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PROPOSAL

from: European Commission
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Subject: Proposal for a COUNCIL DECISION on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part
- Annex V

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2013) 289 final - Annex V



Brussels, 15.5.2013
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Annex V

ANNEX

Annex XVI to Title IV of the Association Agreement between the European Union and its Member States, of the one part, and Ukraine of the other

ANNEX V

to the

PROPOSAL FOR A COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and its Member States, of the one part, and Ukraine of the other part

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Annex XVI to Title IV of the Association Agreement between the European Union and its Member States, of the one part, and Ukraine of the other

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ANNEX XVI

LIST OF RESERVATIONS ON ESTABLISHMENT; LIST OF COMMITMENTS ON CROSS-BORDER SUPPLY OF SERVICES; LIST OF RESERVATIONS ON CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS

EU Party

1. Reservations in conformity with Article 88(2) (Establishment): Annex XVI-A
2. List of commitments in conformity with Article 95(1) (Cross-Border Supply): Annex XVI-B
3. Reservations in conformity with Articles 101 (Contractual services suppliers) and 102 (Independent Professionals): Annex XVI-C

Ukraine

4. Reservations in conformity with Article 88(3) (Establishment) Annex XVI-D;
5. List of commitments in conformity with Article 95(1) (Cross-Border Supply): Annex XVI-E
6. Reservations in conformity with Articles 101 (Contractual services suppliers) and 102 (Independent Professionals): Annex XVI-F
7. The following abbreviations are used for the purpose of Annexes XVI-A, XVI-B, XVI-C:

AT	Austria
BE	Belgium

BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EU	European Union, including all its Member States
ES	Spain
EE	Estonia
FI	Finland
FR	France
EL	Greece
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SK	Slovak Republic
SI	Slovenia
SE	Sweden
UK	United Kingdom

8. The following abbreviation is used for the purpose of Annexes XVI-D, XVI-E, XVI-F:

UA	Ukraine
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ANNEX XVI-A

EU PARTY RESERVATIONS ON ESTABLISHMENT

(Referred to in Article 88(2))

1. The list below indicates the economic activities where reservations to national treatment or most favourable treatment by the EU pursuant to Article 88(2) apply to establishments and investors of Ukraine.

The list is composed of the following elements:

- (a) A list of horizontal reservations applying to all sectors or sub-sectors.
- (b) A list of sector or sub-sector-specific reservations indicating the sector or sub-sector concerned alongside the applicable reservation(s).

A reservation corresponding to an activity which is not liberalised (Unbound) is expressed as follows: "No national treatment and most favoured nation treatment obligations".

When a reservation under (a) or (b) only includes Member State-specific reservations, Member States not mentioned therein undertake the obligations of Article 88(2) in the sector concerned without reservations (the absence of Member State-specific reservations in a given sector is without prejudice to horizontal reservations or to sectoral EU-wide reservations that may apply).

2. In accordance with Article 85(3) of the Agreement, the list below does not include measures concerning subsidies granted by the Parties
3. For the sectors concerned by regulatory approximation, as set out in Annex XVII, the restrictions listed hereunder shall be lifted in accordance with Article 4(3) of Annex XVII.
4. The rights and obligations arising from the list below shall have no self-executing effect and thus confer no rights directly on natural or legal persons.

Horizontal reservations

Public utilities

EU: Economic activities considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators.

Investment and types of establishment

EU: Treatment accorded to subsidiaries (of Ukraine companies) formed in accordance with the law of a Member State and having their registered office, central administration or principal place of business within the Union is not extended to branches or agencies established in a Member State by a Ukraine company.

EU: Incorporation in the EU is required in some Member States for establishment in some services sectors.¹

EE: If at least one half of the members of the management board of the private or public limited company do not have their residence in Estonia, in another Member State of the European Economic Area or Switzerland, the company shall provide the registrar information (including address) about a person having his/her residence in Estonia who is entitled on behalf of the company to receive procedural documents of the company and to accept declarations of intention addressed to the company.

AT: Managing directors of branches of juridical persons must be resident in Austria; natural persons responsible within a juridical person or a branch for the observance of the Austrian Trade Act must have a domicile in Austria.

FI: A foreign juridical person carrying on trade as a partner in a Finnish limited or general partnership needs a trade permit from the National Board of Patents and Registration unless the juridical person is already established in the EEA. If a foreign organization intends to carry on a business or trade by establishing a branch in Finland, a trade permit is required. For all sectors, at least one of the Members and deputy Members of the Board have to be residents in the EEA; however exemptions may be granted to certain companies.

FI: The acquisition of shares by foreign owners giving more than one third of the voting rights of a major Finnish company or a major business undertaking (with more than 1000 employees or with a turnover exceeding 168 million Euros or with a balance sheet total exceeding 168 million Euros) is subject to confirmation by the Finnish authorities; the confirmation may be denied only if an important national interest would be jeopardized. These limitations do not apply to telecommunications services, except as regards the residency requirement concerning the Members of the Board.

SK: A foreign natural person whose name is to be registered in the Commercial Register as a person authorized to act on behalf of the entrepreneur (company) is required to submit a temporary residence permit for the Slovak Republic.

HU: No national treatment and most favourable nation treatment obligations for the acquisition of state owned properties.

PL: All sectors except for legal services and services provided by healthcare units: the establishment by foreign service suppliers may only take the form of limited partnership, limited liability company or joint stock company.

Real estate purchase

In the following Member States, the purchase of real estate is subject to limitations.

AT: The acquisition, purchase as well as rent or lease of real estate by foreign natural persons and juridical persons requires an authorization by the competent regional authorities (Länder) which will consider whether important economic, social or cultural interests are affected or not.

¹ For the sake of clarity, incorporation is to be understood as the establishment of a juridical person.

BG: Foreign natural and juridical persons (incl. through a branch) cannot acquire ownership of land. Bulgarian juridical persons with foreign participation cannot acquire ownership of agricultural land. Foreign juridical persons and foreign citizens with permanent residence abroad can acquire ownership of buildings and limited property rights (right to use, right to build, right to raise a superstructure and servitudes) of real estate.

CZ: Agricultural and forest land can be acquired only by foreign juridical persons with permanent residence in the Czech Republic. Specific rules apply to the agricultural and forest land in the state ownership. These limitations are valid until 7 years after Czech accession to the EU.

DK: Limitations on real estate purchase by non-resident physical and legal entities. Limitations on agricultural estate purchased by foreign physical and legal entities.

HU: Subject to the exceptions included in legislation on arable land, foreign natural and legal persons are not allowed to acquire arable land. The purchase of real estate by foreigners is subject to obtaining permission from the country public administration agency competent on the basis of the location of real estate.

EE: Limitations on the acquisition of agricultural, forest and border land.

EL: According to Law No. 1892/90, permission from the Ministry of Defence is needed for acquisition of land in areas near borders. According to administrative practices, permission is easily granted for direct investment.

MT: The requirements of Maltese legislation and regulations regarding acquisition of real property shall continue to apply

LT: Acquisition into ownership of land, internal waters and forests shall be permitted to foreign subjects meeting the criteria of European and transatlantic integration. The land plot acquisition procedure, terms and conditions, as well as restrictions shall be established by the constitutional law.

LV: Limitations on the acquisition of land in rural areas and land in cities or urban areas.

PL: The acquisition of real estate, direct and indirect requires a permit. A permit is issued through an administrative decision by a minister competent in internal affairs, with the consent of the Minister of National Defense, and in the case of agricultural real estate, also with the consent of the Minister of Agriculture and Rural Development.

RO: Natural persons not having Romanian citizenship and residence in Romania, as well as legal persons not having Romanian nationality and their headquarters in Romania, cannot acquire ownership over any kind of land plots, through inter vivos acts.

SI: Branches established in the Republic of Slovenia by foreign persons may only acquire real estate, except land, necessary for the conduct of the economic activities for which they are established.

SK: Agricultural and forest land cannot be acquired by foreign juridical or natural persons. Specific rules apply to certain other real estate categories

Agriculture, Hunting

FR: The establishment of agricultural enterprises by non-EU companies and the acquisition of vineyards by non EU investors are subject to authorisation.

Fishing and Aquaculture

EU: Access to and use of the biological resources and fishing grounds situated in the maritime waters coming under the sovereignty or within the jurisdiction of Member States of the European Union may be restricted to fishing vessels flying the flag of a European Union territory unless otherwise provided for.

Professional services

EU²: No national treatment and most favourable treatment obligations with respect to legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.

AT: With respect to legal services, foreign lawyers' (who must be fully qualified in their home country) equity participation and shares in the operating result of any law firm may not exceed 25 per cent. They may not have decisive influence in decision-making. For foreign minority investors, or its qualified personnel, provision of legal services is only authorized in respect of public international law and the law of the jurisdiction where they are qualified to practice as a lawyer; provision of legal services in respect of domestic (EU and Member State) law including representation before courts requires full admission to the bar, which is subject to a nationality condition.

With respect to accounting, bookkeeping, auditing and taxation advisory services, equity participation and voting rights of persons entitled to exercise the profession according to foreign law may not exceed 25 per cent. No national treatment and most favourable nation treatment obligations for medical (except for dental services and for psychologists and psychotherapists) and veterinary services.

BG: With respect to legal services, some types of legal form ("*advokatsko sadrujje*" and "*advokatsko drujestvo*") are reserved to lawyers fully admitted to the Bar in Bulgaria. With respect to architectural services, urban planning and landscape architectural services, Engineering and Integrated engineering services Foreign natural and legal persons, possessing recognized licensed designer competence under their national legislation, may survey and

²

Provision of legal services is only authorised in respect of public international law, EU law and the law of any jurisdiction where the investor or its personnel is qualified to practice as a lawyer, and, like the provision of other services, is subject to licensing requirements and procedures applicable in Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these may take *inter alia* the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained) insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country. Legal services in respect of EU law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in the EU acting personally, and legal services in respect of the law of a Member State of the European Union shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in that Member State acting personally. Full admission to the Bar in the relevant Member State of the European Union might therefore be necessary for representation before courts and other competent authorities in the EU since it involves practice of EU and national procedural law. However, in some Member States, foreign lawyers not fully admitted to the Bar are allowed to represent in civil proceedings a party being a national or belonging to the State in which the lawyer is entitled to practice.

design works in Bulgaria independently only after winning a competitive procedure and when selected as contractors under the terms and according to the procedure established by the Public Procurement Act.

FR: With respect to legal services, some types of legal form ("association d'avocats" and "société en participation d'avocat") are reserved to lawyers fully admitted to the Bar in France. With respect to architectural services, medical (including psychologists) and dental services, midwife services and services provided by nurses, physiotherapists and paramedical personnel foreign investors only have access to the legal forms of "société d'exercice libéral" and "société civile professionnelle". No national treatment and most favourable nation treatment obligations with respect to granting of exclusive rights in the area of placement services.

HU: Establishment should take the form of partnership with a Hungarian barrister (ügyvéd) or a barrister's office (ügyvédi iroda), or representative office.

PL: While other types of legal form are available for EU lawyers, foreign lawyers only have access to the legal forms of registered partnership, limited partnership or a limited joint-stock partnership.

FI: With respect to auditing services residency requirement for at least one of the auditors of a Finnish Liability company.

LT: With respect to auditing services, at least $\frac{3}{4}$ of shares of an audit company must belong to auditors or auditing companies of EU or EEA. Full admission to the Bar required for the practice of domestic (EU and Member State) law, which is subject to a nationality condition.

LV: In a commercial company of sworn auditors more than 50 per cent of the voting capital shares shall be owned by sworn auditors or commercial companies of sworn auditors of the EU or the EEA.

Research and Development services

EU: For publicly funded Research and Development services, exclusive rights and/or authorisations can only be granted to EU nationals and to EU juridical persons having their headquarters in the EU.

Rental/Leasing without Operators

EU: With respect to rental and leasing relating to aircraft, although waivers can be granted for short term lease contracts, aircraft must be owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific criteria regarding ownership of capital and control (including nationality of directors).

Other business services

AT: Regarding placement services and labour leasing agencies, authorization can only be granted to juridical persons having their headquarter in the EEA and members of the management board or managing partners/shareholders entitled to represent the juridical person have to be EEA-citizens and have to be domiciled in the EEA.

BE: With respect to security services, EU citizenship and residence is required for managers.

LV: With respect to investigations services, only detective companies whose head and every person who has an office in the administration institutions thereof is a national of the EU or the EEA are entitled to obtain a license. With respect to security services, at least half of the equity capital should be possessed by physical and juridical persons of the EU or the EEA to obtain a license.

LT: The activity of security services, may only be undertaken by persons with the citizenship of the European Economic Area or a NATO country.

EE: No national treatment and most favourable nation treatment obligations for security services.

PL: With respect to investigation services, license may be granted to the entrepreneur who is a natural person or to the plenipotentiary possessing professional eligibility (detective license). In the case of the entrepreneur not being a natural person – the professional eligibility must be held at least by one of the members authorized to representation or to a plenipotentiary. The professional license can be granted to a person holding Polish citizenship or to a citizen of another EU Member State, EEA or Switzerland. With respect to security service license may be granted to the entrepreneur who is a natural person possessing a second grade professional license; to the entrepreneur not being a natural person, if the license is possessed by at least one member, being a shareholder of the general partnership or a limited partnership; member of the board; proxy or plenipotentiary who is engaged by an entrepreneur to manage the activity specified in the license. A professional license may be granted only to a person holding Polish citizenship or to a citizen of another EU Member State, EEA or Switzerland.

