designation of the members of the arbitration panel by the Director-General of the WTO is not made within the specified period, the Parties to the dispute shall within the next ten days exchange lists comprising four nominees each who shall not be nationals of either Party. The panel members shall then be appointed in the presence of both Parties by lot from the lists within ten days from the date of exchange of their respective lists. If a Party fails to submit its list of four nominees, the panel members shall be appointed by lot from the list already submitted by the other Party.

5. The chair of the arbitration panel shall not be a national of any of the Parties, nor have his or her usual place of residence in the territory of any of the Parties, nor be employed or previously have been employed by any of the Parties, nor have dealt with the case in any capacity.

6. If a member dies, withdraws or is removed, a replacement shall be selected within 15 days in accordance with the selection procedure followed to select him or her. In such a case, any time period applicable to the arbitration panel proceedings shall be suspended for a period beginning on the date the member dies, withdraws or is removed and ending on the date the replacement is selected.

7. Any person appointed as a member of the arbitration panel shall have expertise or experience in law, international trade, other matters covered by this Agreement or in the resolution of disputes arising under international trade agreements. A member shall be chosen strictly on the basis of objectivity, reliability, sound judgement and independence and shall conduct himself or herself according to these characteristics throughout the course of the arbitration proceedings. If a Party believes that a member

is in violation of the bases stated above, the Parties shall consult and if they agree, the member shall be removed and a new member shall be appointed in accordance with this Article, and following the procedure outlined in paragraph 6.

8. The date of establishment of the arbitration panel shall be the date on which the chair is appointed.

ARTICLE 9.6

Procedures of the Arbitration Panel

1. Unless the Parties to the dispute agree otherwise, the arbitration panel proceedings shall be conducted in accordance with the Model Rules of Procedure that shall be adopted at the first meeting of the Joint Committee. Pending the adoption of those rules, the arbitration panel shall regulate its own procedures, unless the Parties to the dispute agree otherwise.

2. Notwithstanding paragraph 1, for all arbitration panel proceedings the procedures shall ensure that:

- (a) the Parties to the dispute have the right to at least one hearing before the arbitration panel as well as the opportunity to provide initial and rebuttal written submissions;
- (b) the Parties to the dispute be invited to all the hearings held by the arbitration panel;
- (c) all submissions and comments made to the arbitration panel be available to the Parties to the dispute, subject to any requirements of confidentiality; and
- (d) hearings, deliberations, initial report and all written submissions to and communications with the arbitration panel be confidential.

3. Unless the Parties to the dispute otherwise agree within 20 days from the date of delivery of the request for the establishment of the arbitration panel, the terms of reference shall be:

“To examine, in the light of the relevant provisions of this Agreement, the matter referred to in the request for the establishment of an arbitration panel pursuant to Article 9.4 and to make findings of law and fact together with the reasons therefor as well as recommendations, if any, for the resolution of the dispute.”

4. At the request of a Party to the dispute or on its own initiative, the arbitration panel may seek scientific information and technical advice from experts as it deems appropriate.

5. The arbitration panel shall make its ruling based on the provisions of this Agreement, applied and interpreted in accordance with the rules of interpretation of public international law.

6. Decisions of the arbitration panel shall be taken by a majority of its members. Any member may furnish separate opinions on matters not unanimously agreed. No arbitration panel may disclose which members are associated with majority or minority opinions.

7. The expenses of the arbitration panel, including the remuneration of its members, shall be borne by the Parties to the dispute in equal shares.

ARTICLE 9.7

Withdrawal of Complaint

A complaining Party may withdraw its complaint at any time before the initial report has been issued. Such withdrawal is without prejudice to its right to introduce a new complaint regarding the same issue at a later point in time.

ARTICLE 9.8

Initial Report

1. The arbitration panel shall present to the Parties to the dispute an initial report within 90 days from the date of the establishment of the arbitration panel.

2. The arbitration panel shall base its report on the submissions and arguments of the Parties to the dispute and on any scientific information and technical advice obtained pursuant to paragraph 4 of Article 9.6.

3. A Party to the dispute may submit written comments to the arbitration panel on the initial report within 14 days of presentation of the report.

4. In such an event, and after considering the written comments, the arbitration panel, on its own initiative or at the request of a Party to the dispute, may:

- (a) request the views of any of the Parties to the dispute;
- (b) reconsider its report; and/or
- (c) make any further examination that it considers appropriate.

ARTICLE 9.9

Final Report

1. The arbitration panel shall present to the Parties to the dispute the final report, containing the matters referred to in paragraph 2 of Article 9.8, including any separate opinions on matters not unanimously agreed, within 30 days of presentation of the initial report.

2. Unless the Parties to the dispute decide otherwise, the final report shall be published 15 days after it is presented to them.

ARTICLE 9.10

Implementation of Arbitration Panel Reports

1. The final report shall be final and binding on the Parties to the dispute. Each Party to the dispute shall be bound to take the measures involved in carrying out the final report.

2. On receipt of the final report of an arbitration panel, the Parties to the dispute shall agree on:

- (a) the means to resolve the dispute, which normally shall conform with the determinations or recommendations, if any, of the arbitration panel; and
- (b) the reasonable period of time which may be necessary in order to implement the means to resolve the dispute. If the Parties to the dispute fail to agree, a Party to the dispute may request the original arbitration panel to determine the length of the reasonable period of time, in the light of the particular circumstances of the case. The determination of the arbitration panel shall be presented within 15 days from that request.

3. If, in its final report, the arbitration panel determines that a Party has not conformed with its obligations under this Agreement or that a Party's measure has caused nullification or impairment, the means to resolve the dispute shall be, whenever possible, to eliminate the inconsistency or the nullification or impairment.

4. If the Parties to the dispute are unable to agree on the means to resolve the dispute pursuant to paragraph 2(a) within 30 days of issuance of the final report, or have agreed on the means to resolve the dispute but the Party complained against fails to implement the means within 30 days following the expiration of the reasonable period of time determined in accordance with paragraph 2(b), the Party complained against shall, if so requested by the complaining Party, enter into consultations with a view to agreeing on a mutually acceptable compensation. If no such agreement has been reached within 20 days from the request, the complaining Party shall be entitled to suspend the application of benefits granted under this Agreement that are equivalent to those affected by the measure found to violate this Agreement.

5. In considering the benefits to be suspended, the complaining Party shall first seek to suspend benefits in the same sector or sectors as that affected by the measure that the arbitration panel has found to violate this Agreement. The complaining Party that considers it is not practicable or effective to suspend benefits in the same sector or sectors may suspend benefits in other sectors.

6. The complaining Party shall notify the other Party of the benefits which it intends to suspend no later than 60 days before the date on which the suspension is due to take effect. Within 15 days from that notification, any of the Parties to the dispute may request the original arbitration panel to rule on whether the benefits which the complaining Party intends to suspend are equivalent to those affected by the measure found to violate this Agreement, and whether the proposed suspension is in accordance with paragraphs 4 and 5. The ruling of the arbitration panel shall be given within 45 days from that request. Benefits shall not be suspended until the arbitration panel has issued its ruling.

7. The suspension of benefits shall be temporary and only be applied by the complaining Party until the measure found to violate this Agreement has been withdrawn or amended so as to bring it into conformity with this Agreement, or the Parties to the dispute have reached agreement on a resolution of the dispute.

8. At the request of a Party to the dispute, the original arbitration panel shall rule on the conformity with the final report of any implementing measures adopted after the suspension of benefits and, in light of such ruling, whether the suspension of benefits should be terminated or modified. The ruling of the arbitration panel shall be given within 30 days from the date of that request.

9. The rulings provided for in paragraphs 2 (b), 6 and 8 shall be binding.

ARTICLE 9.11

Other Provisions

Any time period mentioned in this Chapter may be modified by mutual agreement of the Parties involved.

ARTICLE 10.1

Transparency

1. The Parties shall publish their laws, or otherwise make publicly available their

laws, regulations, and administrative rulings and judicial decisions of general application as well as their respective international agreements that may affect the operation of this Agreement.

2. The Parties shall promptly respond to specific questions, and provide upon request information to each other, on matters referred to in paragraph 1.

3. Nothing in this Agreement shall require any Party to disclose confidential information, which would impede law enforcement, otherwise be contrary to the public interest or prejudice the legitimate commercial interests of any economic operator.

4. In the case of any inconsistency between the provisions of this Article and provisions relating to transparency in other Chapters, the latter shall prevail to the extent of the inconsistency.

ARTICLE 10.2

Annexes and Appendices

The Annexes and Appendices to this Agreement form an integral part thereof.

ARTICLE 10.3

Amendments

1. Amendments to this Agreement other than those referred to in paragraph 7 of Article 8.1 shall, after approval by the Joint Committee, be submitted to the Parties for ratification, acceptance or approval, in accordance with each Party's constitutional requirements.

2. Unless otherwise agreed by the Parties, amendments shall enter into force on the first day of the second month following the deposit of the last instrument of ratification, acceptance or approval.

3. The text of the amendments as well as the instruments of ratification, acceptance or approval shall be deposited with the Depositary.

ARTICLE 10.4

Accession

1. Any State, Member of the European Free Trade Association, may accede to this Agreement, provided that the Joint Committee decides to approve its accession, on terms and conditions to be negotiated between the acceding State and the existing Parties. The instrument of accession shall be deposited with the Depositary.

2. In relation to an acceding State, this Agreement shall enter into force on the first day of the second month following the deposit of its instrument of accession or the approval of the terms of accession by the existing Parties, whichever is later.

ARTICLE 10.5

Withdrawal and Termination

1. Any Party may withdraw from this Agreement by means of a written notification to the Depositary. The withdrawal shall take effect six months after the date on which the notification is received by the Depositary.

2. If Korea withdraws, this Agreement shall expire on the date specified in paragraph 1.

3. In case any EFTA State withdraws from the Convention establishing the European Free Trade Association, this EFTA State shall withdraw from this Agreement in accordance with paragraph 1.

ARTICLE 10.6

Entry into Force

1. This Agreement is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Depositary.

2. This Agreement shall enter into force on 1 July 2006 in relation to those Signatory States which by then have ratified this Agreement, provided they have deposited their instruments of ratification, acceptance or approval with the Depositary at least one month before the entry into force, and provided that Korea is among the States that have deposited their instruments.

3. In case this Agreement does not enter into force on 1 July 2006, it shall enter into force on the first day of the second month following the latter date on which Korea and at least one EFTA State have deposited their instruments of ratification, acceptance, or approval with the Depositary.

4. In relation to an EFTA State depositing its instrument of ratification, acceptance or approval after this Agreement has entered into force, the Agreement shall enter into force on the first day of the second month following the deposit of its instrument.

5. If its constitutional requirements permit, any EFTA State may apply this Agreement provisionally. Provisional application of this Agreement under this paragraph shall be notified to the Depositary.

ARTICLE 10.7

Depository

The Government of Norway shall act as Depository.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

Done at Hong Kong, this 15th day of December 2005, in a single original in the English language, which shall be deposited with the Government of Norway. The Depositary shall transmit certified copies to all Signatory States.

For the Republic of Korea

For the Republic of Iceland

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.....

For the Principality of Liechtenstein

.....

For the Kingdom of Norway

.....

For the Swiss Confederation

ANNEX I

REFERRED TO IN ARTICLE 2.2

RULES OF ORIGIN AND CUSTOMS PROCEDURES

ANNEX I

REFERRED TO IN ARTICLE 2.2

RULES OF ORIGIN AND CUSTOMS PROCEDURES

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SECTION I **RULES OF ORIGIN**

TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Annex:

- (a) “chapters”, “headings” and “sub-headings” mean the chapters, the headings (four-digit codes) and sub-headings (six-digit codes) used in the nomenclature of the HS;
- (b) “classified” refers to the classification of a product or material under a particular chapter, heading and sub-heading;
- (c) “consignment” means products, which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;
- (d) “customs value” means the calculated value determined in accordance with the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (WTO Agreement on Customs Valuation);
- (e) “ex-works price” means the price paid or payable for the product ex-works to the manufacturer in a Party in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes returned or repaid when the product obtained is exported;
- (f) “goods” means materials, products, or articles;
- (g) “the HS” means the Harmonized Commodity Description and Coding System in force on the date of signature of this Agreement, including its general rules and legal notes;
- (h) “manufacture” means any kind of working or processing, including assembly or specific operations;
- (i) “material” means any ingredient, raw material, component or part, etc., used in the manufacture of a product;
- (j) “non-originating materials” means materials which do not qualify as originating under this Annex;

- (k) “Party” means Korea, Iceland, Norway and Switzerland. Due to the customs union between Switzerland and Liechtenstein, products originating in Liechtenstein are considered to be originating in Switzerland;
- (l) “product” means the product being manufactured, even if it is intended for later use as a material in another manufacturing operation;
- (m) “territories” includes territorial sea;
- (n) “value of materials” means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in a Party;
- (o) “value of originating materials” means the value of originating materials in accordance with the definition of sub-paragraph (n) applied *mutatis mutandis*;
- (p) “exporter” means a person located in the territory of a Party from where a good is exported by such a person;
- (q) “importer” means a person located in the territory of a Party where a good is imported by such a person; and
- (r) “producer” means a person that grows, mines, harvests, fishes, traps, hunts, manufactures, processes or assembles goods.

TITLE II

REQUIREMENTS FOR “ORIGINATING PRODUCTS”

Article 2

Origin Criteria

For the purpose of this Agreement, the following products shall be considered to be originating in a Party:

- (a) products wholly obtained in a Party within the meaning of Article 4;
- (b) products obtained in a Party incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the Party concerned within the meaning of Article 5; or
- (c) products obtained in a Party exclusively from materials that qualify as originating pursuant to this Annex.

Article 3

Cumulation of Origin

1. Notwithstanding Article 2, materials originating in another Party within the meaning of this Annex shall be considered to be materials originating in the Party concerned, provided that they have undergone working or processing going beyond that referred to in Article 6.

2. Products originating in another Party within the meaning of this Annex, which are exported from one Party to another, shall retain their origin when exported in the same state or without having undergone in the exporting Party working or processing going beyond that referred to in Article 6.

3. For the purpose of paragraph 2, where materials originating in two or more of the Parties are used and those materials have undergone working or processing in the exporting Party not going beyond that referred to in Article 6, the origin is determined by the material with the highest customs value or, if this is not known and cannot be ascertained, with the highest first ascertainable price paid for that material in that Party.

Article 4

Wholly Obtained Products

For the purposes of Article 2(a), the following shall be considered to be wholly obtained in a Party:

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products grown harvested or gathered there;
- (c) live animals born and raised there;
- (d) products from live animals born and raised there;
- (e) products obtained by hunting, trapping or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea outside the territorial sea of a country by a vessel flying the flag of a Party;
- (g) products manufactured on board a factory ship flying the flag of a Party, exclusively from products referred to in sub-paragraph (f);
- (h) articles collected there which can no longer perform their original purpose nor are capable of being restored or repaired and are fit only for disposal or recovery of parts or raw materials;

- (i) waste and scrap resulting from consumption or manufacturing operations conducted there, fit only for disposal or recovery of raw materials;
- (j) products extracted from the seabed or beneath the seabed outside their territorial sea, provided that they have sole rights to exploit such seabed; or
- (k) products manufactured there exclusively from products specified in sub-paragraphs (a) to (j).

Article 5

Sufficiently Worked or Processed Products

1. For the purposes of Article 2(b), products which are not wholly obtained are considered to be sufficiently worked or processed when the conditions set out in Appendix 2 are fulfilled. The conditions referred to above indicate the working or processing which shall be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. Accordingly, it follows that if a product which has acquired originating status, regardless of whether this product has been manufactured in the same factory or in another factory in a Party, by fulfilling the conditions set out in Appendix 2, is used as material in the manufacture of another product, the conditions applicable to such other product do not apply to the product that is used as material, and therefore no account shall be taken of any non-originating materials incorporated into such a product used as a material in the manufacture of another product.

2. Notwithstanding paragraph 1, non-originating materials which, according to the conditions set out in Appendix 2, should not be used in the manufacture of a product may nevertheless be used, provided that:

- (a) for products except for those falling within Chapters 50 to 63 of the HS, their total value does not exceed 10 per cent of the ex-works price of the product; and
- (b) for products falling within Chapters 50 to 63 of the HS, their total weight of basic textile material used does not exceed 10 per cent of the total weight of all the basic textile materials used; and
- (c) any of the percentages given in Appendix 2 for the maximum value of non-originating materials are not exceeded through the application of this paragraph.

3. Paragraph 2 shall not apply to a non-originating material used in the production of a good provided for in Chapters 1 through 24 of the HS unless the non-originating materials is provided for in a different subheading from that of the good for which the origin is being determined under this Article.

4. For the purposes of fulfilling the conditions set out in Appendix 2, the processes may be carried out by one or more producers within one Party. Supporting documents

proving the working or processing shall be maintained by the exporter or the producer of the final product.

5. Paragraphs 1 to 4 shall apply except as provided for in Article 6.

Article 6

Insufficient Working or Processing Operations

1. Without prejudice to paragraph 2, the following operations shall be considered to be insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 5 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) changes of packaging, breaking-up and assembly of packages;
- (c) washing, cleaning, removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple¹ painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour sugar or form sugar lumps;
- (h) peeling, stoning and shelling of fruits, nuts and vegetables;
- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
- (k) simple² placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing³ of products, whether or not of different kinds;

¹ “simple” generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

² See footnote 1.

³ “simple mixing” generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity. However, simple mixing does not include chemical reaction. Chemical reaction means a process (including a biochemical process) which results in a molecule with a new structure by breaking intramolecular

- (n) simple⁴ assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) simple⁵ testing or calibrations;
- (p) slaughter of animals; or
- (q) a combination of two or more operations specified in sub-paragraphs (a) to (p).

2. All operations carried out in a Party on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

Article 7

Unit of Qualification

1. The unit of qualification for the application of the provisions of this Annex shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the HS.

2. Where, under General Rule 5 of the HS, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

Article 8

Accessories, Spare Parts and Tools

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 9

Sets

Notwithstanding the rules set out in Appendix 2, sets, as defined in General Rule 3 of the HS, shall be regarded as originating when all component products are originating. However, when a set is composed of originating and non-originating products, the set as a

⁴ bonds and by forming new intramolecular bonds, or by altering the spatial arrangement of atoms in a molecule.

⁵ See footnote 1.

See footnote 1.

whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 per cent of the ex-works price of the set.

Article 10

Neutral Elements

In order to determine whether a product originates, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment, including goods to be used for their maintenance;
- (c) machines, tools, dies and moulds; and
- (d) any other goods which do not enter into and which are not intended to enter into the final composition of the product.

Article 11

Segregation of Materials

1. Where identical and interchangeable originating and non-originating materials are used in the manufacture of a product, those materials shall be physically segregated, according to their origin, during storage. "Identical and interchangeable materials" means materials being of the same kind and commercial quality, possessing the same technical and physical characteristics, and which once they are incorporated into the finished product cannot be distinguished from one another for origin purposes.

2. A producer facing considerable costs or material difficulties in keeping separate stocks of identical and interchangeable originating and non-originating materials used in the manufacture of a product, may use the so-called "accounting segregation" method for managing stocks.

3. The accounting method shall be recorded, applied and maintained in accordance with generally accepted accounting principles applicable in the Party in which the product is manufactured. The method chosen must:

- (a) permit a clear distinction to be made between originating and non-originating materials acquired and/or kept in stock; and
- (b) guarantee that no more products receive originating status than would be the case if the materials had been physically segregated.

4. The producer using this facilitation shall assume full responsibility that origin declarations are completed for the quantity of products considered as originating and for keeping all documentary evidence of origin of the materials. At the request of the customs

authorities, the producer shall provide satisfactory information on how the stocks have been managed.

5. A Party may require that the application of the method for managing stocks as provided for in this Article is subject to prior authorization by customs authorities.

TITLE III

TERRITORIAL REQUIREMENTS

Article 12

Principle of Territoriality

1. Except as provided for in Articles 3 and 13, the conditions for acquiring originating status set out in Title II must be fulfilled without interruption in a Party.

2. Except as provided for in Article 3, an originating product exported from a Party to a non-Party shall when returned be considered to be non-originating unless it can be demonstrated to the satisfaction of the customs authorities in accordance with laws and regulations of the importing Party concerned that:

- (a) the returning product is the same as that exported; and
- (b) the returning product has not undergone any operation beyond that necessary to preserve it in good condition while being exported.

Article 13

Exemption from the Principle of Territoriality

Notwithstanding the provisions of Article 12, the acquisition of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing carried out outside the territory of a Party on materials exported from the Party concerned and subsequently re-imported there, provided that the conditions set out in Appendix 4 are fulfilled.

Article 14

Direct Transport

1. The preferential treatment provided for under this Agreement applies only to products, satisfying the requirements of this Annex, which are transported directly between Korea and an EFTA State. However, products may be transported through territories of

non-parties, provided that they do not undergo operations other than unloading, reloading, splitting-up of consignments or any operation designed to preserve them in good condition. During this period the products shall remain under customs control in the country of transit.

2. The importer shall upon request supply the appropriate evidence that the conditions set out in paragraph 1 have been fulfilled, to the customs authority in accordance with the laws and regulations of the importing Party.

3. For the purpose of application of paragraph 1, originating products may be transported by pipeline across territories other than that of Korea or an EFTA State.

SECTION II **CUSTOMS PROCEDURES**

TITLE IV

PROOF OF ORIGIN

Article 15

Origin Declaration

For the purposes of obtaining preferential tariff treatment in the importing Party, a proof of origin in the form of an origin declaration as set out in Appendix 3 shall be completed by an exporter of a Party for products which can be considered to be products originating in Korea or in an EFTA State and which fulfil the other requirements of this Annex.

2. The origin declaration may be provided on an invoice or any other commercial document identifying the exporter, his address and telephone number, which describes the products concerned in sufficient detail to enable them to be identified.

3. An origin declaration shall be completed in English, in a legible and permanent form and, except as provided in Article 16, bear the original signature of the exporter.

4. An origin declaration may be completed by the exporter or the producer when the products to which it relates are exported, or after exportation.

5. When completing an origin declaration, an exporter that relies on documents and information from a producer shall take steps in accordance with domestic laws and regulations of the exporting Party to ensure that the documents and information are accurate.

6. An exporter that has completed an origin declaration and that becomes aware that the origin declaration contains incorrect information shall immediately notify the importer in writing with a copy to the exporting customs authority of any change affecting the originating status of each product to which the origin declaration is applicable. Penalties, if any, shall be made in accordance with laws and regulations of the exporting Party.

7. An exporter that has completed an origin declaration shall, on request of the customs authority of the exporting Party, provide to the authority concerned a copy of the origin declaration, and of all documents supporting the originating status of each product to which the origin declaration is applicable. For this purpose, the said customs authorities shall have the right to carry out inspections of the exporters or the producer's accounts or any other controls considered appropriate.

8. For the purposes of this Article, the term "exporter" does not include a forwarding agent, customs broker or the like, unless such a company, in accordance with national laws and regulations has been authorized in writing by the owner of the product to complete the origin declaration.

Article 16

Approved Exporter

Where a Party has established an approved exporter programme, the customs authority of that Party may authorize an exporter of that Party that makes frequent shipments of originating products under this Agreement to complete an origin declaration without signature, on condition that he gives the customs authority of the exporting Party a written undertaking that he accepts full responsibility for any origin declaration which identifies him as if it had been signed in manuscript by him.

The customs authority of the exporting Party shall provide to the approved exporter referred to in paragraph 1, a customs authorization number or other form of identification as may be agreed by the customs authorities of the Parties for use on the origin declaration instead of the signature of the exporter.

The customs authority of the exporting Party may verify the proper use of an authorization as referred to in paragraph 1 and may at any time withdraw the authorization if the exporter no longer meets the conditions or otherwise makes improper use of the authorization.

Article 17

Importation Requirements

1. Each Party shall grant preferential tariff treatment in accordance with this Agreement to originating products imported from another Party, within the meaning of Article 15. The importing customs authority may require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions of this Annex.

2. In order to obtain preferential tariff treatment, the importer shall, in accordance with the procedures applicable in the importing Party, request preferential tariff treatment at the time of importation of an originating product, whether or not he has an origin declaration. In the case that the importer at the time of importation does not have in his possession an origin declaration, the importer of the product may, in accordance with the law and regulations of the importing Party, present origin declaration or other documentary evidence of origin and if required such other documentation relating to the importation of the product, at a later stage.

3. Notwithstanding paragraph 1, originating products within the meaning of this Annex shall, in the cases specified in Article 19, on importation benefit from the preferential tariff treatment under this Agreement without it being necessary to submit a document as referred to in paragraph 1.

4. An origin declaration shall be valid for 12 months from the date of issue in the exporting Party.

An origin declaration which is submitted to the customs authority of the importing Party after the final date for presentation specified in paragraph 4 may be accepted for the purpose

of applying for preferential tariff treatment where the failure to submit such a document by the final date set is due to exceptional circumstances.

6. The importing Party shall grant preferential tariff treatment to goods, in cases where the importer does not have the origin declaration at the time of importation, provided that:

- (a) the importer had, at the time of importation, indicated to the customs authority of the importing Party his intention to claim preferential tariff treatment; and

the origin declaration is submitted to the customs authority of the importing country within the time-limit in accordance with the domestic law and regulation in the importing Party.

7. An origin declaration shall be submitted to the customs authority of the importing Party in accordance with the procedures applicable in that Party.

8. Notwithstanding paragraph 1, the granting of preferential tariff treatment may be suspended for a time period not exceeding one month in the case where an importer claiming preferential tariff treatment, on the request of the importing Party's customs authority fails to present an origin declaration or such other documents related to the origin declaration, in accordance with its national law and regulation.

Article 18

Importation by Instalments

Where, at the request of the importer and on the conditions laid down by the customs authority of the importing Party, dismantled or non-assembled products within the meaning of General Rule 2(a) of the HS falling within Sections XVI and XVII or heading Nos 7308 and 9406 of the HS are imported by instalments, a single origin declaration for such products shall be submitted to the customs authority upon importation of the first instalment.

Article 19

Waiver of Origin Declaration

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of an origin declaration, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Annex and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on a postal customs declaration or on a sheet of paper annexed to that document.

2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of

trade if it is evident from the nature and quantity of the products that no commercial purpose is intended.

3. For the purposes of paragraph 1, in case of small packages sent from private persons to private persons the total value of these products shall not exceed the following amounts:

- (a) 1000 US dollar (USD) for importation in Korea; or
- (b) 500 euro for importation in an EFTA State.

4. For the purposes of paragraph 1, in case of products forming part of travellers' personal luggage the total value of these products shall not exceed the following amounts:

- (a) 1000 US dollar (USD) for importation in Korea; or
- (b) 1200 euro for importation in an EFTA State.

5. Where the value of the products is invoiced or declared in a currency other than those mentioned in paragraphs 3 and 4 the amount equivalent to the amount expressed in the national currency of the importing Party shall be applied.

Article 20

Supporting Documents

The documents referred to in paragraph 7 of Article 15 used for the purpose of proving that products covered by an origin declaration can be considered as products originating in Korea or an EFTA State and fulfil the other requirements of this Annex may consist of *inter alia* the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;
- (b) documents proving the originating status of materials used, issued or made out in a Party where these documents are used, as provided for in their domestic law;
- (c) documents proving the working or processing of materials in a Party, issued or made out in a Party where these documents are used, as provided for in their domestic law;
- (d) origin declarations proving the originating status of materials used, completed in a Party; or
- (e) appropriate evidence concerning working or processing undergone outside the territories of the Parties by application of Article 13, proving that the requirements of that Article have been satisfied.

Article 21

Record-Keeping Requirements

1. The exporter or the producer making out an origin declaration shall keep for a maximum of five years a copy of the origin declaration in question as well as the documents referred to in paragraph 7 of Article 15.
2. The importer shall keep all records related to the importation in accordance with national laws and regulation.
3. The records to be kept in accordance with paragraph 1 and 2 shall include electronic records.

Article 22

Discrepancies and Formal Errors

1. The discovery of slight discrepancies between the statements made in the origin declaration and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the origin declaration null and void if it is duly established that such document does correspond to the products submitted.
2. Obvious formal errors such as typing errors in an origin declaration should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

TITLE V

ARRANGEMENTS FOR ADMINISTRATIVE CO-OPERATION

Article 23

Notifications

The customs authorities of the Parties shall provide each other, through the EFTA Secretariat, with the addresses of the customs authorities of the Parties responsible for verifying origin declarations.

Article 24

Verification of Origin Declarations

1. In order to ensure the proper application of this Annex, the Parties shall assist each other, through the respective customs authorities of the Parties, to verify the authenticity of the origin declarations and the correctness of the information given in these documents.

2. Subsequent verifications of origin declarations shall be carried out whenever the customs authority of the importing Party wants to verify the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Annex.

3. For the purposes of implementing the provisions of paragraph 1, the customs authority of the importing Party shall return the origin declaration, or a copy of this document, to the customs authority of the exporting Party, as the case may be, giving the reasons for the inquiry. Any documents and information obtained suggesting that the information given on the origin declaration is incorrect shall be forwarded in support of the request for verification.

4. The verification shall be carried out by the customs authority of the exporting Party. For this purpose, they shall have the right to request any evidence and to carry out any inspection of the exporter's accounts or any other control considered appropriate.

5. The customs authority of the importing Party may decide to suspend the granting of preferential tariff treatment to the products covered by the origin declaration concerned while awaiting the results of the verification. The release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

6. The customs authority requesting the verification shall be informed of the results of this verification including findings and facts, and any supporting documents made available by the exporter, as soon as possible. These results shall indicate clearly whether the documents are authentic and whether the products concerned can be considered as products originating in Korea or an EFTA State and fulfil the other requirements of this Annex.

7. If there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to be able to determine the authenticity of the document in question or the origin of the products, the requesting customs authorities shall be entitled, save in exceptional circumstances, to refuse to grant preferential tariff treatment.

8. Subject to any conditions set out by the customs authority of the exporting Party, the customs officials of the importing Party may be present as an observer during the course of an origin verification conducted by the customs authority of the exporting Party.

9. In the fourth year from the entry into force of this Agreement, the Joint Committee shall, if deemed necessary by the Parties, examine and revise the provisions of this Article

Article 25

Dispute Settlement

Disputes between the Parties arising in relation to the verification procedures pursuant to Article 24, which cannot be settled between the customs authorities of the

Parties, or which raise a question as to the interpretation of this Annex, shall be referred to the Sub-Committee on Customs and Origin Matters stipulated in Article 32. The Sub-Committee shall present a report to the Joint Committee containing its conclusions.

Article 26

Confidentiality

1. All information which is by nature confidential or which is provided on a confidential basis shall be covered by the obligation of professional secrecy, in accordance with the respective laws of each Party. It shall not be disclosed by the Parties' authorities without the express permission of the person or authority providing it.
2. If a Party considers that the other Party has not maintained confidentiality of information as required under this Article, it may make a written request to the other Party for consultations. The Parties shall consult within 30 days after the request is delivered with a view to agreeing on appropriate steps to ensure compliance with this Article.

Article 27

Penalties

Each Party shall provide for penalties to be imposed on any person who draws up or causes to be drawn up a document which contains incorrect information for the purpose of obtaining preferential tariff treatment and who fails to comply with any obligation under this Annex.

Article 28

Denial of Preferential Tariff Treatment

Except as otherwise provided in this Annex, the importing Party may deny claim for preferential tariff treatment or recover unpaid duties in accordance with its laws and regulations, where the product does not meet the requirements of this Annex, or where the importer, exporter or producer fails to comply with any of the relevant requirements of this Annex.

Article 29

Free Zones

1. An exporter in a Party shall ensure that products traded under cover of an origin declaration which in the course of transport use a free zone located in a Party, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.

