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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part

Pages EU/AM/Annex VIII-A/en 5, EU/AM/Annex VIII-A/en 10, EU/AM/Annex VIII-A/en 13, EU/AM/Annex VIII-A/en 14, EU/AM/Annex VIII-A/en 36, EU/AM/Annex VIII-A/en 50, EU/AM/Annex VIII-B/en 13, EU/AM/Annex VIII-C/en 5 and EU/AM/Annex VIII-C/en 11 are replaced by the attached pages.

FR: The managing director of an industrial, commercial or artisanal activity, if not a holder of a residency permit, needs a specific authorisation.

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

IT: Access to industrial, commercial and artisanal activities may be subject to a residence permit.

PL: The scope of operations of a representative office may only encompass advertising and promotion of the foreign parent company represented by the office. For all sectors except legal services and services provided by healthcare units, Armenian investors can undertake and conduct economic activity only in the form of a limited partnership, limited joint-stock partnership, limited liability company, and joint-stock company (in the case of legal services only in the form of registered partnership and limited partnership).

RO: The sole administrator or the chairman of the board of administration as well as half of the total number of administrators of the commercial companies shall be Romanian citizens unless otherwise stipulated in the company contract or its statutes. The majority of the commercial companies' auditors and their deputies shall be Romanian citizens.

CZ: Agricultural and forest land can be acquired only by foreign natural persons having permanent residence in the Czech Republic and enterprises established in the juridical persons with permanent residence in the Czech Republic. Specific rules apply to the agricultural and forest land in the state ownership. State agricultural land can be acquired only by Czech nationals, by municipalities and by public universities (for training and research). Legal persons (regardless of the form or place of residence) can acquire state agriculture land from the state only if a building, which they already own, is built on it or if this land is indispensable for the use of such building. Only municipalities and public universities can acquire state forests.

CY: No national treatment and most favoured nation treatment obligations.

DE: Subject to certain conditions of reciprocity.

DK: Acquisition of real estate by non-resident natural or legal persons is as a general rule subject to permission from the Ministry of Justice. The conditions for requiring a permit depend on the intended use of the real estate.

EE: The right is reserved to require that only a natural person who is an Estonian citizen or the citizen of any EEA country or a legal person who is entered in the appropriate Estonian register, may acquire any immovable used for profit yielding land, the land use type categories of which include agriculture or forest land, and only with the authorisation of the county governor. This reservation does not apply to the acquisition of agriculture or forest land for the purposes of providing a service which is liberalised under this agreement.

SI: The right is reserved to require that juridical persons, established in the Republic of Slovenia with foreign capital participation, may acquire real estate in the territory of the Republic of Slovenia, and that 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. According to the Law on Commercial Companies, a branch established in the Republic of Slovenia is not considered a juridical person, but as regards their operation, their treatment is equal to a subsidiary, which is in line with Article XXVIII para.(g) of the GATS.

SK: The acquisition of land is unbound (for modes 3 and 4) foreign companies or natural persons may not acquire agricultural and forest land outside the border of the built-up area of a municipality and some other land (e.g. natural resources, lakes, rivers, public roads etc.).

Recognition

EU: No national treatment and most favoured nation treatment obligations with regards to EU directives on mutual recognition of diplomas. The right to practise a regulated professional service in one Member State of the EU does not grant the right to practise in another Member State¹.

¹ In order for non-EU-country nationals to obtain EU-wide recognition of their qualifications, a mutual recognition agreement, negotiated within the framework defined in Article 161 of this Agreement, is necessary.

Specifically for most-favoured-nation treatment

The EU reserves the right to adopt or maintain any measure that accords differential treatment pursuant to any international investment treaties or other trade agreement in force or signed prior to the date of entry into force of this Agreement.

The EU reserves the right to adopt or maintain any measure which accords differential treatment relating to the right of establishment to nationals or enterprises through existing or future bilateral agreements between the following Member States of the European Union: Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain and the United Kingdom, and any of the following countries or principalities: San Marino, Monaco, Andorra, and the Vatican City State.

The European Union reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant to any existing or future bilateral or multilateral agreement which:

- (a) creates an internal market in services and investment;
- (b) grants the right of establishment; or
- (c) requires the approximation of legislation in one or more economic sectors.

For the purpose of this exemption:

- (a) An "internal market in services and investment" means an area without internal frontiers in which the free movement of services, capital and persons is ensured.

SI: Doctors, dentist, midwives, nurses and pharmacists need a licence from the professional chamber, other health professionals need registration.

SI: No national and most favoured nation treatment with respect to social medicine, sanitary, epidemiological, medical/ecological services; the supply of blood, blood preparations and transplants; and autopsy.

Retail sales of pharmaceutical, medical and orthopaedic goods¹ (CPC 63211)

AT: The retail of pharmaceutical and specific medical goods to the public may only be carried out through a pharmacy. EEA or Swiss nationality is required in order to operate a pharmacy. EEA or Swiss nationality is required for leaseholders and persons in charge of managing a pharmacy.