DK: With respect to security services, managers and majority of the board must reside in Denmark.

SK: With respect to investigation services and security services, licences may be granted only if there is no security risk and if all managers are citizens of the EU, EEA or Switzerland.

ES: With respect to security services access is subject to prior authorization.

FR: No national treatment obligation and most favorable nation treatment obligations with respect to the attribution of rights in the area of placement services.

PT: No national treatment and most favorable nation treatment obligations for investigation services.

Distribution services

EU: No national treatment and most favourable nation treatment obligations with respect to distribution of arms, munitions and explosives.

FR: No national treatment and most favourable nation treatment obligations with respect to granting of exclusive rights in the areas of tobacco retail.

FI: No national treatment and most favourable nation treatment obligations with respect to distribution of alcohol and pharmaceuticals.

AT: No national treatment and most favourable nation treatment obligations with respect to distribution of pharmaceuticals.

Financial services³

EU: Only firms having their registered office in the European Union can act as depositories of the assets of investment funds. The establishment of a specialised management company, having its head office and registered office in the same Member State, is required to perform the activities of management of unit trusts and investment companies.

BG: Pension insurance shall be implemented through participation in incorporated pension insurance companies. Permanent residence in Bulgaria is required for the chairperson of the management board and the chairperson of the board of directors. Before establishing a branch or agency to provide certain classes of insurance, a foreign insurer must have been authorized to operate in the same classes of insurance in its country of origin.

HU: Asset management services to domestic compulsory private pension funds and to voluntary mutual insurance funds are reserved to companies having their seats in an EU member state or their branches.

PT: Pension fund management may be provided only by specialized companies incorporated in Portugal for that purpose and by insurance companies established in Portugal and authorised to take up the life insurance business or by entities authorised to pension fund management in other EU Member States.

In order to establish a branch in Portugal, foreign insurance companies need to demonstrate prior operational experience of at least five years.

FI: For insurance companies providing statutory pension insurance: at least one half of the promoters and members of the board of directors and the supervisory board shall have their place of residence in the EU, unless the competent authorities have granted an exemption.

Other insurance companies than those providing statutory pension insurance: residency requirement for at least one member of the board of directors and supervisory board.

IT: Only banks, insurance companies, investment firms, and companies managing UCITS harmonised under the legislations of the European Union, having their legal head office in the European Union, as well as UCITS incorporated in Italy may carry out activity of pension fund resources management. In providing the activity of door-to-door selling, intermediaries must utilise authorised financial salesmen listed in the Italian register. Representative offices of foreign intermediaries cannot carry out activities aimed at providing investment services.

LT: Only firms having their registered office or branch in Lithuania can act as depositories of pension funds.

Health, Social and Education services

³ The horizontal limitation on the difference in treatment between branches and subsidiaries applies. Foreign branches may only receive an authorisation to operate in the territory of a Member State under the conditions provided for in the relevant legislation of that Member State and may therefore be required to satisfy a number of specific prudential requirements.

EU: No national treatment and most favourable nation treatment obligations with respect to publicly funded health, social and education services. With respect to privately funded education services, nationality conditions may apply for majority of members of the Board.

FI: No national treatment and most favourable nation treatment obligations with respect to privately funded health and social services, and to related services (i.e. Medical, including Psychologists, and Dental services; Midwives services; Physiotherapists and Paramedical Personnel).

BG: Foreign high schools cannot open their divisions on the territory of the Republic of Bulgaria. Foreign high schools can open faculties, departments, institutes and colleges in Bulgaria only within the structure of the Bulgarian high schools and in cooperation with them.

EL: With respect to higher education services, no national or most favourable nation treatment obligations for establishment of education institutions granting recognized State diplomas. No national and most favourable nation treatment with respect to dental technicians.

Tourism and travel related services

PT: Requirement of constitution of a commercial company having its corporate base in Portugal for travel agencies and tour operators services.

News and Press Agencies Services

FR: With respect to press agencies, national treatment for the establishment of juridical persons is subject to reciprocity.

Gambling and betting services

EU: No national treatment and most favourable nation treatment obligations with respect to gambling and betting services. For legal certainty, it is clarified that no market access is granted.

Sporting services

AT: With respect to ski schools and mountain guide services, management directors of juridical persons have to be EEA-citizens.

Maritime transport

EU: No national treatment and most favourable nation treatment obligations with respect to national maritime cabotage transport.

EU: No national treatment and most favourable treatment obligations for the establishment of a registered company for the purpose of operating a fleet under the national flag of the State of establishment

FI: For services auxiliary to maritime transport, services can be provided only by ships operating under the Finnish flag.

Internal Waterways Transport⁴

EU: No national treatment and most favourable nation treatment obligations with respect to national cabotage transport. Measures based upon existing or future agreements on access to inland waterways (incl. agreements following the Rhine-Main-Danube link) reserve some traffic rights for operators based in the countries concerned and meeting nationality criteria regarding ownership. Subject to regulations implementing the Mannheim Convention on Rhine Shipping.

AT, HU: No national treatment and most favourable nation treatment obligations for the establishment of a registered company for the purpose of operating a fleet under the national flag of the State of establishment.

AT: With respect to internal waterways a concession is only granted to EEA juridical persons and more than 50% of the capital share, the voting rights and the majority in the governing boards are reserved to EEA-citizens.

Air transport services

EU: No national treatment and most favourable nation treatment obligations for domestic and international air transport services and services, whether scheduled or non-scheduled, and services directly related to the exercise of traffic rights, other than aircraft repair and maintenance services, the selling and marketing of air transport services, CRS services and other services auxiliary to air transport services, such as ground handling services, rental services of aircraft with crew and airport operations services. The conditions of mutual market access in air transport shall be dealt with by the Agreement between the European Union and its Member States and Ukraine on the establishment of a common aviation area.

Rental of aircraft with crew

EU: Aircraft used by an air carrier of the European Union have to be registered in the Member State of the European Union licensing the carrier or elsewhere in the European Union. With respect to rental of aircraft with crew, aircraft must be owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific criteria regarding ownership of capital and control. Aircraft must be operated by air carriers owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific criteria regarding ownership of capital and control.

Computer Reservations System

EU: With respect to computer reservation services, where air carriers of the European Union are not accorded equivalent treatment⁵ to that provided in the European Union by CRS services suppliers outside the European Union, or where CRS services suppliers of the European Union are not accorded equivalent treatment to that provided in the European Union by non-EU air carriers, measures may be taken to accord equivalent treatment, respectively, to

⁴ Including Services auxiliary to internal waterways transport.

⁵ Equivalent treatment implies non-discriminatory treatment of European Union air carriers and European Union CRS services suppliers.

the non-EU air carriers by the CRS services suppliers in the European Union, or to the non-EU CRS services suppliers by the air carriers in the European Union.

Road transport

EU: With respect to passenger transportation (CPC 7121 and CPC 7122), foreign investors cannot provide transport services within a Member State (cabotage) except for rental of non scheduled services of buses with operators.

Energy sector

EU: No national treatment and most favourable treatment obligations with respect to juridical persons of Ukraine controlled⁶ by natural or juridical persons of a country which accounts for more than 5% of the EU's oil or natural gas imports⁷, unless the EU provides comprehensive access to this sector to natural or juridical persons of this country, in the context of an economic integration agreement concluded with that country.

EU: Certification of a transmission system operator which is controlled by a natural or legal person or persons from a third country or third countries may be refused where the operator has not demonstrated that granting certification will not put at risk the security of energy supply in a Member State and/ or the EU, in accordance with Article 11 of Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and Article 11 of Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas.

BE, BG, CY, CZ, , DK, ES, EE, FI, FR, EL, IE, LU, MT, NL, PL, PT, RO, SK, SI, : No national treatment and most favourable nation treatment obligations with respect to pipeline transportation of fuels services, other than consultancy services.

LV: No national treatment and most favourable nation treatment obligations with respect to pipeline transportation of natural gas, other than consultancy services.

BE, BG, CY, CZ, DK, ES, EE, FI, FR, EL, IE, HU, LU, LT, MT, NL, PL, PT, RO, SK: No national treatment and most favourable nation treatment obligations with respect to services incidental to energy distribution, other than consultancy services.

SI: No national treatment and most favourable nation treatment obligations with respect to services incidental to energy distribution, other than services incidental to the distribution of gas.

CY: Reserves the right to require reciprocity for licensing in relation to the activities of prospecting, exploration and exploitation of hydrocarbons.

Publishing and printing services

⁶ A juridical person is controlled by other natural or juridical person(s) if the latter has/have the power to name a majority of its directors or otherwise legally direct its actions. In particular, ownership of more than 50% of the equity interest in a juridical person shall be deemed to constitute control.

⁷ Based on figures published by the Directorate General in charge of Energy in the latest EU energy statistical pocketbook: crude oil imports expressed in weight, gas imports in calorific value

PL: The editor-in-chief of newspapers and journals must have Polish nationality.

ANNEX XVI-B

LIST OF COMMITMENTS ON CROSS-BORDER SERVICES

(Referred to in Article 95)

EU PARTY

1. The list of commitments below indicates the services sectors liberalised by the EU Party pursuant to Article 95 and, by means of reservations, the market access and national treatment limitations that apply to services and service suppliers of Ukraine in those sectors. The lists are composed of the following elements:

- (a) A first column indicating the sector or sub-sector in which the commitment is assumed by the Party, and the scope of liberalisation to which the reservations apply.
- (b) A second column describing the applicable reservations.

When the column referred to under (b) only includes Member State-specific reservations, Member States not mentioned therein undertake commitments in the sector concerned without reservations (the absence of Member State-specific reservations in a given sector is without prejudice to horizontal reservations or to sectoral EU-wide reservations that may apply).

Sectors or sub-sectors not mentioned in the list below are not committed.

2. In identifying individual sectors and sub-sectors:

- (a) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991.
- (b) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.

3. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a market access or a national treatment limitation within the meaning of Articles 93 and 94 of the Agreement. Those measures (e.g. need to obtain a license, universal service obligations, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the other Party.

4. The list below is without prejudice to the feasibility of Mode 1 in certain services sectors and sub-sectors and without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.

5. In accordance with Article 85(3) of the Agreement, the list below does not include measures concerning subsidies granted by the Parties.
6. The rights and obligations arising from this list of commitments shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.
7. For the sectors concerned by regulatory approximation, as set out in Annex XVII, the restrictions listed hereunder shall be lifted in accordance with Article 4(3) of Annex XVII.

Sector or sub-sector	Description of reservations
1. BUSINESS SERVICES	
A. Professional Services	
a) Legal Services (CPC 861) ⁸ (excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries, <i>huissiers de justice</i> or other <i>officiers publics et ministériels</i>)	<p><u>For Modes 1 and 2</u></p> <p>AT, CY, ES, EL, LT, MT, SK: Full admission to the Bar, required for the practice of domestic (EU and Member State) law, is subject to a nationality condition</p> <p>BE, FI: Full admission to the Bar, required for legal representation services, is subject to a nationality condition, coupled with residency requirements. In BE quotas apply for appearing before the “<i>Cour de cassation</i>” in non-criminal cases.</p> <p>BG: Foreign lawyers can only provide legal representation services of a national of their home country and subject to reciprocity and cooperation with a Bulgarian lawyer. For legal mediation services permanent residence is required.</p> <p>FR: Lawyers’ access to the profession of “<i>avocat auprès de la Cour de Cassation</i>” et “<i>avocat auprès du Conseil d’Etat</i>” is subject to quotas and to a nationality condition</p> <p>HU: Full admission to the Bar is subject to a nationality condition, coupled with residency requirements. For foreign lawyers the scope of legal activities is limited to the provision of legal advice.</p> <p>LV: Nationality requirement for sworn solicitors, to whom legal representation in criminal proceedings is reserved.</p> <p>DK: Marketing of legal advice activities is restricted to lawyers with a Danish licence to practice and law firms registered in Denmark. Requirement of a Danish legal examination in order to obtain a Danish licence.</p> <p>SE: Admission to the Bar, necessary only for the use of the Swedish title “<i>advokat</i>”, is subject to a residency requirement.</p>

⁸ Includes legal advisory, legal representational, legal arbitration and conciliation/mediation, and legal documentation and certification services. Provision of legal services is only authorised in respect of public international law, EU law and the law of any jurisdiction where the investor or its personnel is qualified to practice as a lawyer, and, like the provision of other services, is subject to licensing requirements and procedures applicable in Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these may take inter alia the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained) insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country. Legal services in respect of EU law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in the EU acting personally, and legal services in respect of the law of a Member State of the European Union shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in that Member State acting personally. Full admission to the Bar in the relevant Member State of the European Union might therefore be necessary for representation before courts and other competent authorities in the EU since it involves practice of EU and national procedural law. However, in some Member States, foreign lawyers not fully admitted to the Bar are allowed to represent in civil proceedings a party being a national or belonging to the State in which the lawyer is entitled to practice.