2. Notwithstanding paragraph 1, when products originating in Korea or in an EFTA State are imported into a free zone inside the territory of a Party under cover of an origin declaration and undergo working or processing, the exporter concerned may complete a new origin declaration if the working or processing undergone is in conformity with the provisions of this Annex.

TITLE VI

CUSTOMS CO-OPERATION

Article 30

Customs Co-Operation

The Customs authorities of the Parties may co-operate in the harmonisation and simplification of the customs procedures, sharing of best practises and information on customs control and verification techniques, exchange of expertise in customs matters and exchange of customs officers, as well as developing joint training programmes for customs officers in customs related issues.

Article 31

Customs Contact Points

1. The Parties shall exchange lists of designated contact points for all matters relating to this Annex.
2. The contact points shall endeavour to resolve any matter raised under this Annex through consultations. If the matter cannot be resolved through the contact points, the matter shall be referred to the Sub-Committee on Customs and Origin Matters as set out in this Annex. The Sub-Committee shall present a report to the Joint Committee containing its conclusions.

TITLE VII

FINAL PROVISIONS

Article 32

Sub-Committee on Customs and Origin Matters

1. A Sub-Committee of the Joint Committee on Customs and Origin Matters is hereby established.

2. The functions of the Sub-Committee shall be to exchange information and review the rules of origin in light of changed circumstances, such as technological advances, changes in market conditions or other international developments. Furthermore, the Sub-Committee shall prepare and co-ordinate positions, prepare amendments to the rules of origin and assist the Joint Committee regarding:

- (a) general rules of origin and customs procedures as set out in this Annex;
- (b) product-specific rules of origin set out in Appendices 2 and 4 ; and
- (c) other matters referred to the Sub-Committee by the Joint Committee.

3. The Sub-Committee shall endeavour to resolve as soon as possible any dispute arising in relation to the verification procedures, as referred to in Article 25.

4. The Sub-Committee shall report to the Joint Committee. The Sub-Committee may make recommendations to the Joint Committee on matters related to its functions.

5. The Sub-Committee shall act by consensus. The Sub-Committee shall be chaired alternatively by a representative of a Party for an agreed period of time. The chairperson shall be elected at the first meeting of the Sub-Committee.

6. The Sub-Committee shall meet as often as required. It may be convened by the Joint Committee, by the chairperson of the Sub-Committee on his/her own initiative or upon request of any Party. The venue shall alternate between Korea and an EFTA State.

7. A provisional agenda for each meeting shall be prepared by the chairperson in consultation with all Parties, and forwarded to the Parties, as a general rule, not later than two weeks before the meeting.

Article 33

Explanatory Notes

1. The Parties shall agree on “Explanatory Notes” regarding the interpretation, application and administration of this Annex within the Sub-Committee on Customs and Origin Matters.

2. The Parties shall implement simultaneously the agreed Explanatory Notes in accordance with their respective internal procedures.

Article 34

Goods in Transit or Storage

The provisions of this Agreement may be applied to goods which comply with the provisions of this Annex and which on the date of entry into force of this Agreement are either in transit or are in a Party or, in temporary storage in bonded warehouse under

customs control or in free zones, subject to the submission to the customs authority of the importing Party, within four months of that date, of an origin declaration completed retrospectively by the exporter concerned after the entry into the force of this Agreement together with the documents showing that the goods have been transported directly.

APPENDIX 1 TO ANNEX I

INTRODUCTORY NOTES TO THE LIST IN APPENDIX 2

Note 1:

The list sets out the conditions required for all products to be considered to be sufficiently worked or processed within the meaning of Article 5 of Annex I.

Note 2:

- 2.1 The first two columns in the list describe the product obtained. The first column gives the chapter number, heading number or sub-heading number used in the Harmonized System and the second column gives the description of goods used in that system for that chapter, heading or sub-heading. For each entry in the first two columns a rule is specified in columns 3 or 4. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rules in columns 3 or 4 apply only to the part of that chapter which is not described below in column 2.
- 2.2 Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, the exporter may opt, as an alternative, to apply either the rule set out in column 3 or that set out in column 4. If no origin rule is given in column 4, the rule set out in column 3 has to be applied.

Note 3:

- 3.1 The provisions of Article 5 of Annex I concerning products having acquired originating status which are used in the manufacture of other products apply regardless of whether this status has been acquired inside the factory where these products are used or in another factory in a Party.
- 3.2 The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer originating status. Thus if a rule provides that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
- 3.3 Without prejudice to Note 3.2 where a rule states that "materials of any heading" may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression "manufacture from materials of other headings, including other materials of heading No ... " means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.

- 3.4 When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.
- 3.5 Where a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.
- 3.6 Where, in a rule in the list, two percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. In other words, the maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.
- 3.7 “At least two preparatory or finishing operations” in the rules of Chapters 50 to 60 in the list means any kind of working or processing such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling.

APPENDIX 2 TO ANNEX I

LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON
NON-ORIGINATING MATERIALS IN ORDER THAT THE PRODUCT
MANUFACTURED CAN OBTAIN ORIGINATING STATUS

**The products mentioned in the list may not be all covered by this Agreement. It
is, therefore, necessary to consult the other parts of this Agreement.**

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
Chapter 1	Live animals	All the animals of Chapter 1 shall be wholly obtained	
Chapter 2	Meat and edible meat offal	Manufacture in which all the materials of Chapters 1 and 2 used are wholly obtained	
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used must be wholly obtained	
Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included; except for:	Manufacture in which all the materials of Chapter 4 used are wholly obtained	
ex Chapter 5	Products of animal origin, not elsewhere specified or included; except for: 0501 Human hair, unworked, whether or not washed or scoured; waste of human hair ex 0511 Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption: - Bovine semen 0511. 10 - Other	Manufacture in which all the materials of Chapters 1 and 5 used are wholly obtained Manufacture in which all the materials of Chapter 5 used are wholly obtained Manufacture in which all the materials of Chapter 1 used are wholly obtained Manufacture in which all the materials of Chapters 1, 3 and 5 used are wholly obtained	
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which all the materials of Chapter 6 used are wholly obtained provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
Chapter 7	Edible vegetables and certain roots and tubers	Manufacture in which all the materials of Chapter 7 used are wholly obtained	
Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons	Manufacture in which all the materials of Chapter 8 used are wholly obtained	
ex Chapter 9	Coffee, tea, maté and spices; except for: ex 0901 Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion - Coffee, roasted - Other	Manufacture in which all the materials of Chapter 9 used are wholly obtained Manufacture in which the value of all the materials used does not exceed 45 % of the ex-works price of the product	
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used are wholly obtained	
ex Chapter 11	Products of the milling industry; malt; starches; inulin; wheat gluten; except for:	Manufacture from materials of any other Chapter except from Chapter 10	

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
1105	Flour, meal, powder, flakes, granules and pellets of potatoes	Manufacture from materials of any other Chapter except from Chapter 7	
1106	Flour, meal and powder of the dried, shelled leguminous vegetables of heading 0713, of sago or of roots or tubers of heading 0714 or of the products of Chapter 8	Manufacture from materials of any other Chapter except from headings 0708, 0710, 0713, 0714 and Chapter 8	
1108	Starches; Inulin	Manufacture from materials of any other Chapter except from Chapters 7 and 10	
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture in which all the materials of Chapter 12 used are wholly obtained	
Chapter 13	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Manufacture from materials of any other Chapter, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
Chapter 14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	Manufacture in which all the materials of Chapter 14 used are wholly obtained	
ex Chapter 15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes; except for: Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503	Manufacture in which all the materials of Chapters 2, 4, 5 and 12 used are wholly obtained	
1501	Fats of bovine animals, sheep or goats, other than those of heading 1503	Manufacture in which all the materials of Chapters 2 and 5 used are wholly obtained	
1502	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	Manufacture in which all the materials of Chapters 2 and 5 used are wholly obtained	
1503	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified:	Manufacture from materials of any other headings	
1504	Wool grease and fatty substances derived therefrom (including lanolin)	Manufacture: - from materials of any other Chapter, except that of the product, and provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
1505	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	Manufacture from materials of any other heading	
1506	Vegetable oils and their fractions	Manufacture in which all the materials of Chapters 2 and 5 used are wholly obtained	
1507 to 1515	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared	Manufacture in which all the materials of Chapter 12 used are wholly obtained	
1516	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture in which all the materials of Chapters 2, 5 and 12 used are wholly obtained	
ex Chapter 16		Manufacture in which all the materials of Chapters 2 and 5 used are wholly obtained	

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3) or (4)	
		(3)	(4)
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	Manufacture from materials of any other Chapter, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	Manufacture from materials of any other Chapter, provided that the value of all the materials used does not exceed 55 % of the ex-works price of the product	
ex Chapter 17	Sugars and sugar confectionery; except for: Cane or beet sugar and chemically pure sucrose, in solid form, containing added flavouring or colouring matter	Manufacture from materials of any other Chapter	
1701	Sugar confectionery (including white chocolate), not containing cocoa	Manufacture in which all the materials of Chapter 17 used are wholly obtained	
1704		Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 55 % of the ex-works price of the product	
ex Chapter 18	Cocoa and cocoa preparations	Manufacture from materials of any other heading	
1806	Chocolate and other food preparations containing cocoa	Manufacture from materials of any other heading, provided that the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product	
ex Chapter 19	Preparations of cereals, flour, starch or milk; pastrycooks' products	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 55 % of the ex-works price of the product	
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included	Manufacture from materials of any other heading except from headings 0401 to 0406, Chapters 10 and 11 and headings 3501 and 3502	
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:	Manufacture in which all the materials of Chapters 2, 3, 10 and 11 (except headings 1001 and 1101) used are wholly obtained	
1903	Tapioca and substitutes therefore prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	Manufacture in which all the materials of Chapters 10 and 11 (except headings 1001 and 1101) used are wholly obtained	
Chapter 20	Preparations of vegetables, fruit, nuts or other parts of plants	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 55 % of the ex-works price of the product	
ex Chapter 21	Miscellaneous edible preparations; except for:	Manufacture from materials of any other heading	

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 45 % of the ex-works price of the product	
2104	Soups and broths and preparations therefore	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 45 % of the ex-works price of the product	
2106	Food preparations not elsewhere specified or included	Manufacture from materials of any other chapter, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	
ex Chapter 22			
2201	Beverages, spirits and vinegar; except for: Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Manufacture from materials of any other heading Manufacture in which all the materials of heading 2201 used are wholly obtained	
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 55 % of the ex-works price of the product	
2206	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included	Manufacture from materials of any other heading, except from headings 0808 and 2009	
ex Chapter 23	Residues and waste from the food industries; prepared animal fodder; except for:	Manufacture from materials of any other heading	
ex 2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves - Flours, meals and pellets, of meat or meat offal; greaves	Manufacture from materials of any other heading, except from Chapters 2 and 5	
2301. 10		Manufacture from materials of any other heading except from Chapter 3	
2301. 20	- Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture from materials of any other Chapter, except from Chapters 2, 3, 4, 5, 10, 11 and 16	
2309	Preparations of a kind used in animal feeding		
2401	Tobacco and manufactured tobacco substitutes; except for:	Manufacture in which all the materials of Chapter 24 used are wholly obtained	
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture from materials of any other heading, except from heading 2403	
2403	Other manufactured tobacco and manufactured tobacco substitutes; "homogenised" or "reconstituted" tobacco; tobacco extracts and essences	Manufacture from materials of any other heading	
ex Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement; except for:	Manufacture from materials of any other heading	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3)	(4)
ex 2518	Calcined dolomite	Calcination of dolomite not calcined	
2518. 20	- Calcined or sintered dolomite	Manufacture from materials of any other sub-heading	
Chapter 26	Ores, slag and ash	Manufacture from materials of any other heading	
Chapter 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes	Manufacture from materials of any other heading	
Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 29	Organic chemicals	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 30	Pharmaceutical products; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3004	Medicaments	Manufacture from materials of any other heading, except from heading 3003	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 3006	Pharmaceutical goods specified in Note 4 to this Chapter		
3006. 80	- waste pharmaceuticals	The origin of the product in its original classification shall be retained	
ex Chapter 31	Fertilizers; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorous and potassium; other fertilizers; goods of this chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg	Manufacture from materials of any other heading, except from headings 3102 to 3104	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks	Manufacture from materials of any other heading,	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches	Manufacture from materials of any other heading, except from heading 1108	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3506	Products suitable for use as glues or adhesives	Manufacture from materials of any other heading, except from headings 3501, 3503 and 3505	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 37	Photographic or cinematographic goods; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3701	Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitised, unexposed, whether or not in packs	Manufacture from materials of any other heading, except from heading 3702	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3702	Photographic film in rolls, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitised, unexposed	Manufacture from materials of any other heading, except from heading 3701	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3704	Photographic plates, film paper, paperboard and textiles, exposed but not developed	Manufacture from materials of any other heading, except from headings 3701 to 3703	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 38	Miscellaneous chemical products; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
3808	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
ex 3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included		
3809.10	- with a basis of amylaceous substances	Manufacture from materials of any other heading, except from headings 1108 and 3505	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products
3809.91-93	- other	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
3810	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3811	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3812	Prepared rubber accelerators; compound plasticisers for rubber or plastics, not elsewhere specified or included; anti-oxidising preparations and other compound stabilisers for rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3813	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3814	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3818	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3819	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3820	Anti-freezing preparations and prepared de-icing fluids	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
3822	Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading No. 3002 or 3006	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
ex_3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols	Manufacture from materials of any other heading	
3823. 70	- Industrial fatty alcohols	Manufacture from materials of any other sub-heading	
Chapter 39	Plastics and articles thereof	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 40 4005	Rubber and articles thereof; except for: Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip	Manufacture from materials of any other heading Manufacture from materials of any other heading	Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50 % of the ex-works price of the product

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3)	(4)
ex_4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, tyre treads and tyre flaps, of rubber: - Retreaded pneumatic, solid or cushion tyres, of rubber - Other	Manufacture from materials of any other sub-heading Manufacture from materials of any other heading, except from headings 4011	Manufacture from hard rubber
4012.11- 19			
4012. 20 - 90			
ex 4017	Hard rubber (for example, ebonite) in all forms, including waste and scrap; articles of hard rubber: - articles of hard rubber	Manufacture from hard rubber	
ex Chapter 41	Raw hides and skins (other than furskins) and leather; except for: Tanned or crust hides and skins, without wool or hair on, whether or not split, but not further prepared	Manufacture from materials of any other heading Retanning of tanned leather	Manufacture from materials of any other heading
4104 to 4106			
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture from materials of any other heading	
Chapter 43	Furskins and artificial fur; manufactures thereof	Manufacture from materials of any other heading	
ex Chapter 44	Wood and articles of wood; wood charcoal; except for: Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like Wood wool; wood flour	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from headings 4401 and 4403	
4404			
4405		Manufacture from materials of any other heading, except from headings 4401 and 4403	
4406	Railway or tramway sleepers (cross-ties) of wood	Manufacture from materials of any other heading, except from headings 4401 and 4403	
4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or end-jointed	Manufacture from materials of any other heading, except from headings 4401 and 4403	
4408	Sheets for veneering (including those obtained by slicing laminated wood) and for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or end-jointed	Manufacture from materials of any other heading, except from headings 4401 and 4403	
4409	Wood continuously shaped along any of its edges, ends or faces, whether or not planed, sanded or end-jointed	Manufacture from materials of any other heading, except from headings 4401 and 4403	
4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
ex Chapter 45	Cork and articles of cork; except for: Articles of natural cork	Manufacture from materials of any other heading Manufacture from any other heading except from heading 4502	
4503			
Chapter 46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	Manufacture from materials of any other heading	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
Chapter 47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard	Manufacture from materials of any other heading	
Chapter 48	Paper and paperboard; articles of paper pulp, of paper or of paperboard	Manufacture from materials of any other heading	
ex Chapter 49 4909	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans; except for: Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from heading 4911	
ex Chapter 50 5004 to 5005 5006 5007	Silk; except for: Silk yarn and yarn spun from silk waste, not put up for retail sale Silk yarn and yarn spun from silk waste, put up for retail sale; silk-worm gut Woven fabrics of silk or of silk waste	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from heading 5006 Manufacture from materials of any other heading, except from headings 5004 to 5005 Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 51 5106 to 5108 5109 5111 to 5113	Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for: Yarn of wool, or of fine animal hair, not put up for retail sale. Yarn of wool or of fine animal hair, put up for retail sale. Woven fabrics of wool, of fine or coarse animal hair or of horsehair	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from heading 5109 Manufacture from materials of any other heading, except from headings 5106 to 5108 Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 52 5208 to 5212	Cotton; except for: Woven fabrics of cotton	Manufacture from materials of any other heading Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 53 5309 to 5311	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for: Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn	Manufacture from materials of any other heading Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 54 5407 and 5408	Man-made filaments Woven fabrics of man-made filament yarn:	Manufacture from materials of any other Chapter Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
ex Chapter 55 5512 to 5516	Man-made staple fibres Woven fabrics of man-made staple fibres	Manufacture from materials of any other Chapter Manufacture from materials of any other heading,	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
Chapter 56	Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof	Manufacture from materials of any other heading	
Chapter 57	Carpets and other textile floor coverings	Manufacture from materials of any other heading	
Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery	Manufacture from materials of any other Chapter	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 59 5903 5905 5907	Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 5902 Textile wall coverings Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like	Manufacture from materials of any other heading Manufacture from materials of any other heading Manufacture from materials of any other heading Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
Chapter 60	Knitted or crocheted fabrics	Manufacture from materials of any other heading	Printing or dyeing accompanied by at least two preparatory or finishing operations provided that the value of the unprinted or undyed fabric used does not exceed 50 % of the ex-works price of the product
ex Chapter 61 6115 to 6117	Articles of apparel and clothing accessories, knitted or crocheted Panty hose, tights, stockings, socks and other hosiery, including stockings for varicose veins and footwear; gloves, mittens and mitts; other made up clothing accessories, knitted or crocheted	Manufacture from any other Chapter, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party Manufacture from any other Chapter except from Chapter 60, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party	.
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted	Manufacture from any other Chapter, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
6213 to 6214	Handkerchiefs; shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted	Manufacture from any other Chapter except from headings 5007, 51.11 to 51.13, 5208 to 5212, 5307 to 5311, 5407 to 5408, 5512 to 5516, 5801 to 5802, 5903, 5906 to 5907, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party	
ex Chapter 63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags	Manufacture from any other Chapter, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party	
6301 to 6304	Blankets and travelling rugs; bed linen, table linen, toilet linen and kitchen linen; curtains(including drapes) and interior blinds, curtain or bed valance; other furnishing articles excluding those of heading 9404	Manufacture from any other Chapter, provided that the parts of these products are both cut to shape and sewn or otherwise assembled in a Party	Embroidering, provided that the value of the unembroidered products used does not exceed 50 % of the ex-works price of the product
6307	Other made up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the products	
6308	Set consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale.	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 15% of the ex-works price of the set	
Chapter 64	Footwear, gaiters and the like; parts of such articles	Manufacture from materials of any other heading	
ex Chapter 65	Headgear and parts thereof; except for: Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading 6501, whether or not lined or trimmed	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from heading 6501	
6601	Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops, and parts thereof; except for: Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture from materials of any other heading Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
Chapter 67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	Manufacture from materials of any other heading	
Chapter 68	Articles of stone, plaster, cement, asbestos, mica or similar materials	Manufacture from materials of any other heading	
Chapter 69	Ceramic products	Manufacture from materials of any other heading	
ex Chapter 70	Glass and glassware; except for: Glass of heading 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials: Safety glass, consisting of toughened (tempered) or laminated glass Multiple-walled insulating units of glass	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from headings 7003 to 7005 Manufacture from materials of any other heading, except from headings 7003 to 7006 Manufacture from materials of any other heading, except from headings 7003 to 7006	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of any other heading, except from headings 7003 to 7006	
ex Chapter 71		Manufacture from materials of any other heading	
7101	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for: Pearls, natural or cultured, whether or not worked or graded but not strung, mounted or set; pearls, natural or cultured, temporarily strung for convenience of transport	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7102 to 7105	Worked precious or semi-precious stones (natural, synthetic or reconstructed), precious metals	Manufacture from any other sub-heading	
7106	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form	Manufacture from any other sub-heading	
7107	Base metals clad with silver, not further worked than semi-manufactured	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7108	Gold (including gold plated with platinum) unwrought or in semi-manufactured forms, or in powder form	Manufacture from any other sub-heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7109	Base metals or silver, clad with gold, not further worked than semi-manufactured	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7110	Platinum, unwrought or in semi-manufactured forms, or in powder form	Manufacture from any other sub-heading	
7111	Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7116	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
7117	Imitation jewellery	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 72	Iron and steel	Manufacture from materials of any other heading	
ex Chapter 73			
7301	Articles of iron or steel; except for: Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements; welded angles, shapes and sections, of iron or steel	Manufacture from materials of any other heading Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for jointing or fixing rails	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
7304, 7305 and 7306 ex 7315 7315. 20	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel Chain and parts thereof, of iron or steel - Skid chain	Manufacture from materials of any other heading Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 74	Copper and articles thereof	Manufacture from materials of any other heading	
Chapter 75	Nickel and articles thereof;	Manufacture from materials of any other heading	
ex Chapter 76 7601 7602	Aluminium and articles thereof; except for: Unwrought aluminium Aluminium waste or scrap	Manufacture from materials of any other heading Manufacture from materials of any other heading Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product
Chapter 77	Reserved for possible future use in the HS		
Chapter 78	Lead and articles thereof	Manufacture from materials of any other heading	
Chapter 79	Zinc and articles thereof	Manufacture from materials of any other heading	
Chapter 80	Tin and articles thereof	Manufacture from materials of any other heading	
Chapter 81	Other base metals; cermets; articles thereof	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product
ex Chapter 82 8206 8207 8208	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for: Tools of two or more of the headings 8202 to 8205, put up in sets for retail sale Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning, or screwdriving), including dies for drawing or extruding metal, and rock drilling or earth boring tools Knives and cutting blades, for machines or for mechanical appliances	Manufacture from materials of any other heading Manufacture from materials of any other heading, except from headings 8202 to 8205. However, tools of headings 8202 to 8205 may be incorporated into the set, provided that their total value does not exceed 15 % of the ex-works price of the set Manufacture from materials of any other heading provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture from materials of any other heading provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	
Chapter 83	Miscellaneous articles of base metal	Manufacture from materials of any other heading	
ex Chapter 84 8407	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for: Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture from materials of any other heading Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
8409	Parts suitable for use solely or principally with the engines of heading 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
8413	Pumps for liquids, whether or not fitted with a measuring device; liquid elevators	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
8414	Air or vacuum pumps, air or other gas compressors and fans; ventilating or recycling hoods incorporating a fan, whether or not fitted with filters	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
8425 to 8428	Lifting, handling, loading or unloading machinery	Manufacture from materials of any other heading, except from heading 8431	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers:	Manufacture from materials of any other heading, except from heading 8431	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	Manufacture from materials of any other heading, except from heading 8431	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture from materials of any other heading, except from heading 8448	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8456 to 8465	Machine-tools and machines and their parts and accessories of headings 8456 to 8465	Manufacture from materials of any other heading, except from heading 8466	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8469	Typewriters other than printers of heading No. 8471; word-processing machines	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8470	Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8471	Automatic data processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8472	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, automatic banknote dispensers, coin-sorting machines, coin-counting or wrapping machines, pencil-sharpening machines, perforating or stapling machines)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	

HS heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status	
		(3) or	(4)
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8501	Electric motors and generators (excluding generating sets)	Manufacture from materials of any other heading, except from heading 8503	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8502	Electric generating sets and rotary converters	Manufacture from materials of any other heading, except from headings 8501 and 8503	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8535 and 8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	Manufacture from materials of any other heading, except from heading 8538	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8537	Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517	Manufacture from materials of any other heading, except from heading 8538	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8544	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
ex Chapter 86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds; except for: 8608 Railway or tramway track fixtures and fittings; mechanical (including electromechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing	Manufacture from materials of any other heading Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for: 8706 Chassis fitted with engines, for the motor vehicles of headings Nos. 8701 to 8705 8707 Bodies (including cabs), for the motor vehicles of headings Nos. 8701 to 8705 8708 Parts and accessories of the motor vehicles of headings Nos. 8701 to 8705 8709 Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles 8710 Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles 8711 Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars: 8712 Bicycles without ball bearings 8713 Invalid carriages, whether or not motorised or otherwise mechanically propelled 8714 Parts and accessories of vehicles of headings Nos. 8711 to 8713 8715 Baby carriages and parts thereof 8716 Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof.	Manufacture from materials of any other heading Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture from materials of any other heading Manufacture from materials of any other heading, except from heading 8714 Manufacture from materials of any other heading Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3)	(4)
ex Chapter 88	Aircraft, spacecraft, and parts thereof; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for:	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
9006	Photographic(other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 8539	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
9018	Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments:	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
9019	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
9021	Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
9022	Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like	Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
Chapter 91	Clocks and watches and parts thereof	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture from materials of any other heading	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status	
(1)	(2)	(3) or	(4)
ex Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings; except for: 9405 Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included 9406 Prefabricated buildings	Manufacture from materials of any other heading Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 95	Toys, games and sports requisites; parts and accessories thereof; except for: 9503 Other toys; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds	Manufacture from materials of any other heading Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product	
ex Chapter 96	Miscellaneous manufactured articles; except for: 9603 Brooms and brushes (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops 9605 Travel sets for personal toilet, sewing or shoe or clothes cleaning 9606 Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks 9613 Lighters with piezo-igniter	Manufacture from materials of any other heading Manufacture from materials of any other heading Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 15% of the ex-works price of the set Manufacture from materials of any other heading, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any other heading provided that the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture from materials of any other heading	

APPENDIX 3 TO ANNEX I

TEXT OF THE ORIGIN DECLARATION REFERRED TO IN ARTICLE 15

The Origin Declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

The Origin Declaration referred to in paragraph 1 of Article 15 shall have the following wording:

“The exporter of the products covered by this document (customs authorization No ...⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of ...⁽²⁾ preferential origin.”

.....⁽³⁾
(Place and date)

.....⁽⁴⁾
(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script)

.....⁽⁵⁾
(Remarks)

⁽¹⁾ When the origin declaration is made out by an approved exporter within the meaning of Article 16, the authorization number of the approved exporter must be entered in this space. When the origin declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated (Icelandic, Norwegian, Swiss or Korean). The use of ISO-Alpha-2 codes is permitted (IS, NO, CH or KR). Reference may be made to a specific column of the invoice in which the country of origin of each product is entered.

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ Approved exporters are not required to sign. The exemption of signature also implies the exemption of the name of the signatory.

⁽⁵⁾ **Special indication should be made, for instance, in the case of products subject to paragraph 3 of Appendix 4 to Annex I : “the provisions of Appendix 4 to Annex I (Exemptions from the Principle of Territoriality) have been applied”.**

APPENDIX 4 TO ANNEX I

EXEMPTIONS FROM THE PRINCIPLE OF TERRITORIALITY

1. In accordance with Article 13 of Annex I, the acquisition of originating status shall not be affected by working or processing carried out outside the territory of a Party on materials exported from the Party concerned and subsequently re-imported to that Party, provided that:

- (a) the total added value as set out in paragraph 5(a) does not exceed 10 per cent of the ex-works price of the final product for which originating status is claimed; and
- (b) the materials exported from the Party concerned shall be wholly obtained in that Party or having undergone working or processing going beyond the insufficient operations listed in Article 6 prior to being exported outside the territory of that Party.

2. Notwithstanding paragraph 1, for products listed in the Table set out at the end of this Appendix, the acquisition of originating status shall not be affected by working or processing carried out in an area, for instance an industrial zone, outside the territory of a Party, on materials exported from the Party concerned and subsequently re-imported to that Party, provided that:

- (a) the total value of non-originating input as set out in paragraph 5(b) does not exceed 40 per cent of the ex-works price of the final product for which originating status is claimed; and
- (b) the value of originating materials exported from the Party concerned is not less than 60 per cent of the total value of materials used in manufacturing the re-imported material or product.

3. For the purposes of paragraphs 1 and 2, it must be demonstrated to the satisfaction of the customs authorities that the re-imported goods have been obtained by the manufacturer through the working or processing of the exported materials. For the purpose of paragraph 2 the following sentence shall be indicated in the origin declaration which is submitted to the customs authority of the importing Party: "The provisions of Appendix 4 to Annex I (Exemptions from the Principle of Territoriality) have been applied".

4. For the purposes of paragraph 1, where a rule in Appendix 2 to Annex I restricts or prohibits the use of certain non-originating materials, such a restriction or prohibition shall also apply in respect of working or processing carried out outside the territory of the Party concerned. Furthermore, where a rule in Appendix 2 to Annex I, giving the maximum value of all the non-originating materials used, is applied in determining the originating

status of the final product concerned, the total value of the non-originating input as set out in paragraph 5(b) shall not exceed the percentage given.

5. For the purposes of:

- (a) paragraph 1, "total added value" shall mean the value of any materials added outside the Party concerned as well as costs accumulated outside the territory of the Party concerned, including transport costs; and
- (b) paragraphs 2 and 4, "total value of non-originating input" shall mean the value of any non-originating materials added inside as well as any materials added and all other cost accumulated outside the Party concerned, including transport costs. Non-originating materials which have already acquired originating status in a Party shall not be considered to be non-originating input.

6 The provisions of paragraphs 1 to 4 shall not apply to products which do not fulfil the conditions set out in Appendix 2 to Annex I and which can be considered sufficiently worked or processed only if the general tolerance given in paragraph 2 of Article 5 of Annex I is applied.

7. Any amendment to this Appendix, including the Table referred to paragraph 2, shall be made by a decision of the Joint Committee that is to be taken within a reasonable period of time, in accordance with the procedure set out in paragraph 7 of Article 8.1 of this Agreement.

8. In the third year after the entry into force of this Agreement, the Parties shall review the provisions and implementation of this Appendix and revise them if deemed necessary by the Parties.