BG: Requirement for permanent residence for pharmacists.

CY: No national treatment and most favoured nation treatment obligation with respect to retail sales of pharmaceutical, medical and orthopaedic goods and the supply of pharmaceutical goods and other services supplied by pharmacists (CPC 63211).

¹ 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 the Member States of the European Union. As a general rule, this activity is reserved to pharmacists. In some Member States of the European Union, only the supply of prescription drugs is reserved to pharmacists.

AT: Licence for a branch office of a foreign insurer shall be denied if the foreign insurer does not have a legal form corresponding or comparable to a joint stock company or a mutual insurance association. The management of a branch office must consist of two natural persons resident in Austria.

BG: Pension insurance shall be implemented through participation in incorporated pension insurance companies (no branches). 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 authorised to operate in the same classes of insurance in its country of origin. Local incorporation (no branches) required for insurance intermediaries. Residency requirement for the members of managing and supervisory body of (re)insurance undertakings and every person authorised to manage or represent the (re)insurance undertaking.

CY: Only members (brokers) of the Cyprus Stock Exchange can undertake business pertaining to securities brokerage in Cyprus. A brokerage firm may only be registered as a member of the Cyprus Stock Exchange if it has been established and registered in accordance with the Companies Law of Cyprus (no branches).

DE: Compulsory air insurance policies can be underwritten only by a subsidiary established in the EU or by a branch established in Germany. If a foreign insurance company has established a branch in Germany, it may conclude insurance contracts in Germany relating to international transport only through the branch established in Germany.

Sector or sub-sector	Description of reservations
D. Real estate services ¹	
(a) Involving own or leased property (CPC 821) (b) On a fee or contract basis (CPC 822)	<p>For Mode 1 BG, CY, CZ, EE, HR, HU, IE, LV, LT, MT, PL, RO, SK, SI: Unbound. PT: Incorporation in the EEA is required for legal persons.</p> <p>For Mode 2 None.</p>
E. Rental/leasing services without operators	
(a) Relating to ships (CPC 83103)	<p>For Mode 1 BG, CY, DE, HU, MT, RO: Unbound.</p> <p>For Mode 2 None.</p>
(b) Relating to aircraft (CPC 83104)	<p>For Modes 1 and 2 BG, CY, CZ, HU, LV, MT, PL, RO, SK: Unbound. 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 air carrier or elsewhere in the European Union, and shall be subject to prior approval in accordance with applicable EU or national law on aviation safety. A dry lease agreement to which a EU carrier is a party shall be subject to prior approval in accordance with EU or national law on aviation safety.</p>

¹ The service involved relates to the profession of real estate agent and does not affect any rights or restrictions on natural and juridical persons purchasing real estate.

Sector or sub-sector	Description of reservations
	<p>SE: A holder/applicant of registered rights (patents, trademarks, design protection, and plant variety rights) who is not resident in Sweden shall have an agent residing in Sweden for the main purpose of services of process, notification, etc.</p> <p>SI: A holder/applicant of registered rights (patents, trademarks, design protection) who is not resident in Slovenia shall have a patent agent or a trademark and design agent who is registered in Slovenia, for the main purpose of services of process, notification, etc.</p>
ALL SECTORS	<p>Recognition</p> <p>EU: EU directives on mutual recognition of diplomas only apply to the citizens of the EU. The right to practise a regulated professional service in one Member State of the EU does not grant the right to practise in another Member State¹.</p>
4. MANUFACTURING ²	
H. Publishing, printing and reproduction of recorded media (ISIC rev 3.1: 22), excluding publishing and printing on a fee or contract basis ³	<p>IT: Nationality condition for publishers.</p> <p>HR: Residency requirement for publishers.</p> <p>PL: Nationality condition for the editor-in-chief of newspapers and journals.</p> <p>SE: Residency requirement for publishers and owners of publishing and printing companies.</p>

¹ In order for non-EU-country nationals to obtain EU-wide recognition of their qualifications, a mutual recognition agreement, negotiated within the framework defined in Article 161 of this Agreement, is necessary.

² This sector does not include advisory services incidental to manufacturing.

³ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

Sector or sub-sector	Description of reservations
	<p>FR: Nationality condition. However, access is possible within annually established quotas.</p> <p>HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>LV: Practice of medical profession by foreigners requires the permission from local health authorities, based on economic needs for medical doctors and dentists in a given region.</p> <p>PL: Practice of medical profession by foreigners requires the permission. Foreign medical doctors have limited election rights within the professional chambers.</p> <p>PT: Residency requirement for psychologists.</p> <p>SI: Doctors, dentists, midwives, nurses and pharmacists need a licence from the professional chamber, other health professionals need registration.</p>
(i) Veterinary services (CPC 932)	<p>BG, CY, DE, EL, HR, FR, HU: Nationality condition.</p> <p>CZ and SK: Nationality Requirement and residency requirement.</p> <p>IT: Residency requirement.</p> <p>PL: Nationality requirement. Foreign persons may apply for permission to practice.</p>