<p>b) 1. Accounting and Bookkeeping Services (CPC 86212 other than “auditing services”, CPC 86213, CPC 86219 and CPC 86220)</p>	<p><u>For Mode 1</u> FR, HU, IT, MT, RO, SI: Unbound AT: Nationality condition for representation before competent authorities <u>For Mode 2</u> All Member States except DE: None DE: Statutory audits may only be carried out by statutory auditors or audit firms who are approved in Germany.</p>
<p>b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)</p>	<p><u>For Mode 1</u> BE, BG, CY, DE, ES, FI, FR, EL, HU, IE, IT, LU, MT, NL, PT, RO, SI, UK: Unbound AT: Nationality condition for representation before competent authorities and for performing audits provided for in specific Austrian laws (e.g. joint stock companies law, stock exchange law, banking law, etc.) SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, a.o. in all limited companies. Only such persons may be shareowners or form partnerships in companies which practice qualified auditing (for official purposes). Residency required for approval. <u>For Mode 2</u> None</p>
<p>c) Taxation Advisory Services (CPC 863)⁹</p>	<p><u>For Mode 1</u> AT: Nationality condition for representation before competent authorities CY: Tax agents must be duly authorized by the Minister of Finance. Authorization is subject to an economic needs test. The criteria used are analogous to those for granting permission for foreign investment (listed in horizontal section), as they apply to this sub-sector, always taking into consideration the employment situation in the sub-sector. BG, MT, RO, SI: Unbound <u>For Mode 2</u> None</p>
<p>d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)</p>	<p><u>For Mode 1</u> AT: Unbound except for planning services. BE, BG, CY, EL, IT, MT, PL, PT, SI: Unbound DE: Application of the national rules on fees and emoluments for all services which are performed from abroad HU, RO: Unbound for landscape architectural services <u>For Mode 2</u> None</p>
<p>f) Engineering services; and</p>	<p><u>For Mode 1</u></p>

⁹ Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a). Legal services.

g) Integrated engineering services (CPC 8672 and CPC 8673)	AT, SI: Unbound except for pure planning services. BG, CY, EL, IT, MT, PT: Unbound <u>For Mode 2</u> None
h) Medical (including Psychologists), and Dental services (CPC 9312 and part of CPC 85201)	<u>For Mode 1</u> AT, BE, BG, CY, DE, DK, EE, ES, FI, FR, EL, IE, IT, LU, MT, NL, PT, RO, SK, UK: Unbound SI: Unbound for social medicine, sanitary, epidemiological, medical/ecological services, the supply of blood, blood preparations and transplants and autopsy. <u>For Mode 2</u> None
i) Veterinary services (CPC 932)	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, EE, ES, FR, EL, HU, IE, IT, LV, MT, NL, PT, RO, SI, SK: Unbound UK: Unbound except for veterinary laboratory and technical services supplied to veterinary surgeons, general advice, guidance and information e.g.: nutritional, behaviour and pet care. <u>For Mode 2</u> None
j) 1. Midwives services (part of CPC 93191) j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, EE, ES, FR, EL, HU, IE, IT, LV, LT, LU, MT, NL, PT, RO, SI, SK, UK: Unbound FI, PL: Unbound except for nurses <u>For Mode 2</u> None
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211) and other services supplied by pharmacists ¹⁰	<u>For Mode 1</u> AT, BE, BG, DE, CY, CZ, DK, ES, FI, FR, EL, IE, IT, LU, MT, NL, PL, PT, RO, SK, SE, SI, UK: Unbound LV, LT: Unbound except for mail order HU: Unbound except for CPC 63211 <u>For Mode 2</u> None
<u>B. Computer and Related Services</u> (CPC 84)	<u>For Modes 1 and 2</u> None
<u>C. Research and Development Services</u>	
a) R&D services on Social Sciences and Humanities (CPC 852 excluding psychologists services) ¹¹	<u>For Modes 1 and 2</u> EU: For publicly funded R&D services, exclusive rights and/or authorisations can only be granted to nationals of the Member States

¹⁰ The supply of pharmaceuticals to the general public, like the provision of other services, is subject to licensing and qualification requirements and procedures applicable in Member States of the European Union. As a general rule, this activity is reserved to pharmacists. In some Member States, only the supply of prescription drugs is reserved to pharmacists.

¹¹ Part of CPC 85201, which is to be found under 1.A.h. Medical and dental services.

b) R&D services on natural sciences (CPC 851) and c) Interdisciplinary R&D services (CPC 853)	of the European Union and to juridical persons of the European Union having their headquarters in the European Union.
<u>D. Real Estate Services¹²</u>	
a) Involving Own or Leased Property (CPC 821)	<u>For Mode 1</u> BG, CY, CZ, EE, HU, IE, LV, LT, MT, PL, RO, SK, SI: Unbound <u>For Mode 2</u> None
b) On a Fee or Contract Basis (CPC 822)	<u>For Mode 1</u> BG, CY, CZ, EE, HU, IE, LV, LT, MT, PL, RO, SK, SI: Unbound <u>For Mode 2</u> None
<u>E. Rental/Leasing Services without Operators</u>	
a) Relating to Ships (CPC 83103)	<u>For Mode 1</u> BG, CY, DE, HU, MT, RO: Unbound <u>For Mode 2</u> None
b) Relating to Aircraft (CPC 83104)	<u>For Mode 1</u> BG, CY, CZ, HU, LV, MT, PL, RO, SK: Unbound. <u>For Mode 2</u> BG, CY, CZ, LV, MT, PL, RO, SK: Unbound. AT, BE, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, NL, PT, SI, SE, UK: Aircraft used by an air carrier of the European Union have to be registered in the Member State of the European Union licensing the air carrier or elsewhere in the European Union. Waivers can be granted for short term lease contracts or under exceptional circumstances.
c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	<u>For Mode 1</u> BG, CY, HU, LV, MT, PL, RO, SI: Unbound SE: Suppliers of rental or leasing services of cars and certain off-road vehicles (terrängmotorfordon) without a driver, rented or leased for a period of less than one year, are obliged to appoint someone to be responsible for ensuring, <i>inter alia</i> , that the business is conducted in accordance with applicable rules and regulations and that the road traffic safety rules are followed. The responsible person must reside in Sweden. <u>For Mode 2</u> None
d) Relating to Other Machinery and	<u>For Mode 1</u>

¹² The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

Equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	BG, CY, CZ, HU, MT, PL, RO, SK: Unbound <u>For Mode 2</u> None
e) Relating to personal and household goods (CPC 832)	<u>For Modes 1 and 2</u> AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, HU, IE, IT, LU, MT, NL, PL, PT, RO, SI, SE, SK, UK: Unbound
f) Telecommunications equipment rental (CPC 7541)	<u>For Modes 1 and 2:</u> None.
<u>F. Other Business Services</u>	
a) Advertising (CPC 871)	<u>For Modes 1 and 2:</u> None.
b) Market Research and Opinion Polling (CPC 864)	<u>For Modes 1 and 2:</u> None
c) Management Consulting Services (CPC 865)	<u>For Modes 1 and 2:</u> None.
d) Services Related to Management Consulting (CPC 866)	<u>For Modes 1 and 2:</u> HU: Unbound for arbitration and conciliation services (CPC 86602).
e) Technical Testing and Analysis Services (CPC 8676)	<u>For Mode 1</u> IT: Unbound for the profession of biologist and chemical analyst BG, CY, CZ, MT, PL, RO, SK, SE: Unbound <u>For Mode 2</u> BG, CY, CZ, MT, PL, RO, SK, SE: Unbound
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	<u>For Mode 1</u> IT: Unbound for activities reserved to agronomist and “ <i>periti agrari</i> ” EE, MT, RO, SI: Unbound <u>For Mode 2</u> None
g) Advisory and Consulting Services Relating to Fishing (part of CPC 882)	<u>For Mode 1</u> LV, MT, RO, SI: Unbound <u>For Mode 2</u> None
h) Advisory and Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885)	<u>For Modes 1 and 2</u> None.
i) Placement and Supply Services of Personnel	
i) 1. Executive search (CPC 87201)	<u>For Mode 1</u> AT, BG, CY, CZ, DE, EE, ES, FI, IE, LV, LT, MT, PL, PT, RO, SK, SI, SE: Unbound <u>For Mode 2</u>

	AT, BG, CY, CZ, EE, FI, LV, LT, MT, PL, RO, SK, SI: Unbound.
i) 2. Placement Services (CPC 87202)	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, EE, ES, EL, FI, FR, IE, IT, LU, LV, LT, MT, NL, PL, PT, RO, SI, SE, SK, UK: Unbound <u>For Mode 2</u> AT, BG, CY, CZ, EE, FI, LV, LT, MT, PL, RO, SI, SK: Unbound.
i) 3. Supply Services of office support personnel (CPC 87203)	<u>For Mode 1</u> AT, BG, CY, CZ, DE, EE, FI, FR, IT, IE, LV, LT, MT, NL, PL, PT, RO, SE, SK, SI: Unbound <u>For Mode 2</u> AT, BG, CY, CZ, EE, FI, LV, LT, MT, PL, RO, SK, SI: Unbound
i) 4. Supply services of domestic help personnel, other commercial or industrial workers, nursing and other personnel (CPCs 87204, 87205, 87206, 87209)	<u>For Modes 1 and 2</u> All Member States except HU: Unbound. HU: None.
j) 1. Investigation Services (CPC 87301)	<u>For Modes 1 and 2</u> BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, UK: Unbound
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	<u>For Mode 1</u> HU: Unbound for CPC 87304, CPC 87305 BE, BG, CY, CZ, ES, EE, FI, FR, IT, LV, LT, MT, PT, PL, RO, SI, SK: Unbound. <u>For Mode 2</u> HU: Unbound for CPC 87304, CPC 87305 BG, CY, CZ, EE, LV, LT, MT, PL, RO, SI, SK: Unbound.
k) Related Scientific and Technical Consulting Services (CPC 8675)	<u>For Mode 1</u> BE, BG, CY, DE, DK, ES, FR, EL, IE, IT, LU, MT, NL, PL, PT, RO, SI, UK: Unbound for exploration services <u>For Mode 2</u> None
l) 1. Maintenance and repair of vessels (part of CPC 8868)	<u>For Mode 1</u> For maritime transport vessels: BE, BG, DE, DK, EL, ES, FI, FR, IE, IT, LU, NL, PT, SI, UK: Unbound. For internal waterways transport vessels: EU except EE, HU, LV, PL: Unbound. <u>For Mode 2</u> None
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	<u>For Mode 1</u> AT, BE, BG, DE, CY, CZ, DK, ES, FI, FR, EL, IE, IT, LT, LV, LU, MT, NL, PL, PT, RO, SE, SI, SK, UK: Unbound <u>For Mode 2</u> None
l) 3. Maintenance and Repair of motor vehicles, motorcycles, snowmobiles and road transport Equipment	<u>For Modes 1 and 2</u>

(CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	None
l) 4. Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)	<u>For Mode 1</u> BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PT, RO, SK, SI, SE, UK: Unbound <u>For Mode 2</u> None
l) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods ¹³ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	<u>For Modes 1 and 2</u> None
m) Building-Cleaning Services (CPC 874)	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, IE, IT, LU, LV, MT, NL, PL, PT, RO, SI, SE, SK, UK: Unbound <u>For Mode 2</u> None.
n) Photographic Services (CPC 875)	<u>For Mode 1</u> BG, EE, MT, PL: Unbound for the supply of aerial photographic services LV: Unbound for specialty photographic services (CPC 87504) <u>For Mode 2</u> None.
o) Packaging Services (CPC 876)	<u>For Modes 1 and 2</u> None
p) Printing and Publishing (CPC 88442)	<u>For Modes 1 and 2</u> None
q) Convention Services (part of CPC 87909)	<u>For Modes 1 and 2</u> None
r) Other	
r) 1. Translation and Interpretation Services (CPC 87905)	<u>For Mode 1</u> PL: Unbound for services of sworn translators and interpreters HU, SK: Unbound for official translation and interpretation <u>For Mode 2</u> None
r) 2. Interior design and other specialty design services (CPC 87907)	<u>For Mode 1</u> DE: Application of the national rules on fees and emoluments for all services which are performed from abroad <u>For Mode 2</u> None

¹³

Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under I.F. l) 1 to I.F.l) 4.

r) 3. Collection Agency Services (CPC 87902)	<u>For Modes 1 and 2</u> BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound
r) 4. Credit reporting services (CPC 87901)	<u>For Modes 1 and 2</u> BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound
r) 5. Duplicating services (CPC 87904) ¹⁴	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, MT, NL, PL, PT, RO, SI, SE, SK, UK: Unbound <u>For Mode 2</u> None
r) 6. Telecommunications consulting services (CPC 7544)	<u>For Modes 1 and 2</u> None
r) 7. Telephone answering services (CPC 87903)	<u>For Modes 1 and 2</u> None
2. COMMUNICATION SERVICES	
<u>A. Postal and Courier Services</u> (Services relating to the handling ¹⁵ of postal items ¹⁶ according to the following list of sub-sectors, whether for domestic or foreign destinations:	
(i) Handling of addressed written communications on any kind of physical medium ¹⁷ , including Hybrid mail service and Direct mail, (ii) Handling of addressed parcels and packages ¹⁸ , (iii) Handling of addressed press products ²⁰ , (iv) Handling of items referred to in (i) to (iii) above as registered or insured mail, (v) Express delivery services ²¹ for items referred to in (i) to (iii) above, (vi) Handling of non-addressed items, (vii) Document exchange ²²	<u>For Modes 1 and 2</u> None ¹⁹

¹⁴ Does not include printing services, which fall under CPC 88442 and are to be found under 1.F p).