Table

Chapter 39 Plastics and articles thereof

390710, 390720, 390810, 391000, 392113, 392310, 392330, 392350, 392390, 392690

Chapter 40 Rubber and articles thereof

401699

Chapter 42 Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk-worm gut)

420211, 420212, 420221

Chapter 61 Articles of apparel and clothing accessories, knitted or crocheted

610110, 610120, 610130, 610190, 610210, 610220, 610230, 610290, 610311, 610312, 610319, 610321, 610322, 610323, 610329, 610331, 610332, 610333, 610339, 610341, 610342, 610343, 610349, 610411, 610421, 610431, 610441, 610442, 610443, 610444, 610449, 610451, 610452, 610453, 610459, 610461, 610462, 610463, 610469, 610510, 610520, 610590, 610610, 610620, 610690, 610910, 610990, 611011, 611012, 611019, 611020, 611030, 611090, 611211, 611212, 611219, 611220, 611231, 611239, 611241, 611410, 611420, 611430, 611490

Chapter 62 Articles of apparel and clothing accessories, not knitted or crocheted

620111, 620112, 620113, 620119, 620191, 620192, 620193, 620199, 620211, 620212, 620213, 620219, 620291, 620292, 620293, 620299, 620311, 620312, 620319, 620321, 620322, 620323, 620329, 620331, 620332, 620333, 620339, 620341, 620343, 620349, 620411, 620412, 620413, 620419, 620421, 620422, 620423, 620429, 620431, 620432, 620433, 620439, 620441, 620442, 620443, 620444, 620449, 620451, 620452, 620453, 620459, 620461, 620462, 620463, 620469, 620510, 620520, 620530, 620590, 620610, 620620, 620630, 620640, 620690, 620711, 620719, 620721, 620722, 620729, 620791, 620792, 620799, 620811, 620819, 620821, 620822, 620829, 620891, 620892, 620899, 620910, 620920, 620930, 621010, 621020, 621030, 621040, 621050, 621111, 621112, 621120, 621131, 621132, 621141, 621142, 621143, 621149

Chapter 64 Footwear, gaiters and the like; parts of such articles

640299, 640399, 640411, 640610

Chapter 70 Glass and glassware

701590

Chapter 71 Natural or cultural pearls, precious or semiprecious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin

711719, 711790

Chapter 73 Articles of iron or steel

732393

Chapter 81 Other base metals; cermets; articles thereof

810990

Chapter 82 Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal

820730, 821300

Chapter 83 Miscellaneous articles of base metal

830230

Chapter 84 Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

840991, 841330, 841510, 841582, 841583, 841590, 842123, 842131, 842139, 842410, 842420, 842490, 848590

Chapter 85 Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles

850431, 851220, 851790, 852990, 853400, 853630, 853650, 853669, 853690, 853929, 854091

Chapter 87 Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof

870991, 871499

Chapter 90 Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof

902690

Chapter 91 Clocks and watches and parts thereof

910111, 910112, 910119, 910121, 910129, 910191, 910199, 910211, 910212, 910219, 910229, 910291, 910299, 910310, 910390, 910400, 910511, 910519, 910521, 910529, 910591, 910599, 910610, 910620, 910690, 910700, 910811, 910812, 910819, 910820, 910890, 910911, 910919, 910990, 911011, 911012, 911019, 911090, 911110, 911120, 911180, 911190, 911220, 911290, 911310, 911320, 911390, 911410, 911420, 911430, 911440, 911490

Chapter 96 Miscellaneous manufactured articles

961610

ANNEX II

REFERRED TO IN PARAGRAPH 2 OF ARTICLE 1.2

TERRITORIAL APPLICATION

ANNEX II

REFERRED TO IN PARAGRAPH 2 OF ARTICLE 1.2

TERRITORIAL APPLICATION

When ratifying this Agreement, the Kingdom of Norway shall have the right to exempt the territory of Svalbard from the application of this Agreement with the exception of trade in goods.

ANNEX III

PRODUCTS REFERRED TO IN PARAGRAPH 1(a) OF ARTICLE 2.1

ANNEX III

PRODUCTS REFERRED TO IN PARAGRAPH 1(a) OF ARTICLE 2.1

HS Code	Description of products	When imported into
29.05	Acyclic alcohols and their halogenated, sulphonated, nitrated or nirosated derivatives: - Other polyhydric alcohols:	
2905.43	-- Mannitol	Korea
2905.44	-- D-glucitol (sorbitol)	Korea
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresin; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils:	
ex 3301.90	-Other, Oleoresin extracts of ginseng of white ginseng, red ginseng, and other ginseng	Korea
35.01	Casein, caseinates and other casein derivatives; casein glues.	Norway Liechtenstein Switzerland
		Korea
35.02	Albumins (including concentrates of two or more whey proteins, containing by weight more than 80 % whey proteins, calculated on the dry matter), albuminates and other albumin derivatives: - Egg albumin:	
3502.11	-- Dried	Norway Liechtenstein Switzerland
		Korea

HS Code	Description of products	When imported into
3502.19	-- Other	Norway Liechtenstein Switzerland Korea
3502.20	- Milk albumin, including concentrates of two or more whey proteins	Norway Korea
3502.90	- Other	Norway Korea
3503.00	Gelatin (including gelatin in rectangular (including square) sheets, whether or not surface-worked or coloured) and gelatin derivatives; isinglass; other glues of animal origin, excluding casein glues of heading 35.01.	Korea
3504.00	Peptones and their derivatives; other protein substances and their derivatives, not elsewhere specified or included; hide powder, whether or not chromed.	Korea
35.05	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches:	
3505.10	- Dextrins and other modified starches	Norway Liechtenstein Switzerland Korea
3505.20	- Glues	Korea
ex 3505.20	- Glues, for animal feeding	Liechtenstein Switzerland
38.09	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:	
3809.10	- With a basis of amylaceous substances	Korea

HS Code	Description of products	When imported into
ex 3809.10	- With a basis of amylaceous substances, for animal feeding	Liechtenstein Switzerland
38.23	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:	
	- Industrial monocarboxylic fatty acids; acid oils from refining:	
ex 3823.11	-- Stearic acid, for animal feeding	Norway Liechtenstein Switzerland
ex 3823.12	-- Oleic acid, for animal feeding	Norway Liechtenstein Switzerland
ex 3823.13	-- Tall oil fatty acids, for animal feeding	Norway
ex 3823.19	-- Other, for animal feeding	Norway Liechtenstein Switzerland
ex 3823.70	- Industrial fatty alcohols, for animal feeding	Norway
38.24	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included:	
3824.60	- Sorbitol other than that of subheading 2905.44	Korea

ANNEX IV

REFERRED TO IN PARAGRAPH 1(b) OF ARTICLE 2.1

PROCESSED AGRICULTURAL PRODUCTS

ANNEX IV

REFERRED TO IN PARAGRAPH 1(b) OF ARTICLE 2.1

PROCESSED AGRICULTURAL PRODUCTS

Article 1

1. In order to take account of differences in the cost of the agricultural raw materials incorporated into the products referred to in Article 2, this Agreement does not preclude:

- (a) the levying, upon import, of a duty; and
- (b) the application of measures adopted upon export.

2. The duty levied upon import and measures adopted upon export shall be based on, but not exceed, the differences between the domestic price and the world market price of the agricultural raw materials incorporated into the products concerned.

Article 2

Taking into account the provisions laid down in Article 1 the EFTA States shall, based on reviews that can be requested by either Korea or an EFTA State, accord to products listed in Table 1, originating in Korea, treatment no less favourable than that accorded to the European Community on 1 April 2005.

Article 3

1. For products listed in Table 1, originating in an EFTA State, Korea shall accord treatment as specified in Table 2.

2. For products, for which the preferential duty rate is indicated as "B2", the customs duties shall be gradually eliminated in six equal steps, with the first step taking effect on the date of entry into force of the Agreement, and the following steps taking effect on 1 January each year, starting on 1 January 2007 and with total elimination from 1 January 2011.

3. For products, for which the preferential duty rate is indicated as "B4", the customs duties shall be gradually eliminated in 11 equal steps, with the first step taking effect on the date of entry into force of the Agreement, and the following steps taking effect on 1 January each year, starting on 1 January 2007 and with total elimination from 1 January 2016.

Article 4

The Parties shall notify each other at an early stage, at least before the entry into force, of all measures applied under Article 1.

Article 5

Korea and the EFTA States shall review in the Joint Committee the development of their trade in products covered by this Annex. In the light of these reviews and taking into account the arrangements between the Parties and other free trade partners or in the WTO, Korea and the EFTA States shall decide on possible changes to the product coverage of this Annex, as well as on a possible development of the measures applied under Article 1.

TABLE 1 TO ANNEX IV

HS Code	Description of products
0403	Buttermilk, curdled milk and cream, yogurt, kefir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa: <ul style="list-style-type: none"> - Yogurt: ex 10 -- Flavoured or containing added fruit, nuts or cocoa - Other: ex 90 -- Flavoured or containing added fruits, nuts or cocoa
0501	Human hair, unworked, whether or not washed or scoured; waste of human hair.
0502	Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair.
0503	Horsehair and horsehair waste, whether or not put up as a layer with or without supporting material.
0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers.
0507	Ivory, tortoise-shell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products.
0508	Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttlebone, unworked or simply prepared but not cut to shape; powder and waste thereof.
0509	Natural sponges of animal origin.
0510	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved.
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:

HS Code	Description of products
40	- Sweet corn (<i>Zea mays var. saccharata</i>)
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
ex 90	- Other vegetables; mixtures of vegetables: -- Sweet corn (<i>Zea mays var. saccharata</i>)
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion.
0902	Tea, whether or not flavoured.
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products: <ul style="list-style-type: none"> - Vegetable saps and extracts: 12 -- Of liquorice 13 -- Of hops 14 -- Of pyrethrum or of the roots of plants containing rotenone
ex 19	-- Other: <ul style="list-style-type: none"> --- Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations --- Other medicinal than intermixtures of vegetable extracts for the manufacture of beverages or of food preparations or of vanilla oleoresin
20	- Pectic substances, pectinates and pectates <ul style="list-style-type: none"> - Mucilages and thickeners, modified, derived from vegetable products: <ul style="list-style-type: none"> 31 -- Agar-agar 32 -- Derived from locust beans, locust bean seeds or guar seeds 39 -- Other
1401	Vegetable materials of a kind used primarily for plaiting (for example bamboos, rattans, reeds, rushes, osier, raffia, cleaned, bleached or dyed cereal straw, and of lime bark).
1402	Vegetable materials of a kind used primarily as stuffing or as padding

HS Code	Description of products
	(for example kapok, vegetable hair and eel-grass), whether or not put up as a layer with or without supporting material.
1403	Vegetable materials of a kind used primarily in brooms or in brushes (for example broomcorn piassava, couch-grass and istle), whether or not in hanks or bundles.
1404	Vegetable products not elsewhere specified or included.
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared:
ex 20	<ul style="list-style-type: none"> - Vegetable fats and oils and their fractions: <ul style="list-style-type: none"> -- Hydrogenated caster oil, so called "opal-wax"
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No 1516:
ex 10	<ul style="list-style-type: none"> - Margarine, excluding liquid margarine: <ul style="list-style-type: none"> -- Containing more than 10 % but not more than 15 % by weight of milk fats
ex 90	<ul style="list-style-type: none"> - Other: <ul style="list-style-type: none"> -- Containing more than 10 % but not more than 15 % by weight of milk fats -- Edible mixtures or preparations of a kind used as mould release preparations
1518	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, not elsewhere specified or included:
ex 00	Linoxyn
1520	Glycerol, crude; glycerol waters and glycerol lyes.
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured.
1522	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes.

HS Code	Description of products
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:
50	- Chemically pure fructose
ex 90	- Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50% by weight of fructose: -- Chemically pure maltose
1704	Sugar confectionery (including white chocolate), not containing cocoa.
1803	Cocoa paste, whether or not defatted.
1804	Cocoa butter, fat and oil.
1805	Cocoa powder, not containing added sugar or other sweetening matter.
1806	Chocolate and other food preparations containing cocoa.
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings Nos. 0401 to 0404, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included.
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:
	- Uncooked pasta, not stuffed or otherwise prepared:
11	-- Containing eggs
19	-- Other
ex 20	- Stuffed pasta, whether or not cooked or otherwise prepared: -- Other than products containing more than 20% by weight of sausage, meat, meat offal or blood, or any combination thereof
30	- Other pasta
40	- Couscous
1903	Tapioca and substitutes therefor prepared from starch, in the form of

HS Code	Description of products
	flakes, grains, pearls, siftings or in similar forms.
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included.
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products.
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
ex 90	<ul style="list-style-type: none"> - Other: <ul style="list-style-type: none"> -- Sweet corn (<i>Zea mays var. saccharata</i>); palm hearts; yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid:
90	<ul style="list-style-type: none"> - Other
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No. 20.06:
ex 10	<ul style="list-style-type: none"> - Potatoes: <ul style="list-style-type: none"> -- In the form of flour, meal or flakes
ex 90	<ul style="list-style-type: none"> - Other vegetables and mixtures or vegetables: <ul style="list-style-type: none"> -- Sweet corn (<i>Zea mays var. saccharata</i>)
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No. 20.06:
ex 20	<ul style="list-style-type: none"> - Potatoes: <ul style="list-style-type: none"> -- In the form of flour, meal or flakes
80	<ul style="list-style-type: none"> - Sweet corn (<i>Zea mays var. saccharata</i>)
2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised):
ex 2006	<ul style="list-style-type: none"> - Sweet corn (<i>Zea mays var. saccharata</i>)

HS Code	Description of products
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter.
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: <ul style="list-style-type: none"> - Nuts, ground-nuts and other seeds, whether or not mixed together: <ul style="list-style-type: none"> -- Ground-nuts: <ul style="list-style-type: none"> --- Peanut butter --- Ground nuts, roasted - Other, including mixtures other than those of subheading No. 2008.19: <ul style="list-style-type: none"> -- Palm hearts
ex 11	-- Other:
91	--- Maize (corn) other than sweet corn (<i>Zea mays var. saccharata</i>)
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No. 3002); prepared baking powders.
2103	Sauces and preparations therefor; mixed Condiments and mixed seasonings; mustard Flour and meal and prepared mustard.
2104	Soups and broths and preparations therefor; homogenised composite food preparations.
2105	Ice cream and other edible ice, whether or not containing cocoa.
2106	Food preparations not elsewhere specified or included: <ul style="list-style-type: none"> 10 - Protein concentrates and textured protein substances
ex 90:	<ul style="list-style-type: none"> - Other: <ul style="list-style-type: none"> -- Other than flavoured or coloured sugar syrups
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor

HS Code	Description of products
	flavoured; ice and snow.
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 2009.
2203	Beer made from malt.
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances.
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol. or higher; ethyl alcohol and other spirits, denatured, of any strength:
2207.20	- Ethyl alcohol and other spirits, denatured, of any strength
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages.
2209	Vinegar and substitutes for vinegar obtained from acetic acid.

ANNEX V

REFERRED TO IN PARAGRAPH 1(c) OF ARTICLE 2.1

FISH AND OTHER MARINE PRODUCTS

ANNEX V

REFERRED TO IN PARAGRAPH 1 (c) OF ARTICLE 2.1

FISH AND OTHER MARINE PRODUCTS

Article 1

Fish and other marine products, as listed in Table 1 below, are covered by the provisions of this Agreement, except as otherwise provided for in this Annex.

Table 1

Heading No.	H.S. Code	Description of products
02.08	ex 0208.40	Other meat and edible meat offal, fresh, chilled or frozen: - Of whale ¹ Fish and crustaceans, molluscs and other aquatic invertebrates.
15.04		Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified.²
15.16	ex 1516.10	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared: - Animal fats and oils and their fractions: - - Obtained entirely from fish or marine mammals ³

¹ An import ban for whale products is applied by Korea, Liechtenstein and Switzerland on the basis of the [Convention on International Trade in Endangered Species of Wild Fauna and Flora \(CITES Convention\)](#).

² See footnote 1.

³ See footnote 1.

16.03		Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates: - Extracts and juices of whale meat, fish or crustaceans, molluscs or other aquatic invertebrates ⁴
16.04	ex 1603.00	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs.
16.05		Crustaceans, molluscs or other aquatic invertebrates, prepared or preserved.
23.01		Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:
	ex 2301.10	- Flours, meals and pellets, of meat or meat offal; greaves: - - Of whale ⁵
	2301.20	- Flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates
23.09		Preparations of a kind used in animal feeding:
	ex 2309.90	- Other: - - Fish solubles

Article 2

Upon the date of entry into force of this Agreement Korea and the EFTA States shall abolish all customs duties on imports and charges having equivalent effect for products listed in Table 1 originating in Korea or in an EFTA State, unless otherwise specified in Articles 3 and 4 of this Annex

Article 3

Switzerland, including the territory of the Principality of Liechtenstein, may maintain customs duties on imports of products originating in Korea, listed in Table 2 below.

⁴ See footnote 1.

⁵ See footnote 1.

Table 2

Heading No.	Description of products
ex 15.04 and ex 1516.10	Fats and oils for human consumption
ex 2301.10 and ex 2301.20	Feedingstuffs for production animals
ex 2309.90	Feedingstuffs for production animals

Article 4

1. Korea shall abolish customs duties on imports and charges having equivalent effect on products listed in Table 3 originating in an EFTA State in accordance with the customs duty elimination schedules as provided for in paragraphs 2, 3, 4, 5, 6 and 7.

2. Customs duties and charges having equivalent effect on imports into Korea of products originating in an EFTA State listed under category "B1" in Table 3 shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of the Agreement to 75% of the basic duty,
- 1 January 2007 to 50% of basic duty,
- 1 January 2008 to 25% of basic duty,
- 1 January 2009 the remaining duties shall be abolished.

3. Customs duties and charges having equivalent effect on imports into Korea of products originating in an EFTA State listed under category "B2" in Table 3 shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of the Agreement to 83% of the basic duty,
- 1 January 2007 to 67% of the basic duty,
- 1 January 2008 to 50% of the basic duty,
- 1 January 2009 to 34% of the basic duty
- 1 January 2010 to 17% of the basic duty
- 1 January 2011 the remaining duties shall be abolished.

4. Customs duties and charges having equivalent effect on imports into Korea of products originating in an EFTA State listed under category "B3" in Table 3 shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of the Agreement to 87% of the basic duty,
- 1 January 2007 to 75% of the basic duty,
- 1 January 2008 to 62% of the basic duty,
- 1 January 2009 to 50% of the basic duty
- 1 January 2010 to 37% of the basic duty,
- 1 January 2011 to 25% of the basic duty,
- 1 January 2012 to 12% of the basic duty,

- 1 January 2013 the remaining duties shall be abolished.

5. Customs duties and charges having equivalent effect on imports into Korea of products originating in an EFTA State listed under category “B4” in Table 3 shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of the Agreement to 91% of the basic duty,
- 1 January 2007 to 82% of the basic duty,
- 1 January 2008 to 73% of the basic duty,
- 1 January 2009 to 64% of the basic duty
- 1 January 2010 to 55 % of the basic duty,
- 1 January 2011 to 45% of the basic duty
- 1 January 2012 to 36% of the basic duty,
- 1 January 2013 to 27% of the basic duty,
- 1 January 2014 to 18% of the basic duty,
- 1 January 2015 to 9% of the basic duty,
- 1 January 2016 the remaining duties shall be abolished

6. For products originating in an EFTA State listed under category “TRQ” in the Table 3 to this Annex a tariff rate quota system shall be applied by Korea, in accordance with the following:

- (a) The annual aggregate quota quantity shall be 500 metric tons.
- (b) The in-quota rate of customs duties and charges having equivalent effect on imports into Korea of those products originating in an EFTA State shall be free.
- (c) The out quota rate of customs duties and charges having equivalent effect on import into Korea of those products originating in an EFTA State shall be applied by most-favored-nation applied rate of Korea.
- (d) For the purpose of subparagraphs (a) and (b) in this present paragraph, the tariff rate quota shall be implemented by the importing Party. The tariff rate quota shall be administered by the importing Party in cooperation with the exporting Party, and the aggregate quota percentage shall be allocated by the importing Party.
- (e) The tariff rate quota shall be reviewed from the year six after the entry into force of this Agreement.

7. Abolishment of customs duties and charges having equivalent effect on imports into Korea of products originating in an EFTA State listed in Table 3 to this Annex under category “R” and the dismantling schedules shall be reviewed in the Joint-Committee no later than seven years after the entry into force of this Agreement recognizing the overall objective of this Agreement.

Table 3

HS Code	Description of Products	Base Rate	Category
0208	Other meat and edible meat offal, fresh, chilled or frozen.		
0208400000	Of whales, dolphins and porpoises (mammals of the order Cetacea); of manatees and dugongs (mammals of the order Sirenia) ⁶	30	R
0301	Live fish.		
030110	Ornamental fish		
0301101000	Gold carp	10	R
0301102000	Tropical fish	10	R
0301109000	Other	10	R
03019	Other live fish:		
030192	Eels (Anguilla spp.)		
0301921000	Glass eel	10	R
0301929000	Other	30% or 1,908won/kg, whichever is the greater	R
0301930000	Carp	10	R
030199	Other		
0301992000	Yellow tail	10	R
0301994000	Sea-bream	45% or 3,292won/kg, whichever is the greater	R
0301995000	Conger eel	10	R
0301996000	Sharp toothed eel	10	R
0301997000	Salad eel	10	R
0301998000	Flat fish	10	R
03019990	Other		
0301999010	True bass	10	R
0301999020	Puffers	10	R
0301999030	Tilapia	10	R
0301999040	Rock fish (including pacific ocean perch)	10	R
0301999050	Sea bass	45	R
0301999060	Mullets	10	R
0301999070	Loaches	10	R
0301999080	Cat fishes	10	R
030199909	Other		
0301999091	Rock Trout (Hexagrammos spp., Agrammus spp.)	10	R
0301999092	Crusian carp	10	R
0301999094	Grass carp	10	R
0301999095	Croakers	36	R
0301999099	Other	10	B2

⁶

See footnote 1.

HS Code	Description of Products	Base Rate	Category
0302	Fish,fresh or chilled,excluding fish fillets and other fish meat of heading 03.04.		
03023	Tunas (of the genus Thunnus) skipjack or stripe-bellied bonito (Euthynnus (Katsuwonus) pelamis),excluding livers and roes:		
0302320000	Yellowfin tunas (Thunnus albacares)	20	B4
0302340000	Bigeye tunas (Thunnus obesus)	20	B2
03026	Other fish,excluding livers and roes:		
0302610000	Sardines (sardina pilchardus, sardinops spp.), sardinella(sardinella spp.), brisling or sprats (sprattus sprattus)	20	B2
0302640000	Mackerel (Scomber scombrus, Scomber australasicus, Scomber japonicus)	20	B2
0302650000	Dogfish and other sharks	20	B2
0302660000	Eels (Anguilla spp.)	20	B2
030269	Other		
0302691000	Alaska pollack	20	B3
0302692000	Yellow tail	20	B4
0302693000	Hair tail	20	B4
0302694000	Sea-bream	20	B4
0302695000	Conger eel	20	B4
0302696000	Sharp toothed eel	20	B4
0302697000	Horse mackerel	20	B4
0302698000	Saury (including horn fish)	20	B4
03026990	Other		
0302699010	Chub mackerel	20	B4
0302699020	Puffers	20	B4
0302699030	Pomfret	20	B4
0302699040	Angler (Monkfish)	20	B2
030270	Livers and roes		
0303	Fish, frozen, excluding fish fillets and other fish meat of heading 03.04.		
03031	Pacific salmon (Oncorhynchus nerka,Oncorhynchus gorbuscha, Onorchynchus keta, Oncorhynchus tshawytscha Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus),excluding livers and roes:		
0303110000	Sockeye salmon (red salmon) (Oncorhynchus nerka)	10	B2
0303190000	Other	10	B2
03032	Other salmonidae, excluding livers and roes:		
0303220000	Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)	10	B1
0303290000	Other	10	B4
03033	Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae), excluding livers and roes:		
0303330000	Sole (Solea spp.)	10	B2

HS Code	Description of Products	Base Rate	Category
0303390000	Other	10	B2
03034	Tunas (of genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), excluding livers and roes:		
0303420000	Yellowfin tunas (<i>Thunnus albacares</i>)	10	B2
0303430000	Skipjack or stripe-bellied bonito	10	B2
0303440000	Bigeye tunas (<i>Thunnus obesus</i>)	10	B2
0303490000	Other	10	B2
0303600000	Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) excluding livers and roes	10	B2
03037	Other fish, excluding livers and roes:		
0303710000	Sardines (<i>Sardina pilchardus</i> , <i>Sardinops spp.</i>), sardinella (<i>Sardinella spp.</i>), brisling or sprats (<i>Sprattus sprattus</i>)	10	B2
0303740000	Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)	10	TRQ
0303750000	Dogfish and other sharks	10	B2
0303780000	Hake (<i>Merluccius spp.</i> , <i>Urophycis spp.</i>)	10	B2
030379	Other		
0303791000	Alaska pollack	30	R
0303792000	Sable fish	10	B4
0303793000	Hair tail	10	B4
03037940	Sea-bream		
0303794010	Red horsehead fish (<i>Branchiostegus Japonicus</i>)	10	B2
0303794090	Other	10	B2
0303795000	Conger eel	10	B4
0303796000	Yellow corvina	10	B4
0303797000	Horse mackerel	10	B3
0303798000	Saury (including horn fish)	40	R
03037990	Other		
0303799010	Chub mackerel	10	B4
0303799020	Puffers	10	B4
0303799030	White sea smelt	10	B4
0303799050	John dory	10	B2
0303799060	Atka mackerel	10	B2
0303799070	Rock fish (including pacific ocean perch)	10	B2
0303799080	Whip tail or hoki	10	B4
030379909	Other		
0303799091	Angler (Monkfish)	10	B2
0303799092	Hagfish (Pacific, Atlantic)	10	B2
0303799093	Skate	30	R
0303799094	Milk fish	10	B2
0303799095	Croakers	70	R
0303799096	Ray	10	B4
0303799097	Sand lance	10	B4
0303799098	Tooth fishes	10	B4
0303799099	Other	10	B2

HS Code	Description of Products	Base Rate	Category
030380	Livers and roes		
0303801000	Livers	10	B4
03038020	Roes		
0303802010	Of alaska pollack	10	B4
0303802090	Other	10	B1
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen.		
030410	1. Fresh or chilled		
03041010	Fillets		
0304101010	Of conger-eel	20	B4
0304101020	Of plaice	20	B4
0304101030	Of bluefin tunas	20	B2
030420	2. Frozen fillets		
0304201000	Of alaska pollack	10	B4
0304202000	Of conger-eel	10	B4
0304204000	Of plaice	10	B4
0304205000	Of bluefin tunas	10	B2
0304206000	Of tooth fishes	10	B4
0304207000	Of tilapia	10	B4
0304209000	Other	10	B1
030490	3. Other		
03049010	Frozen fish surimi		
0304901010	Of alaska pollack	10	B4
0304901090	Other	10	B4
0304909000	Other	10	B3
0305	Fish, dried,salted or in brine; smoked fish, whether or not cooked before or during the smoking process; lours, meals and pellets of fish, fit for human consumption.		
030520	Livers and roes of fish, dried, smoked, salted or in brine		
03052040	Roes, salted or in brine		
0305204010	Of alaska pollack	20	B4
0305204020	Of yellow corvina	20	B4
0305204030	Of herrings	20	B4
0305204090	Other	20	B1
03054	Smoked fish, including fillets:		
030549	Other		
0305491000	Anchovies	20	B4
0305492000	Alaska pollack	20	B4
0305499000	Other	20	B2
03055	Dried fish, whether or not salted but not smoked:		
030559	Other		
0305591000	Sharks' fins	20	B4
0305592000	Anchovy	20	B4
0305593000	Alaska pollack	20	B4
0305594000	Yellow corvina	20	B4

HS Code	Description of Products	Base Rate	Category
0305595000	Puffers	20	B2
0305596000	Sharp toothed eel	20	B2
0305597000	Sand lance	20	B4
0305599000	Other	20	B2
03056	Fish, salted but not dried or smoked and fish in brine:		
0305610000	Herrings (Clupea harengus, Clupea pallasii)	20	B2
030563	Anchovies (Engraulis spp.)		
0305631000	Salt fermented anchovy	20	B2
0305639000	Other	20	B4
030569	Other		
0305693000	Hair tail	20	B4
0305694000	Sardines	20	B2
0305695000	Mackerel	20	B4
0305696000	Yellow corvina	20	B4
0305697000	Horse mackerel	20	B3
0305698000	Saury (including horn fish)	20	B2
0306	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption.		
03061	Frozen:		
0306110000	Rock lobster and other sea crawfish (Palinurus spp., panulirus spp., Jasus spp.)	20	B2
030613	Shrimps and prawns		
0306131000	Peeled	20	B2
0306139000	Other	27	
	–Of specie Pandalus borealis		B1
	–Of other than of Pandalus borealis		R
0306142000	King crabs	20	B2
0306143000	Blue crabs	20	B4
0306149000	Other	14	B2
03062	Not frozen:		
030623	Shrimps and prawns		
0306232000	Dried	20	B4
0306233000	Salted or in brine	55% or 363won/kg, whichever is the greater	
	–Of specie Pandalus borealis		B1
	–Of other than of Pandalus borealis		R
030624	Crabs		
03062410	Live, fresh or chilled		
0306241010	Blue crab	20	B4

HS Code	Description of Products	Base Rate	Category
0306241020	Snow crab	20	B4
0306242000	Dried	20	B2
0306243000	Salted or in brine	20	B2
030629	Other, including flours, meals and pellets of crustaceans, fit for human consumption		
0306291000	Live, fresh or chilled	20	B2
0306292000	Dried	20	B2
0307	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption.		
030710	1. Oysters.		
03071010	A. Live fresh or chilled		
0307101090	(2) Other	20	B2
0307102000	B. Frozen	20	B3
0307103000	C. Dried	20	B2
0307104000	D. Salted or in brine	20	B2
03072	2. Scallops, including queen scallops, of the genera <i>Pecten</i> , <i>Chlamys</i> or <i>Placopecten</i> :		
0307210000	Live, fresh or chilled	20	B2
030729	Other		
0307291000	Frozen	20	B3
0307293000	Salted or in brine	20	B2
03073	3. Mussels (<i>Mytilus</i> spp., <i>Perna</i> spp.):		
0307310000	Live, fresh or chilled	20	B2
030739	Other		
0307392000	Dried	20	B2
03074	4. Cuttle fish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.) and squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
030741	Live, fresh or chilled		
0307412000	Squid	10	B2
030749	Other		
03074910	Frozen		
0307491010	Cuttle fish	10	B4
0307491020	Squid	27	R
0307492000	Salted or in brine	10	B4
0307493000	Dried	10	B4
03075	5. Octopus (<i>Octopus</i> spp.):		
0307510000	Live, fresh or chilled	20	B4
030759	Other		
03075910	Frozen		
0307591010	Octopus	20	B4
0307591020	Poulp squid	20	B4
0307591030	Webfoot octopus	20	B4

HS Code	Description of Products	Base Rate	Category
0307591090	Other	20	B4
0307592000	Dried	20	B2
0307599000	Other	20	B4
03079	7. Other, including flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption:		
030791	Live, fresh or chilled		
0307911	Molluscs		
03079111	Hard clams		
0307911190	Other	20	B4
0307911200	Abalone	20	B4
0307911300	Top shells	20	B2
0307911400	Pearl oyster	20	B2
0307911500	Ark shells	20	B4
0307911700	Adductors of shell fish	20	B4
0307911800	Baby clams	20	B4
03079119	Other		
0307911910	Marsh clams	20	B4
0307911990	Other	20	B4
03079190	Other		
0307919010	Sea-urchins	20	B2
0307919020	Sea-cucumbers	20	B4
0307919030	Sea-squirts	20	B4
0307919090	Other	20	B4
030799	Other		
0307991	Frozen		
03079911	Molluscs		
0307991110	Cockles	20	B2
0307991120	Hen clams	20	B4
0307991130	Baby clams	20	B4
0307991140	Adductors of shell fish	20	B4
0307991150	Ark shells	20	B4
0307991160	Top shells (frozen)	20	B2
0307991190	Other	20	B4
03079919	Other		
0307991910	Sea-cucumbers	20	B2
0307991920	Sea-squirts	20	B2
0307991990	Other	20	B2
0307992	Dried		
03079921	Molluscs		
0307992110	Hen clams	20	B2
0307992120	Adductors of shell fish	20	B2
0307992190	Other	20	B4
03079929	Other		
0307992920	Sea-cucumbers	20	B4
0307992990	Other	20	B2
0307993	Salted or in brine		

HS Code	Description of Products	Base Rate	Category
03079931	Molluscs		
0307993110	Hen clams	20	B2
0307993120	Baby clams	20	B4
0307993130	Top shells (salted or brine)	20	B2
0307993190	Other	20	B4
03079939	Other		
0307993910	Sea-urchins	20	B4
0307993920	Sea-cucumbers	20	B2
0307993930	Jelly fish	20	B4
0307993990	Other	20	B2
1212	Locust beans,seaweeds and other algae,sugar beet and sugar cane,fresh,chilled,frozen or dried,whether or not ground; fruit stones and kernels and other vegetable products(including unroasted chicory roots of the variety cichorium intybus sativum) of a kin		
121220	2. Seaweeds and other algae		
12122010	A. Laver		
12122020	B. Sea mustard(<i>Undaria pinnatifida</i>)		
12122030	C. Sea-weed <i>fusiforme</i> (<i>Hizikia fusiforme</i>)		
12122040	D. Green laver		
12122050	E. Sea tangle(<i>Laminaria Japonica</i>)		
12122060	F. Agar-agar(<i>Gelidium amansil</i>)		
12122070	G. <i>Tenella</i> ,moulded <i>tenax</i> and <i>furcata</i>		
121220701	(1) <i>Tenella</i>		
121220702	(2) Moulded <i>tenax</i>		
121220703	(3) <i>Furcata</i>		
12122080	H. <i>Typicus</i> , <i>irish-moss</i> and <i>kelp meal</i>		
121220801	(1) <i>Typicus</i>		
121220802	(2) <i>Irish-moss</i>		
121220803	(3) <i>Kelp meal</i>		
12122090	I. Other		
121220901	(1) <i>Cottonni</i> and <i>spinosum</i>		
121220909	(2) Other		
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified.⁷		
1504200000	2. Fats and oils and their fractions, of fish, other than liver oils.	3	B1
160300	Extracts and juices of meat, fish or crustaceans, molluses or other aquatic invertebrates.		
1603003000	Fish extracts	30	B2
1603004000	Fish juices	30	B2
1603009000	Other ⁸	30	B2

⁷ See footnote 1.