¹⁵ The term “handling” should be taken to include clearance, sorting, transport and delivery.

¹⁶ “Postal item” refers to items handled by any type of commercial operator, whether public or private.

¹⁷ E.g. letter, postcards.

¹⁸ Books, catalogues are included hereunder.

¹⁹ For subsectors i) to iv), individual licences imposing particular universal services obligations and/or financial contribution to a compensation fund may be required.

²⁰ Journals, newspapers, periodicals

²¹ Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

Sub-sectors (i), (iv) and (v) are however excluded when they fall into the scope of the services which may be reserved, which is: for items of correspondence the price of which is less than 2.5 times the public basic tariff, provided that they weigh less than 50 grams ²³ , plus the registered mail service used in the course of judicial or administrative procedures.) (part of CPC 751, part of CPC 71235 ²⁴ and part of CPC 73210 ²⁵)	
B. Telecommunications Services (These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport)	
a) All services consisting of the transmission and reception of signals by any electromagnetic means ²⁶ , excluding broadcasting ²⁷	<u>For Modes 1 and 2</u> None
b) Satellite broadcast transmission services ²⁸	<u>For Modes 1 and 2</u> EU: None except that service providers in this sector may be subject to obligations to safeguard general interest objectives related to the conveyance of content through their network in line with the EU regulatory framework for electronic communications BE: Unbound
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES	
<u>Construction and related engineering services</u> (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	<u>For Modes 1 and 2</u> None
4. DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material)	

²² Provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. Postal item refers to items handled by any type of commercial operator, whether public or private.

²³ "Items of correspondence": a communication in written form on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping. Books, catalogues, newspapers and periodicals are not regarded as items of correspondence.

²⁴ Transportation of mail on own account by any land Mode.

²⁵ Transportation of mail on own account by air.

²⁶ These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under 1.B. Computer services.

²⁷ 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.

²⁸ These services cover the telecommunications service consisting of the transmission and reception of radio and television broadcast by satellite (the uninterrupted chain of transmission via satellite required for the distribution of TV and radio programme signals to the general public). This covers selling use of satellite services, but does not include the selling of television programme packages to households.

<p><u>A. Commission Agents' Services</u></p>	<p><u>For Modes 1 and 2</u></p>
<p>a) Commission Agents' Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</p>	<p>EU except AT, SI, SE, FI: Unbound for distribution of chemical products, and of precious metals (and stones).</p>
<p>(part of CPC 61111, part of CPC 6113 and part of CPC 6121)</p>	<p>AT: Unbound for distribution of pyrotechnical goods, of ignitable articles and blasting devices and of toxic substances.</p>
<p>b) Other Commission Agents' Services</p>	<p>AT, BG: Unbound for distribution of products for medical use such as medical and surgical devices, medical substances and objects for medical use.</p>
<p>(CPC 621)</p>	<p><u>For Mode 1</u></p>
<p><u>B. Wholesale Trade Services</u></p>	<p>AT, BG, FR, PL, RO: Unbound for distribution of tobacco and tobacco products.</p>
<p>a) Wholesale Trade Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</p>	<p>IT: For wholesale trade services, state monopoly on tobacco</p>
<p>(part of CPC 61111, part of CPC 6113 and part of CPC 6121)</p>	<p>BG, FI, PL, RO: Unbound for distribution of alcoholic beverages</p>
<p>b) Wholesale Trade Services of telecommunication terminal equipment</p>	<p>SE: Unbound for retail distribution of alcoholic beverages</p>
<p>(part of CPC 7542)</p>	<p>AT, BG, CZ, FI, RO, SK, SI: Unbound for distribution of pharmaceuticals,</p>
<p>c) Other wholesale trade services</p>	<p>BG, HU, PL: Unbound for commodity brokers' services.</p>
<p>(CPC 622 excluding wholesale trade services of energy products²⁹)</p>	<p>FR: For commission agents' services, unbound for traders and brokers working in 17 markets of national interest on fresh food products. Unbound for wholesale of pharmaceuticals.</p>
<p><u>C. Retailing Services³⁰</u></p>	<p>MT: Unbound for commission agents' services</p>
<p>Retailing Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</p>	<p>BE, BG, CY, DE, DK, ES, FR, EL, IE, IT, LU, MT, NL, PL, PT, SK, UK: For retailing services, unbound except for mail order.</p>
<p>(CPC 61112, part of CPC 6113 and part of CPC 6121)</p>	
<p>Retailing Services of telecommunication terminal equipment</p>	
<p>(part of CPC 7542)</p>	
<p>Food retailing services</p>	
<p>(CPC 631)</p>	
<p>Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods³¹</p>	
<p>(CPC 632 excluding CPC 63211 and 63297)</p>	

²⁹ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 18.D.

³⁰ Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 1.B. and 1.F.I).

³¹ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under PROFESSIONAL SERVICES in 1.A.k).

<u>D. Franchising</u> (CPC 8929)	
5. EDUCATIONAL SERVICES (only privately-funded services)	
<u>A. Primary Education Services</u> (CPC 921)	<u>For Mode 1</u> BG, CY, FI, FR, IT, MT, RO, SE, SI: Unbound <u>For Mode 2</u> CY, FI, MT, RO, SE, SI: Unbound
<u>B. Secondary Education Services</u> (CPC 922)	<u>For Mode 1</u> BG, CY, FI, FR, IT, MT, RO, SE: Unbound <u>For Mode 2</u> CY, FI, MT, RO, SE: Unbound <u>For Modes 1 and 2</u> LV: Unbound for education services relating to technical and vocational secondary school-type education services for handicapped students (CPC 9224)
<u>C. Higher Education Services</u> (CPC 923)	<u>For Mode 1</u> AT, BG, CY, FI, MT, RO, SE: Unbound FR: Nationality condition. However, Foreign nationals can have authorisation from competent authorities to establish and direct an education institution, and to teach. IT: Nationality condition for service providers to be authorized to issue State recognized diplomas. <u>For Mode 2</u> AT, BG, CY, FI, MT, RO, SE: Unbound <u>For Modes 1 and 2</u> CZ, SK: Unbound for higher education services, except post-secondary technical and vocational education services (CPC 92310)
<u>D. Adult Education Services</u> (CPC 924)	<u>For Modes 1 and 2</u> CY, FI, MT, RO, SE: Unbound. AT: Unbound for adult education services by means of radio or television broadcasting.
<u>E. Other education services</u> (CPC 929)	<u>For Modes 1 and 2</u> AT, BE, BG, CY, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SI, SE, UK: Unbound.
6. ENVIRONMENTAL SERVICES	
<u>A. Waste Water Services</u> (CPC 9401) ³²	<u>For Mode 1</u> EU: Unbound except for consulting services
<u>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</u>	<u>For Mode 2</u>
a) Refuse Disposal Services (CPC 9402)	None
b) Sanitation and Similar Services	

³² Corresponds to sewage services.

<p>(CPC 9403)</p> <p><u>C. Protection of ambient air and climate</u></p> <p>(CPC 9404)³³</p> <p><u>D. Remediation and clean-up of soil and waters</u></p> <p>a) Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060)³⁴</p> <p><u>E. Noise and vibration abatement</u></p> <p>(CPC 9405)</p> <p><u>F. Protection of biodiversity and landscape</u></p> <p>a) Nature and landscape protection services (part of CPC 9406)</p> <p><u>G. Other environmental and ancillary services</u></p> <p>(CPC 94090)</p>	
7. FINANCIAL SERVICES	
<p><u>A. Insurance and insurance-related services</u></p>	<p><u>For Modes 1 and 2</u></p> <p>AT, BE, CZ, DE, DK, ES, FI, FR, EL, HU, IE, IT, LU, NL, PL, PT, RO, SK, SE, SI, UK: Unbound for direct insurance services except for insurance of risks relating to:</p> <p>i) Maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and</p> <p>ii) goods in international transit</p> <p>AT: Promotional activity and intermediation on behalf of a subsidiary not established in the European Union or of a branch not established in Austria (except for reinsurance and retrocession) are prohibited. Compulsory air insurance, except for insurance of international commercial air transport, can be underwritten only by a subsidiary established in the European Union or by a branch established in Austria.</p> <p>DK: Compulsory air transport insurance can be underwritten only by firms established in the European Union. No persons or companies (including insurance companies) may for business purposes in Denmark assist in effecting direct insurance for persons resident in Denmark, for Danish ships or for property in Denmark, other than insurance companies licensed by Danish law or by Danish competent authorities.</p> <p>DE: Compulsory air insurance policies can be underwritten only by a subsidiary established in the European Union or by a branch established in Germany. If a foreign insurance company has established a branch in Germany, it may conclude insurance contracts</p>

³³ Corresponds to Cleaning Services of Exhaust Gases.

³⁴ Corresponds to parts of Nature and Landscape Protection Services.

in Germany relating to international transport only through the branch established in Germany.

FR: Insurance of risks relating to ground transport may be carried out only by insurance firms established in the European Union.

PL: Unbound, except for the reinsurance, the retrocession and insurance of goods in international transport..

PT: Air and maritime transport insurance, covering goods, aircraft, hull and liability can be underwritten only by firms established in the EU; only persons or companies established in the EU may act as intermediaries for such insurance business in Portugal.

For Mode 1

AT, BE, CZ, DE, DK, ES, FI, FR, EL, HU, IE, IT, LU, NL, PT, RO, SK, SE, SI, UK: Unbound for direct insurance intermediation services except for insurance of risks relating to:

i) Maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and

ii) goods in international transit

BG: Unbound for direct insurance, except for services supplied by foreign suppliers to foreign persons in the territory of the Republic of Bulgaria. Transport insurance, covering goods, insurance of vehicles as such and liability insurance regarding risks located in the Republic of Bulgaria may not be underwritten by foreign insurance companies directly. A foreign insurance company may conclude insurance contracts only through a branch. Unbound for deposit insurance and similar compensations schemes, as well as mandatory insurance schemes.

CY, LV, MT: Unbound for direct insurance services except for insurance of risks relating to:

i) Maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising herefrom; and

ii) goods in international transit

LT: Unbound for direct insurance services except for insurance of risks relating to:

i) Maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and

ii) goods in international transit, except related to land transport where the risk is located in Lithuania

BG, LV, LT, PL: Unbound for insurance intermediation

FI: Only insurers having their head-office in the EU or having their branch in Finland may offer direct insurance (including co-insurance) services. The supply of insurance broker services is subject to a permanent place of business in the EU.

HU: The supply of direct insurance in the territory of Hungary by insurance companies not established in the EU is allowed only through a branch office registered in Hungary

IT: Unbound for the actuarial profession. Transport insurance of

	<p>goods, insurance of vehicles as such and liability insurance regarding risks located in Italy may be underwritten only by insurance companies established in the European Union. This reservation does not apply for international transport involving imports into Italy.</p> <p>SE: The supply of direct insurance is allowed only through an insurance service supplier authorised in Sweden, provided that the foreign service supplier and the Swedish insurance company belong to the same group of companies or have an agreement of cooperation between them.</p> <p>ES: For actuarial services, residence requirement and three-years relevant experience.</p> <p><u>For Mode 2</u></p> <p>AT, BE, BG, CZ, CY, DE, DK, ES, FI, FR, EL, HU, IE, IT, LU, MT, NL, PL, PT, RO, SK, SE, SI, UK: Unbound for intermediation</p> <p>BG: For direct insurance, Bulgarian natural and juridical persons, as well as foreign persons who conduct business activity in the territory of the Republic of Bulgaria, can conclude insurance contracts only with suppliers with respect to their activity in Bulgaria, which are licensed to conduct insurance activity in Bulgaria. Insurance compensation resulting from these contracts shall be paid in Bulgaria. Unbound for deposit insurance and similar compensations schemes, as well as mandatory insurance schemes.</p> <p>IT: Transport insurance of goods, insurance of vehicles as such and liability insurance regarding risks located in Italy may be underwritten only by insurance companies established in the European Union. This reservation does not apply for international transport involving imports into Italy.</p>
<p><u>B. Banking and other financial services (excluding insurance)</u></p>	<p><u>For Mode 1</u></p> <p>AT, BE, BG, CZ, DE, DK, ES, FI, FR, EL, HU, IE, IT, LU, NL, PL, PT, SK, SE, UK: Unbound except for provision of financial information and financial data processing and for advisory and other auxiliary services excluding intermediation</p> <p>BE: Establishment in Belgium is required for the provision of investment advisory services.</p> <p>BG: Limitations and conditions relating to the use of telecommunications network may apply.</p> <p>CY: Unbound except for trading of transferable securities, for provision of financial information and financial data processing and for advisory and other auxiliary services excluding intermediation</p> <p>EE: For acceptance of deposits, requirement of authorisation by Estonian Financial Supervision Authority and registration under Estonian Law as a joint-stock company, a subsidiary or a branch.</p> <p>The establishment of a specialised management company is required to perform the activities of management of investment funds, and only firms having their registered office in the European Union can act as depositories of the assets of investment funds.</p> <p>LT: The establishment of a specialized management company is required to perform the activities of management of investment funds, and only firms having their registered office or branch in Lithuania can act as depositories of the assets of investment funds.</p> <p>IE: The provision of investment services or investment advice requires either (I) authorisation in Ireland, which normally requires that the entity be incorporated or be a partnership or a sole trader, in each case</p>

	<p>with a head/registered office in Ireland (authorisation may not be required in certain cases, e.g. where a third country service provider has no commercial presence in Ireland and the service is not provided to private individuals), or (II) authorisation in another Member State in accordance with the EU Investment Services Directive.</p> <p>IT: Unbound for "<i>promotori di servizi finanziari</i>" (financial salesmen).</p> <p>LV: Unbound except for participation in issues of all kinds of securities, for provision of financial information and financial data processing and for advisory and other auxiliary services excluding intermediation</p> <p>LT: Commercial presence is required for pension fund management</p> <p>MT: Unbound except for acceptance of deposits, for lending of all types, for provision of financial information and financial data processing and for advisory and other auxiliary services excluding intermediation</p> <p>PL: For the provision and transfer of financial information, and financial data processing and related software: Requirement to use the public telecommunication network, or the network of other authorised operator.</p> <p>RO: Unbound for financial leasing, for trading of money market instruments, foreign exchange, derivative products, exchange rate and interest rate instruments, transferable securities and other negotiable instruments and financial assets, for participation in issues of all kinds of securities, for asset management and for settlement and clearing services for financial assets. Payments and money transmission services are allowed only through a resident bank.</p> <p>SI:</p> <p>(i) Participation in issues of Treasury bonds, pension fund management: Unbound.</p> <p>(ii) All other sub sectors, except provision and transfer of Financial information, accepting credits (borrowing of all types), and accepting guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors, and advisory and other auxiliary financial services: Unbound. Members of the Slovenian Stock Exchange must be incorporated in the Republic of Slovenia or be branches of foreign investment firms or banks.</p> <p><u>For Mode 2</u></p> <p>BG: Limitations and conditions relating to the use of telecommunications network may apply.</p> <p>PL: For the provision and transfer of financial information, and financial data processing and related software: Requirement to use the public telecommunication network, or the network of another authorised operator.</p>
<p>8. HEALTH SERVICES AND SOCIAL SERVICES</p> <p>(only privately-funded services)</p>	
<p><u>A. Hospital Services</u> (CPC 9311)</p>	<p><u>For Mode 1</u> AT, BE, BG, DE, CY, CZ, DK, ES, EE, FI, FR, EL, IE, IT, LV, LT, MT, LU, NL, PL, PT, RO, SI, SE, SK, UK: Unbound</p>

<u>C. Residential health facilities other than hospital services</u> (CPC 93193)	<u>For Mode 2</u> None
<u>D. Social Services</u> (CPC 933)	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, EE, ES, EL, FI, FR, HU, IE, IT, LU, MT, NL, PL, PT, RO, SE, SI, SK, UK: Unbound <u>For Mode 2</u> BE: Unbound for social services other than convalescent and rest houses and old people's homes
9. TOURISM AND TRAVEL RELATED SERVICES	
<u>A. Hotel, Restaurants and Catering</u> (CPC 641, CPC 642 and CPC 643) excluding catering in air transport services ³⁵	<u>For Mode 1</u> AT, BE, BG, CY, CZ, DE, DK, ES, FR, EL, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound except for catering. <u>For Mode 2</u> None
<u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471)	<u>For Mode 1</u> BG, HU: Unbound <u>For Mode 2</u> None
<u>C. Tourist Guides Services</u> (CPC 7472)	<u>For Mode 1</u> BG, CY, CZ, HU, IT, LT, MT, PL, SK, SI: Unbound. <u>For Mode 2</u> None
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services)	
<u>A. Entertainment Services</u> (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	<u>For Mode 1</u> BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, UK: Unbound <u>For Mode 2</u> CY, CZ, FI, MT, PL, RO, SK, SI: Unbound BG: Unbound, except for theatrical producer, singer group, band and orchestra entertainment services (CPC 96191); services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192); ancillary theatrical services (CPC 96193) EE: Unbound for other entertainment services (CPC 96199) , except for cinema theatre services LT, LV: Unbound, except for cinema theatre operation services (part of CPC 96199)
<u>B. News and Press Agencies Services</u> (CPC 962)	<u>For Modes 1 and 2</u> None
<u>C. Libraries, archives museums and other cultural services</u>	<u>For Mode 1</u>

³⁵

Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 12.D.a) Groundhandling services.

(CPC 963)	BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound <u>For Mode 2</u> BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, HU, IE, IT, LT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound
<u>D. Sporting services</u> (CPC 9641)	<u>For Modes 1 and 2</u> AT: Unbound for ski school services and mountain guide services. BG, CZ, LV, MT, PL, RO, SK: Unbound <u>For Mode 1</u> CY, EE: Unbound
<u>E. Recreation park and beach Services</u> (CPC 96491)	<u>For Modes 1 and 2</u> None
11. TRANSPORT SERVICES	
<u>A. Maritime transport</u>	<u>For Modes 1 and 2</u>
a) International passenger transportation (CPC 7211 less national cabotage transport ³⁶). b) International freight transportation (CPC 7212 less national cabotage transport ^{30,37})	BG, CY, DE, EE, ES, FR, FI, EL, IT, LT, LV, MT, PT, RO, SI, SE: Feeder services by authorisation.
<u>B. Internal Waterways Transport</u>	<u>For Modes 1 and 2</u>
a) Passenger transportation (CPC 7221 less national cabotage transport ³⁶)	EU: Measures based upon existing or future agreements on access to inland waterways (incl. agreements following the Rhine-Main-Danube link) reserve some traffic rights for operators based in the countries concerned and meeting nationality criteria regarding ownership. Regulations implementing the Mannheim Convention on Rhine Shipping and the Belgrade Convention on Danube Navigation.
b) Freight transportation (CPC 7222 less national cabotage transport ³⁷)	AT: Registered company or permanent establishment in Austria is required. BG, CY, CZ, EE, FI, HU, LT, MT, RO, SE, SI, SK: Unbound
<u>C. Rail Transport</u>	<u>For Mode 1</u>
a) Passenger transportation (CPC 7111)	EU: Unbound <u>For Mode 2</u>
b) Freight transportation (CPC 7112)	None.
<u>D. Road Transport</u>	<u>For Mode 1</u>
a) Passenger Transportation	EU: Unbound.

³⁶ Without prejudice to the scope of activities which may be considered as cabotage under the relevant national legislation, this schedule does not include national cabotage transport, which is assumed to cover transportation of passengers or goods between a port or point located in a Member State of the European Union and another port or point located in the same Member State, including on its continental shelf as provided in the UN Convention on the Law of the Sea, and traffic originating and terminating in the same port or point located in a Member State of the European Union .

³⁷ Includes feeder services and movement of empty equipment by international maritime transport suppliers between ports located in the same State. .

(CPC 7121 and CPC 7122) b) Freight Transportation (CPC 7123, excluding transportation of mail on own account ³⁸).	<u>For Mode 2</u> None
<u>E. Pipeline transport of goods other than fuel³⁹</u> (CPC 7139)	<u>For Mode 1:</u> EU: Unbound. <u>For Mode 2:</u> AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, IE, IT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound
12. SERVICES AUXILIARY TO TRANSPORT⁴⁰	
<u>A. Services auxiliary to Maritime Transport</u> a) Maritime Cargo Handling Services b) Storage and warehousing Services (part of CPC 742) c) Customs Clearance Services d) Container Station and Depot Services e) Maritime Agency Services f) Maritime freight forwarding Services g) Rental of Vessels with Crew (CPC 7213) h) Pushing and towing services (CPC 7214) i) Supporting services for maritime transport (part of CPC 745) j) Other supporting and auxiliary services (part of CPC 749)	<u>For Mode 1:</u> EU: Unbound for maritime cargo handling services, pushing and towing services, customs clearance services and for container station and depot services AT, BG, CY, CZ, DE, EE, HU, LT, MT, PL, RO, SK, SI, SE: Unbound for rental of vessels with crew BG: unbound AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound for storage and warehousing services <u>For Mode 2:</u> None
<u>B. Services auxiliary to internal waterways transport</u> a) Cargo-handling services (part of CPC 741) b) Storage and warehouse services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of Vessels with Crew	<u>For Modes 1 and 2</u> EU: Measures based upon existing or future agreements on access to inland waterways (incl. agreements following the Rhine-Main-Danube link) reserving some traffic rights for operators based in the countries concerned and meeting nationality criteria regarding ownership. Regulations implementing the Mannheim Convention on Rhine Shipping. EU: Unbound for pushing and towing services <u>For Mode 1</u>

³⁸ Part of CPC 71235, which is to be found in COMMUNICATION SERVICES under 2.A. Postal and courier services.

³⁹ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 13.B

⁴⁰ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 1.F.1) 1 to 1.F.1) 4.

<p>(CPC 7223) e) Pushing and towing services (CPC 7224) f) Supporting services for internal waterway transport (part of CPC 745) g) Other supporting and auxiliary services (part of CPC 749)</p>	<p>AT, BG, CY, CZ, DE, EE, FI, HU, LV, LT, MT, RO, SK, SI, SE: Unbound for rental of vessels with crew</p>
<p><u>C. Services auxiliary to rail transport</u> a) Cargo-handling services (part of CPC 741) b) Storage and warehouse services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Pushing and towing services (CPC 7113) e) Supporting services for rail transport services (CPC 743) f) Other supporting and auxiliary services (part of CPC 749)</p>	<p><u>For Mode 1</u> EU: Unbound for pushing and towing services <u>For Mode 2</u> None</p>
<p><u>D. Services auxiliary to road transport</u> a) Cargo-handling services (part of CPC 741) b) Storage and warehouse services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of Commercial Road Vehicles with Operators (CPC 7124) e) Supporting services for road transport (CPC 744) f) Other supporting and auxiliary services (part of CPC 749)</p>	<p><u>For Mode 1</u> AT, BG, CY, CZ, EE, HU, LV, LT, MT, PL, RO, SK, SI, SE: Unbound for Rental of Commercial Road Vehicles with Operators <u>For Mode 2</u> None</p>
<p><u>E. Services auxiliary to air transport services</u></p>	
<p>a) Ground-handling services (including catering services)</p>	<p><u>For Mode 1</u> EU: Unbound except for catering.</p>

	<p><u>For Mode 2</u> BG, CY, CZ, HU, MT, PL, RO, SK SI: Unbound.</p>
b) Storage and warehouse services (part of CPC 742)	<p><u>For Modes 1 and 2</u> None.</p>
c) Freight transport agency services (part of CPC 748)	<p><u>For Modes 1 and 2</u> None</p>
d) Rental of aircraft with crew (CPC 734)	<p><u>For Modes 1 and 2</u> EU: Aircraft used by European Union air carriers have to be registered in the Member States licensing the air carrier or elsewhere in the European Union. To be registered, aircraft may be required to be owned either by natural persons meeting specific nationality criteria or by juridical persons meeting specific criteria regarding ownership of capital and control. By exception, aircraft registered outside EU may be leased by a foreign air carrier to an air carrier of the European Union in specific circumstances for the air carrier of the European Union's exceptional needs, seasonal capacity needs, or needs to overcome operational difficulties, which cannot reasonably be satisfied through leasing aircraft registered within the European Union, and subject to obtaining the approval of a limited duration from the Member State of the European Union licensing the air carrier of the European Union.</p>
e) Sales and Marketing f) Computer Reservations System	<p><u>For Modes 1 and 2</u> EU: Where air carriers of the European Union are not accorded equivalent treatment⁴¹ to that provided in the European Union by CRS services suppliers outside EU, or where CRS services suppliers of the European Union are not accorded equivalent treatment to that provided in the European Union by non-EU air carriers, measures may be taken to accord equivalent treatment, respectively, to the non-EU air carriers by the CRS services suppliers in the European Union, or to the non-EU CRS services suppliers by the air carriers in the European Union.</p>
g) Airport management	<p><u>For Mode 1</u> EU: Unbound <u>For Mode 2</u> None</p>
<u>F. Services auxiliary to pipeline transport of goods other than fuel</u> ⁴² a) Storage and warehouse services of goods other than fuel transported by pipelines, (part of CPC 742)	<p><u>For Mode 1:</u> AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound <u>For Mode 2</u> None</p>
13. OTHER TRANSPORT SERVICES	
<u>Provision of Combined Transport Service</u>	BE, DE, DK, EL, ES, FI, FR, IE, IT, LU, NL, PT, UK: None, without prejudice to the limitations inscribed in this List of Commitments

⁴¹ "Equivalent treatment" implies non-discriminatory treatment of air carriers of the European Union and CRS services suppliers of the European Union