⁸ See footnote 1.

HS Code	Description of Products	Base Rate	Category
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs.		
16041	Fish, whole or in pieces, but not minced:		
160411	Salmon		
1604111000	In airtight containers	20	B2
160412	Herrings		
1604121000	In airtight containers	20	B2
1604129000	Other	20	B2
160413	Sardines, sardinella and brisling or sprats		
1604131000	In airtight containers	20	B4
1604139000	Other	20	B2
160414	Tunas, skipjack and bonito (Sarda spp.)		
16041410	In airtight containers		
160414101	Tunas		
1604141011	In oil	20	B2
1604141019	Other	20	B2
160414102	Skipjack		
1604141021	In oil	20	B2
1604141022	Boiled	20	B2
1604141029	Other	20	B2
160414103	Bonito		
1604141039	Other	20	B2
1604149000	Other	20	B4
160415	Mackerel		
1604151000	In airtight containers	20	B4
1604159000	Other	20	B4
160416	Anchovies		
1604161000	In airtight containers	20	B4
1604169000	Other	20	B2
160419	Other		
16041910	In airtight containers		
1604191010	Saury	20	B2
1604191020	Horse mackerel	20	B2
1604191030	Eels (anguilla spp)	20	B4
1604191090	Other	20	B2
16041990	Other		
1604199010	Jerk filefish	20	B4
1604199090	Other	20	B2
160420	Other prepared or preserved fish		
1604201000	Fish pastes	20	B2
1604202000	Fish marinade	20	B2
16042040	Fish cake		
1604204010	Of crab flavor	20	B2
1604204090	Other	20	B2
1604209000	Other	20	B4
160430	Caviar and caviar substitutes		
1604301000	Caviar	20	B2

HS Code	Description of Products	Base Rate	Category
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.		
160510	Crab		
16051010	Crab meat		
1605101010	In airtight containers	20	B2
1605101020	Smoked, excluding in airtight containers	20	B2
1605101090	Other	20	B4
1605109000	Other	20	B4
160520	Shrimps and prawns		
16052090	Other		
1605209020	Breaded	20	B2
1605209090	Other	20	B1
160590	Other		
16059010	In airtight containers		
1605901010	Oysters	20	B2
1605901020	Mussels	20	B2
1605901030	Baby clam	20	B4
1605901080	Squid	20	B4
160590109	Other		
1605901091	Abalone	20	B2
1605901099	Other	20	B4
16059020	Smoked, excluding in airtight containers		
1605902010	Squid	20	B4
1605902090	Other	20	B4
16059090	Other		
1605909010	Seasoned squid	20	B4
1605909020	Sea-cucumbers	20	B4
1605909030	Bai top shell	20	B4
1605909040	Mussel	20	B4
1605909090	Other	20	B4
2104	Soups and broths and preparations therefor; homogenised composite food preparations.		
210410	Soups and broths and preparations therefor		
2104102000	Of fish	30	B2
2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves.⁹		
230120	2. Flours meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates		
2301201000	Flours, meals and pellets of fish	5	B1
2301209000	Other	5	B2

⁹

See footnote 1.

Article 5

Technical Cooperation

1. The Parties agree to take joint action on fisheries, in accordance with their national policy objectives, in order to facilitate the implementation of the overall objectives of this Agreement.

2. In particular, the Parties shall endeavor to establish cooperation for jointly funded projects of common interests including, but not limited to, the following:

- (a) Policy dialogue to understand common issues and exchange of information on the development of the Parties policies and activities;
- (b) Sharing technical expertise and experience in sustainable resource management, fisheries and aquaculture;
- (c) Training fishermen and students on Norwegian research vessels, in fishery facilities and distribution companies;
- (d) Exchange of scientific and technological knowledge, data, statistics, information and marine experts.

3. Parties shall conclude a Memorandum of Understanding (MoU) no later than two years after the entry into force of the Agreement. A joint working group established under the MoU shall set up a working program for the implementation of the present Article.

ANNEX VI

REFERRED TO IN PARAGRAPH 1 OF ARTICLE 2.3

CUSTOMS DUTIES

ANNEX VI

REFERRED TO IN PARAGRAPH 1 OF ARTICLE 2.3

CUSTOMS DUTIES

1. Customs duties on imports into Korea on products originating in an EFTA State listed in the Appendix categorized as Category “B1” shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of this Agreement to 75% of the basic duty,
- 1 January 2007 to 50% of the basic duty,
- 1 January 2008 to 25% of the basic duty,
- 1 January 2009 the remaining duties shall be abolished.

2. Customs duties on imports into Korea on products originating in an EFTA State listed in the Appendix categorized as Category “B2” shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of this Agreement to 83% of the basic duty,
- 1 January 2007 to 67% of the basic duty,
- 1 January 2008 to 50% of the basic duty,
- 1 January 2009 to 34% of the basic duty,
- 1 January 2010 to 17% of the basic duty,
- 1 January 2011 the remaining duties shall be abolished.

3. Customs duties on imports into Korea on products originating in an EFTA State listed in the Appendix categorized as Category “B3” shall be gradually eliminated in accordance with the following schedule:

- On the entry into force of this Agreement to 87% of the basic duty,
- 1 January 2007 to 75% of the basic duty,
- 1 January 2008 to 62% of the basic duty,
- 1 January 2009 to 50% of the basic duty,
- 1 January 2010 to 37% of the basic duty,
- 1 January 2011 to 25% of the basic duty,
- 1 January 2012 to 12% of the basic duty,
- 1 January 2013 the remaining duties shall be abolished.

4. Abolishment of customs duties on imports into Korea of products originating in an EFTA State listed in category “R” in the Appendix shall be reviewed in the Joint Committee no later than three years after the date of entry into force of this

Agreement and thereafter, if need be, in two-year intervals. In the meantime, Korea undertakes to extend to the EFTA States the same preferential treatment that it may grant another country for imports of these products.

ANNEX VII

REFERRED TO IN PARAGRAPH 3 OF ARTICLE 3.16

SCHEDULES OF SPECIFIC COMMITMENTS

APPENDIX 1 : KOREA

APPENDIX 2 : ICELAND

APPENDIX 3 : LIECHTENSTEIN

APPENDIX 4 : NORWAY

APPENDIX 5 : SWITZERLAND

APPENDIX 1 TO ANNEX VII

KOREA – SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 3.16

Modes of supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
<p>"Unbound*" means unbound due to lack of technical feasibility.</p> <p>"**" Double asterisks on the CPC (UN provisional Central Product Classification : Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991) Code number indicates that the corresponding service sub-sector in this schedule only covers a part or parts of the service sub-sector classified under the given CPC code number.</p>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) The acquisition of outstanding stocks of existing domestic companies in such areas as energy and aviation by natural person or juridical persons of another Member may be restricted. The foreign investment in newly privatized companies may be restricted.</p>	<p>3) The acquisition of land is unbound except:</p> <ul style="list-style-type: none"> (i) that the acquisition of land by companies which are not deemed as foreign under the Alien Land Law is permitted, and (ii) that the acquisition of land by companies which are deemed as foreign under the Alien Land Law and branches of foreign company is permitted, subject to approval or notification in accordance with the Alien Land Law, for the following legitimate business purposes: <ul style="list-style-type: none"> - land used for supplying services during the course of normal business activities; - land used for housing senior company personnel under pertinent laws; and 	<p>3) Residents who have been treated as foreigners in the Securities Exchange Act are accorded national treatment in portfolio investment in Korean stocks.</p>

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>4) Unbound except for measures affecting the entry and temporary stay of natural persons as defined below:</p> <p>A. Intra-corporate Transferees (ICT) Natural persons who are employees of firms that supply services through subsidiaries, branches, or designated affiliates established in Korea and who have been in the employ of their firm 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>(i) Executives - persons within an organization who primarily direct the management 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 shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization.</p>	<p>- land used for fulfilling land-holding requirements stipulated by pertinent laws</p> <p>Eligibility for subsidies, including tax benefits, may be limited to companies which are established in Korea according to the pertinent laws.</p> <p>Unbound for research and development subsidies.</p> <p>4) Unbound except for measures concerning Intra-corporate Transferees (ICT), Business Visitors (BV), Service Salespersons (SS).</p> <p>Unbound for Contractual Service Suppliers (CSS)</p> <p>The acquisition of land is unbound except that the lease hold right of land is permitted.</p> <p>Eligibility for subsidies, including tax benefits, may be limited to residents according to the pertinent laws.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(ii) Senior Managers- persons within an organization who primarily direct the organization or a department 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; and exercise discretionary authority over day-to-day operations. Senior managers do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>(iii) Specialists-persons within an organization who possess knowledge at an advanced level of continued expertise and proprietary knowledge on the services, research equipment, techniques, or management of the organization.</p> <p>Entry and stay of natural persons as defined in A is limited to a period not exceeding three years that may be extended if the above condition is still met by the applicants.</p> <p>B. Business Visitors (BV)</p> <p>Natural persons meeting the criteria of category A(i) or A(ii) and who are responsible for the setting up, in Korea, of a commercial presence of a service supplier of a Member when the service supplier has no representative office, branch or subsidiary in Korea and the persons are not engaged in making direct sales or supplying services.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>C. Service Salespersons (SS) Natural persons not based in the territory of Korea and receiving no remuneration from a source located within Korea, who are engaged in activities or representing a service supplier for the purpose of negotiating for the sale of the services of that supplier when such sales are not directly made to the general public and the persons are not engaged in supplying the services.</p> <p>Entry and stay of natural persons as defined in B and C is limited to a period of 90 days.</p>		

Notes for transparency purposes:

1. Subsidiary is defined as a firm, corporation or other legal entity of which a parent owns more than 50 per cent of the total equity of the entity.
2. Branch is defined as an operating division or a representative office of the same organization, which has an employee holding an extensive right to represent a parent housed in the territory of any other WTO Member.
3. The designated affiliate is defined as one of two subsidiaries, both of which are owned or controlled by the same parent, or as one of two legal entities, both of which are owned or controlled by the same group of shareholders who are partners of a partnership, a company or other legal entity and who have more than 50 per cent of the total equity of each of the two entities or have a responsibility for more than 50 per cent of the total investment amount of each of the two entities.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>D. Contractual Service Suppliers (CSS) - Employees of juridical person</p> <p>Natural persons who are engaged in the supply of a contracted service as employees of a juridical person that has no commercial presence in Korea, subject to the following conditions and any of the additional conditions mentioned in the sector specific part.¹</p> <p>The juridical person has to obtain a service contract for a period not exceeding one year from a juridical person incorporated in Korea, who is the final consumer of the service which is supplied. The contract shall comply with the laws and regulations of Korea.</p> <p>The natural persons seeking access should be employees of the juridical person, who are supplying the service for a period not less than one year immediately preceding the date of their application for admission.</p> <p>The natural persons must possess the necessary academic and professional qualifications and professionally qualified competency-based experience to exercise an activity in the sector concerned pursuant to the laws, regulations or requirements of Korea and to accreditations in relevant international organizations to which all parties are members.</p>		

¹ The Horizontal or Specific Commitments made under the Category "D" do not apply to measures affecting natural persons seeking access to the employment market of Korea, nor to measures regarding employment on a permanent basis in accordance with the GATS Annex on Movement of Natural Persons.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>The natural persons are required to receive no remuneration from a juridical person located in Korea.</p> <p>Commitments may be subject to the application of a numerical ceiling², except where otherwise indicated for a specific sub-sector.</p> <p>The contract is required to be obtained in the following service-supplying activities or sub-sectors, without conferring entitlement to exercise the professional title of Korea.</p> <ul style="list-style-type: none"> - Services related to the installation, maintenance, management or repair of industrial equipment or machine, excluding construction and power generation equipment, for a juridical person in Korea which purchases the equipment or the machine from a juridical person employing the natural person located in any other WTO Member - Consultancy services related to the technical knowledge or skill concerning the natural science applied to information technology, e-business, biotechnology, nanotechnology, digital electronics, and environmental industry - Consultancy service for foreign accounting standards and auditing, training of CPAs, transfer of auditing technology and exchange of information related to accounting, auditing and bookkeeping services, to a Korean accounting firm or office through a membership contract 		

²

A numerical ceiling means the number of service suppliers granted shall be limited to the size of task under the contract and to the modalities of application and level to be determined. The modalities of application and level of the numerical ceiling in sectors will be informed to the contracting parties through appropriate channel on the determination of the modalities.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> - Architectural services subject to collaboration with architects registered under the Korean law in the form of joint contracts - Management consulting services <p>Professional Engineers in the following services:</p> <ul style="list-style-type: none"> - Consultancy services related to the installation of computer hardware - Software R&D based implementation services - Data management services - Data system services - Specialty engineering design services for automobile - Engineering except for environmental engineering (CPC 8672, 8673) <p>Entry and stay of the natural persons as defined in D is limited to the duration of the contract, which is not exceeding one year.</p>		
Notes for transparency purposes:			<ol style="list-style-type: none"> 1. Natural persons whose entries and temporary stays are permitted shall observe the Immigration Law and the labour laws. 2. Korea's commitments regarding temporary movement of natural persons do not apply in the case of labour-management disputes.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. SECTOR-SPECIFIC COMMITMENTS			
1. <u>BUSINESS SERVICES</u> <ul style="list-style-type: none"> A. <u>Professional Services</u> <ul style="list-style-type: none"> a. Legal services; (CPC 861**) <ul style="list-style-type: none"> Advisory Services on law of the jurisdiction where service supplier is qualified as a lawyer and on public international law, excluding the following : <ul style="list-style-type: none"> (i) representation for juridical or statutory procedures in courts and other government agencies as well as preparation of legal documents for such procedures ; (ii) legal representation for the entrustment of the preparation of notarial deeds; 	<ul style="list-style-type: none"> 1) None 2) None 3) Only in the form of representative office. Association with or employment of local lawyers with Korean qualification or equivalent is not permitted. 4) Unbound except as indicated in the Horizontal Commitments section. <p>Commercial presence is required.</p>	<ul style="list-style-type: none"> 1) None 2) None 3) Foreign legal consultants are required to stay in Korea not less than 180 days per year. 4) Unbound except as indicated in the Horizontal Commitments section. 	<ul style="list-style-type: none"> (i) Representation in international commercial arbitration is permitted, provided that the applicable procedural and substantive laws in the arbitration are the laws which the foreign legal consultant is qualified to practice in Korea. (ii) Use of firm name is permitted, provided that it is used with reference to "foreign legal consultants office" in Korean

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(iii) those activities concerning a legal case whose objective is the acquisition or loss or change of rights concerning real property in Korea, intellectual property rights, mining rights or other rights arising upon registration thereof with government agencies in Korea ; and (iv) legal cases concerning family relations or inheritance, in which a Korean national is involved as a party or the property concerned is located in Korea.			

Notes for transparency purposes:

1. A foreign lawyer who wishes to practice law as a foreign legal consultant in Korea must be approved by the Minister of Justice, must have practiced law for at least 3 years in the jurisdiction where he/she is qualified as a lawyer, and must be in good standing of the legal profession in the jurisdiction.
2. Permission of the Minister of Justice is required for the establishment of a representative office in Korea. The representative office consists of a FLC or FLCs approved by the Minister of Justice. It must have credibility and expertise, and sufficient capability to compensate for damages caused to the client, if any. The chief of the representative office must have practiced law for at least 7 years, including 3 years in the jurisdiction of his/her qualification.
3. A representative office can conduct profit-making activities provided that such presence in Korea maintains proper business plans and financial bases.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b. Accounting, auditing and book-keeping services (CPC 862)	<p>1) Unbound for auditing services</p> <p>2) Unbound for auditing services</p> <p>3) Only sole proprietorships, auditing task forces, and accounting corporations (limited liability companies) by CPAs licensed under the Certified Public Accountant Law are permitted.</p> <p>Only CPAs in auditing task forces and accounting corporations (limited liability companies) are allowed to supply auditing services.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1)2)3) A Korean accounting firm or office may, by paying an annual membership fee, acquire membership to international accounting organizations which have world-wide business networks. The following services may be supplied to a Korean accounting firm or office through a membership contract:</p> <ul style="list-style-type: none"> - Consultancy for foreign accounting standards and auditing, training of CPAs, transfer of auditing technology and exchange of information.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c. Taxation services (CPC 863)	<p>4) Unbound except as indicated in the Horizontal Commitments section.</p> <p>1) Unbound for tax reconciliation services and tax representative services</p> <p>2) Unbound for tax reconciliation services and tax representative services</p> <p>3) Only sole proprietorships, tax reconciliation task forces, and tax agency corporations (limited liability companies) by CTAs licensed under the Certified Tax Accountant Law are permitted. Only CTAs in tax reconciliation task forces and tax agency corporations (limited liability companies) are allowed to supply tax reconciliation services.</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>4) Unbound except as indicated in the Horizontal Commitments section.</p> <p>In order to practice as a CPA, a candidate must have field experience of two years in Korea after passing the CPA examination.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p> <p>In order to practice as a CTA, a candidate must have field experience of six months in Korea after passing the CTA examination.</p>	<p>4) Temporary movement of natural persons who are qualified as CPAs under their home country's laws and are employed by international accounting firms for the purpose of supplying the services mentioned above is allowed. Entry and stay of these persons is limited to a one-year period that may be extended if extension is deemed to be necessary.</p>

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
d. Architectural services (CPC 8671)	1) Commercial presence is required 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1)2)4) Supply of services by foreign architects through joint contracts with architects licensed under Korean law is allowed. Foreign architects licensed under their home country's law may acquire a Korean architect license by passing a simplified examination which covers only two of the regular test's six subjects: architectural laws and regulations and architectural design
e. Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
f. Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
g. Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
i. Veterinary services (CPC 932)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) None 4) Unbound	
B. <u>Computer and Related Services</u>			
a. Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
b. Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
c. Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
d. Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
e. Other (CPC 845, 849)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
C. <u>Research and Development Services</u>			
a. Research and development services on natural sciences (CPC 851)	1) None 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	
b. Research and development services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
c. Interdisciplinary research and development services (CPC 853)	1) None 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	
D. <u>Real Estate Services</u>			
Brokerage services (CPC 82203**, 82204**, 82205**, 82206**)	1) Unbound 2) None for real estate located abroad 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None for real estate located abroad 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
Appraisal services (CPC 82201**, 82202**)	1) Unbound 2) None for real estate located abroad 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None for real estate located abroad 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Excluding appraisal services related to services supplied in the exercise of governmental authority such as assessment of land prices and compensation for expropriation			
E. <u>Rental/Leasing Services without Operators</u>			
a. Relating to ships (CPC 83103)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
b. Relating to aircraft (CPC 83104)	1) Unbound 2) Unbound 3) Joint venture in which foreign equity participation is less than 50% is permitted. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) Representatives of joint venture companies must be Korean nationals. 4) Unbound except as indicated in the Horizontal Commitments section.	
c. Relating to other transport equipment (CPC 83101, 83105**) ³	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

³

83105**: Only passenger vehicles for less than 15 passengers under CPC 83105.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
d. Relating to other machinery and equipment (CPC 83106-83109)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
e. Other Leasing or rental services concerning personal or household goods (CPC 832)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
<u>Other Business Services</u>			
a. Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
b. Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
c. Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
d. Project management and other management services (CPC 86601, 86609)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
e. Composition and purity testing and analysis services (CPC 86761**) ⁴	1) None 2) None 3) Establishment of a commercial presence is subject to the economic needs test. Main Criteria: The number of and impact on existing domestic suppliers, protection of public health, safety, and environment. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
e. Technical inspection services (CPC 86764)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
e. Testing and analysis services of integrated mechanical and electrical systems (CPC 86763**, 86769**) ⁵	1) Unbound 2) Unbound 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
f. Consulting services related to agriculture and animal husbandry (CPC 8811**, 8812**)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

⁴ 86761: Only inspection, testing and analysis services of air, water, noise level and vibration level under CPC 86761.

⁵ 86763, 86769: Only testing and analysis services of electrical products under CPC 86763, 86769.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
f. Services incidental to forestry excluding aerial fire fighting and disinfection (CPC 8814**)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
g. Consulting services related to fishing (CPC 882**)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
h. Services incidental to mining (CPC 883)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
i. Services incidental to manufacturing : Only consulting services related to manufacturing technologies of new products (CPC 884** and 885** excluding 88411, 88450, 88442, and 88493)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
k. Placement services of personnel (CPC 87201**, 87202**) Excluding placement services for seafarers under the Seamen Act	1) None 2) None 3) Foreign service suppliers may supply services only in the form of a corporation under the Commercial Act. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

Notes for transparency purposes:

1. The corporations shall follow the rules for service fees determined and announced by the Minister of Labour.
2. The corporations shall be established with a paid-in capital of 50 million won or more. If suppliers wish to install additional branch offices, the total paid-in capital shall increase by 20 million won for each branch office additionally installed.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
m. Related scientific and technical consulting services			
Geological, geophysical and other scientific prospecting services (CPC 86751) Subsurface surveying services (CPC 86752)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Surface surveying services (CPC 86753**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Excluding services related to cadastral survey			
Map-making services (CPC 86754**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Excluding services related to cadastral maps			
n. Maintenance and repair of equipment (CPC 633, 8861, 8862, 8863, 8864, 8865, 8866)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
o. Building-cleaning services (CPC 874**, excluding 87409)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
p. Photographic services (CPC 875)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
q. Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 5) Unbound except as indicated in the Horizontal Commitments section.	
r. Printing (CPC 88442**) ⁶	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
r. Publishing (CPC 88442**) Excluding publishing services of newspapers and periodicals	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	

⁶

88442: Screen painting, gravure printing and services related to printing under CPC 88442.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
s. Convention agency services (CPC 87909**)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
s. Stenography services (CPC 87909**)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
t. Translation and interpretation services (CPC 87905)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
t. Specialty design services (CPC 87907)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
<p>2. COMMUNICATION SERVICES</p> <p>B. Courier Services</p> <p>International courier services (CPC 75121**) Excluding the services currently reserved to the Korean Postal Authority by law.⁷</p> <p>The commitment shall not be construed to include the right to operate transport services under one's own responsibility for hire.</p> <p>The commitment shall not include under any circumstances, the grant of air traffic rights for courier operators with own Air Operator's Certificate (AOC) and aircraft fleet.</p>	<p>1) Provision of services is limited to air and sea transport modes.</p> <p>2) None</p> <p>3) Limited to land based operations in support of international courier services</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>1) Provision of services is limited to air and sea transport modes.</p> <p>2) None</p> <p>3) Limited to land based operations in support of international courier services</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	

⁷

According to the Postal Service Act, the Korean Postal Authority reserves exclusive rights for collecting, processing and delivering letters. However, the Act allows private couriers to operate commercial document services, which include a) unsealed freight-attached documents or dispatch notes, b) trade-related documents, c) foreign capital or technology related documents, or d) foreign exchange or its related documents.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
C. Telecommunication Services a. Voice telephone services b. Packet-switched data transmission services c. Circuit-switched data transmission services d. Telex services e. Telegraph services f. Facsimile services g. Private leased circuit services o. Other Digital cellular services Paging services PCS (personal communications services) TRS (trunked radio system) services Mobile data services	1) The provision of all services is subject to commercial arrangements with licensed Korean service suppliers. 2) None 3) Ownership of a licence for the provision of facilities-based services, including radio station licence: <u>Direct</u> : May not be granted to or held by (a) Foreign government (b) Foreign natural person (c) Foreign juridical person or (d) Korean juridical person of which more than 49 percent of the voting shares are owned by foreign governments, foreign natural persons or foreign juridical persons. <u>Indirect</u> : Foreign ownership may not be equal to or more than 80 percent of the voting shares (15 percent, if the largest shareholder is a foreign government, a foreign natural person or a foreign juridical person).	1) None 2) None 3) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
	<p>The largest shareholder of KT may not be permitted to be:</p> <ul style="list-style-type: none"> (a) Foreign government (b) Foreign natural person (c) Foreign juridical person or (d) Korean juridical person of which 80 percent (15 percent, if the largest shareholder is a foreign government, a foreign natural person or a foreign juridical person) or more of the voting shares are owned by foreign governments, foreign natural persons or foreign juridical persons. <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
Value-added Services ⁸ : <ul style="list-style-type: none"> <li data-bbox="181 282 480 314">h. Electronic mail <li data-bbox="181 314 480 346">i. Voice mail <li data-bbox="181 346 480 409">j. On-line information and data base retrieval <li data-bbox="181 409 480 489">k. Electronic data interchange <li data-bbox="181 489 480 616">l. Enhanced/value-added facsimile services including store and forward, store and retrieve <li data-bbox="181 616 480 679">m. Code and protocol conversion <li data-bbox="181 679 480 774">n. On-line information and/or data processing (including transaction processing) <li data-bbox="181 774 480 870">o. Other On-line data base and remote computing services⁹ 	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	Value-added service providers are allowed to supply data transmission services ¹⁰ .

⁸ Value-added services mean telecommunication services, which are provided through telecommunications network facilities leased from facilities-based basic telecommunication service providers, and which store and forward, or process and forward, the customer's information.

⁹ On-line data base and remote computing services do not cover telecommunication services which mediate third party communications

¹⁰ Telecommunication services which transmit and/or exchange the customer's data without change in the form or content (voice telephony, telex, facsimile services and simple resale of leased circuits are excluded).

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
<u>D. Audiovisual Services</u>	a. Motion picture and video tape production and distribution services (CPC 96112**, 96113**) Excluding those services for cable TV broadcasting	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
	e. Record production and distribution services (Sound recording)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
3. CONSTRUCTION SERVICES (CPC 511-518)		1) Unbound* except for CPC 5111 2) None 3) A compulsory subcontract system is applied for contractors registered as general contractors. 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* except for CPC 5111 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
4. DISTRIBUTION SERVICES ¹¹			
<u>A. Commission Agents' Services</u> (CPC 621, excluding 62111, 62112 and commission agents' services of future contracts)	1) Unbound for pharmaceuticals and medical goods. 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

¹¹

Excluding trade in firearms, explosives and swords; works of art and antiques, and the establishment and operation of, and distribution services at, the public wholesale markets for agricultural, fishery and livestock products, which are officially designated by the local authorities as public wholesale markets.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
<p>B. <u>Wholesale Trade Service</u> s (CPC 622**, excluding grain in 62211, 62223, red ginseng and farinaceous products in 62229 and fertilizers in 62276),</p>	<p>1) Unbound for pharmaceuticals, medical goods, functional foods, and items subject to limitations under Mode 3.</p> <p>2) None</p> <p>3) Following services are subject to the economic needs test:</p> <ul style="list-style-type: none"> - wholesale trade of used cars - wholesale trade of gaseous fuels and related products <p>Main criteria: Formation of reasonable prices, the number of and impact on existing suppliers for balance of demand and supply, healthy development of the industry, and establishment of orderly trade. In addition, population density, traffic, environmental pollution, local conditions, and other local characteristics as well as public interests.</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments section</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
C. <u>Retailing Services</u> (CPC 6111, 61130, 61210, 613**)(excluding retail trade and gas station business related to LPG), 631**)(excluding 63108), 632	<p>1) Unbound for pharmaceuticals, medical goods, functional foods, and items subject to limitations under Mode 3.</p> <p>2) None</p> <p>3) Retailing services for used cars and gaseous fuels are subject to the economic needs test. Main criteria: The number of and impact on existing domestic suppliers, the population density, traffic, environmental pollution, local conditions, and other local characteristics as well as public interests.</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	
D. <u>Franchising</u> (CPC 8929**) ¹²	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	

Notes for transparency purposes:

The following explanation pertains to Retailing Services.

Supply of pharmaceuticals directly to the general public (Pharmacies) should be only allowed by certified pharmacists in order to protect public health.

¹²

Franchising services are limited to those items which are allowed under Wholesale Trade Services and Retailing Services in this schedule.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
<p>5. EDUCATIONAL SERVICES¹³</p> <p>C. Higher Education Services¹⁴ (CPC 923**)</p> <p>Higher education services provided by private higher educational institutions, which obtained recognition from the government or public accreditation bodies, for the purpose of conferring degrees.</p> <p>Excluding education services for medical and health related subjects and for training pre-school, primary and secondary school teachers.</p>	<p>1) Unbound</p> <p>2) Credits acquired from other higher educational institutions, local or foreign, are acknowledged to the extent that such acknowledged credits do not exceed half of the total credits required for graduation.</p> <p>3) - Only those school juridical persons¹⁵, established under the approval by the Minister of Education and Human Resources Development may establish educational institutions under the Minister's authorization (Intra-company Universities do not need to establish a school juridical person). - Only the types of educational institutions listed in Attachment I are allowed. - New educational institutions other than Technology Universities and Intra-company Universities are not allowed in the Metropolitan area of Seoul or in its vicinities.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) Unbound</p>	

¹³ Specific commitments on market access and national treatment through any mode of supply shall not be construed to apply to the recognition of university degrees for the purpose of admission, registration and qualification for professional practice in Korea.

¹⁴ Refer to Attachment I concerning Higher education services.

¹⁵ School juridical persons are non-profit juridical persons established solely for the purpose of establishing regular educational institutions in accordance with pertinent education related laws.

Modes of supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
	<ul style="list-style-type: none"> - Operation of joint educational programs with junior colleges, universities and industrial universities is limited to foreign universities, which obtained accreditation by foreign public accreditation bodies or which acquired recognition or recommendation by their governments, in fields that the president of the university (junior college) recognizes as necessary. - Credits acquired from other higher educational institutions, local or foreign, are acknowledged to the extent that such acknowledged credits do not exceed half of the total credits required for graduation. - The Minister of Education and Human Resources Development may restrict the number of students for each educational institution. 4) Unbound except as indicated in the Horizontal Commitments section. 	<p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
<p>D. <u>Adult Education Services</u>¹⁶ (CPC 924**).</p> <p>Adult education services provided by private adult educational institutions.</p> <p>Excluding education services which confer or lead to local or foreign degree or diploma, vocational training services financially supported by the government in accordance with the Employment Insurance Act and the Vocational Training Promotion Act, and educational services via broadcasting.</p> <p>Also excluded are vocational training services provided by institutions under authority delegated by the government.</p>	<p>1) Unbound for health and medical related adult education services</p> <p>2) None</p> <p>3) Only the types of educational institutions listed in Attachment II are allowed.</p> <ul style="list-style-type: none"> - The Superintendent of a Provincial Office for Education (Kyo-yook-gam) may regulate tuition rates for private tutoring institutions (Hag-won). - The establishment and/or enlargement of educational institutions in the Metropolitan area of Seoul and its vicinities may be restricted. <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	<p>1) Unbound for health and medical related adult education services</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in the Horizontal Commitments section.</p>	

¹⁶

Refer to Attachment II concerning Adult education services.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Comments
6. ENVIRONMENTAL SERVICES			
A. <u>Sewage Services</u>	Refuse water disposal services (CPC 9401**) ¹⁷	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
B. <u>Refuse Disposal Services</u>	Industrial refuse disposal services (CPC 9402**) ¹⁸	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
D. <u>Other</u>	Cleaning services of exhaust gases and noise abatement services (CPC 9404, 9405)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.
	Environment testing and assessment services (CPC 9406**, 9409**) ¹⁹	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.