⁴² Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES under 13.C

	affecting any given mode of transport. AT, BG, CY, CZ, EE, HU, LT, LV, MT, PL, RO, SE, SI, SK: Unbound.
14. ENERGY SERVICES	
<u>A. Services Incidental to Mining</u> (CPC 883) ⁴³	<u>For Modes 1 and 2</u> None
<u>B. Pipeline Transportation of fuels</u> (CPC 7131)	<u>For Mode 1:</u> EU: Unbound. <u>For Mode 2:</u> AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, IE, IT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound
<u>C. Storage and warehouse services of fuels transported through pipelines</u> (part of CPC 742)	<u>For Mode 1:</u> AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound <u>For Mode 2</u> None
<u>D. Wholesale trade services of solid, liquid and gaseous fuels and related products</u> (CPC 62271) <u>and wholesale trade services of electricity, steam and hot water</u>	<u>For Mode 1:</u> EU: Unbound for wholesale trade services of electricity, steam and hot water <u>For Mode 2</u> None
<u>E. Retailing Services of motor fuel</u> (CPC 613)	<u>For Mode 1:</u> EU: Unbound <u>For Mode 2</u> None
<u>F. Retail sales of fuel oil, bottled gas, coal and wood</u> (CPC 63297) <u>and retailing services of electricity, (non bottled) gas, steam and hot water</u>	<u>For Mode 1:</u> EU: Unbound for retailing services of electricity, (non bottled) gas, steam and hot water BE, BG, CY, CZ, DE, DK, ES, FR, EL, IE, IT, LU, MT, NL, PL, PT, SK, UK: For Retail sales of fuel oil, bottled gas, coal and wood, unbound except for mail order where: none. <u>For Mode 2</u> None
<u>G. Services incidental to energy distribution</u> (CPC 887)	<u>For Mode 1:</u> EU: Unbound except for consultancy services where: none <u>For Mode 2</u> None
15. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing	<u>For Mode 1:</u>

⁴³

Includes the following service rendered on a fee or contract basis: advisory and consulting services relating to mining, on land site preparation, on land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and down-hole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services, plugging and abandoning of wells.

services (CPC 9701)	EU: Unbound <u>For Mode 2</u> None
b) Hairdressing services (CPC 97021)	<u>For Mode 1:</u> EU: Unbound <u>For Mode 2</u> None.
c) Cosmetic treatment, manicuring and pedicure services (CPC 97022)	<u>For Mode 1:</u> EU: Unbound <u>For Mode 2</u> None
d) Other beauty treatment services n.e.c (CPC 97029)	<u>For Mode 1:</u> EU: Unbound <u>For Mode 2</u> None
e) Spa services and non therapeutical massages, to the extent that they are provided as relaxation physical well- being services and not for medical or rehabilitation purposes ⁴⁴ (CPC ver. 1.0 97230)	<u>For Mode 1:</u> EU: Unbound <u>For Mode 2</u> None
g) Telecommunications connection services (CPC 7543)	<u>For Modes 1 and 2</u> None

⁴⁴

Therapeutical massages and thermal cure services are to be found under 1.A.h) Medical services, 1.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (8.A and 8 C).

ANNEX XVI-C

RESERVATIONS ON CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS

EU PARTY

1. The list of reservations below indicates the services sectors liberalised pursuant to Articles 101(2) and 102(2) (CSS and IP) for which limitations on contractual service suppliers and independent professionals (CSS and IP) apply and specifies such limitations.
2. The list is composed of the following elements:
 - (a) the first column indicating the sector or sub-sector in which limitations apply; and
 - (b) the second column describing the applicable limitations.

The EU Party does not undertake any commitment for contractual service suppliers and independent professionals for any services sector other than those which are explicitly listed below.

3. In identifying individual sectors and sub-sectors:
 - (a) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991; and
 - (b) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.
4. Commitments for contractual service suppliers and independent professionals do not apply in cases where the intent or effect of their temporary presence is to interfere with, or otherwise affect the outcome of, any labour/management dispute or negotiation.
5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a limitation within the meaning of Articles 101(2) and 102(2) (CSS and IP). Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, and need to have a legal domicile in the territory where the economic activity is performed), even if not listed below, apply in any case to contractual service suppliers and independent professionals of Ukraine.
6. The list below does not include measures concerning subsidies granted by a Party.
7. The list below is without prejudice to the existence of public monopolies or exclusive rights in the relevant sectors, as set out by the EU in its Schedule (Annex XVI-A or

Annex XVI-B) to Chapter Six (Establishment, Trade in Services and Electronic Commerce) of Title IV of this Agreement.

8. In the sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation in the Member State of the European Union or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.
9. The rights and obligations arising from the list below shall have no self-executing effect and thus confer no rights directly on natural or juridical persons.
10. The following abbreviations are used in the list below:

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

Sector or sub-sector	Description of reservations
ALL SECTORS	<p style="text-align: center;"><u>Transitional periods</u></p> <p>BG and RO: Commitments shall enter into force with effect from 1 January 2014.</p> <p style="text-align: center;"><u>Recognition</u></p> <p>EU: EU directives on mutual recognition of diplomas only apply to nationals of EU Member States. The right to practice a regulated professional service in one Member State does not grant the right to practice in another Member State.⁴⁵</p>
<p>Legal Advisory Services in respect of public international law and foreign law (i.e. non-EU law)</p> <p>(part of CPC 861)⁴⁶</p>	<p>AT, CY, DE, EE, IE, LU, NL, PL, PT, SE, UK: None.</p> <p>BE, ES, IT, EL: Economic needs test for IP.</p> <p>LV: Economic needs test for CSS.</p> <p>BG, CZ, DK, FI, HU, LT, MT, RO, SI, SK: Economic needs tests.</p> <p>DK: Marketing of legal advice activities is restricted to lawyers with a Danish licence to practice. Requirement of a Danish legal examination in order to obtain a Danish licence.</p> <p>FR: Full (simplified) admission to the Bar through an aptitude test is required. Lawyers' access to the professions of "avocat auprès de la Cour de cassation" et "avocat auprès du Conseil d'Etat" is subject to quotas and to a nationality condition.</p>
<p>Accounting and Bookkeeping Services</p> <p>(CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220)</p>	<p>BE, CY, DE, EE, ES, IE, IT, LU, NL, PL, PT, SI, SE, UK: None.</p> <p>AT: The employer must be a member of the relevant professional body in the home country where such body exists.</p> <p>FR: Authorisation requirement. Provision of accounting and bookkeeping services is conditional on a decision of the Minister of Economics, Finance and Industry, in agreement with the Minister of Foreign Affairs.</p>

⁴⁵ In order for third-country nationals to obtain EU-wide recognition of their qualifications, it is necessary that a Mutual Recognition Agreement be negotiated within the framework defined in Article 18 of the Agreement.

⁴⁶ Like the provision of other services, Legal Services are subject to licensing requirements and procedures applicable in Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these may take inter alia the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained) insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country.

Sector or sub-sector	Description of reservations
	BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.
Taxation Advisory Services (CPC 863) ⁴⁷	BE, DE, EE, ES, FR, IE, IT, LU, NL, PL, SI, SE, UK: None. AT: The employer must be a member of the relevant professional body in the home country where such body exists; nationality condition for representation before competent authorities. BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test. CY: Unbound for the submission of tax returns. PT: Unbound. HU: Residence requirement.
Architectural services and Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, IT: Economic needs test for IP. LV: Economic needs test for CSS. FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied. DK: Economic needs test except for CSS stays of up to three months. BG, CY, CZ, DE, FI, HU, LT, RO, SK: Economic needs test. AT: Planning services only, where: Economic needs test. HU, SK: Residence requirement.
Engineering services And Integrated engineering services (CPC 8672 and CPC 8673)	EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, IT: Economic needs test for IP. LV: Economic needs test for CSS. FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied. DK: Economic needs test except for CSS stays of up to three months. BG, CY, CZ, DE, FI, HU, LT, RO, SK: Economic needs test. AT: Planning services only, where: Economic needs test. HU: Residence requirement.
Computer and Related Services	EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE: None.

⁴⁷

Does not include legal advisory and legal representational services on tax matters, which are to be found under Legal Advisory Services in respect of public international law and foreign law.

Sector or sub-sector	Description of reservations
(CPC 84)	ES, IT: Economic needs test for IP. LV: Economic needs test for CSS. BE: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, DE, BG, CY, CZ, FI, HU, LT, RO, SK, UK: Economic needs test.
Research and Development Services (CPC 851, 852 excluding psychologists services ⁴⁸ , 853)	EU, except BE, UK: A hosting agreement with an approved research organisation is required ⁴⁹ . CZ, DK, SK: Economic needs test. BE, UK: Unbound.
Advertising (CPC 871)	BE, CY, DE, EE, ES, FR, IE, IT, LU, NL, PL, PT, SI, SE, UK: None. AT, BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.
Management Consulting Services (CPC 865)	DE, EE, EL, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. ES, IT: Economic needs test for IP. BE: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, HU, LT, RO, SK: Economic needs test.
Services Related to Management Consulting (CPC 866)	DE, EE, EL, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, IT: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, LT, RO, SK: Economic needs test. HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound.
Technical Testing and Analysis Services (CPC 8676)	BE, DE, EE, EL, ES, FR, IE, IT, LU, NL, PL, SI, SE, UK: None. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test.
Related Scientific and Technical Consulting Services	BE, EE, EL, ES, IE, IT, LU, NL, PL, SI, SE, UK: None.

⁴⁸ Part of CPC 85201, which is to be found under Medical and dental services.

⁴⁹ For all Member States except DK, the approval of the research organisation and the hosting agreement have to meet the conditions set pursuant to EU Directive 2005/71/EC.

Sector or sub-sector	Description of reservations
(CPC 8675)	AT, CY, CZ, DE, DK, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. DE: Unbound for publicly appointed surveyors. FR: Unbound for “surveying” operations relating to the establishment of property rights and to land law where unbound. BG: Unbound.
Maintenance and repair of vessels (part of CPC 8868)	BE, CY, EE, EL, ES, FR, IT, LV, LU, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, MT, RO: Economic needs test. SK: Economic needs test. UK: Unbound.
Maintenance and repair of rail transport equipment (part of CPC 8868)	BE, CY, EE, EL, ES, FR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	BE, EE, EL, ES, FR, IT, LV, LU, NL, PL, PT, SI, SE: None. AT, BG, CY, CZ, DE, DK, FI, HU, IE, LT, MT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	BE, CY, EE, EL, ES, FR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods ⁵⁰ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	BE, EE, EL, ES, FR, IT, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. AT, BG, CY, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test.
Translation (CPC 87905, excluding official or certified activities)	DE, EE, FR, LU, MT, NL, PL, PT, SI, SE, UK: None. BE , ES, IT, EL: Economic needs test for IP.

⁵⁰ Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under Computer services.

Sector or sub-sector	Description of reservations
	<p>CY, LV: Economic needs test for CSS.</p> <p>AT, BG, CZ, DK, FI, HU, IE, LT, RO, SK: Economic needs test.</p>
<p>Site investigation work (CPC 5111)</p>	<p>BE, DE, EE, EL, ES, FR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None.</p> <p>AT, BG, CY, CZ, FI, HU, LT, LV, RO, SK: Economic needs test.</p> <p>DK: Economic needs test except for CSS stays of up to three months.</p>
<p>Environmental services (CPC 9401⁵¹, CPC 9402, CPC 9403, CPC 9404⁵², part of CPC 94060⁵³, CPC 9405, part of CPC 9406, CPC 9409)</p>	<p>BE, EE, ES, FR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None.</p> <p>AT, BG, CY, CZ, DE, DK, EL, FI, HU, LT, LV, RO, SK: Economic needs test.</p>
<p>Travel Agencies and Tour Operators Services (including tour managers⁵⁴) (CPC 7471)</p>	<p>AT, CZ, DE, EE, ES, FR, IT, LU, NL, PL, SI, SE: None.</p> <p>DK: Economic needs test except for CSS stays of up to three months.</p> <p>IE: Unbound except for tour managers.</p> <p>BG, EL, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test.</p> <p>BE, CY: Unbound, except for tour managers (persons whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations)</p> <p>UK: Unbound.</p>
<p>Entertainment Services other than audiovisual services (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)</p>	<p>AT, BG, CZ, DE, DK, EE, EL, ES, FI, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SK, SE: Advanced qualification⁵⁵ may be required. Economic Needs Test.</p> <p>SI: Duration of stay limited to 7 days per event. For circus and amusement park services duration of stay is limited to a maximum of 30 days per calendar year.</p> <p>FR: Unbound for CSS, except if:</p> <ul style="list-style-type: none"> - The artists have obtained an employment contract from an authorised entertainment enterprise. - The work permit is delivered for a period not exceeding nine months renewable for the duration of three months.

⁵¹ Corresponds to sewage services.

⁵² Corresponds to Cleaning Services of Exhaust Gases.

⁵³ Corresponds to parts of Nature and Landscape Protection Services.

⁵⁴ Services suppliers whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations.

⁵⁵ Where the qualification has not been obtained in the EU and its Member States, the Member State concerned may evaluate whether this is equivalent to the qualification required in its territory.

Sector or sub-sector	Description of reservations
	<ul style="list-style-type: none"> - Compliance with an Economic Need Test is required. Main criteria: assessment of the labour market situation in the area of activity concerned in the geographical area where the service is to be provided. - The entertainment enterprise must pay a tax to the Office Français de l'Immigration et de l'Intégration. <p>CY: Economic needs test for Live Bands and Discotheque Services.</p> <p>BE, UK: Unbound.</p>

ANNEX XVI-D

UKRAINE RESERVATIONS TO ESTABLISHMENT

(Referred to in Article 88(1))

Land ownership

Foreign citizens and persons without citizenship have no right to acquisition of property of agricultural lands. Foreign citizens and persons without citizenship do not have a right to acquire free of charge the land plots, which belong to the State and Municipal property, or to privatize the land plots, previously given to them into use.

Foreign legal persons may acquire property rights only for land plots of non-agricultural destination on the territory of populated localities in case of acquisition of the real estate objects related with business activity carried out in Ukraine, and outside the inhabited localities - in case of acquisition of real estate objects.

There are no restrictions on the rent of land by foreigners and foreign legal entities.

The acquisition, purchase as well as rent or lease of real estate by foreign natural persons and juridical persons may require an authorization

Forestry

Forests can be owned only by Ukrainian citizens and legal entities

The acquisition of state owned properties

Enterprises and governmental agencies in which state ownership exceeds 25% are not authorized to participate in the privatization of Ukrainian enterprises.

Prospecting, exploring for and producing hydrocarbons

Establishment shall be in line with Article 279 (on prospecting, exploring for and producing hydrocarbons in Chapter 11 (Trade-related Energy) of Title IV of this Agreement.

Notary services

Only citizens of Ukraine are permitted to supply notary services.

Medical and dental services

Professional qualification requirements according with Ukrainian legislation. Foreign service suppliers must speak Ukrainian.

Private Services provided by Midwives, Nurses, Physiotherapists and Paramedical Personnel

Professional qualification requirements according with Ukrainian legislation. Foreigner service suppliers must speak Ukrainian.

Postal and Courier Services (including express delivery services)⁵⁶

No national treatment for ordinary letters⁵⁷ weighing less than 50 grams and postcards.

Licensing may be required for:

- (i) Handling of addressed written communication on any kind of physical medium⁵⁸, including:
 - Hybrid mail service
 - Direct mail
- (ii) Handling of addressed parcels and packages⁵⁹
- (iii) Handling of addressed press products⁶⁰
- (iv) Handling of items referred to in (i) to (iii) above as registered or insured mail,

for which a general Universal Service Obligations exists.

These licenses may be subject to particular universal service obligations and/or financial contribution to a compensation fund.

Educational Services

Primary education services, Secondary education services, Higher education services

In line with Ukrainian legislation, only a citizen of Ukraine may be the head of an educational institution, notwithstanding the type of ownership.

Financial services

Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues may be conducted only by legal persons engaged exclusively in issuance of securities, and banks.

Health Related And Social Services

Professional qualification requirements according with Ukrainian legislation for hospital services, including Hospital Management Services and other human health services

Recreational, Cultural And Sporting Services

⁵⁶ The commitment on postal and courier services and express delivery services applies to commercial operators of all forms of ownership, both private and state.

⁵⁷ Ordinary delivery sent via postal box or post office and delivered to postal box at mentioned address without receipts.

⁵⁸ E.g. letter, postcards.

⁵⁹ Books and catalogues are included in this subsector.

⁶⁰ Magazines, newspapers and periodicals.

No national treatment and most favourable nation treatment obligations for access to subsidies to cinema theatre operation services

Foreign investment for news agency services providers is limited to 35%.

Internal Waterways Transport⁶¹

No national treatment and most favourable nation treatment obligations with respect to national cabotage transport. Measures based upon existing or future agreements on access to inland waterways (incl. agreements following the Rhine-Main-Danube link) reserve some traffic rights for operators based in the countries concerned and meeting nationality criteria regarding ownership. Subject to regulations implementing the Mannheim Convention on Rhine Shipping.

Air Transport Services

No national treatment and most favourable nation treatment obligations for domestic and international air transport services and services, whether scheduled or non-scheduled, and services directly related to the exercise of traffic rights, other than aircraft repair and maintenance services, the selling and marketing of air transport services, CRS services and other services auxiliary to air transport services, such as ground handling services, rental services of aircraft with crew and airport operations services. The conditions of mutual market access in air transport shall be dealt with by the Agreement between the European Union and its Member States and Ukraine on the establishment of a common aviation area.

Rail Transport Services

No national treatment and most favourable nation treatment obligations for passenger and freight transportation, other than treatment established under Article 136 of Chapter 6 (Establishment, Trade in Services and Electronic Commerce) of Title IV on of this Agreement.

Road Transport Services

Passenger transportation and freight transportation entities shall be registered as a legal entity

⁶¹ Including Services auxiliary to internal waterways transport

ANNEX XVI-E

UKRAINE LIST OF COMMITMENTS ON CROSS-BORDER SERVICES

(Referred to in Article 95)

I. BUSINESS SERVICES	
1. Professional Services	
(a) Legal Services	
- Legal advisory and representation services concerning criminal law (CPC 86111)	(1) None. (2) None.
- Legal advisory and representation services in judicial procedure concerning fields of law, other than criminal law (CPC 86119)	(1) None. (2) None.
- Legal advisory and representation services in statutory procedures (CPC 8612) (CPC 86120)	(1) None. (2) None.
- Legal documentation and certification services (CPC 8613) (CPC 86130)	(1) None. (2) None.
- Other legal advisory and information services, other than notary services (CPC 8619) (CPC 86190)	(1) None. (2) None.

- Consultancy on home country law and international law and third country law (part of CPC 861)	(1) None. (2) None.
- Notary services	(1) Only citizens of Ukraine are permitted to supply notary services. (2) None.
(b) Accounting and bookkeeping services (CPC 862 (except CPC 86211))	(1) None. (2) None.
- Auditing services (CPC 86211)	(1) None, except official audit reports must be confirmed by an auditor or auditing firm of Ukraine. (2) None.
(c) Taxation services (CPC 863)	(1) None. (2) None.
(d) Architectural services (CPC 8671)	(1) None. (2) None.
(e) Engineering services (CPC 8672)	(1) None. (2) None.
(f) Integrated engineering services (CPC 8673)	(1) None. (2) None.
(g) Urban planning and landscape architecture services (CPC 8674)	(1) None. (2) None.
(h) Medical and dental services (CPC 9312)	(1) None. (2) None.
(i) Veterinary services (CPC 932)	(1) None. (2) None.
(j) Private Services provided by Midwives, Nurses, Physiotherapists and	(1) Unbound.

Paramedical Personnel (part of CPC 93191)	(2) None.
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2. Computer and Related Services	
(a) Consultancy services related to the installation of computer hardware (CPC 841)	(1) None. (2) None.
(b) Software implementation services (CPC 842)	(1) None. (2) None.
(c) Data processing services (CPC 843)	(1) None. (2) None.
(d) Data base services (CPC 844)	(1) None. (2) None.
(f) Other computer services: - Maintenance and repair services of office machinery and equipment including computers (CPC 845)	(1) None. (2) None.
- Data preparation services (CPC 849)	(1) None. (2) None.

3. Research and Development Services	
(a) R&D services on natural science (CPC 851)	(1) None. (2) None.
(b) R&D services on social science and humanities (CPC 852)	(1) None. (2) None.
(c) Interdisciplinary R&D services (CPC 853)	(1) None. (2) None.
4. Real Estate Services	
- Real estate services (CPC 821-822)	(1) None. (2) None.
5. Rental/Leasing Services without Operators	
(e) Other - Rental or leasing (other than financial) services (CPC 831-832) - Including Rental or leasing of studio recording equipment (CPC 83109)**	(1) None. (2) None.

6. Other Business Services	
(a) Advertising services (CPC 871)	(1) None. (2) None.
(b) Market research and public opinion polling services (CPC 864)	(1) None. (2) None.
(c) Management consulting service (CPC 865)	(1) None. (2) None.
(d) Services related to management consulting (CPC 866)	(1) None. (2) None.
(e) Technical testing and analysis services, including ships survey services (CPC 8676)	(1) None. (2) None.
(f) Services incidental to agriculture, hunting and forestry (except fire fighting, timber evaluation, forest management including forest damage assessment services) (part of CPC 881)	(1) None. (2) None.
- Consultancy services on fire fighting, timber evaluation, forest management including forest damage assessment services (part of CPC 881)	(1) None. (2) None.
(g) Services incidental to fishing (CPC 882)	(1) None. (2) None.
(h) Services incidental to mining (CPC 883+5115)	(1) None. (2) None.
(i) Services incidental to manufacturing (part of CPC 884 + part of CPC 885)	(1) None. (2) None.

(j) Services incidental to energy distribution (CPC 887)	(1) None. (2) None.
(k) Placement and supply services of Personnel (CPC 872)	(1) None. (2) None.
(m) Related scientific and technical consulting services (CPC 8675)	(1) None. (2) None.
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transportation equipment) (CPC 6112, 6122, 633+8861-8866) Including Automotive Maintenance and Repair Services (CPC 8867)	(1) None. (2) None.
(o) Building-cleaning services (CPC 874)	(1) None. (2) None.
(p) Photographic services (except for aerial photography) (CPC 875)	(1) Unbound (2) None.
(q) Packaging services (CPC 876)	(1) None. (2) None.
(r) Printing, publishing (CPC 88442)	(1) None. (2) None.
(s) Convention services (CPC 87909)*	(1) None. (2) None.
(t) Other - Translation and interpretation services (CPC 87905)	(1) None. (2) None.
- Specialty design services (CPC 87907)	(1) None. (2) None.

II. COMMUNICATION SERVICES	
1. and 2. Postal and Courier Services (including express delivery services) ⁶²	
<p>Services relating to the handling⁶³ of items in accordance with the following list of sub-sectors, whether for domestic or foreign destinations. For the purpose of the following commitments, written communication excludes ordinary letters⁶⁴ weighing less than 50 grams and postcards.</p> <p>(i) Handling of addressed written communication on any kind of physical medium⁶⁵, including:</p> <ul style="list-style-type: none"> - Hybrid mail service - Direct mail <p>(ii) Handling of addressed parcels and packages⁶⁶</p> <p>(iii) Handling of addressed press products⁶⁷</p> <p>(iv) Handling of items referred to in (i) to (iii) above as registered or insured mail</p> <p>(v) Express delivery services⁶⁸ for items referred to in (i) to (iii) above</p> <p>(vi) Handling of non-addressed items</p> <p>(vii) Document exchange⁶⁹</p> <p>(viii) Other services not elsewhere specified</p>	<p>(1) (2) Licensing systems may be established for sub-sectors (i) to (iv), for which a general Universal Service Obligations exists. These licenses may be subject to particular universal service obligations and/or financial contribution to a compensation fund. None for sub-sectors (v) to (viii).</p>

⁶² The commitment on postal and courier services and express delivery services applies to commercial operators of all forms of ownership, both private and state.

⁶³ "Handling" should be taken to include clearance, sorting, transport and delivery.

⁶⁴ Ordinary delivery sent via postal box or post office and delivered to postal box at mentioned address without receipts

⁶⁵ E.g. letter, postcards.

⁶⁶ Books and catalogues are included in this subsector.

⁶⁷ Magazines, newspapers and periodicals.

⁶⁸ Express delivery services are defined as the collection, transport, and delivery of documents, printed matter, parcels, goods or other items on an expedited basis, while tracking and maintaining control of these items throughout the supply of the service.

3. Telecommunication services	
Basic Telecommunications Services:	
(a) Voice telephone services (CPC7521)	(1) None. (2) None.

⁶⁹ Provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. Postal item refers to items handled by any type of commercial operator, whether public or private.

(b) Packet-switched data transmission services (CPC7523**)	(1) None. (2) None.
(c) Circuit-switched data transmission services (CPC7523**)	(1) None. (2) None.
(d) Telex services (CPC7523**)	(1) None. (2) None.
(e) Telegraph services (CPC7522)	(1) None. (2) None.
(f) Facsimile services (CPC 7521**+7529**)	(1) None. (2) None.
(g) Private leased circuit services (CPC 7522**+7523**)	(1) None. (2) None.
(o) Other - Mobile voice and data services (CPC 75213) - Paging services (CPC 75291) - Teleconferencing services (CPC 75292) - Integrated telecommunication services, excluding broadcasting ⁷⁰ (CPC 7526)	(1) None. (2) None.
Value-added Telecommunications Services	
(h) Electronic mail (CPC 7523**)	(1) None. (2) None.

⁷⁰ 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.