¹⁷ 9401**: Only collection and treatment services of industrial waste water under CPC 9401

¹⁸ 9402**: Only collection, transport and disposal services of industrial refuse under CPC 9402.

¹⁹ 9406**, 9409**: Only environmental impact assessment services under CPC 9406 and 9409.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>7. FINANCIAL SERVICES</p> <p>All financial services are subject to the following provisions.</p> <p>(1) For prudential reasons within the context of paragraph 2(a) of the Annex on Financial Services in GATS, Korea shall not be prevented from taking measures including requirements related to parent companies, minimum capital requirement, minimum operating funds requirement, business worker's license and approval for business activities.</p> <p>(2) A financial institution must be established for only one type of business defined in related laws such as banking and securities and thus cannot be engaged in other business activities regulated by other relevant laws.</p> <p>(3) Cross-border supply of financial services and supply through consumer movement may not be settled in Korean currency. After the establishment of commercial presence, financial institutions may handle only transactions, denominated and settled in Korean currency, with residents. Approval is required for transactions denominated or settled in foreign currency with non-residents.</p> <p>(4) Assets owned by branches must be kept within the territory of Korea. Capital of the head office is not recognized as the basis for determining the extent of funding and lending activities of domestic branches.</p> <p>(5) Demand deposit interest rates are regulated.</p> <p>(6) Management and operation of assets of a financial institution are restricted.</p> <p>(7) A financial institution may not own real estate for non-business purposes.</p> <p>(8) Introduction of new financial products including derivatives is subject to approval.</p> <p>(9) Mode 1)2)3) Korea undertakes a standstill commitment for limitations on market access and national treatment, where specific commitments are undertaken, in financial services listed in this schedule as of 31 August 1997.</p>			

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
A. Insurance and Insurance-related Services (i) Direct Insurance a) Life Insurance Services including accident and health insurance services	1) Unbound 2) Unbound 3) Commercial presence is permitted only to foreign life insurance companies. Establishment of joint ventures with Korean life insurance companies is not allowed. Recruitment and employment of insurance professionals, including sales personnel, are restricted. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments Section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Non-life Insurance services	<p>1) Unbound except for marine export/import cargo and aviation insurance.</p> <p>2) Unbound</p> <p>3) Commercial presence is permitted only to foreign non-life insurance companies.</p> <p>Establishment of joint ventures with Korean non-life insurance companies is not allowed.</p> <p>Recruitment and employment of insurance professionals, including sales personnel, are restricted.</p> <p>Top executive personnel of each establishment must reside in Korea.</p> <p>4) Unbound except as indicated in the Horizontal Commitments Section.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments Section.</p>	

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	
(ii) Reinsurance and retrocession services	1) None 2) None 3) Commercial presence is permitted only to foreign reinsurance and retrocession insurance companies. Recruitment and employment of insurance professionals, including sales personnel, are restricted. Establishment of joint ventures with Korean reinsurance and retrocession services is not allowed. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) None 2) None 3) None		
(iii) Insurance broking and agency services	1) Unbound 2) Unbound 3) Commercial Presence is permitted only to foreign insurance brokerage companies. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) Unbound 2) Unbound 3) None	4) Unbound except as indicated in the Horizontal Commitments Section.	
a) Brokerage				

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Agency	1) Unbound 2) Unbound 3) None except : Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments Section.	
(iv) Services auxiliary to insurance: applicable only to sub-sector a) and b)	1) Unbound 2) Unbound 3) Commercial Presence is permitted only to foreign claim settlement and adjustment companies and actuarial companies.	1) None 2) None 3) None	
a) Claim settlement and adjustment services ²⁰	Top executive personnel of each establishment must reside in Korea.		
b) Actuarial services	4) Unbound except as indicated in the Horizontal Commitments Section.	4) Unbound except as indicated in the Horizontal Commitments Section.	

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Activities which assess and adjust loss and compensation.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Banking and other financial Services : applicable only to the sub-sectors listed below.	1) Unbound 2) Unbound 3) Commercial presence is permitted only to foreign financial institutions (except for financial leasing) which deal with the same services in their countries of origin.	1) Unbound 2) Unbound 3) None	
(i) Deposit ²¹			
(ii) Lending ²²			
(iii) Financial leasing			
(iv) Payment and Money transmission	A person may own up to 10 per cent of the stocks of a bank (up to 4 per cent in case of non-financial service business entity) and 15 per cent of the stocks of a provincial bank without special authorization of relevant authorities ²⁵ .		
(v) Guarantees and commitments	A person can own up to 100 per cent of the stocks of a bank or a provincial bank with special authorization of relevant authorities.		
(vi) Foreign exchange services ²³	Foreign exchange position is regulated. The oversold position of spot foreign exchange is US\$ 5 million or 3 per cent of capital (whichever is greatest).		
(vii) Settlement and clearing ²⁴	Deposits for specific purposes, such as housing subscription, may be handled only by designated institutions.		
	Securities savings and credit granting are subject to ceilings and operational restrictions.		

²¹ Activities through which banks obtain funds from the public by receiving deposits or issuing transferable instruments or other securities.

²² Activities through which banks provide funds to the public in order to receive interest via loans or bill discounts.

²³ Activities which issue, remit and collect foreign exchange.

²⁴ Activities which settle and clear notes, bills and cheques by banks according to the Article of KFTCI (Korea Financial Telecommunications and Clearings Institute).

²⁵ The definitions of "a person" and "non-financial service business entity" are in accordance with the relevant provision of the Presidential Decree of the Bank Act.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Lending to credit card members through such means as card loans is subject to limitation.</p> <p>For credit card services, maximum limits are applied to fees, interest rates and other charges.</p> <p>The maturity of CDs shall be more than 30 days.</p> <p>Underlying transaction and documentation requirements apply to foreign exchange transactions. Underlying documentation requirements are exempt in the case of forward transactions.</p> <p>Mandatory lending to small-and-medium sized companies is required.</p> <p>Foreign currency loans are subject to ceilings and usage restrictions.</p> <p>Top executive personnel of financial leasing, credit granting and securities savings companies must reside in Korea.</p> <p>4) Unbound except as indicated in the Horizontal Commitments Section.</p>	<p>4) Unbound except as indicated in the Horizontal Commitments Section.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(viii) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise: applicable only to the instruments as listed below. <ul style="list-style-type: none"> <li data-bbox="181 462 489 568">a) Money market instruments (including cheques, bills, certificates of deposit) <li data-bbox="181 600 489 628">b) Foreign exchange <li data-bbox="181 660 489 735">c) Financial Derivative products (including futures and options) <li data-bbox="181 767 489 873">d) Exchange rate and interest rate instruments (including swaps and forward rate agreements) <li data-bbox="181 905 489 933">e) Transferable securities <li data-bbox="181 965 489 1035">f) Other negotiable instruments and financial assets (including bullion) 	1) Unbound 2) Unbound 3) Commercial presence is permitted only to foreign financial institutions which deal with the same instruments in their countries of origin. Representative offices may be established by pre-notification. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments Section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(ix) Participation in issues of all kinds of securities	1) Unbound 2) Unbound	1) Unbound 2) Unbound	
a) Securities issue	3) Commercial presence is permitted only to foreign financial institutions which deal with issuing of all kinds of securities.	3) None	
b) Underwriting	Representative offices may be established by pre-notification.		
c) Placement	Top executive personnel of each establishment must reside in Korea.		
d) Other services related to securities	4) Unbound except as indicated in the Horizontal Commitments Section.	4) Unbound except as indicated in the Horizontal Commitments Section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(x) Asset management : applicable only to services listed below. a) Cash or portfolio management b) All forms of collective investment management c) Custody d) Trust ²⁶ (including discretionary investment advisory service)	1) Unbound 2) Unbound 3) Commercial presence is permitted only to foreign asset management companies. Representative offices may be established by Pre-notification. To handle a trust business, approval (two types) is required from the Ministry of Finance and Economy both for engaging in businesses other than the main banking businesses and for engaging in the trust business. Unbound for real estate trust business. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section.	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments Section.	

²⁶

Activities where a trustee is commissioned to manage the financial assets for the beneficiary's benefit.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(xi) Credit information services	1) Unbound 2) Unbound 3) Unbound except for equity participation of less than 50 percent in existing financial information companies. 4) Unbound except as indicated in the Horizontal Commitments Section.	Unbound Unbound None Unbound except as indicated in the Horizontal Commitments Section.	
(xii) Advisory, intermediation and other auxiliary financial services : applicable only to services listed below:	1) Unbound 2) Unbound 3) Commercial presence is permitted only to foreign investment advisory companies.	1) Unbound 2) Unbound 3) None	
a) Investment advice b) Credit rating and analysis	Representative offices may be established by pre-notification. Top executive personnel of each establishment must reside in Korea. 4) Unbound except as indicated in the Horizontal Commitments Section. 1) Unbound 2) Unbound 3) Credit rating companies should be designated by the relevant authorities to assess the credit rating of companies which may wish to issue non-guaranteed corporate bonds and commercial papers. 4) Unbound except as indicated in the Horizontal Commitments Section.	4) Unbound except as indicated in the Horizontal Commitments Section. 1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments Section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels and Restaurants</u> (CPC 641, 642, 6431 ²⁷) Excluding rail and air transport related facilities in CPC 6431 ²⁷	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
C. <u>Tourist Guides Services</u> (CPC 7472)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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This exclusion does not affect the commitment on catering under CPC 642.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. <u>Entertainment Services</u> (CPC 96191, 96192) Entertainment services provided by individual artists or groups such as musical, theatre, live band, opera, etc.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	
11. TRANSPORT SERVICES A. <u>Maritime Transport Services</u> ²⁸ International transport (CPC 7211**, 7212**) Excluding cabotage	1) a) Liner shipping: None b) Bulk, tramp, and other international shipping: None 2) None	1) None 2) None	The following services at the port are made publicly available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions.

²⁸

Refer to Attachment III concerning Maritime transport services.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	3) (a) Establishment of a registered company for the purpose of operating a fleet under the national flag of Korea: i) International maritime passenger transport: Unbound ii) International maritime cargo transport: Only Chusik Hoesa(stock companies) as stipulated under the Commercial Act are permitted. (b) Other forms of commercial presence: None 4) (a) Ship's crew: Unbound (b) Shore personnel: Unbound except as indicated in the Horizontal Commitments section.	3) (a) None (b) None 4) (a) Unbound (b) Unbound except as indicated in the Horizontal Commitments section.	1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting 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

Notes for transparency purposes:

Without prejudice to the scope of activities which may be considered as cabotage under the relevant national legislation, this schedule does not include maritime cabotage services, which are assumed to cover transportation of passengers or goods between a port or point located within the territory of the Republic of Korea, and traffic originating and terminating in the same port or point located within the territory of the Republic of Korea, provided that this traffic remains within the Republic of Korea's territorial waters.

Maritime Auxiliary Services			
Maritime cargo handling services (CPC 741**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Storage and warehouse services in ports (CPC 742**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Customs Clearance service	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Maritime agency services (CPC 748**) ²⁹	1) None 2) None 3) All the companies as stipulated under the Commercial Act are permitted. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Container station services (CPC 741**) ³⁰	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Maritime freight forwarding services (CPC 748**) ³¹	1) None 2) None 3) Only Chusik Hoesa(stock companies) as stipulated under the Commercial Act are permitted. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Shipping brokerage services (CPC 748**, 749**) ³²	1) None 2) None 3) Only Chusik Hoesa(stock companies) as stipulated under the Commercial Act are permitted. 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

²⁹ Agency services on behalf of maritime passenger transport businesses or maritime cargo transport businesses (including foreign transport businesses) under CPC 748

³⁰ Container station services provided in port areas under CPC 741

³¹ Freight forwarding services by vessels in the name of the forwarder (including any foreign forwarders under contract) under CPC 748.

³² 748**, 749**: Brokerage services for maritime cargo transport or for the chartering, leasing, purchasing or selling of vessels under CPC 748 and 749.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Maintenance and repair of vessels ³³	1) Unbound* 2) None 3) Only Chusik Hoesa(stock companies) as stipulated under the Commercial Act are permitted. 4) Unbound except as indicated the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Rental of vessels with crew (CPC 7213)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Pushing and towing services (CPC 7214)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
Tally, measuring and survey services (CPC 749**) ³⁴	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

³³ Services, such as repair and management of vessels, management of crew, and marine insurance, provided on behalf of a maritime passenger transport business, maritime cargo transport business or vessel leasing business.

³⁴ Tally, measuring and survey services only apply to the maritime transport sector.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Air Transport Services	Computer reservation system (CRS) services ³⁵ 1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
	Selling and marketing of air transport services ³⁶ 1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
	Maintenance and repair of aircraft 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	
E. Rail Transport Services	a. Passenger transportation (CPC 7111) b. Freight transportation (CPC 7112) 1) Unbound* 2) None 3) Unbound for existing operations. Establishment of new operations are subject to the economic needs test. Main criteria: Establishment of order and discipline in the railroad industry. 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) Unbound 4) Unbound except as indicated in the Horizontal Commitments section.	

³⁵

As defined in the GATS Annex on Air Transport Services.

³⁶

Services defined in provisions 34 (general air transport agency services) and 32 (air cargo transport agency services) of Article 2 of the Aviation Act. "General air transport agency" means an enterprise which undertakes to make contracts for international transport of passengers or cargoes by aircraft (excluding the service of acting for other persons in the application procedure for visa or passport) on behalf of air transport services firms for compensation. "Air cargo transport agency" means an enterprise which undertakes to make contracts for cargo transport by aircraft on behalf of air transport services firms or general air transport agency services firms for compensation.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. Road Transport Services Transportation of containerized freight excluding cabotage (CPC 71233**)	1) Unbound 2) None 3) Licenses are granted only to international shipping companies. 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) Cargoes are confined to containerized cargoes to be exported or imported. 4) Unbound except as indicated in the Horizontal Commitments section.	
F. Pipeline Transport (CPC 7131**) Only the transportation of oil products, excluding the transportation of LPG	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	 서식 있음: 글머리 기호 및 번호 매기기
H. Services Auxiliary to all Modes of Transport b. Storage and warehouse services other than those in ports (CPC 742**) Excluding services for agricultural, fishery and livestock products.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. <u>Other Transport Services</u>			
COMBINED TRANSPORT SERVICES			
Freight forwarding for rail transport ³⁷	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments section.	

³⁷

“Freight Forwarding for Rail Transport” means such auxiliary services to be carried out at the ends of railway transport; these services include collecting containerized cargoes, contracting with Korea Railroad Corporation for transport of the freight on trains, loading/unloading and delivery of freight.

ATTACHMENT I

(Higher Education Services)

1. Only the following types of educational institutions are included: (Excluding Universities via Broadcasting and Communications; Cyber Universities; and etc.)
 - a) Junior Colleges (Excluding Polytechnic Colleges): higher education institutions which train technical experts for a 2-3 year curriculum and confer an associate degree, in accordance with the Higher Education Law.
 - b) Universities: higher education institutions which conduct research and educate professionals for 4-6 years and confer a bachelor's degree, in accordance with the Higher Education Law.
 - c) Industry Universities: higher education institutions which educate those who want to continue theoretical or technical research and training for 4 years, conferring a bachelor's degree, in accordance with the Higher Education Law.
 - d) Technology Universities: higher education institutions, located within workplaces, which educate workers to provide expert knowledge and skills and confer associate degrees and bachelor's degrees, in accordance with the Higher Education Law.
 - e) Intra-company Universities: higher education institutions which are established and operated by employers, and educate employees, in order to confer equivalent degrees or diplomas to those in Junior Colleges or Universities, in accordance with the Life-long Education Law.

ATTACHMENT II

(Adult Education Services)

1. The following types of private tutoring institutions (Hag-won) and life-long education facilities are included:
 - a) Hag-won are private education institutions to provide tutoring services on the following subjects to more than 10 persons for periods longer than 30 days in accordance with the Act on the Establishment and Operation of Private Tutoring institutions. Excluded are schools, libraries, museums, workplace facilities to provide education services to the employees, life-long education facilities in accordance with the Life-long Education Law, and driving schools.
 - 1) Infrastructure industrial technology: machinery, automobile, metal, chemical and ceramic, electrics, telecommunications, electronics, shipbuilding, aviation, civil engineering, textile and apparel, mining resources, land development, agriculture and forestry, oceanic, energy, art craft, transportation, safety management
 - 2) Applied industrial technology: design, hair and cosmetic management, food and beverage, packaging, printing, photograph, musical tuning
 - 3) Information processing: telecommunications equipment, software, multimedia, computer communication, internet, computer
 - 4) Nursing assistant: nursing assistant
 - 5) Culture and tourism: publishing, imaging and record, movie, broadcasting, advertising, character products, tourism
 - 6) Foreign languages: foreign languages, translation, interpretation
 - 7) Humanities: public management, business management, accounting, statistics, public service examination
 - 8) Management: finance, insurance, distribution, real estate
 - 9) Office work: bookkeeping, fast writing, reading and calculation, word-processing, secretary, abacus, calligraphy
 - 10) Arts: traditional Korean music, dance and calligraphy, music, painting, dance, speech, modelling, cartoon, baduk, theatre, flower arrangement
 - b) Life-long education facilities are those facilities which have been approved, registered or notified in accordance with the Life-long Education Law. Among the Life-long education facilities, only life-long educational facilities annexed to workplaces, NGOs, schools, mass-media, and those related to the development of knowledge and human resources are included.

ATTACHMENT III

(Maritime Transport Services)

1. International Shipping:

"Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of other Members to establish branches and to undertake activities concerned for the supply to their customers of maritime transport services.

2. Maritime Cargo Handling Services:

Activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal companies. The activities covered include the organization and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

3. Customs Clearance Services:

Activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service supplier or a usual complement of its main activity.

4. Container Station and Depot Services:

Activities consisting in storing containers in port areas with a view to their stuffing/stripping, repairing and making them available for shipments.

5. Maritime Agency Services:

Activities consisting in representing, within a given geographical area, as an agent, the business interests of one or more shipping lines or shipping companies, for the following purposes:

- Marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- Acting on behalf of the companies organizing the call of the ship or taking over cargoes when required.

6. Maritime Freight Forwarding Services:

Activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of maritime transport and related services, preparation of documentation and provision of business information.

7. Tally, Measuring and Survey Services:

- Tally services : Activities consisting of calculating the number of cargoes or verifying the delivery and the receipt when loading and unloading.
- Measuring services : Activities consisting of calculating or verifying the volume or weight of cargoes when loading and unloading.
- Survey services : Activities consisting of the verification, inspection and survey related with shipped cargoes and vessels (including barges).

APPENDIX 2 TO ANNEX VII

ICELAND - SCHEDULE OF COMMITMENTS REFERRED TO IN ARTICLE 3.16

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) All foreign currency transfers must be reported to the Central Bank of Iceland for statistical purposes</p> <p>Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland.</p>	<p>3) Treatment accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State or an EFTA Member State and having their registered office, central administration or principal place of business within an EEA Member State or an EFTA Member State may be extended to branches or agencies established in an EEA Member State or an EFTA Member State by a third-country company if they show that they possess an effective and continuous link with the economy of one of the EEA Member States or an EFTA Member State</p>	
	<p>All foreign investment of a Foreign State or companies/organizations owned by a Foreign State requires a special concession of the Ministry of Commerce</p>	<p>The majority of founders of limited liability companies must be resident in Iceland unless exempted from this requirement by the Ministry of Commerce. Citizens of other EEA and EFTA Member States are exempted from the residency requirement</p> <p>Managers and the majority of the members of the board of directors in all domestic enterprises must be resident in Iceland unless exempted from this requirement by the Ministry of Commerce. Citizens of other EEA and EFTA Member States are exempted from the residency requirement</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Non-residents cannot conclude an agreement on real-estate lease without the permission of the Ministry of Justice if the lease is for a period exceeding three years and not for use in conducting its normal business activities	At least one of the auditors of an Icelandic limited liability company must be a resident in Iceland or a competent resident CPA company	
All sectors: Movement of personnel	Temporary entry of service providers	<p>Non-residents may only acquire real estate in conjunction to their business activities and can only obtain ordinary proprietary rights linked to the real estate. Non-residents are thus excluded from obtaining full property rights of real estate if unusual rights are linked to it, such as exploitation rights as regards waterfalls, geothermal energy, etc</p> <p>Contracts concerning ownership and long-term use of real-estate by non-residents are not valid until the Ministry of Justice has endorsed it in writing</p> <p>Temporary entry of service providers</p>	
	<p>4) Unbound except the temporary entry of the following service providers as intra-corporate transferees, which Iceland shall permit without requiring compliance with labour market tests:</p> <p><u>Executives</u>: persons who primarily direct the management of the organization covered by the agreement and establish its goals and generally have a wide decision-making authority. Executives would not necessarily perform tasks related to the actual provision of the service.</p>	4) Unbound except for measures concerning the categories of natural persons referred to in the market access column.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p><u>Managers</u>: persons who direct the Organization covered by the agreement or its department and are in a senior level responsible of the service providing functions of the organization by supervising and controlling and having also authority to hire and fire personnel or recommend such and other personnel actions.</p> <p><u>Specialists</u>: persons within the organization who possess knowledge at an advanced level of expertise or otherwise essential or proprietary to the organization's service, research equipment, techniques or management.</p>		
<p>All sectors: Subsidies (The issue of a definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS).</p>	<p><u>Service sellers</u>: persons who as representatives of a service provider covered by the agreement are seeking temporary entry for purposes of negotiation for the sale of services or entering into agreements to sell services for that service provider, where this selling activity is not directed to the general public.</p> <p>3) None</p> <p>4) None</p>	<p>3) Eligibility for subsidies may be limited to juridical persons established within the territory of Iceland. Subsidies related to research and development are unbound.</p> <p>4) Subsidies available only to natural persons may be limited to Icelandic citizens.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. <u>Professional Services</u>			
Legal Services (Applicable parts of CPC 861)	<p>- Legal advice activities on home country law</p> <p>1) None</p> <p>2) None</p> <p>3) Members of the General Bar Association of Iceland have an exclusive right to represent clients before courts in Iceland. Unbound except as indicated in the horizontal section.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>2) None</p> <p>1),3) Unbound</p> <p>4) Unbound except as indicated in the horizontal section. Icelandic exam or an equivalent thereto</p>	the law
- Legal advice on international law and foreign legal consultancy	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
(b) Accounting, auditing and book-keeping services (CPC 862)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Icelandic exam for certified accountants (CPA's) required or an equivalent thereto</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(c) Taxation services (CPC 863)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(f) Integrated Engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(i) Veterinary services (CPC 932)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section. Number of veterinarians in rural districts is limited.</p>	<p>1) None</p> <p>2) None</p> <p>3) Ability in the Icelandic language required.</p> <p>4) Ability in the Icelandic language required.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Computer and Related Services</u>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Software development (including software implementation) CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None	
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Other - Maintenance and repair services of office machinery and equipment including computers (CPC 845) - Other computer services (CPC 849) C. <u>Research and development Services</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None	
(a) R&D services on Natural Sciences (CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1),2) A license is needed for the importation of research equipment. Natural history specimens must not be exported from the country unless permitted by the Icelandic Institute of Natural History ("Náttúrufræðistofnun Íslands"). 3),4) None.	
(b) R&D services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1),2) Archaeological finds must not be exported from the country unless permitted by the Museum Council ("Safnaráð"). 3),4) All archaeological research whether by Icelandic or foreign researchers is subject to a permit granted by the Archaeological Preservation Agency ("Fornleifafnd ríkisins")	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(c) Interdisciplinary R&D services (CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. <u>Real Estate Services</u>			
(a) Real estate services involving own or leased property (CPC 821)	1) None 2) None 3) Deposits or liability insurance to cover loss caused to clients. All licences to provide services on sales of real estate are personal authorizations. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3),4) Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	
(b) On a Fee or Contract basis (CPC 822)	1) None 2) None 3) Deposits or liability insurance to cover loss caused to clients. All licences to provide services on sales of real-estate are personal authorization. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3),4) Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	
E. <u>Rental/Leasing Services without Operators</u>	1) None 2) None 3) Leasing services must be provided either by corporation with a limited liability (leasing companies) or registered commercial banks or savings banks 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Majority of the board of a leasing company shall be resident in Iceland. The manager shall be resident in Iceland and a citizen of a Nordic Country. 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(a) Relating to ships (CPC 83103)	1) None 2) None 3) To be registered in the ship register the ship must be owned by Icelandic natural or juridical persons who are resident in Iceland. Further nationality restrictions on fishing vessels. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Relating to aircraft (CPC 83104)	1) None 2) None 3) To be registered in the aircraft register the aircraft must be owned by Icelandic natural or juridical persons resident in Iceland 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Relating to other transport equipment (CPC 83101 + 83102 + 83105)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Residency requirement for car rental services 4) Residency requirement for car rental services	
(d) Relating to other machinery and equipment (CPC 83106 - 83109)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Other (CPC 832)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
F. <u>Other Business Services</u>			
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None	
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Services related to man. consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(f) Services incidental to agriculture, hunting and forestry (CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(i) Services incidental to manufacturing (CPC 884 + 885 /except for 88442)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(k) Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(m) Related scientific and technical consulting services (CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(n) Maintenance and repair of equipment (CPC 633+8861- 8866; not including maritime vessels, aircraft or other transport equipment)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(o) Building-cleaning services (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(q) Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(r) Printing and publishing (CPC 88442)	1) None 2) None 3) Residency requirement for publishing of newspapers or magazines within the national territory. Residency requirement for editors 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(s) Convention services (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
2. COMMUNICATION SERVICES			
C. <u>Telecommunication Services</u>			
(a) Voice telephony	1) None	1) None	
(b) Packet-switched data transmission services	2) None	2) None	
(c) Circuit-switched data transmission services	3) None	3) None	
(d) Telex services	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
(e) Telegraph services			
(f) Facsimile services			
(g) Leased circuit services			
(h) Other			
- Mobile and personal communications services and systems			
Value-added services ¹	1) None	1) None	
Electronic mail, Voice mail, On-line information	2) None	2) None	
and Data Base Retrieval, EDI, Code and Protocol Conversion	3) None	3) None	
	4) Unbound except as indicated in the horizontal section	4) None	

¹ Excludes voice telephony, telegraph, telex, packet and circuit switched data services, mobile radiotelephony, paging and satellite services.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
C. <u>Installation and Assembly Work</u> (CPC 514+516)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
4. DISTRIBUTION SERVICES (excluding trade in arms, alcoholic beverages, tobacco and pharmaceutical products)			

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
A. <u>Commissions</u> <u>Agents' Services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
B. <u>Wholesale Trade Services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
C. Retailing Services (CPC 631+632 6111 + 6113 + 6121)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. Franchising (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
6. ENVIRONMENTAL SERVICES			
A. <u>Sewage Services</u> (CPC 9401)	1) Unbound* 2) None 3) Environmental operation license required 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
B. <u>Refuse Disposal Waste</u> (CPC 9402)	1) Unbound* 2) None 3) Environmental operating license required 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
C. <u>Sanitation and Similar Services</u> (CPC 9403)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
D. Other (CPC 9409)	1) Unbound* 2) None 3) Environmental operating license required 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) None	

* Unbound due to lack of technical feasibility.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
7. FINANCIAL SERVICES			
(i) Iceland undertakes commitments on financial services in accordance with the "Understanding on Commitments in Financial Services" (the Understanding). (ii) Market access commitments with respect to modes 1) and 2) and bound in this Schedule to the extent of the obligations in B.3 and B.4 of the Understanding.			
A. <u>Insurance and Insurance related Services</u>	1) The supply of direct insurance is reserved for Icelandic insurance undertakings or authorized insurance undertakings from another EEA and EFTA Member State. The supply of insurance broker services is reserved for insurance brokers authorized by the Ministry of Commerce or insurance brokers authorized by competent authorities of another EEA Member State or an EFTA Member State.	1) None	
	2) None 3) Insurance undertakings not established in an EEA Member State or an EFTA Member State require authorization to establish branch offices in Iceland.	2) None 3) The majority of the founders of an insurance undertaking must be Icelandic residents or legal entities registered in Iceland, citizens of another EEA or EFTA Member State residing in an EEA or EFTA Member State or legal entities registered in an EEA or EFTA Member State. Managers and board members of insurance undertakings shall be resident in Iceland. Citizens of other EEA and EFTA Member States are exempted from the residency requirement. The Minister of Commerce may grant exemptions from this requirement.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Banking and Other Financial Services</u> (excluding insurance)	<p>Any investor, whether resident or non-resident, who acquires or intends to acquire a qualifying holding in an insurance undertaking must give advance notice to the Financial Supervisory Authority. The Authority may refuse the acquisition or the exercise of ownership if it believes that the acquisition will affect the sound functioning of the enterprise.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) Credit institutions and undertakings engaged in securities services established in a non-EEA Member State or an EFTA Member State can establish a branch or a representative office, subject to authorization by the Financial Supervisory Authority, FME.</p>	<p>Branch offices of non-EEA insurance undertakings must be managed by a resident agent.</p> <p>Insurance brokers must be resident in Iceland or citizens or legal entities of another EEA Member State or an EFTA Member State residing in an EEA Member State or an EFTA Member State. The Minister of Commerce may grant exemptions from this requirement.</p> <p>4) None</p> <p>1) Domestic financial institutions shall inform the Central Bank of Iceland of the balances of service providers' accounts held by non-residents.</p> <p>2) None</p> <p>3) A founder of a credit institution shall be a natural or legal person resident in Iceland. The Minister of Commerce can grant exemptions from this requirement. Citizens and legal persons of other EEA and EFTA Member States are exempted from the residency requirement</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Credit institutions and undertakings engaged in securities services can only be established as companies with limited liability.</p> <p>Commercial banks and savings banks have exclusive rights to accept deposits and other repayable funds from the public.</p> <p>Public issue of securities shall be conducted by securities undertakings or other parties authorized to provide such services.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>Managers and the majority of the board members of credit institutions and undertakings engaged in securities services and UCITS shall be resident in Iceland. Citizens of other EEA and EFTA Member States are exempted from the residency requirement. The Minister of Commerce may grant citizens of non-EEA Member States or non-EFTA Member States the same exemptions.</p> <p>Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland.</p> <p>4) None</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES	A. <u>Hotels and Restaurants (including catering)</u> (CPC 641-643) <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	1) None <ul style="list-style-type: none"> 2) None 3) Condition of licenses is one year previous residency 4) Condition of licenses is one year previous residency 	
B. <u>Travel Agencies and Tour Operators</u> (CPC 7471)	<ul style="list-style-type: none"> 1) None 2) None 3) Deposits or liability insurance to cover loss caused to clients due to bankruptcy 4) Unbound except as indicated in the horizontal section 	1) None <ul style="list-style-type: none"> 2) None 3),4) Condition of licenses is one year previous residency of the manager 	
C. <u>Tourist Guides Services</u> (CPC 7472)	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	1) None <ul style="list-style-type: none"> 2) None 3) None 4) The right to exercise the profession is reserved for resident tourist guides. Non-resident tourist guides may be granted temporary work permit on ad hoc basis. 	
10. RECREATIONAL CULTURAL AND SPORTING SERVICES (other than audiovisual services)			

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
A. <u>Entertainment Services</u> (including theatre, live bands and circus services) (CPC 9619)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Targeted financial support to local, regional or national activities. 4) None	
B. <u>News Agency Services</u> (CPC 962)	1),2),3) None other than access to management functions is subject to discretionary authorizations by competent authorities 4) Condition of residency for the editor of a paper or magazine. Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
C. <u>Libraries, Archives, Museums and other Cultural Service</u> (CPC 963)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Targeted financial support to local, regional or national activities 4) None	
D. Sporting and other Recreational Services (CPC 964)	1) None 2) None 3) Gambling, coin machines and like activities are subject to licensing. Professional boxing is illegal but amateur boxing is allowed. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Targeted financial support to local, regional or national activities 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>International transport (freight and passengers) CPC 7211 and 7212 <u>including</u> Cabotage transport 1).</p>	<p>1) None</p> <p>2) None</p> <p>3)(a) Establishment of a registered company for the purpose of operating a fleet under Icelandic flag: Unbound except as indicated in the horizontal section.</p> <p>(b) Other forms of commercial presence 2): None.</p> <p>4)(a) Ships' crew: Unbound except as indicated in the horizontal section.</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under mode 3(b) above: Unbound except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3)(a) Unbound</p> <p>(b) None</p> <p>4)(a) Unbound</p> <p>(b) Unbound</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>Maritime Auxiliary Services</u>			
- Maritime Cargo Handling Services 3)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
- Storage and Warehousing Services (CPC 742); Customs Clearance Services 4); Container Station and Depot 5)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
- Maritime Agency Services 6); Freight Forwarding Services 7)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
- Other Supporting and Auxiliary Transport Services 8)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Auxiliary Services as required by Maritime Transport Operators:			<p>The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling, watering 4. Garbage collecting, ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, incl. communications, water, electrical supplies 8. Emergency repair facilities 9. Anchorage, berth, berthing services 10. Container handling, storage and warehousing, freight transport.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			Where road, coastal shipping and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent, hire or charter trucks and related equipment for the purpose of inland forwarding of international cargoes carried by sea, or have access to and use of such multimodal activities for the purpose of providing multimodal transport services.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Air Transport Services</u>			
Maintenance and repair of aircraft and parts thereof	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
Sales and marketing	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
Computer Reservations System	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
F. <u>Road Transport Services</u>			

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(a) Passenger transportation (CPC 7121 + 7122)	1) None 2) None 3) Authorization required for commercial land transport services. Numerical quotas may be imposed as well as exclusive licenses for certain areas or routes. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Freight transportation (CPC 7123)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Rental of commercial vehicles with operator (CPC 7124)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Maintenance and repair of road transport equipment (CPC 6112+8867)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(e) Supporting services for road transport services (CPC 744)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>H. Services auxiliary to all modes of transport</u>			
(b) Storage and warehousing services (CPC 742)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
(c) Freight transport agency services (CPC 748)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
d) Other (CPC 749)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

* Unbound due to lack of technical feasibility.