(i) Voice mail (CPC 7523**)	(1) None. (2) None.
(j) On-line information and database retrieval (CPC 7523**)	(1) None. (2) None.
(k) Electronic data interchange (EDI) (CPC 7523**)	(1) None. (2) None.
(l) Value-added facsimile services, including store and forward, store and retrieve (CPC 7523**)	(1) None. (2) None.
(m) Code and protocol conversion	(1) None. (2) None.
(n) On-line information services and/or data processing (including transaction processing) (CPC 843**)	(1) None. (2) None.
III. CONSTRUCTION AND RELATED ENGINEERING SERVICES	
- Pre-erection work at construction sites (CPC 511)	(1) None. (2) None.
(a) General construction work for buildings (CPC 512)	(1) None. (2) None.
(b) Construction work for civil engineering, including dredging services (CPC 513)	(1) None. (2) None.
(c) Assembly, erection of prefabricated constructions and installation work (CPC 514+516)	(1) None. (2) None.
(d) Building completion and finishing work (CPC 517)	(1) None. (2) None.
(e) Other	(1) None.
- Special construction work (CPC515)	(2) None.
- Renting services related to equipment for	(1) None.

construction or demolition of buildings or civil engineering works, with operator (CPC 518)	(2) None.
IV. DISTRIBUTION SERVICES	
(a) Commission agents' services (CPC 621, 6111, 6113, 6121)	(1) None. (2) None.
(b) Wholesale trade services (CPC 6121, 61111, 6113, 622 (except CPC 62262))	(1) None. (2) None.
- Wholesale trade services of books, newspapers, magazines (except stationary) (CPC 62262)	(1) None. (2) None.
(c) Retailing services (CPC 631+632+6111+6113 + 6121+613, including audio and video records and tapes CPC 63234)	(1) None. (2) None.
(d) Franchising (CPC 8929)	(1) None. (2) None.
V. EDUCATIONAL SERVICES	
(a) Primary education services (CPC 921)	(1) None. (2) None.
(b) Secondary education services (CPC 922)	(1) None. (2) None.
(c) Higher education services (CPC 923)	(1) None. (2) None.
(d) Adult education services (CPC 924)	(1) None. (2) None.
(e) Other education services (CPC 929)	(1) None. (2) None.

VI. ENVIRONMENTAL SERVICES	
(a) Sewage services (CPC 9401)	(1) None. (2) None.
(b) Refuse disposal services (CPC 9402)	(1) None. (2) None.
(c) Sanitation and similar services (CPC 9403)	(1) None. (2) None.
(d) Other	(1) None.
- Cleaning services of exhaust gases (CPC 9404)	(2) None.
- Noise abatement services (CPC 9405)	(1) None. (2) None.
- Nature and landscape protection services (CPC 9406)	(1) None. (2) None.
- Other environmental protection services (CPC 9409)	(1) None. (2) None.
VII. FINANCIAL SERVICES	
1. All insurance services and insurance-related services	
Foreign insurance companies may provide insurance services via branches only 5 years following Ukraine's accession to the WTO.	
(i) Direct insurance (including co-insurance): (A) Life insurance services (B) Non-life insurance services (including marine and aviation insurance)	(1) Unbound, except none for: - insurance of risks relating to maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; - reinsurance;
(ii) Reinsurance and retrocession services	
(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment	

and claims settlement services	<p>- services auxiliary to insurance.</p> <p>(2) None.</p>
(iii) Insurance intermediation, such as brokerage and agency	<p>(1) Unbound, except none for:</p> <ul style="list-style-type: none"> - insurance of risks relating to maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; - reinsurance; <p>After 5 years from the date of accession to the WTO: none.</p> <p>(2) None.</p>
2. Banking and other financial services (excluding insurance)	
(v) Acceptance of deposits and other repayable funds from the public	<p>(1) None.</p> <p>(2) None.</p>
(vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions	<p>(1) None.</p> <p>(2) None.</p>
(vii) Financial leasing	<p>(1) None.</p> <p>(2) None.</p>
(viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts	<p>(1) None.</p> <p>(2) None.</p>
(ix) Guarantees and commitments	<p>(1) None.</p> <p>(2) None.</p>
(x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:	

- (A) money market instruments (including cheques, bills, certificates of deposits)	(1) None. (2) None.
- (B) foreign exchange	(1) None. (2) None.
- (C) derivative products, including, but not limited to, futures and options	(1) Unbound. (2) None.
- (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements	(1) Unbound. (2) None.
- (E) transferable securities	(1) None. (2) None.
- (F) other negotiable instruments, including bullion	(1) None. (2) None.
(xi) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	(1) None. (2) None.
(xii) Money broking	(1) None. (2) None.
(xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services	(1) None. (2) None.
(xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments	(1) None. (2) None.
(xv) Provision and transfer of financial information, financial data processing and related software by suppliers of other financial services	(1) None. (2) None.

(xvi) Advisory, intermediation and other auxiliary financial services on all the activities, listed in paragraphs (v)-(xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	(1) None. (2) None.
VIII. HEALTH RELATED AND SOCIAL SERVICES	
(a) Hospital services, including Hospital Management Services (CPC 9311)	(1) Unbound. (2) None.
(b) Other human health services (CPC 9319 (except 93191))	(1) Unbound. (2) None.
(c) Social services (CPC 933**)	(1) None. (2) None.
IX. TOURISM AND TRAVEL RELATED SERVICES	
(a) Hotels and restaurants (including catering), including Hotel Management Services (CPC 641-643)	(1) None. (2) None.
(b) Travel agencies and tour operators services (CPC 7471)	(1) None. (2) None.
(c) Tourist guides services (CPC 7472)	(1) None. (2) None.
X. RECREATIONAL, CULTURAL AND SPORTING SERVICES	
(a) Entertainment services (including theatre, live bands and circus services) (CPC 9619) excluding cinema theatre operation services and dance instructor services other than dance sport	(1) Unbound. (2) None.
- Cinema theatre operation services	(1) Unbound.

(CPC 96199**)	(2) None.
- Dance instructor services, except dance sport (CPC 96195**)	(1) Unbound. (2) None. (3) None.
(b) News agency services (CPC 962)	(1) None. (2) None.
(c) Libraries, archives, museums and other cultural services (CPC 963)	(1) Unbound. (2) None.
(d) Sporting services (CPC 9641) and other recreational services (CPC 9649) excluding gambling and betting services	(1) None. (2) None.
XI. TRANSPORT SERVICES	
1. MARITIME TRANSPORT SERVICES	
- International Transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport)	(1) (a) Liner Shipping: none. (b) Bulk, tramp, and other international shipping, including passenger transportation; none. (2) None.
- Maritime Cargo Handling Services (CPC 741) - Storage and warehousing Services (CPC 742) - Customs Clearance Services for Maritime Transport Services - Container Station and Depot Services - Maritime Agency Services - (Maritime) Freight Forwarding Services	(1) Unbound. (2) None.
2. Internal waterways transport	
(a) Passenger transportation and freight	(1) Measures based upon existing or future

transportation (excluding cabotage) (CPC 7221 + CPC 7222)	<p>agreements on access to inland waterways (inc. agreements following the Rhine-Main-Danube link) reserve some traffic rights for operators based in the countries concerned and meeting nationality criteria regarding ownership. Regulations implementing the Mannheim Convention on Rhine Shipping and the Belgrade Convention on Danube Navigation.</p> <p>(2) None.</p>
(b) Rental services of vessels with crew (CPC7213)	<p>(1) None.</p> <p>(2) None.</p>
(d) Maintenance and repair of vessels (CPC 8868**)	<p>(1) None.</p> <p>(2) None.</p>
(e) Pushing and towing services (CPC7224)	<p>(1) None.</p> <p>(2) None.</p>
(f) Supporting services for internal water transport (CPC 745)	<p>(1) None.</p> <p>(2) None.</p>
3. Air Transport Services	
(a) Aircraft repair and maintenance services	<p>(1) None.</p> <p>(2) None.</p>
(b) Sales and marketing of air transport services	<p>(1) None.</p> <p>(2) None.</p>
(c) Computer Reservation System (CRS)	<p>(1) None.</p> <p>(2) None.</p>
5. Rail Transport Services	
(a), (b) Passenger and freight transportation (CPC 7111+7112)	<p>(1) Unbound.</p> <p>(2) None.</p>
Off line:	(1) None.
(d) Maintenance and repair of railway	

transportation equipment (CPC 8868**)	(2) None.
(e) Supporting services for railway transportation services (CPC 743)	(1) None. (2) None.
6. Road Transport Services	
(a) Passenger transportation (CPC 7121+7122)	(1) Unbound. (2) None.
(b) Freight transportation (CPC 7123)	(1) Unbound. (2) None.
(c) Rental of commercial vehicles with operator (CPC 7124)	(1) None. (2) None.
(d) Maintenance and repair of road transport equipment (CPC 6112+8867)	(1) None. (2) None.
(e) Supporting services for road transport services (CPC 744)	(1) None. (2) None.
7. Pipeline Transport	
(a) Transportation of fuels (CPC 7131)	(1) None. (2) None.
(b) Transportation of other goods (CPC 7139)	(1) None. (2) None.
8. Services auxiliary to all modes of transport except maritime transport	
(a) Cargo handling services (CPC741)	(1) Unbound for air transport ground-handling services. (2) None.
(b) Storage and warehouse services (CPC 742)	(1) Unbound for air transport ground-handling services. (2) None.

(c) Freight transport agency services (CPC 748)	(1) None. (2) None.
(d) Other - Freight Inspection (Part of CPC 749)	(1) Unbound (2) None.
XII. Other Services not elsewhere specified	
- Beauty and Physical Well-Being Services - Massage Services excluding Therapeutic Massage (part of CPC Ver. 1.0: 97230) ⁷¹	(1) Unbound (2) None.
- Spa Services (part of CPC Ver. 1.0: 97230) ⁷² , including Spa Management Services	(1) Unbound (2) None.
- Hairdressing and other beauty services (CPC 9702)	(1) Unbound (2) None.

⁷¹ This subclass does not include medical treatment services, cf. 931.

⁷² This subclass does not include medical treatment services, cf. 931.

ANNEX XVI-F

RESERVATIONS ON CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS

UKRAINE

1. The list of reservations below indicates the services sectors liberalised pursuant to Articles 101(2) and 102(2) (CSS and IP) for which limitations on contractual service suppliers and independent professionals (CSS and IP) apply and specifies such limitations.
2. The list is composed of the following elements:
 - (a) the first column indicating the sector or sub-sector in which limitations apply; and
 - (b) the second column describing the applicable limitations.

Ukraine does not undertake any commitment for contractual service suppliers and independent professionals for any services sector other than those which are explicitly listed below.

3. In identifying individual sectors and sub-sectors:
 - (a) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991; and
 - (b) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.
4. Commitments for contractual service suppliers and independent professionals do not apply in cases where the intent or effect of their temporary presence is to interfere with, or otherwise affect the outcome of, any labour/management dispute or negotiation.
5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a limitation within the meaning of Articles 101(2) and 102(2) (CSS and IP). Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, and need to have a legal domicile in the territory where the economic activity is performed), even if not listed below, apply in any case to contractual service suppliers and independent professionals of the EU Party and its Member States.
6. The list below does not include measures concerning subsidies granted by a Party.

7. The list below is without prejudice to the existence of public monopolies or exclusive rights in the relevant sectors, as set out by Ukraine in its Schedule (Annex XVI-D or Annex XVI-E) to Chapter 6 (Establishment, Trade in Services and Electronic Commerce) of Title IV of this Agreement.
8. The rights and obligations arising from the list below shall have no self-executing effect and thus confer no rights directly on natural or juridical persons.

Sector or sub-sector	Description of reservations
Legal Advisory Services in respect of public international law and foreign law (part of CPC 861)	None.
Accounting and Bookkeeping Services (CPC 86212 other than “auditing services”, CPC 86213, CPC 86219 and CPC 86220)	None.
Taxation Advisory Services (CPC 863) ⁷³	None.
Architectural services and Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	None.
Engineering services and Integrated engineering services (CPC 8672 and CPC 8673)	None.
Computer and Related Services (CPC 84)	None.
Research and Development Services (CPC 851, 852 excluding psychologists services ⁷⁴ , 853)	A hosting agreement with an approved research organisation is required.

⁷³ Does not include legal advisory and legal representational services on tax matters, which are to be found under Legal Advisory Services in respect of public international law and foreign law.

Sector or sub-sector	Description of reservations
Advertising (CPC 871)	None.
Management Consulting Services (CPC 865)	None.
Services Related to Management Consulting (CPC 866)	None.
Technical Testing and Analysis Services (CPC 8676)	None.
Related Scientific and Technical Consulting Services (CPC 8675)	None.
Maintenance and repair of vessels (part of CPC 8868)	None.
Maintenance and repair of rail transport equipment (part of CPC 8868)	None.
Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	None.
Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	None.
Maintenance and repair of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods ⁷⁵	None.

⁷⁴ Part of CPC 85201, which is to be found under Medical and dental services.

⁷⁵ Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under Computer services.

Sector or sub-sector	Description of reservations
(CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	
Translation (CPC 87905, excluding official or certified activities)	None.
Site investigation work (CPC 5111)	None.
Environmental services (CPC 9401 ⁷⁶ , CPC 9402, CPC 9403, CPC 9404 ⁷⁷ , part of CPC 94060 ⁷⁸ , CPC 9405, part of CPC 9406, CPC 9409)	None.
Travel Agencies and Tour Operators Services (including tour managers ⁷⁹) (CPC 7471)	None.
Entertainment Services other than audiovisual services (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	Advanced qualification ⁸⁰ may be required.

⁷⁶ Corresponds to sewage services.

⁷⁷ Corresponds to Cleaning Services of Exhaust Gases.

⁷⁸ Corresponds to parts of Nature and Landscape Protection Services.

⁷⁹ Services suppliers whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations.

⁸⁰ Where the qualification has not been obtained in Ukraine, Ukraine may evaluate whether this is equivalent to the qualification required in its territory.