ATTACHMENT

NOTES TO MARITIME TRANSPORT

”Reasonable and non-discriminatory terms and conditions” means, for the purpose of multimodal transport operations, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date. A ”multimodal transport operator” means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

1. ”Cabotage” is defined as maritime transport of goods and passengers between ports in Iceland.
2. ”Other forms of commercial presence for the supply of international maritime transport services” means the ability for international maritime transport service suppliers of the other Members to undertake locally all activities, which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the annex on telecommunications);
- (e) the setting of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

3. ”Maritime cargo handling services” means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

4. ”Customs clearance services” (alternatively ”customs house brokers’ services”) means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

5. ”Container station and depot services” means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.

6. "Maritime agency services" means the activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines of shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

7. "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

8. "Other supporting and auxiliary transport services" means freight brokerage services; bill auditing and freight rate information services; transportation document preparation services; packing and crating and unpacking and de-crating services; freight inspection, weighing and sampling services; and freight receiving and acceptance services (including local pick-up and delivery).

APPENDIX 3 TO ANNEX VII

LIECHTENSTEIN – SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 3.16

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons		
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments		
<p>- The level of commitments in a particular sector shall not be construed to supersede the level of commitments taken with respect to any other services sector to which such service is an input or to which it is otherwise related.</p> <p>- CPC numbers indicated in square brackets are references to the UN Provisional Central Product Classification (Statistical Papers Series M No. 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).</p>						
PART I. HORIZONTAL COMMITMENTS¹						
ALL SECTORS INCLUDED IN THIS SCHEDULE						
This part sets out those commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Those commitments that apply to trade in specific services sectors are listed in Part II.						
	1) None	1) None except unbound for subsidies, tax incentives and tax credits Treatment accorded to subsidiaries of third country companies formed in accordance with the law of an EEA Member State and having registered office, central administration or principal place of business within an EEA Member State is not extended to branches or agencies established in an EEA Member State by a third-country company.				

¹ Liechtenstein makes reference to the specific geographic situation of the country, to its limited resources and to the small labour market. Therefore, Liechtenstein is in a position to bind its services sector only with the reservations mentioned in Part I and Part II.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>2) None</p> <p>3) The establishment of a commercial presence by a juridical person (including branches) is subject to the requirement that no objection for reasons of national economy (balanced proportion of national and foreign capital; balanced ratio of foreigners in comparison with the number of resident population; balanced ratio of total number of jobs in the economy in comparison with the number of the resident population; balanced geographic situation; balanced development of the national economy, between and within the sectors) exists.</p>	<p>Treatment less favourable may be accorded to subsidiaries of third countries having only their registered office in the territory of an EEA Member State unless they show that they possess an effective and continuous link with the economy of one of the EEA Member States.</p> <p>2) None except unbound for subsidies, tax incentives and tax credits</p> <p>3) None except for the following: The establishment of a commercial presence by an individual is subject to the requirement of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The establishment of a commercial presence by a juridical person (including branches) is subject to the following requirements: At least one of the managers has to fulfil the requirements of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The majority of the administrators (authorized to manage and represent the juridical person) must be resident in Liechtenstein and have either to be Liechtenstein citizens or have prior residence during a certain period of time in Liechtenstein. The general and the limited partnership have to fulfil the same conditions as corporations with limited liability (juridical person). In addition the majority of the associates have to be Liechtenstein citizens or to have prior residence during a certain period of time in Liechtenstein.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>The Liechtenstein company law does not prohibit joint stock companies from foreseeing in their articles of incorporation the preclusion or limitation of the transfer of registered shares</p> <p>Treatment accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State and having registered office, central administration or principal place of business within an EEA Member State is not extended to branches or agencies established in an EEA Member State by a third-country company.</p> <p>Treatment less favourable may be accorded to subsidiaries of third countries having only their registered office in the territory of an EEA Member State unless they show that they possess an effective and continuous link with the economy of one of the EEA Member States.</p> <p>All acquisitions of real estate are subject to authorization. Such authorization is granted only if an actual and proven requirement for living or business purposes is given and a certain period of residence has been completed. Non-residents are excluded from the acquisition of real estate.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons (hereafter persons) falling within the categories, as defined in paragraph I below, and subject to the following limitations and conditions and to the limitations and conditions on national treatment set out under the national treatment column: Entry and stay of foreign services suppliers in Liechtenstein is subject to authorization (requirement of residency permit and work permit). Authorization is granted subject to measures fixing overall numbers of work permits allocated. For essential personnel as defined in paragraph I below, the period of stay is limited to a period of three years. Persons staying in or entering Liechtenstein with an open-ended or extendable residence permit based on an employment contract not limited in time for Liechtenstein are not considered as persons residing in or entering Liechtenstein for the purpose of temporary stay or temporary employment in Liechtenstein.</p>	<p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column and subject to the following limitations and conditions: working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), measures limiting professional mobility, regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.) and all other provisions of the legislation relating to immigration, entry, stay and work. The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>I. <u>Essential persons transferred to Liechtenstein within a specific business or company (intra-corporate transferees)</u></p> <p>Are considered as essential those persons - defined in detail below - who are employees of a business or company of a Party hereafter enterprise) providing services in Liechtenstein through a branch or subsidiary established in Liechtenstein and who have been beforehand employees of their enterprise outside Liechtenstein for a period of not less than one year immediately preceding their application for admission:</p> <p>a) <u>Executives and senior managers:</u> persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise. Executives and senior managers would not directly perform tasks related to the actual supply of services of the enterprise.</p> <p>b) <u>Specialists:</u> highly qualified persons who, within an enterprise, are essential for the supply of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
PART II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. <u>Professional Services</u> a) Legal Service - legal advisory services on home country law and international law (except for consulting on Liechtenstein law) (part of CPC 861)	1) None 2) None 3) Unbound 4) Unbound except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound except as indicated in Part I	
b) Accounting, auditing and bookkeeping services - Accounting and auditing services (CPC 8621)	1) None 2) None 3) Foreign equity ceiling of 49 per cent. Foreign voting rights may not exceed 49 per cent. At least one member of the administration body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional licence to act as an auditor and must work full-time for the juridical person. The majority of the members of the administrative body must be in possession of the professional licence to act as an auditor. 4) Unbound except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Bookkeeping services, except tax returns (CPC 8622)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
c) Taxation services (CPC 863)	1) None 2) None 3) Foreign equity ceiling of 49 per cent. Foreign voting rights may not exceed 49 per cent. At least one member of the administrative body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional licence to act as an auditor or trustee and must work full-time for the juridical person. 4) Unbound except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound except as indicated in Part I	
d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) Liechtenstein nationality necessary for survey activities for official public purposes ² (however, foreign surveyors can work under the responsibility of a licensed Liechtenstein surveyor). 2) None 3) Liechtenstein nationality necessary for survey activities for official public purposes (however, foreign surveyors can work under the responsibility of a licensed Liechtenstein surveyor). 4) Unbound except as indicated in Part I; Liechtenstein nationality necessary for survey activities for official public purposes (however, foreign surveyors can work under the responsibility of a licensed Liechtenstein surveyor).	
f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

² “Survey activities for official public purposes” means cadastral activities and related activities.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
B. <u>Computer and Related Services</u> (CPC 841 - CPC 845, CPC 8491)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Research and Development Services</u> Excluding projects financed in whole or in part by public funds			
a) R&D services on natural sciences (part of CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
b) R&D services on social sciences (part of CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
c) Interdisciplinary R&D sciences (part of CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
E. <u>Rental/Leasing Services without Operators</u>				
c) Relating to other transport equipment (CPC 83101 + CPC 83102 + CPC 83105)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
d) Relating to other machinery and equipment (CPC 83106 - CPC 83109)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. <u>Other Business Services</u>			
a) Advertising services			
- Advertising services (including direct mail advertising), excluding outdoor advertising and excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcohol, tobacco, toxics, explosives, weapons and ammunition (part of CPC 8711 + part of CPC 8712)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
f) Services incidental to agriculture, hunting and forestry				
- Consulting services on agriculture, hunting and forestry (part of CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
g) Services incidental to fishing - Consulting services relating to fishing (part of CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
h) Services incidental to mining - Services incidental to mining, excluding prospection, surveying, exploration and exploitation (part of CPC 883 + part of CPC 5115)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
i) Services incidental to manufacturing - Consulting services relating to manufacturing (part of CPC 884 + part of CPC 885)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
m) Related scientific and technical consulting services				
- Related scientific and technical consulting, excluding prospection, surveying, exploration and exploitation (part of CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + CPC 8861-CPC 8866)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633	
o) Building-cleaning services				
- Building-cleaning services (CPC 874 except CPC 87409)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
q) Packaging services (CPC 876)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633.		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required for subsector CPC 633.	
r) Printing, publishing (CPC 88442)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
2. COMMUNICATION SERVICES C. <u>Telecommunication</u> Services				
Telecommunication Services are the transport of electro-magnetic signals - sound, data, image and combinations thereof,—excluding broadcasting ³				

³ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>Basic Telecommunication Services</u>			
(a) Voice telephone services (CPC 7521)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Packet-switched data transmission (CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
(c) Circuit-switched data transmission (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Telex services (CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Telegraph services (CPC 7522)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(f) Facsimile services (CPC 7521 + 7529)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Private leased circuit services (CPC 7522 + 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
<u>Enhanced/value-added telecommunication services</u>				
(h) Electronic mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(i) Voice mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(j) On-line information and data base retrieval (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
(k) Electronic data interchange (EDI) (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(l) Enhanced/value-added facsimile services (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(m) Code and protocol conversion	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(n) On-line information and/or data processing (part of CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
(o) Other				
- Videotext	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Enhanced/value-added services based on licensed wireless networks including enhanced/value-added paging services, except for voice transmission	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
4. DISTRIBUTION SERVICES				
A. <u>Commission agents' services</u>				
- Commission agents' services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 6211)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Wholesale trade services</u>			
- Wholesale trade services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Retailing services</u>			
- Retailing services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals; not covered is retailing through mobile sales unit (part of CPC 631 + part of CPC 632 + part of CPC 6111 + part of CPC 6113 + part of CPC 6121) ⁴	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required	

⁴ This subsector includes all distribution services related to motor vehicles and parts thereof (CPC 6111 + 6113 + 6121)

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. <u>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
5. EDUCATIONAL SERVICES Private education services			
A. <u>Compulsory Education Services (primary & secondary I)</u> (part of CPC 921 + part of 922)	1) Unbound 2) Unbound 3) Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
B. <u>Non-compulsory Secondary Education Services (secondary II)</u> (part of CPC 922)	1) None 2) None 3) Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Higher Education Services</u> (part of CPC 923)	1) None 2) None 3) Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Adult Education Services</u> (part of CPC 924)	1) None 2) None 3) Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
6. ENVIRONMENTAL SERVICES Excluding public utilities whether owned and operated by municipalities or Liechtenstein government or contracted out by them			
A. <u>Sewage services</u> (CPC 9401)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
B. <u>Refuse disposal services</u> (CPC 9402)	1) Unbound due to lack of technical feasibility 2) None 3) None; unbound for garbage dump 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required		
C. <u>Sanitation and similar services</u> (CPC 9403)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Liechtenstein required		
D. <u>Other environmental services</u> (CPC 9404 + CPC 9405 + CPC 9406 + part of CPC 9409)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I		
7. FINANCIAL SERVICES	Commitments on banking, securities and insurance services are in accordance with the 'Understanding on Commitments in Financial Services' (hereafter 'Understanding') and subject to limitations and conditions as contained in Part I (horizontal commitments) and as listed below. The Commitments below shall not impose any obligation to allow non-resident financial services suppliers to solicit business.			
<u>Insurance and insurance related services</u>	1) Establishment of a commercial presence is required for the provision of insurance services in Liechtenstein.	1) None		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	2) None	2) None	
<u>Banking and other financial services</u> (excluding insurance)	<p>3) Insurance companies incorporated in Liechtenstein must be organized as public limited company (Aktiengesellschaft) or as co-operative/mutual association (Genossenschaft). If a third-country insurer wishes to become active within Liechtenstein, an agency or branch office must be established in Liechtenstein. The third-country insurer must be authorized to conduct insurance activities under the law of its country of incorporation. To be recognized for participation in the basic health insurance scheme, health insurance suppliers must be organized in the form of mutual associations (Genossenschaft, Verein: Versicherungsverein auf Gegenseitigkeit or Hilfskasse) or foundations (Stiftung);</p> <p>4) Unbound except as indicated in Part I</p> <p>1⁵) According to the practice in Liechtenstein, mutual funds (collective investments) have to be marketed through banks having a commercial presence in Liechtenstein</p> <p>2) None</p>	<p>3) One member of the board of directors and the administrators must be resident in Liechtenstein. They must be duly authorized to fully represent their company. In the case of a branch or an agency, it suffices if the general representative, whose nomination requires the approval of the supervisory authority, has his residence in Liechtenstein and is duly authorized to fully represent his company.</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Subvention for house building is only granted to Liechtenstein citizen, which have to take out the loan for the house building at a domestic bank</p> <p>2) Subvention for house building is only granted to Liechtenstein citizen, which have to take out the loan for the house building at a domestic bank</p>	

⁵ Are covered not only transactions indicated in paragraph B.3 of the 'Understanding' but the whole range of banking and other financial services transactions (excluding insurance).

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotels and restaurants</u> (incl. catering) (CPC 641-CPC 643)	3) Banks and financial companies must be organized in the form of a limited company Financial institutions other than banks and financial companies according to the Liechtenstein Banking and Companies Act are subject to the following licensing requirements: foreign equity ceiling of 49 per cent; foreign voting rights may not exceed 49 per cent; at least one member of the administrative body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional licence to act as an auditor or trustee and must work full-time for the juridical person 4) Unbound except as indicated in Part I	3) One member of the board of directors and the administrators must have domicile in Liechtenstein. They must be duly authorized to fully represent their company. Commercial presence of foreign financial institutions is subject to licensing requirements relating to the name of firm, duties toward the Swiss national bank and regulations on financial institutions in the country of origin 4) Unbound except as indicated in Part I		
	1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423) 2) None 3) None 4) Unbound except as indicated in Part I		1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423) 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
B. <u>Travel agencies and tour operators services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Tourist guides services</u> (CPC 7472)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)				
B. <u>News agency services</u> (CPC 962)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. <u>Sporting and other recreational services</u>			
- Sporting services (CPC 9641)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
11. TRANSPORT SERVICES			
F. <u>Road transport services</u>			
a) Passenger transportation			
- regular, 'closed-door' tours only (part of CPC 7121)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- occasional, excluding empty entrance, cabotage and taxi services (part of CPC 7122)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

Modes of supply:	(1)Cross-border	(2)Consumption abroad	(3)Commercial presence	(4)Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
c) Rental of commercial vehicles with operator (CPC 7124)	1) None 2) None 3) None 4) Unbound except as indicated in Part I		1) None 2) None 3) None 4) Unbound except as indicated in Part I	
d) Maintenance and repair of road transport equipment (CPC 6112 + CPC 8867)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
H. <u>Services auxiliary to all modes of transport</u>				
a) Cargo-handling services (CPC 741)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I		1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
b) Storage and warehouse services (CPC 742)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
c) Freight transport agency services (CPC 748)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
d) Other auxiliary transport services, excluding local pick up and delivery (part of CPC 749)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

APPENDIX 4 TO ANNEX VII

NORWAY - SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 3.16

Modes of supply:1)	Cross-border supply 2)	Consumption abroad 3)	Commercial presence 4)	Presence of natural persons	
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
I. HORIZONTAL COMMITMENTS					
ALL SECTORS INCLUDED IN THIS SCHEDULE					
All sectors: Establishment - General authorization procedures for acquisition			3),4) A foreign citizen that purchases or leases real property as a secondary residence must apply for a concession if the citizen neither lives in Norway, nor has been living in Norway for at least five years.		
All sectors: Treatment of branches and agencies	3) None		3) Treatment accorded to subsidiaries of third country companies formed in accordance with the law of an EEA Member State and having their registered office, central administration or principal place of business within an EEA Member State may not be extended to branches or agencies established in an EEA Member State by a third-country company. Treatment less favorable may be accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State having only their registered office in the territory of an EEA Member State unless they show that they possess an effective and continuous link with the economy of one of the EEA Member States.		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
All sectors: Formation of legal entity - limited liability company, foundation	3) None	3) The general manager in a joint stock company, and at least half of the members of the board of directors, and of the corporate assembly must be residents of Norway, unless the Ministry of Trade and Industry grants exemptions in each individual case. These requirements do not apply to citizens of states which are parties to the EEA agreement if they are residents of such a state.	
All sectors: Subsidies (The issue of a definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS)	1) Unbound 2) Unbound 3) None 4) None	1) Unbound 2) Unbound 3) Eligibility for subsidies may be limited to juridical persons established in Norway. Unbound for research and development subsidies and for education services leading to the conferring of State recognized exams and/or degrees 4) Subsidies available to natural persons may be limited to Norwegian citizens	
All sectors: Movement of personnel	4) Unbound, except for the temporary presence and without requiring compliance with an economic needs test of categories A, B and C below: A. Managers and executives, specialists as intra-corporate transferees, provided that the service supplier is the corporation to which these are attached. Temporary entry, stay and work limited to a four year period. Executives/managers - 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:	4) Unbound except for measures concerning the categories of natural persons referred to in the market access column.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> - directing the establishment or a department or subdivision 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>Specialists - 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 the knowledge specific to the establishment, but also whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership in an accredited profession.</p> <p>B. Business visitors. Temporary entry, stay and work limited to a three month period</p> <p>Business visitors -</p> <p>a) persons 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 supplier, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>b) persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up in Norway of a commercial presence of a service supplier of a Party when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sales or supplying services, and - the service supplier has no other representative, branch or subsidiary in Norway. <p>C. Temporary presence of natural persons providing services without being employed by a juridical person who has commercial presence in Norway. Access is subject to the following conditions:</p> <ul style="list-style-type: none"> - The temporary entry and stay shall be limited to three months in any twelve-month period or for the duration of the contract, whatever is less. - The commitment relates only to the service activity which is the subject of the contract. It does not entitle to exercise the profession as such. - A work permit must be obtained. <p>A work permit must be issued to a natural person who is considered to be a higher-level skilled worker or to have special qualifications. During his/her stay in Norway, the natural person will have to be employed by the recipient of the service. The competence of the natural person must be deemed necessary for the recipient of the service. If it is apparent that there will be a permanent need for such labour, or if during the last six months a permit has been issued for the performance of the same kind of work for the same recipient of the service, a permit shall not be granted.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> - All requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. 		
II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. Professional Services (a) Legal services - legal advice on foreign law (concerned parts of CPC 861) (b) Accounting, auditing and bookkeeping services (CPC 862) - Auditing services by registered and licensed auditors	1) None 2) None 3) The advocate is personally responsible for his activities. To have an interest (own shares and/or be a member of the board of the firm) in a firm of Norwegian advocates is only possible when taking active part in the business. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Foreign advocates can give advice on foreign law and international law after application. Some restrictions on co-operation with Norwegian advocates as a consequence of legislation on how a firm of Norwegian advocates may be organized. 4) Unbound except as indicated in the horizontal section. As for 3), but no restrictions on advice on a strictly occasional basis.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Accounting and bookkeeping services	1) Accounting shall take place in Norway. The King may decide that accounting takes place abroad. 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. For authorized accountants, permanent residence in Norway required, and a minimum of 2 years practice in Norway during the 5 preceding years.	
(c) Taxation services (CPC 863)	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	
(d) Architectural services (CPC 8671)	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	The supply by Korean architects through joint contracts with architects who are licensed in Norway is allowed.
(e) Engineering services (CPC 8672)	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	
(f) Integrated engineering services (CPC 8673)	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(g) Urban planning and landscape architectural services (CPC 8674)	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	
(h) Medical and dental services (CPC 9312)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Must speak Norwegian and have passed certain national exams in different areas. Foreign exams giving equivalent competence may be recognized. 4) Unbound except as indicated in the horizontal section. As 3).	
(i) Veterinary services (CPC 932)	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. Foreign exams giving equivalent competence may be recognized.	
(j) Deliveries and related services, nursing services, physiotherapeutic and paramedical services (CPC 93191)	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. Must speak Norwegian and have passed certain national exams in different areas. Foreign exams giving equivalent competence may be recognized.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Computer and Related Services			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	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	
(b) Software implementation services (CPC 842)	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	
(c) Data processing services (CPC 843)	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	
(d) Data base services (CPC 844)	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	
(e) Maintenance and repair services for office equipment including computers and other computer services (CPC 845, CPC 849)	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Research and Development Services			
(b) R&D services on social sciences and humanities (CPC 852)	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	
D. Real Estate Services			
(b) Real Estate Services on a fee or contract basis (CPC 822)			
- Real estate agency	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. Upon request, education/examination from abroad may be accepted.	
- Real estate agent	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. Upon request, education/examination from abroad may be accepted.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. Rental/Leasing Services without Operators			
a), b), c) Relating to ships ¹ , aircraft, other transport equipment (CPC 83102, CPC 83103, CPC 83104, CPC 83105)	1) None 2) None 3) None other than: Aircrafts: to be registered in the aircraft register of Norway, the aircraft must be owned either by Norwegian natural persons or by Norwegian juridical persons. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(c) Car-hiring (CPC 83101)	1) Unbound 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	
(d) Relating to other machinery and equipment (CPC 83106-83109)	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	
F. Other Business Services			
(a) Advertising services (CPC 871)	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	

¹ Registration requirements for ships in the Norwegian shipping registries (NIS and NOR) are described in Section 11A: Maritime Transport.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(b) Market research and public opinion polling services (CPC 864)	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	
(c),(d) Management and administrative services (including management, consultancy) (CPC 865, CPC 866)	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	
(e) Technical testing and analysis services (CPC 8676), except for public services functions such as statutory classification required for ships and floating vessels registered in NIS and NOR.	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	
(f) Advisory and consulting services related to agriculture, hunting and forestry (concerned parts of CPC 881)	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	
(g) Advisory and consulting services related to fishing (concerned parts of CPC 882)	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(h) Services incidental to mining (CPC 883 + 5115)	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	
(i) Advisory and consulting services related to manufacturing (CPC 884, CPC 885)	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	
(k) Placement and supply services of personnel - Labour recruitment and provision of personnel (nationals and residents with work permit) (concerned parts of CPC 872)	1) None, except when the activity is assessed to take place in Norway the rules mentioned under 3) will apply. 2) None 3) It is not allowed to charge personnel seeking employment for employment services. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
- Executive search services (CPC 87201)	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	
l) Investigation and security activities (CPC 873)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Manager must be a Norwegian citizen resident in Norway 4) Unbound except as indicated in the horizontal section. As 3).	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(m) Related scientific and technical consulting services (CPC 8675)	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	
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 and CPC 8861-8866)	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	
(o) Building-cleaning services (CPC 874)	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	
(p) Photographic services (CPC 875)	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	
(q) Packaging services (CPC 876)	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	

* Unbound due to lack of technical feasibility.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(r) Printing and publishing (CPC 88442)	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	
(s) Convention services (CPC 87909)	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	
(t) Other - Exhibition management services (parts of CPC 87909) - Interior design (concerned parts of CPC 87907) - Translation and interpretation services, except government authorized translators (Part of CPC 87905)	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 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 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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
2. COMMUNICATION SERVICES			
B. Courier Services (CPC 7512)	1) None 2) None 3) No limitations except as specified for transportation services 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. Telecommunication Services			
(a) Voice telephony (b) Packet-switched data transmission services (c) Circuit-switched data transmission (d) Telex services (e) Telegraph services (f) Facsimile services (g) Leased circuit services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments	
(o) Other - Mobile and personal communications services and systems - Value-added services (excludes voice telephony, telegraph and telex, packet- and circuit-switched data services, mobile radio telephony, paging and satellite services)	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. General Construction Work for Buildings (CPC 512)	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.	
B. General Construction Work for Civil Engineering (CPC 513)	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	
C. Installation and Assembly Work (CPC 514, CPC 516)	5) 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. For electrical work, plumbing and water sanitation, foreign exams giving equivalent competence may be recognized on a case by case basis.	
D. Building Completion and Finishing Work (CPC 517)	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.	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. <u>Other</u> - Pre-erection work at construction sites (CPC 511) - Special trade construction work (CPC 515) - Renting services relating to equipment for construction/demolition of buildings/civil engineering works, with operator (CPC 518)	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.	
4. DISTRIBUTION SERVICES First hand sales of raw fish and private import of alcohol are exempted			
A. Commission agents' services (CPC 621) (Trade in arms, alcohol and pharmaceuticals exempted)	1) None, except unbound for electricity 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None, except unbound for electricity 2) None 3) None 4) Unbound except as indicated in the horizontal section	
B. Wholesale Trade Services (CPC 622) (Import and trade in arms and pharmaceuticals exempted)	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	
- Wholesale Trade Services of electricity	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Retailing Services (CPC 631+632+6111+ 6113+6121) (Trade in pharmaceutical products, alcohol and arms exempted)	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.	
<u>- Retail sales of electricity</u>	<u>1) Unbound</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in the horizontal section</u>	<u>1) Unbound</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in the horizontal section</u>	
D. Franchising (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	 서식 있음: 글머리 기호 및 번호 매기기

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>5. EDUCATION SERVICES</p> <p>Educational services leading to the conferring of State recognized exams and/or degrees</p> <ul style="list-style-type: none"> - Primary and lower secondary education services - Upper secondary education services - Higher education services - Adult education <p>Educational services not leading to the conferring of State recognized exams and/or degrees</p>	<p>1) As 3)</p> <p>2) None</p> <p>3) Primary and secondary education are public service functions. Authorization may be given to foundations and other legal entities to offer additional parallel or specialized education.</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section. Teaching qualifications from abroad may be recognized, and an exam must be passed.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
6. ENVIRONMENTAL SERVICES			
With the exemption of public service functions whether owned and operated or contracted out by local, regional or central government.			
A. Wastewater management (CPC 9401)	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	
B. Solid/Hazardous waste management.	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	
- Refuse Disposal Services (CPC 9402)			
- Sanitation and Similar Services (CPC 9403)			
C. Protection of ambient air and climate			
- Services to reduce exhaust gases and other emissions and improve air quality (CPC 94040)	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	
D. Remediation and cleanup of soil & water	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section	
- Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060)			

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. Noise & vibration abatement - Noise abatement services (CPC 94050)	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	
F. Protection of biodiversity and landscape - Nature and landscape protection services (part of CPC 9460)	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	
G. Other environmental & ancillary services - Other environmental protection services not classified elsewhere (CPC 94090)	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	

7. FINANCIAL SERVICES

- i. Norway undertakes commitments on financial services in accordance with the "Understanding on Commitments in Financial Services" (the Understanding) of the WTO General Agreement on Trade in Services (GATS).
- ii. The market access commitments in respect of modes 1) and 2) apply to the transactions indicated in paragraphs B.3 and B.4 of the market access section of the Understanding respectively.
- iii. The restrictions and limitations listed in the schedule under mode 1) apply to regulatory measures directed towards non-resident financial service suppliers established outside the European Economic Area. The limitations listed in the schedule under mode 2) apply to regulatory measures directed towards financial service consumers residing in Norway.

iv. The following restrictions and limitations apply:

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
A. Insurance and Insurance-Related Services	<p>1) In addition to the services listed in paragraph B.3 (a) of the Understanding, non-resident insurance companies may supply insurance related to passenger vessels (including cruise vessels), ocean-going fishing vessels, offshore exploration or insurance contracts regarding domestic companies with an activity of at least 10-man-years or annual sales above a certain threshold. As of 2005 this threshold is set at NOK 50 million.</p> <p>Non-resident insurance companies must supply the services listed above and in paragraph B.3(a) of the Understanding through an insurance broker authorized in Norway.</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>3) No single or coordinated group of investors may acquire or hold more than 10 per cent of the share capital in a Norwegian insurance company. A foreign or Norwegian financial institution may however, subject to approval acquire and hold up to 25 per cent of such shares when this is part of a strategic alliance agreement. The Ministry of Finance and Customs may in special circumstances make exemptions from these limitations on single investor ownership.</p> <p>Notwithstanding the foregoing, foreign insurance companies may establish partly or wholly owned subsidiaries in Norway. The other owners of such partly owned subsidiaries must be foreign or Norwegian financial institutions.</p> <p>For subsidiaries or branches of financial institutions not incorporated within the European Economic Area, a separation requirements applies between life insurance, non-life insurance and credit risk insurance.</p> <p>Insurance companies incorporated in Norway must be organized as joint stock companies or mutual insurance companies. Insurance brokerage firms incorporated in Norway must be organized as joint stock companies.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>3) For mutual insurance companies the manager, at least half the members of the board of directors and half the members of the corporate assembly must be permanent residents of Norway. This requirement does not apply to citizens of a state within the European Economic Area when residing in such state. The Ministry of Industry and Trade may grant exemptions from these rules.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Banking and Other Financial Services (excluding insurance)	<p>1) None.</p> <p>2) None.</p> <p>3) No single or coordinated group of investors may acquire or hold more than 10 per cent of the share capital of commercial banks, central securities depositories or financing undertakings, or more than 10 per cent of the equity certificates of savings banks. A foreign or Norwegian financial institution may, however, subject to approval acquire and hold up to 25 per cent of such shares, except for clearing houses, or equity certificates when this is part of a strategic alliance agreement. In addition, the Ministry of Finance and Customs may in special circumstances make exemptions from these limitations on single investor ownership in such institutions.</p> <p>Notwithstanding the foregoing, foreign banks and financing undertakings may establish partly or wholly owned subsidiaries in Norway. The other owners of such partly owned subsidiaries must be banks or financial institutions respectively.</p> <p>Commercial banks, central securities depositories, securities firms and management companies for collective investment funds incorporated in Norway must be organized as joint stock companies.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None</p> <p>In savings banks and financing undertakings which are not organized as joint stock companies, the members of decision-making bodies must be citizens of states within the European Economic Area and permanently residing in such states. The Ministry of Finance and Customs may grant exemptions from these rules.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and Restaurants	Hotels, camping sites and other commercial accommodations, restaurants, cafes, pubs, bars (CPC 641, CPC 642, CPC 643)	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
B. Travel Agencies and Tour Operators Services (CPC 7471)		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
C. Tourist Guides Services (CPC 7472)		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
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
B. News Agency Services (CPC 962)	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
A. Maritime Transport International transport (freight and passengers) (CPC 7211 and 7212 and CPC 7213 wherever applicable) International towing and pushing services (part of CPC 7214) Less domestic transport (1) and domestic towing and pushing services	<p>1) None</p> <p>2) None</p> <p>3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by EEA citizens or by an EEA company where EEA citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted.</p> <p>(b) Ships on the Norwegian International Ship Register (NIS): None</p> <p>(c) Other forms of commercial presence: None</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the EEA area. The majority of the members of the board, including the chairman, must be EEA citizens resident in the EEA area having resided in the EEA area the preceding two years.</p> <p>(b) NIS: Ships with more than 40 per cent non EEA ownership must have a management function in Norway. This may be the operation by a Norwegian ship-owning company with head office in Norway, or a Norwegian management company or if the ship is registered directly in the NIS by a foreign company, an EEA representative is required. The representative must be domiciled in Norway and be authorized to receive a lawsuit on behalf of the shipowner.</p> <p>(c) Other forms of commercial presence: None</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>4) (a) Ships' crew NOR: Unbound except as indicated in the horizontal section.</p> <p>(b) Ships' crew NIS: Unbound except as indicated in the horizontal section.</p> <p>(c) Shore personnel: Unbound except as indicated in the horizontal section</p>	<p>4) (a) NOR: Unbound except as indicated in the horizontal section</p> <p>(b) NIS: None, except for the captain who must be a Norwegian citizen. Exemptions from this rule may be granted.</p> <p>(c) Shore personnel: Unbound except as indicated in the horizontal section</p>	
<p>Domestic freight transportation (part of CPC 7212), limited to the following services</p> <ul style="list-style-type: none"> - Transport feeder services related to international cargo - Transport of empty containers for international trade - Maritime transport servicing offshore petroleum exploration and production 	<p>1) Unbound</p> <p>2) None</p> <p>3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by EEA citizens or by an EEA company where EEA citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted</p> <p>(b) Other forms of commercial presence: None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the EEA area. The majority of the members of the board, including the chairman, must be EEA citizens resident in the EEA area, having resided in the EEA area the preceding two years.</p> <p>(b) Other forms of commercial presence: None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Domestic maritime towing and pushing services, including anchor handling, servicing petroleum exploration and production (part of CPC 7214)	1) Unbound 2) None 3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by EEA citizens or by an EEA company where EEA citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted. (b) Other forms of commercial presence: None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the EEA area. The majority of the members of the board, including the chairman, must be EEA citizens resident in the EEA area, having resided in the EEA area the preceding two years. (b) Other forms of commercial presence: None 4) Unbound, except as indicated in the horizontal section	
Maritime auxiliary services: Maritime cargo handling services (3)	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	
- Storage and warehousing services (CPC 742); customs clearance services (4); container station and depot services (5)	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	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Maritime agency services (6); freight forwarding services (7)	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	
- Other supporting auxiliary transport services (8)	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	
Auxiliary services as required by maritime transport operators:			<p>The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling, watering 4. Garbage collecting, ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water, electrical supplies

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			<p>8. Emergency repair facilities</p> <p>9. Anchorage, berth, berthing services</p> <p>10. Container handling, storage and warehousing, freight transport.</p> <p>Where the road, rail, coastal shipping and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent, hire or charter trucks, railway carriages and relate equipment, for the purpose of onward forwarding of international cargoes carried by sea, or have access to and use of these forms of transport services for the purpose of providing multimodal transport services.</p>

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Air Transport Services (Definitions of services are found in the Air Transport Annex)			
- Computer reservations systems (CRS) services	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries 2) None 3) Unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries 4) Unbound except as indicated in the horizontal section	
- Selling and marketing of air transport services	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound for distribution through CRS of air transport services provided by CRS parent carrier. 2) None 3) Unbound for distribution through CRS of air transport services provided by CRS parent carrier. 4) Unbound except as indicated in the horizontal section	
- Aircraft repair and maintenance services	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	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Ground handling	1) Unbound 2) None 3) None, except that categories of activities depend of the size of the airport. The number of providers in each airport can be limited due to available space constraints and to not less than two suppliers for other reasons. Non-discriminatory preapproval may apply. 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	
E. Rail Transport Services			
(c) Pushing and towing services (CPC 7113)	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	
(d) Maintenance and repair of rail transport equipment (CPC 8868) ²	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	
(e) Supporting services for rail transport services (CPC 743)	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	

² Service specific constitutes only a part of the total range of activities covered by the CPC concordance.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. Road Transport Services a),b) Passenger and freight transportation (CPC 7121, CPC 7122, CPC 7123; not including domestic transport) (e) Supporting services for road transport services (CPC 744)	1) Unbound 2) None 3) None, except for passenger transportation for which regular trips and shuttle services are conditioned by an economic needs test based on traffic criteria 4) Unbound except as indicated in the horizontal section 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 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
G. Pipeline transportation - Offshore upstream pipeline transportation of petroleum and natural gas. Central network control and monitoring services exempted (concerned parts of CPC 71310)	1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	
H. Services Auxiliary to All Modes of Transport			
(a) Cargo-handling services (CPC 741)	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	
(b) Storage and warehouse services (CPC 742)	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	

* Unbound due to lack of technical feasibility.

ATTACHMENT

NOTES TO MARITIME TRANSPORT

"Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date. A "multimodal transport operator" means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

1. "Domestic transport" is defined as maritime transport of goods and passengers between ports in Norway, including locations on the continental shelf where petroleum is explored or produced.

2. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of the other members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerized information systems and electronic data interchange (subject to the provisions of the Annex on telecommunications);
- (e) the setting of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organizing the call of the ship or taking over cargoes when required.

3. "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organization and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

4. "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

5. "Container station and depot services" means activities consisting in storing containers, whether in a port area or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.

6. "Maritime agency services" means the activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organizing the call of the ship or taking over cargoes when required.

7. "Freight forwarding services" means the activity consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

8. "Other supporting and auxiliary transport services" means freight brokerage services; bill auditing and freight rate information services; transportation document preparation services; packing and crating and unpacking and de-crating services; freight inspection, weighing and sampling services; and freight receiving and acceptance services (including local pick-up and delivery).

APPENDIX 5 TO ANNEX VII

SWITZERLAND – SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 3.16

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
<ul style="list-style-type: none"> - The level of commitments in a particular services sector shall not supersede the level of commitments undertaken with respect to any other services sector to which such service is an input or to which it is otherwise related. - CPC numbers indicated in parenthesis are references to the UN Provisional Central Product Classification (Statistical Papers, Series M, n° 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991). - Unless otherwise provided for, requirements of residency, domicile, commercial presence, etc. in a commitment relate to the territory of Switzerland. - Attachments I and II to this schedule form an integral part thereof. 			
PART I. HORIZONTAL COMMITMENTS			
<p>This Part sets out those commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Those commitments that apply to trade in specific services sectors are listed in Part II.</p>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	1) None 2) None	1) None except unbound for subsidies, tax incentives and tax credits 2) None except unbound for subsidies, tax incentives and tax credits	

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
	<p>3) None</p>	<p>3) None except for the following:</p> <p><u>I. Composition of governing boards</u> A domicile requirement is applied to the forms of legal entities hereafter:</p> <ul style="list-style-type: none"> - for a "joint-stock company" (société anonyme/ Aktiengesellschaft) or a "stock company with unlimited partners" (société en commandite par actions/ Kommanditaktiengesellschaft): the majority of the board of directors must be domiciled in Switzerland. However, this domicile requirement can be set below this limit; - for a "limited liability company" (société à responsabilité limitée/ Gesellschaft mit beschränkter Haftung): at least one manager must be domiciled in Switzerland; - for a "co-operative society" (société coopérative/ Genossenschaft): the majority of the administrators must be domiciled in Switzerland. <p><u>II. Shareholders' circles</u> "Joint-stock companies" are not prohibited to foresee in their articles of incorporation that the company may reject persons as acquirers of registered shares, as far and as long as their recognition by the company might prevent the company from providing proof of the composition of the shareholders' circle required by federal law.</p>	

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
		<p><u>III. Branching</u> The establishment of a branch requires a representative (natural person) with domicile in Switzerland who is duly authorized by the company to fully represent it.</p> <p><u>IV. Commercial presence without juridical personality</u> The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality according to Swiss law (<i>i.e.</i> in a form other than "joint-stock company", "limited liability company" or "co-operative society") is subject to the requirement of a permanent residency permit of the associate(s) by cantonal law.</p> <p><u>V. Eligibility for subsidies</u> Eligibility for subsidies, tax incentives and tax credits may be limited to persons established in a particular geographical subdivision of Switzerland.</p> <p><u>VI. Acquisition of real estate</u> The acquisition of real estate by foreigners who are not permanently established in Switzerland and by enterprises with headquarters abroad or under foreign control is subject to authorization. However, no authorization is required for:</p> <ul style="list-style-type: none"> (a) the acquisition of premises for professional use and business activities; (b) the acquisition of main residences for the purpose of personal housing needs by foreigners who are domiciled in Switzerland. 	

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
		<p>For the acquisition of holiday residences and secondary residences for the purpose of personal housing needs, authorization is granted upon verification of the purpose.</p> <p>Prohibited are purely financial investments and trade in apartments, with the following exceptions:</p> <ul style="list-style-type: none"> (a) foreigners can invest without authorization in financial participations (<i>i.e.</i> shares) in legal persons that own and trade housing properties, provided such participations are quoted in a stock exchange in Switzerland; (b) foreign and foreign-controlled banks and insurance companies are granted authorization to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation; (c) foreign and foreign-controlled insurance companies are granted authorization to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves required for the company's activities in Switzerland. 	

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
	<p>4) Unbound except for measures concerning the entry and temporary stay of natural persons (hereafter "persons") falling within the categories defined in paragraphs A, B, C and D below, and subject to the limitations and conditions set out under the national treatment column and to the condition that entry and stay of foreign service suppliers in Switzerland are subject to authorization (requirement of residency permit and work permit).</p> <p>For essential personnel as defined in paragraph A below, the period of stay is limited to a period of three years, which may be extended to a maximum of five years. For other essential personnel as defined in paragraphs B, C and D below, the period of stay is limited to 90 days within one year; if an authorization for such a period of stay is renewed the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland.</p> <p>Persons staying in or entering Switzerland with an open-ended or extendable residence permit based on an employment contract not limited in time for Switzerland are not considered as persons residing in or entering Switzerland for the purpose of temporary stay or temporary employment in Switzerland.</p>	<p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column, subject to the following limitations and conditions:</p> <p>(a) working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.);</p> <p>(b) measures limiting professional and geographical mobility within Switzerland;</p> <p>(c) regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.); and</p> <p>(d) all other provisions of the legislation relating to immigration, entry, stay and work.</p> <p>The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures.</p> <p>Eligibility for subsidies, tax incentives and tax credits may be limited to persons domiciled in a particular geographical subdivision of Switzerland.</p>	

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
	<p>A. INTRA-CORPORATE TRANSFEREES (ICT)</p> <p>Essential persons transferred to Switzerland within a specific business or company of another Party and defined under (a) and (b) below who are employees of that business or company (hereafter enterprise) supplying services in Switzerland through a branch, subsidiary or affiliate established in Switzerland and who have been beforehand employees of their enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission.</p> <p>(a) Executives and senior managers: Persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise. Executives and senior managers would not directly perform tasks related to the actual supply of services of the enterprise.</p> <p>(b) Specialists: Highly qualified persons who, within an enterprise, are essential for the supply of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.</p>		

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
	<p>B. BUSINESS VISITORS (BV) AND SERVICES SALESPERSONS (SS)</p> <p>(a) Business visitors responsible for establishing a commercial presence (BV): Persons who are employees of an enterprise not having commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph A.(a) above, and who are entering Switzerland for the purpose of establishing a commercial presence of that enterprise in Switzerland. Persons responsible for establishing a commercial presence may not sell services directly to the general public or supply services themselves.</p> <p>(b) Services salespersons (SS): Persons employed or mandated by an enterprise and who stay temporarily in Switzerland in order to conclude the contract for the sale of a service on behalf of the enterprise which employs them or has mandated them. Services salespersons may not sell services directly to the general public or supply services themselves.</p>		

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
	<p>C. CONTRACTUAL SERVICE SUPPLIERS (CSS)</p> <p>CSS – Employees of a juridical person: Persons who are employees of an enterprise located outside Switzerland not having commercial presence in Switzerland (and other than enterprises supplying services as defined by CPC 872), which has concluded a services contract with an enterprise engaged in substantive business in Switzerland, and who have been beforehand employees of the enterprise located outside Switzerland for a time period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph A.(b) above and who supply a service in Switzerland as a professional in a service sector as set out below on behalf of the enterprise located outside Switzerland; as a further requirement three years of related experience is required. Any limitations scheduled in Part II shall apply. Per contract, temporary entry for a limited number of service suppliers will be granted for a single period of three months, the number of service suppliers depending on the size of the task to be performed under the contract. Individual service suppliers not employed by such enterprise located outside Switzerland are considered as persons seeking access to the Swiss employment market.</p>		

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
	<p>Services sectors:</p> <ul style="list-style-type: none"> - Legal advisory services (part of CPC 861) - Engineering services (CPC 8672) - Consultancy services related to the installation of computer hardware (CPC 841) - Software implementation services (CPC 842) - Auditing services, excluding auditing of banks (part of CPC 86211) - Accounting review services (CPC 86212) - Business tax planning and consulting services (CPC 86301) - Business tax preparation and review services (CPC 86302) - Architectural services (CPC 8671) - Urban planning services (CPC 86741) - Research and development services (CPC 851-853) - Management consulting services (CPC 865) - Technical testing and analysis service (CPC 8676) - Related scientific and technical consulting services (CPC 8675) - Maintenance and repair of aircraft (part of CPC 8868) 		

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
	<p>D. OTHER</p> <p>Installers and maintainers (IM): Qualified specialists supplying installation or maintenance services for machinery or industrial equipment. The supply of that service has to occur on a fee or contractual basis (installation/maintenance contract) between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being juridical persons.</p>		

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
PART II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. <u>Professional Services</u> (a) Legal services - International commercial arbitration services (part of CPC 861) - Legal advisory services (part of CPC 861) - Mediation and extra-judicial conciliation services (part of CPC 861)	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1), 2), 3) All cantons except Ticino: None; Ticino: None except that legal advisory services on Swiss fiscal law is restricted to "fiduciario commercialista" (commercial fiduciary) 4) All cantons except Ticino: Unbound except as indicated in Part I; Ticino: Unbound except as indicated in Part I; legal advisory services on Swiss fiscal law is restricted to "fiduciario commercialista" (commercial fiduciary) 1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
- Patent attorney services (includes trademarks) (part of CPC 861)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1), 2), 3) None except that to register a Swiss patent or trademark at the Swiss Federal Institute of Intellectual Property (IGE/IPI) on behalf of a client, IGE/IPI may require that patent attorneys must have a permanent postal address in Switzerland and may require one year of professional experience made in Switzerland under the supervision of a patent attorney admitted by IGE/IPI 4) Unbound except as indicated in Part I and with the limitations under 1), 2), 3) above	
(b) Accounting, auditing and bookkeeping services			
- Accounting and bookkeeping services (CPC 862 except 86211)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Auditing services, excluding auditing of banks (part of CPC 86211)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None except that at least one auditor of a "joint-stock company" (société anonyme/ Aktiengesellschaft) or a "stock company with unlimited partners" (société en commandite par actions/ Kommanditaktiengesellschaft) must have his domicile, his principal office, or a registered branch in Switzerland 2) None 3) None 4) Unbound except as indicated in Part I; at least one auditor of a "joint-stock company" or a "stock company with unlimited partners" must have his domicile, his principal office, or a registered branch in Switzerland	

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
(c) Taxation services (CPC 863)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1), 2), 4) Supply of architectural services by Korean architects through joint contracts with Swiss architects is allowed without Swiss licensing requirement.
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None except that for survey activities for official public purposes, ¹ a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam 2) None 3) None except that for survey activities for official public purposes, a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam 4) Unbound except as indicated in Part I; for survey activities for official public purposes, a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam	
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

¹ "Survey activities for official public purposes" means cadastral activities and related activities.

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
(g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(h) Medical and dental services (CPC 9312)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) None except that Swiss nationality is necessary to practise independently 4) Unbound except as indicated in Part I; Swiss nationality necessary to practise independently	
(i) Veterinary surgeons (CPC 932)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) None except that Swiss nationality is necessary to practise independently 4) Unbound except as indicated in Part I; Swiss nationality necessary to practise independently	
B. Computer and Related Services			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Other			
- Maintenance and repair services of office machinery and equipment including computers (CPC 845)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Data preparation services (CPC 8491)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Training services for staff of clients; Web-site design services; Integrated consulting services on computerized systems and networks; other professional computer services foreseen under Swiss law without MA or NT limitation (part of CPC 8499)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
C. <u>Research and Development Services</u>			
Excluding projects financed in whole or in part by public funds			
(a) R&D services on natural sciences (part of CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) R&D services on social sciences (part of CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Interdisciplinary R&D services (part of CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Real Estate Services</u>			
(a) Involving own or leased property			
- Involving own or leased property located on the territory of another Party (part of CPC 821)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
E. <u>Rental/Leasing without Operators</u>			
(a) Relating to ships			
- For maritime transport services (part of CPC 83103)	1) Unbound 2) None 3) None except that in order to sail under Swiss flag, vessels must be 100 per cent owned and controlled by Swiss nationals, 3/4 of which having residency in Switzerland 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None except that board of directors and management of companies owning ships sailing under Swiss flag must be composed of Swiss nationals, the majority of which having residency in Switzerland 4) Unbound except as indicated in Part I	
- For internal waterway transport on the Rhine (part of CPC 83103)	1) Unbound 2) None 3) None except that in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (at least 66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None except that traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must have an appropriate managing agency in Switzerland 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it	
(b) Relating to aircraft			
- Relating to aircraft, excluding rental/leasing to companies flying on regular schedule or on charter (part of CPC 83104)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(c) Relating to other transport equipment (CPC 83101 + 83102 + 83105)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Relating to other machinery and equipment (CPC 83106-83109)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Other - Leasing or rental services concerning personal and household goods, excluding goods embodying any type of sexual or violent content (part of CPC 832)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
F. <u>Other Business Services</u>			
(a) Advertising services			
- Advertising services, excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcoholic beverages, tobacco products, toxics, explosives, weapons and ammunition (part of CPC 8711 + part of 8712)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Outdoor advertising services, excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcoholic beverages, tobacco products, toxics, explosives, weapons and ammunition (part of CPC 8719)	1) Unbound due to lack of technical feasibility 2) None 3) None except that outdoor advertising services on the public ground is permitted only when contracted out by cantons and municipalities through long term exclusive supplier's contracts 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Market research and public opinion polling (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(f) Services incidental to agriculture, hunting and forestry			
- Consulting services on agriculture, hunting and forestry (part of CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Services incidental to fishing (CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(h) Services incidental to mining			
- Services incidental to mining, excluding prospection, surveying, exploration and exploitation (part of CPC 883 + part of 5115)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(i) Services incidental to manufacturing (CPC 884 + 885)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(l) Investigation and security			
- Security consultation services (CPC 87302)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(m) Related scientific and technical consulting services (part of CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861-8866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required for group CPC 633	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required for group CPC 633	

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
(o) Building cleaning services - Building cleaning services (CPC 874 except 87409)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
(p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(q) Packaging services (CPC 876)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
(r) Printing, publishing (CPC 88442)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(s) Convention services (part of CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(t) Other			
- Telephone answering services (CPC 87903)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Duplication services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Translation and interpretation services (CPC 87905)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1), 2), 3) All cantons except Genève and Zürich: None; Genève: None except unbound for translation for official purposes; Zürich: None except requirement of residency in the canton for translation for official purposes	
- Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	4) All cantons except Genève and Zürich: Unbound except as indicated in Part I; Genève: Unbound except as indicated in Part I and unbound for translation for official purposes; Zürich: Unbound except as indicated in Part I and requirement of residency in the canton for translation for official purposes	
		1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
- Specialty design services (CPC 87907)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Agency services on behalf of individual performers ² ; Design services for ergonomy of working place; Other business consulting services n.e.c. (part of CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

² These are services of the type mentioned under "Exclusions" under CPC 96114 and relate to agents for individual performers as well as sportsmen, but they shall not cover any activities of the types described under group CPC 872.

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
2. COMMUNICATION SERVICES A./B. <u>Postal/Courier Services</u> - Express delivery services ³ (part of CPC 7511 + part of 7512) C. <u>Telecommunication Services</u>	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
For the purposes of the commitments below, telecommunication services are the transport of electro-magnetic signals – sound, data, image and combinations thereof – excluding broadcasting. ⁴			
<u>Basic Telecommunication Services</u> (a) Voice telephone services (CPC 7521) (b) Packet-switched data transmission (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

³ Express delivery services are taken as "*letter deliveries*" which are delivered at five times the price applied by Swiss Post (La Poste/ Die Post) to the delivery of a priority letter of first level of weight and format and as "*parcel deliveries*" which are delivered at double the basic tariff applied by Swiss Post to the delivery of a parcel of first level of weight, as according to Swiss law.

⁴ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

Modes of supply: (1) Cross-border 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
(c) Circuit-switched data transmission (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Telex services (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Telegraph services (CPC 7522)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(f) Facsimile services (part of CPC 7521 + 7529)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Private leased circuit services (part of CPC 7522 + 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
<u>Enhanced/Value-added Telecommunication Services</u>			
(h) Electronic mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(i) Voice mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(j) On-line information and data base retrieval (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(k) Electronic data interchange (EDI) (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(l) Enhanced/value-added facsimile service, incl. store and forward, store and retrieve (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(m) Code and protocol conversion	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(n) On-line information and/or data processing (incl. transaction processing) (part of CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(o) Other			
- Videotext	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Enhanced/value added services, based on licensed wireless networks including enhanced/value added paging services	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
B. <u>General Construction Work for Civil Engineering</u>			
- Construction work for civil engineering (CPC 5131-5137)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Installation and Assembly Work</u> (CPC 514 + 516)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None except unbound for gas, water and electricity meters, gas pipelines, electricity and main water lines, which are reserved exclusively to cantons or municipalities or to specific operators 4) Unbound except as indicated in Part I	
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	

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
E. Other <ul style="list-style-type: none"> <li data-bbox="175 388 557 499">- Pre-erection work at construction sites (CPC 511) <ul style="list-style-type: none"> <li data-bbox="557 388 1118 420">1) Unbound due to lack of technical feasibility <li data-bbox="557 420 1118 452">2) None <li data-bbox="557 452 1118 484">3) None <li data-bbox="557 484 1118 515">4) Unbound except as indicated in Part I <li data-bbox="175 547 557 658">- Special trade construction work (CPC 515) <ul style="list-style-type: none"> <li data-bbox="557 547 1118 579">1) Unbound due to lack of technical feasibility <li data-bbox="557 579 1118 610">2) None <li data-bbox="557 610 1118 642">3) None <li data-bbox="557 642 1118 674">4) Unbound except as indicated in Part I <li data-bbox="175 706 557 880">- Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)⁵ <ul style="list-style-type: none"> <li data-bbox="557 706 1118 737">1) None <li data-bbox="557 737 1118 769">2) None <li data-bbox="557 769 1118 801">3) None <li data-bbox="557 801 1118 833">4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> <li data-bbox="557 388 1118 420">1) Unbound due to lack of technical feasibility <li data-bbox="557 420 1118 452">2) None <li data-bbox="557 452 1118 484">3) None <li data-bbox="557 484 1118 515">4) Unbound except as indicated in Part I <ul style="list-style-type: none"> <li data-bbox="557 547 1118 579">1) Unbound due to lack of technical feasibility <li data-bbox="557 579 1118 610">2) None <li data-bbox="557 610 1118 642">3) None <li data-bbox="557 642 1118 674">4) Unbound except as indicated in Part I <ul style="list-style-type: none"> <li data-bbox="557 706 1118 737">1) None <li data-bbox="557 737 1118 769">2) None <li data-bbox="557 769 1118 801">3) None <li data-bbox="557 801 1118 833">4) Unbound except as indicated in Part I 		

⁵ Rental services with operator do not cover any activities of the types described under group CPC 872. Whatever the mode of delivery of the rental service, the treatment applicable to an individual operator *per se* is the one pursuant to movement of natural persons.

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
<p>4. DISTRIBUTION SERVICES</p> <p>A. <u>Commission Agents' Services</u></p> <p>- Commission agents' services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 6211)</p> <p>B. <u>Wholesale Trade Services</u></p> <p>- Wholesale trade services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 622)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>		

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
C. Retailing Services - Retailing services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals; and excluding retailing through mobile sales unit (part of CPC 631 + part of 632 + CPC 6111 + 6113 + 6121) ⁶	1) None 2) None 3) None except for large-scale distribution facilities, which are subject to authorization procedures at cantonal and/or municipal level that may lead to the rejection of the authorization; no economic needs tests or other market access restrictions applicable 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
D. Franchising (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

⁶ This subsector includes all distribution services related to motor vehicles and parts thereof (CPC 6111 + 6113 + 6121).

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
5. EDUCATIONAL SERVICES			
Private education services			
A. <u>Compulsory Education Services (primary & secondary I)</u> (part of CPC 921 + part of 922)	1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
B. <u>Non-Compulsory Secondary Education Services (secondary II)</u> (part of CPC 922)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Higher Education Services</u> (part of CPC 923)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Adult Education Services</u> (part of CPC 924)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
E. <u>Other Education Services</u>	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
in the fields of:	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Foreign languages			
- Cooking (part of CPC 929)			

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
6. ENVIRONMENTAL SERVICES Excluding public utilities whether owned and operated by municipalities, cantons or federal government or contracted out by them			
A. <u>Sewage Services</u> (part of CPC 9401)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
B. <u>Refuse Disposal Services</u> (part of CPC 9402)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
C. <u>Sanitation and Similar Services</u> (part of CPC 9403)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
<p>D. <u>Other Environmental Services</u></p> <ul style="list-style-type: none"> - Cleaning services of exhaust gases (part of CPC 9404) - Noise abatement services (part of CPC 9405) - Nature and landscape protection services (part of CPC 9406) - Other environmental and ancillary services excluding mandatory environmental impact assessment and services associated with toxins or radioactivity (part of CPC 9409) 	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	

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
7. FINANCIAL SERVICES			
<p>Commitments on Financial services (insurance, banking and other financial services) are in accordance with the "Understanding on Commitments in Financial Services" prepared under the GATS (hereafter "Understanding") and subject to limitations and conditions as contained in Part I (horizontal commitments) and as listed below. The commitments in this sector shall not impose any obligation to allow non-resident financial service suppliers to solicit business.</p>			
<u>Insurance and Insurance-related Services</u>	<p>Monopoly rights as indicated in paragraph B.1 of the "Understanding": a public monopoly on fire and natural damage insurance on buildings exists in the following cantons: Zürich, Bern, Luzern, Nidwalden, Glarus, Zug, Fribourg, Solothurn, Basel-Stadt, Basel-Landschaft, Shaffhausen, Argau, St. Gallen, Graubünden, Appenzell Innerrhoden, Thurgau, Vaud, Neuchâtel, Jura. In the cantons of Nidwalden and Vaud, the public monopoly on fire and natural damage insurance covers also movable property located in the buildings.</p>		

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
	<p>3) Representative offices cannot conduct business or act as an agent; for insurance companies incorporated in Switzerland, the legal form of a "joint-stock company" (société anonyme/ Aktiengesellschaft) or a "co-operative society" (société cooperative/ Genossenschaft) is required; for branches of foreign insurance companies, the legal form of the insurance company in the head office country must be comparable to a Swiss "joint-stock company" or to a Swiss "co-operative society"; participation in the basic health insurance scheme requires health insurance suppliers to be organized in one of the following forms of legal entities: "association" (association/ Verein), "co-operative society", "foundation" (fondation/ Stiftung) or "joint-stock company"; participation in the statutory pension funds scheme (prévoyance professionnelle/ Berufsvorsorge) requires pension funds to be organized in the form of a "co-operative society" or a "foundation"</p> <p>4) Unbound except as indicated in Part I</p>	<p>2) None</p> <p>3) A minimum of three years of experience in the direct insurance business in the head office country is required</p> <p>4) Unbound except as indicated in Part I</p>	

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
<u>Banking and Other Financial Services</u> (excluding insurance)	<p>Monopoly rights as indicated in paragraph B.1 of the "Understanding": two mortgage bonds issuance institutes have been granted an exclusive right for the issuance of specific mortgage bonds (lettre de gage/ Pfandbrief); with regard to the first institute only Swiss cantonal banks are accepted as members; in the case of the second institute banks with head office in Switzerland whose national mortgage loan business amounts to at least 60 per cent of the balance sheet can be members; the issue of other mortgage-backed bonds is not affected by this regulation.</p> <p>1)⁷ Foreign investment funds can only be marketed or distributed through a licensed representative agent resident in Switzerland</p> <p>3) Commercial presence may be denied to financial service suppliers whose ultimate shareholders and/or beneficial owners are persons of a non Party; representative offices can neither conclude or deal business nor act as an agent</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) The issue of foreign collective investment funds is subject to stamp duty</p> <p>2) None</p> <p>3) Commercial presence of foreign financial service suppliers is subject to specific requirements relating to the name of the firm and the regulations on financial institutions in the country of origin</p> <p>4) Unbound except as indicated in Part I</p>	

⁷ Not only transactions indicated in paragraph B.3 of the "Understanding" but the whole range of banking and other financial services transactions are covered (excluding insurance).

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
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels and Restaurants</u> (includes catering) (CPC 641-643)	1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423) 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423) 2) None 3) None except that passing an exam in the same canton may be required; residency of licence holder in the same canton is required in the canton of Jura 4) Unbound except as indicated in Part I; commercial presence in Switzerland required; residency of licence holder in same canton is required in the canton of Jura	
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Tourist Guides Services</u> (CPC 7472)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None, except that in order to work as a mountain guide passing of an exam is required, the access to which may be restricted for foreigners in some cantons; some cantons may restrict the ability of foreign mountain guides to practise independently 4) Unbound except as indicated in Part I; in order to work as a mountain guide passing of an exam is required, the access to which may be restricted for foreigners in some cantons; some cantons may restrict the ability of foreign mountain guides to practise independently	

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
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual)			
B. <u>News Agency Services</u> (CPC 962)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Sporting and other Recreational Services</u>			
- Sporting services (CPC 9641)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
<p>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>(a/b) International transport services (passengers and freight) (part of CPC 7211 + part of 7212)</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None except that the following forms of legal entities as listed hereafter, whose head office and real centre of activities are located in Switzerland, can own and/or operate a vessel under Swiss flag under the following conditions (vessel owner and/or shipping company):</p> <p>At least two thirds of the shares' voting power representing at least the majority of the share-capital of a "joint-stock company" (société anonyme/ Aktiengesellschaft) or a "stock company with unlimited partners" (société en commandite par actions/ Kommanditaktiengesellschaft) must be owned by Swiss nationals domiciled in Switzerland and/or by substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.</p> <p>The whole share-capital of the "joint-stock company" or of the "stock company with unlimited partners" must be issued in the form of nominative shares.</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None except that for all forms of legal entities mentioned under mode 3 of the market access column: the majority of the members of the board of directors and of the management must be domiciled in Switzerland;</p> <p>if the board of directors or the management is constituted by one single person, this person must be a Swiss national domiciled in Switzerland; in addition, the Swiss Maritime Navigation Office may require other executives and/or senior managers of the enterprise to be Swiss nationals domiciled in Switzerland if necessary to ensure the substantially Swiss-owned and effectively Swiss-controlled character of the enterprise.</p> <p>In addition, at least two thirds of the members of the board of directors and of the management of a "joint-stock company", of a "stock company with unlimited partners", of a "limited liability company" or of a "co-operative society" must be Swiss nationals.</p>	<p>Services at sea ports: unbound due to lack of technical feasibility</p>

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
(d) Maintenance and repair services of seagoing vessels (part of CPC 8868)	<p>At least three quarters of the associates or other partners who account for at least three quarters of the capital of a "general partnership" (société en nom collectif/ Kollektivgesellschaft), a "limited partnership" (société en commandite/ Kommanditgesellschaft) or a "limited liability company" (société à responsabilité limitée/ Gesellschaft mit beschränkter Haftung) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.</p> <p>At least two thirds of the members who account for at least two thirds of the capital of a "co-operative society" (société coopérative/ Genossenschaft) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.</p> <p>4) Unbound except as indicated in Part I; unbound for vessels' crews</p> <p>1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>Statutory auditing reports must be drawn up by auditing companies with registered office in Switzerland or having a branch which is registered in the commercial register in Switzerland.</p> <p>Eligibility for public guarantee of loans for the financing of seagoing vessels reserved to vessels sailing under Swiss flag.</p> <p>The financing of a vessel under Swiss flag by foreign funds shall in no way endanger the influence of Swiss interests on the shipping company and on the operation of the vessel.</p> <p>4) Unbound except as indicated in Part I; unbound for vessels' crews; unbound for eligibility for subsidies</p> <p>1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I</p>	

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
MARITIME AUXILIARY SERVICES			
- Maritime cargo-handling services (as defined in Attachment I - definition n° 1)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Storage and warehouse services (part of CPC 742)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Customs clearance services (as defined in Attachment I - definition n° 2)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Container station and depot services (as defined in Attachment I - definition n° 3)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Maritime agency services (as defined in Attachment I - definition n° 4)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Maritime freight forwarding services (as defined in Attachment I - definition n° 5)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
B. <u>Internal Waterway Transports</u>	Internal waterway transport on the Rhine		
(a) Passenger transportation (part of CPC 7221)	1) Unbound 2) None 3) None except that in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (at least 66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None except that traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must have an appropriate managing agency in Switzerland 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it	
(b) Freight transportation (part of CPC 7222)	1) Unbound 2) None 3) None except that in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (at least 66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None except that traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must have an appropriate managing agency in Switzerland 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it	

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
(c) Rental of vessels with crew (part of CPC 7223)	1) Unbound 2) None 3) None except that in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (at least 66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None except that traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must have an appropriate managing agency in Switzerland 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it	
(d) Maintenance and repair of vessels (part of CPC 8868)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Pushing and towing services (part of CPC 7224)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(f) Supporting services for internal waterway transport (part of CPC 745)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
<u>C. Air Transport Services</u>			
- Aircraft repair and maintenance services (part of CPC 8868)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Selling and marketing of air transport services	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier 2) None 3) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier 4) Unbound except as indicated in Part I	
- Computer reservation system (CRS) services	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier 2) None 3) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier 4) Unbound except as indicated in Part I	
- Ground-handling services ⁸ (part of CPC 7461)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Airport management services ⁹ (part of CPC 7461)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

⁸ This subsector includes ground administration, passenger handling, ramp handling, aircraft services, fuel and oil handling, flight operations and crew administration, surface transport.

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
D. <u>Space Transport</u> (CPC 733)	1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound	1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound	
E. <u>Rail Transport Services</u>			
(a) Passenger transportation (CPC 7111)	1) Unbound 2) None 3) None except that concession is required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in an ecologically and economically more reasonable way 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Freight transportation (CPC 7112)	1) Unbound 2) None 3) None except that concession is required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in an ecologically and economically more reasonable way 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	

⁹ This subsector includes airport infrastructure and operation services.

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
(c) Pushing and towing services (CPC 7113)	1) Unbound 2) None 3) None except that concession is required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in an ecologically and economically more reasonable way 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Maintenance and repair of rail transport equipment (part of CPC 8868)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
F. Road Transport Services			
(a) Passenger transportation			
- regular, "closed-door" tours only (part of CPC 7121)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- occasional, excluding cabotage and taxi services (part of CPC 7122)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Freight transportation excluding cabotage (part of CPC 7123)	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	

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
(c) Rental of commercial vehicles with operator (CPC 7124)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Maintenance and repair of road transport equipment (CPC 6112 + 8867)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Other supporting services for road transport (CPC 7449)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
H. Services Auxiliary to All Modes of Transport			
(a) Cargo-handling services (CPC 741)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Storage and warehouse services (CPC 742)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Freight transport agency services (CPC 748)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(d) Other auxiliary transport services, excluding local pick up and delivery (part of CPC 749)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
12. OTHER SERVICES			
(a) Washing, cleaning and dyeing services (CPC 9701)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Hairdressing and other beauty services (CPC 9702) ¹⁰	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence required	1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence required	
(c) Other services n.e.c. - Pet-caring services ¹¹ (part of CPC 9709) - Wellness services: - saunas and spas (part of CPC 9709)	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I	

¹⁰ Note for the avoidance of doubt: the CPC categories in this subsector do not include any types of therapeutical, medical, para-medical or rehabilitation treatment.

¹¹ This commitment includes services such as hair-grooming or pet boarding.

ATTACHMENT I

**DEFINITIONS TO THIS SCHEDULE
(MARITIME AUXILIARY SERVICES)**

1. "*Maritime cargo-handling services*" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of the loading/discharging of cargo to/from a vessel, the lashing/unlashing of cargo, the reception/delivery and safekeeping of cargoes before shipment or after discharge.
2. "*Customs clearance services*" means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through-transport of cargoes, whether this service is the main activity of the service supplier or a usual complement of its main activity.
3. "*Container station and depot services*" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.
4. "*Maritime agency services*" means activities consisting in representing as an agent, within a given geographic area, the business interests of one or more shipping lines or shipping companies for the following purposes:
 - (a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
 - (b) acting on behalf of the companies organising the call of the vessel or taking over cargoes when required.
5. "*Maritime freight forwarding services*" means the activity consisting in organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

ATTACHMENT II

ENGLISH TRANSLATIONS USED IN THIS SCHEDULE (MODE 3 – FORMS OF LEGAL ENTITIES)

The list below compiles the translations into English of forms of legal entities as, and to the extent that, they are used in this schedule:¹

"Association" :	association, Verein
"Co-operative society" :	société coopérative, Genossenschaft
"General partnership" :	société en nom collectif, Kollektivgesellschaft
"Limited liability company" :	société à responsabilité limitée (sàrl), Gesellschaft mit beschränkter Haftung (GmbH)
"Foundation" :	fondation, Stiftung
"Joint-stock company" :	société anonyme (SA), Aktiengesellschaft (AG)
"Limited partnership" :	société en commandite, Kommanditgesellschaft
"Stock company with unlimited partners" :	société en commandite par actions, Kommanditaktiengesellschaft

¹ These unofficial translations are based on the ones prevailing most widely in the literature.

ANNEX VIII

REFERRED TO IN PARAGRAPH 1 OF ARTICLE 3.4

LIST OF MFN-EXEMPTIONS

OF ICELAND, LIECHTENSTEIN, NORWAY, SWITZERLAND

SECTION I
LIST OF MFN-EXEMPTIONS OF ICELAND

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
ALL SECTORS	<p>Measures aimed at promoting Nordic cooperation such as:</p> <ul style="list-style-type: none"> - guarantees and loans to investment projects and exports (The Nordic Investment Bank) - financial support to R&D projects (The Nordic Industrial Fund) - funding of feasibility studies for international projects (The Nordic Fund for Project Exports) - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Corporation). 	<p>Denmark, Finland, Iceland, Norway and Sweden</p> <p>(*) Applies to East European companies, which are co-operating with a Nordic company.</p>	Indefinite	To maintain and develop Nordic Cooperation

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services; transmission of audiovisual programmes	Measures that are adopted for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (no. 89/552) and which define programmes of European origin in order to extend national treatment to audiovisual programmes meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries parties to the EEA Agreement with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives
Audiovisual services; production and distribution of cinematographic works and television programmes	<p>Measures that are adopted for the implementation of benefits in conformity with such support programmes as MEDIA and EURIMAGES to audiovisual programmes and suppliers to these programmes, meeting specific European origin criteria</p> <p>Support programmes for the production and distribution of cinematographic works and television programmes (The Nordic Film and TV Fund)</p>	<p>European countries</p> <p>Denmark, Finland, Norway and Sweden</p>	<p>Indefinite</p> <p>Indefinite</p>	<p>Preservation and promotion of the regional identity of the countries concerned</p> <p>To maintain and develop Nordic cooperation</p>

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	Measures based upon government-to-government framework agreements, and plurilateral agreements, on co-production of audiovisual works, which confer National Treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding	All countries with whom cultural cooperation may be desirable (agreements already exist, or are being negotiated, with the following countries: France, Canada)	Indefinite (The promotion of cultural links between countries cannot be time bound)	The aim of these agreements is to promote cultural links between the countries concerned

SECTION II

LIST OF MFN-EXEMPTIONS OF LIECHTENSTEIN

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services	<p>To confer national treatment to audiovisual works covered by bi- or plurilateral agreements on co-production in the field of audiovisual works, in particular in relation to access to funding and to distribution</p> <p>Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screentime which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria</p> <p>Concessions for the operation of radio or television broadcast stations may be granted to persons of countries other than Liechtenstein</p>	<p>All countries with whom cultural co-operation may be desirable</p> <p>European countries</p> <p>All countries with whom cultural co-operation may be desirable</p>	<p>Indefinite</p> <p>Indefinite</p> <p>Indefinite</p>	<p>Promotion of common cultural objectives</p> <p>Promotion of cultural objectives based on long standing cultural links</p> <p>Promotion of common cultural objectives, and to regulate access to a market limited in scale in order to preserve diversity of supply</p>

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Construction and related Engineering	The right of commercial presence and the right of presence of natural persons is dependent on reciprocity for service providers from Liechtenstein	All countries	Indefinite	To ensure adequate market access to services providers from Liechtenstein
Road transport services (passenger and freight)	To regulate, on the basis of mutual access to the market, transport of goods and/or passengers by vehicles registered in countries other than Liechtenstein in, into, out of, or in transit through Liechtenstein territory, normally based on bilateral agreements	All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approx. 45 countries)	Exemption needed until multilateral liberalization of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon	To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment
All sectors	Measures based on bilateral agreements between Switzerland and Liechtenstein, with the objective of providing for the movement of all categories of natural persons supplying services. According to the Liechtenstein legislation the right of presence of natural persons in all sectors is dependent on reciprocity for services providers from Liechtenstein	Switzerland All countries	Indefinite Indefinite	Elements of a comprehensive set of bilateral agreements between Switzerland and Liechtenstein. To ensure adequate market access to services providers from Liechtenstein

SECTION III
LIST OF MFN-EXEMPTIONS OF NORWAY

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Road transport: Passenger and Freight	Provisions of existing and future road transport agreements with one or more countries to reserve traffic rights for carriage to/from Norway and between third countries concerned. Road cabotage can also be allowed for specific countries	All countries	Indefinite	Regional specificity of road transport services
Audiovisual services: Transmission of audiovisual programmes to the public	Measures that are taken for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (No. 89/552) and which define programmes of European origin in order to extend national treatment to audiovisual programs meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services: Motion picture and video tape production and distribution services	To confer national treatment on audiovisual works through government-to-government framework agreements on film co-production. Such works may in some cases receive access to funding when this would not otherwise be available to co-production.	All countries	Indefinite	The aim of such agreements is to promote cultural links between the countries concerned
Audiovisual services: Production and distribution of cinematographic works and television programmes in Nordic countries	Measures that are adopted for the implementation of benefits in conformity with such support programs as the NORDIC FILM and TV FUND in order to enhance production and distribution of audiovisual works produced in Nordic countries	Finland, Norway, Sweden, Iceland and Denmark	Indefinite	Preservation and promotion of the regional identity of the countries concerned
Audiovisual services: Production and distribution of cinematographic works and television programs	Measures that are adopted for the implementation of benefits in conformity with such support programs as MEDIA and EURIMAGES to audiovisual programs and suppliers to these programs, meeting specific European origin criteria	European countries	Indefinite	Preservation and promotion of the regional identity of the countries concerned

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	<p>Measures aimed at promoting Nordic co-operation, such as:</p> <ul style="list-style-type: none"> - guarantees and loans to investment projects and exports (The Nordic Investment Bank); - financial support to R&D projects (The Nordic Industrial Fund); - funding of feasibility studies for international projects (The Nordic Fund for Project Exports); - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Co-operation) 	<p>Denmark, Sweden, Finland, Iceland and Norway</p> <p>(*) Applies to East European companies, which are co-operating with one or more Nordic companies.</p>	Indefinite	To maintain and develop Nordic co-operation

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
CRS and sales and marketing of air transport services	The obligations of CRS system vendors or of parent and participating air carriers shall not apply where equivalent treatment is not accorded in the country of origin of the parent carrier or of the system vendor	All countries where a CRS system vendor or a parent air carrier is located	Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS
Domestic Maritime Transport: Passenger and Freight	Provisions of agreements on access to domestic maritime transport	Denmark, Finland, Iceland, Germany, Sweden and UK	Indefinite	These agreements go beyond the rights covered by the EEA agreement and are thus applicable. The exemption will allow for entering partial and progressive commitments in this sector.

SECTION IV
LIST OF MFN-EXEMPTIONS OF SWITZERLAND

Sector or subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services	<p>To confer national treatment to audiovisual works covered by bilateral or plurilateral agreements on coproduction in the field of audiovisual works, in particular in relation to access to funding and to distribution</p> <p>Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screen time which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria</p>	<p>All countries with whom cultural cooperation may be desirable (at present agreements exist with member countries of the Council of Europe and with Canada)</p> <p>European countries</p>	<p>Indefinite</p> <p>Indefinite</p>	<p>Promotion of common cultural objectives</p> <p>Promotion of common cultural objectives based on longstanding cultural links</p>

Sector or subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services - only terrestrial broadcasting or when broadcaster wants to be supported financially through revenues of reception fees	Concessions for the operation of radio or television broadcast stations may be granted, on the basis of reciprocity with regard to foreign capital participation in this sector	All countries in which access to broadcasting services is granted on the same basis as under Swiss law	Indefinite	Promotion of common cultural objectives, and to regulate access to a market limited in scale (given the size of Switzerland) in order to preserve diversity of supply
Internal waterways transport	To allow transport services on the Rhine including cabotage to vessels registered in countries other than Switzerland on the basis of the Mannheim Convention (including related additional articles and protocols) and other agreements on internal waterways transport in Europe	Beneficiaries of the Mannheim Convention and other agreements relating to internal waterways transport in Europe to which Switzerland may be a member (at present members of EC)	Indefinite	To regulate transport capacity on inland waterways
Road transport services (passenger and freight)	To regulate, on the basis of mutual access to the market, transport of goods and/or passengers by vehicles registered in countries other than Switzerland in, into, out of, or in transit through Swiss territory, normally based on bilateral agreements	All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approximately 45 countries)	Exemption needed until multilateral liberalization of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon	To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment

Sector or subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	Measures based on bilateral agreements between the Principality of Liechtenstein, or the European Community and/or its Member States and Switzerland, with the objective of providing for the movement of all categories of natural persons supplying services	The Principality of Liechtenstein and the EC	Indefinite	Elements of a comprehensive set of bilateral agreements between Switzerland and the Principality of Liechtenstein and between Switzerland and the EC

ANNEX IX

REFERRED TO IN PARAGRAPH 3 OF ARTICLE 3.9

MUTUAL RECOGNITION

ANNEX IX

REFERRED TO IN PARAGRAPH 3 OF ARTICLE 3.9

MUTUAL RECOGNITION

Article 1

Standards for Service Suppliers

The Parties shall encourage their respective relevant bodies to develop mutually acceptable standards and criteria applied by each Party for authorisation, licensing, accreditation, operation and certification of service suppliers, in particular for professional services, and to facilitate mutual recognition with due regard to international co-operation in the field and to relevant international instruments and standards. The Parties shall report periodically to the Joint Committee on progress and on impediments experienced.

Article 2

Temporary Licensing

Where the Parties agree, each Party shall encourage its relevant bodies to develop procedures for the temporary licensing of professional service suppliers of other Parties.

Article 3

Review

Upon receipt of a report referred to in Article 1, the Joint Committee shall review that report within a reasonable period of time. Based on the Joint Committee's review, each Party shall, where appropriate, encourage its relevant bodies to determine measures to facilitate mutual recognition.

ANNEX X

REFERRED TO IN PARAGRAPH 4 OF ARTICLE 3.16

TELECOMMUNICATIONS SERVICES

ANNEX X

REFERRED TO IN PARAGRAPH 4 OF ARTICLE 3.16

TELECOMMUNICATIONS SERVICES

Article 1

Definitions

For the purposes of this Annex:

- (a) “telecommunications services” means the transmission and reception of signals by any electromagnetic means, excluding broadcasting;
- (b) “regulatory authority” means the body or bodies entrusted with any of the regulatory tasks assigned in relation to the issues covered by this Annex; and
- (c) “essential telecommunications facilities” means facilities of a public telecommunications transport network or service that:
 - (i) are exclusively or predominantly provided by a single or a limited number of suppliers; and
 - (ii) cannot feasibly be economically or technically substituted in order to provide a service.

Article 2

Regulatory Authority

1. Each Party shall ensure that its regulatory authority is separate from, and not accountable to, any supplier of basic telecommunications services.
2. Each Party shall ensure that the decision of and the procedures used by its regulatory authority are impartial with respect to all market participants.
3. Each Party shall ensure that a supplier affected by a decision of its regulatory authority has recourse to appeal to an independent administrative body and/or a court.

Article 3

Licensing Procedure

1. Where a license is required to supply telecommunications services, each Party shall make publicly available:

- (a) all the licensing criteria and the terms and conditions for such a license; and

(b) the period of time normally required to reach a decision concerning an application for a license.

2. Where a license is required to supply a service, and if an applicant fulfils the conditions under paragraph 1(a), the Party shall grant the applicant the license within a reasonable period of time.

3. When a Party denies the application for a license, it shall, upon request, provide the applicant with the reasons for such denial.

Article 4

Scarce Resources

Each Party shall carry out any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, in an objective, timely, transparent and non-discriminatory manner. Each Party shall make publicly available the current state of allocated frequency bands.

Article 5

Competitive Safeguards

1. A major supplier is a supplier that has the ability to materially affect the terms of participation, having regard to price and supply, in the relevant market for a basic telecommunications services as a result of:

(a) control over essential facilities; or

(b) the use of its position in the market.

2. Each Party shall maintain appropriate measures for the purpose of preventing suppliers that, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

3. The anti-competitive practices referred to in paragraph 2 shall include in particular:

(a) engaging in anti-competitive cross-subsidisation;

(b) using information obtained from competitors with anti-competitive results; and

(c) not making available to other service suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to supply services.

Article 6

Interconnection

1. Rights and obligations regarding interconnection shall be governed by the GATS.

2. Each Party shall ensure that a major supplier provides interconnection at any technically feasible point in the network. Such interconnection shall be provided:

- (a) under non-discriminatory terms, conditions, including technical standards and specifications, and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions, including technical standards and specifications, and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the services to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

3. Each Party shall make the procedure applicable for interconnection to a major supplier publicly available.

4. Each Party shall ensure that a major supplier makes either its interconnection agreements and/or a reference interconnection offer publicly available.

5. Where suppliers are unable to resolve disputes regarding the negotiation of an interconnection agreement with a major supplier within a stipulated time, each Party shall ensure that the suppliers have recourse to assistance from its relevant regulatory authority to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time. The relevant regulatory authority shall fix the conditions for the interconnection in accordance with the normal principles governing the market and the sector in question and in accordance with the principles set out in this Annex, in particular Articles 2 and 6. The assistance may include special conciliation proceedings.

Article 7

Universal Service

Each Party has the right to define the kind of universal service obligations it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided that they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Party.

ANNEX XI

REFERRED TO IN PARAGRAPH 4 OF ARTICLE 3.16

CO-PRODUCTION OF BROADCASTING PROGRAMMES

ANNEX XI

REFERRED TO IN PARAGRAPH 4 OF ARTICLE 3.16

CO-PRODUCTION OF BROADCASTING PROGRAMMES

Article 1

Scope

1. For the purposes of this Annex, the term “co-production” refers to projects, including animation and documentary productions, produced for broadcasting including new media services.
2. Co-productions undertaken under this Annex must be approved by the following authorities (hereinafter referred to as “competent authorities”):

For Korea:	the Korean Broadcasting Commission;
For Iceland:	the Ministry of Education;
For Liechtenstein:	the Ministry of Culture;
For Norway:	the Norwegian Film Fund (for co-productions with independent producers) and the Norwegian Media Authority (for co-productions with TV broadcasters); and
For Switzerland:	the Federal Office of Culture.

Article 2

National Treatment

A co-production produced under this Annex shall be considered to be national production, regarding TV broadcasting in each of the Parties involved in that co-production, subject to the national legislation in force in the Parties involved. In respect of funding of co-productions, each Party maintains its own principles and practices.

Article 3

Market Access

No restrictions other than those contained in the legislation and regulations in force in each of the Parties involved shall be placed on the import, distribution and exhibition of a Party’s broadcasting productions in other Parties involved.

Article 4

Temporary Entry

Subject to their legislation and regulations in force, the Parties shall facilitate the temporary entry into their respective territories of the creative and technical personnel and the performers engaged by a co-producer for the purpose of the co-production. The Parties shall similarly permit the temporary entry and re-export of any equipment necessary for the co-production.

Article 5

Contribution and Ownership

1. The proportion of the respective contributions of the co-producers shall not be less than 20 percent of the budget for each co-production.

2. The co-producers shall be required to make an effective technical and creative contribution proportionate to their respective investment.

3. The ownership and use of the copies of the production and reproduction materials and the access to the original production material shall be agreed upon by the co-producers.

Article 6

Language

1. The original sound track of each co-production shall be made in a national language of a Party involved. Shooting in any or several of these languages is permitted. Dialogue in other languages may be included in the co-production as the script requires.

2. The dubbing or subtitling of each co-production into the national language of a Party shall be carried out in that Party. Any departures from that rule must be approved by the competent authorities of the Parties involved.

Article 7

Exports

Where a co-production is exported to a country that has quota regulations:

- (a) it shall, in principle, be included in the quota of the Party of the majority co-producer; or
- (b) it may be included in the quota of the Party that has the best opportunity of arranging for its export.

Article 8

Rules of Procedure

Rules of procedure regarding co-production may be established by the Joint Committee at its first meeting.

ANNEX XII

REFERRED TO IN ARTICLE 6.2

CONTACT POINTS REGARDING GOVERNMENT PROCUREMENT

ANNEX XII

REFERRED TO IN ARTICLE 6.2

CONTACT POINTS REGARDING GOVERNMENT PROCUREMENT

1. The contact points for the exchange of information regarding government procurement are the following:

For Korea:

The Ministry of Finance and Economy.

For the EFTA States:

Iceland: The Ministry of Finance

Liechtenstein: The Office of Foreign Affairs

Norway: The Ministry of Modernisation

Switzerland: The State Secretariat for Economic Affairs.

2. The Parties shall regularly exchange coordinates of the contact points.

ANNEX XIII

REFERRED TO IN PARAGRAPH 1 OF ARTICLE 7.1

INTELLECTUAL PROPERTY RIGHTS

ANNEX XIII

REFERRED TO IN PARAGRAPH 1 OF ARTICLE 7.1

Article 1

International Conventions

1. The Parties reaffirm their obligations set out in the international agreements to which they are party, in particular the following multilateral agreements:

- (a) WTO Agreement of 15 April 1994 on Trade-Related Aspects of Intellectual Property Rights;
- (b) Paris Convention of 20 March 1883 for the Protection of Industrial Property (Stockholm Act, 1967); and
- (c) Berne Convention of 9 September 1886 for the Protection of Literary and Artistic Works (Paris Act, 1971).

2. The Parties that are not party to one or more of the multilateral agreements listed below, shall ratify or accede to them, or shall apply their substantive standards, at the latest by 2008:

- (a) WIPO (World Intellectual Property Organization) Performances and Phonograms Treaty (Geneva 1996);
- (b) WIPO Copyright Treaty (Geneva 1996); and
- (c) International Convention of 26 October 1961 for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome Convention).

Article 2

Patents

The Parties shall ensure in their national laws at least the following:

- (a) adequate and effective patent protection for inventions in all fields of technology, provided that they are new, involve an inventive step and are capable of industrial application.

For Korea, Iceland, Liechtenstein and Switzerland this means protection on a level corresponding to the one in Article 27.1 of the TRIPS Agreement. In addition to what is provided for in Article 27.2 of the TRIPS Agreement, the Parties may exclude from patentability:

- (i) diagnostic, therapeutic and surgical methods for the treatment of humans or such methods practised on the animal body; this provision shall not apply to products, in particular substances or compositions, for use in any of these methods; and

(ii) plant or animal varieties or essentially biological processes for the production of plants or animals; this provision shall not apply to microbiological processes or the products thereof. Plant varieties shall be protected either by patents or by an effective *sui generis* system or by any combination thereof.

For Norway, this means protection on a level corresponding to the one in the Agreement on the European Economic Area of 2 May 1992, as implemented in national law;

(b) a compensatory term of protection for pharmaceuticals and plant protection products¹ for a period of up to five years for curtailment of the effective patent term as a result of the marketing approval process; and

(c) that any granting of compulsory licenses is in compliance with the conditions of the TRIPS Agreement and the Declaration on the TRIPS Agreement and Public Health (adopted at the WTO's DOHA Ministerial on 14 November 2001).

Article 3

Undisclosed Information

The Parties shall protect undisclosed information in accordance with Article 39 of the TRIPS Agreement. The Parties shall prevent applicants for marketing approval for pharmaceuticals and agricultural chemical products from relying on undisclosed test or other undisclosed data, the origination of which involves a considerable effort, submitted by the first applicant to the competent authority for marketing approval for pharmaceuticals and agricultural chemical products, utilising new chemical entities, for an adequate number of years² from the date of approval, except where approval is sought for original products. Any Party may instead allow in their national legislation applicants to rely on such data if the first applicant is adequately compensated³.

Article 4

Industrial Designs

The Parties shall ensure in their national laws adequate and effective protection of industrial designs by providing a period of protection of at least 15 years. Any Party may provide for a shorter period of protection for designs of component parts used for the purpose of the repair of a product.

Article 5

¹ "Plant protection products" shall encompass at least:

- products which protect plants or plant products against all harmful organisms or prevent the action of such organisms, in so far as such substances or preparations are not otherwise defined below;
- products which influence the life processes of plants, other than as a nutrient (e.g. plant growth regulators);
- products which destroy undesirable plants; or
- products which destroy parts of plants, check or prevent undesirable growth of plants.

² The number of years shall be determined by the relevant laws and regulations of the Parties.

³ The Parties note that Korea currently does not have such a compensation system.

Geographical Indications

1. The Parties shall provide in their national laws for adequate and effective means to protect geographical indications, including appellations of origin, with regard to all goods.
2. With regard to the use of such indications for services, the Parties shall provide in their national laws for adequate and effective means to prevent the use of indications in a manner that misleads the public regarding the geographic origin of the service or that otherwise constitutes an act of unfair competition⁴.
3. Korea, Iceland, Liechtenstein and Switzerland agree to initiate negotiations on the adoption of an agreement on the mutual protection of geographical indications three years after the entry into force of this Agreement.

Article 6

Acquisition and Maintenance of Intellectual Property Rights

Where the acquisition of an intellectual property right is subject to the right being granted or registered, the Parties shall ensure that the procedures for grant or registration are in accordance with the TRIPS Agreement, in particular Article 62 thereof.

Article 7

Enforcement of Intellectual Property Rights

The Parties shall provide for enforcement provisions under their national laws in accordance with the TRIPS Agreement, in particular Articles 41 to 61 thereof.

⁴ It is up to the Parties to define which use constitutes an act of unfair competition.

JOINT DECLARATION

If this Agreement enters into force after 30 September 2006, the schedule of tariff reduction and elimination of customs duties in Annexes IV, V and VI shall be arranged as follows:

- (a) the first tariff reduction shall take place upon entry into force of this Agreement, and
- (b) the following steps for tariff elimination specified in Annexes IV, V and VI will be postponed by one year.

DECLARATION BY KOREA AND SWITZERLAND
ON MEDICAL DEVICES

Pursuant to Article 2.8 of the Agreement, Korea and Switzerland declare their intention to continue their exploration on a possible arrangement aiming to facilitate the acceptance of conformity assessment results for medical devices.

**RECORD OF UNDERSTANDING
RELATING TO THE FREE TRADE AGREEMENT BETWEEN
KOREA AND THE EFTA STATES**

Chapter 3 (Trade in Services) and Chapter 4 (Financial Services)

It is understood that, in respect of subsidies, the scope of Chapters 3 and 4 is the same as the scope of the GATS.

It is furthermore recognized that, in certain circumstances, subsidies may have distortive effects on trade in services and Parties take note of the GATS negotiations.

It is understood in particular that a Party which considers that it is adversely affected by a subsidy of another Party may request consultations.

Article 3.6 – National Treatment

It is understood that, in respect of treatment accorded by a local government or authority of a Party, the term “its own like services or service suppliers” means like services or service suppliers of that Party, including of itself.

Article 3.14 – Restrictions to Safeguard the Balance of Payments

It is understood that paragraph 2 (a) of Article XII of the GATS does not apply to restrictions to specific commitments in a sector beyond those committed under the GATS provided such restrictions are applied on a non-discriminatory basis with regard to services or service suppliers of those countries which are enjoying the same access to the market in that sector.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Record of Understanding.

Done at Hong Kong, this 15th day of December 2005, in a single original in the English language, which shall be deposited with the Government of Norway. The Depositary shall transmit certified copies to all Signatory States.

For the Republic of Korea

For the Republic of Iceland

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For the Principality of Liechtenstein

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For the Kingdom of Norway

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For the Swiss Confederation

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