



Council of the
European Union

Brussels, 8 April 2016
(OR. en)

Interinstitutional File:
2016/0092 (NLE)

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	4 April 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2016) 174 final - ANNEX 12
Subject:	ANNEX to the Proposal for a Council Decision on the conclusion of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the Accession of Ecuador

Delegations will find attached document COM(2016) 174 final - ANNEX 12.

Encl.: COM(2016) 174 final - ANNEX 12



Brussels, 4.4.2016
COM(2016) 174 final

ANNEX 12

ANNEX

to the

Proposal for a Council Decision

on the conclusion of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the Accession of Ecuador

ANNEX XIII

(Section B of Appendix 1 to Annex IX to the Agreement referred to in Article 124 of the Agreement)

RESERVATIONS REGARDING TEMPORARY PRESENCE OF NATURAL PERSONS FOR BUSINESS PURPOSES

APPENDIX 1

RESERVATIONS ON KEY PERSONNEL AND GRADUATE TRAINEES

'SECTION B

EU PARTY

The following abbreviations are used:

AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
ES	Spain
EE	Estonia
EU	European Union, including all its Member States
FI	Finland
FR	France
EL	Greece
HR	Croatia
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

1. The list of reservations below indicates the economic activities liberalised pursuant to Article 114 of this Agreement for which limitations on key personnel and graduate trainees in accordance with Article 124 of this Agreement apply and specifies such limitations. The lists are composed of the following elements:

- (a) a first column indicating the sector or sub-sector in which limitations apply; and
- (b) a second column describing the applicable limitations.

When the column referred to under subparagraph (b) only includes European Union Member State -specific reservations, European Union Member States not mentioned therein undertake commitments in the sector concerned without reservations¹.

The European Union and its Member States do not undertake any commitment for key personnel and graduate trainees in economic activities which are not liberalised (remain unbound) pursuant to article 114 of this Agreement.

2. In identifying individual sectors and sub-sectors:

- (a) "ISIC rev 3.1" means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, ISIC REV 3.1, 2002;
- (b) "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
- (c) "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. Commitments on key personnel and graduate trainees 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.

4. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures, and measures regarding employment, work and social security conditions when they do not constitute a limitation within the meaning of Articles 112 and 113 of this

¹ The absence of European Union Member State-specific reservations in a given sector is without prejudice to horizontal reservations or to sectoral European Union -broad reservations that may apply.

Agreement. 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, need to have a legal domicile in the territory where the economic activity is performed, need to comply with national regulations and practices concerning minimum wages and with collective wage agreements in the host country), even if not listed, apply in any case to key personnel and graduate trainees of investors of another Party. In accordance with Article 107 paragraph 3 of this Agreement, the list below does not include measures concerning subsidies granted by the Parties.

5. All requirements of the laws and regulations of the European Union and its Member States regarding entry, stay, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements even if not listed below.
6. The list below is without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.
7. In those sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation in the European Union Member States or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.
8. The rights and obligations arising from this list of reservations shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

Sector or Sub-Sector	Description of Reservations
ALL SECTORS	<p style="text-align: center;">Economic needs test</p> <p>BG, HU: Economic needs test is required for graduate trainees.</p>
ALL SECTORS	<p style="text-align: center;">Scope of intra-corporate transfers</p> <p>BG: The number of intra-corporate transferees is not to exceed 10 per cent of the average annual number of the European Union citizens employed by the respective Bulgarian juridical person: Where less than 100 persons are employed, the number of intra-corporate transferees may, subject to authorisation, exceed 10 per cent.</p> <p>HU: Unbound for natural persons who have been a partner in a juridical person of another Party.</p>
ALL SECTORS	<p style="text-align: center;">Managing directors and auditors</p> <p>AT: Managing directors of branches of juridical persons have to be resident in Austria; natural persons responsible within a juridical person or a branch for the observance of the Austrian Trade Act must have a domicile in Austria.</p> <p>FI: A foreigner carrying on trade as private entrepreneur needs a trade permit and has to be permanently resident in the European Union. For all sectors, except telecommunications services, nationality condition and residence requirement for the managing director of a limited company. For telecommunications services, permanent residency for the managing director.</p> <p>FR: The managing director of an industrial, commercial or artisanal activity, if not holder of a residence permit, needs a specific authorisation.</p> <p>RO: The majority of the commercial companies' auditors and their deputies shall be Romanian citizens.</p> <p>SE: The managing director of a juridical person or a branch shall reside in Sweden.</p>

Sector or Sub-Sector	Description of Reservations
ALL SECTORS	<p style="text-align: center;">Recognition</p> <p>EU: European Union directives on mutual recognition of diplomas only apply to European Union nationals. The right to practise a regulated professional service in one European Union Member State does not grant the right to practice in another European Union Member State².</p>
4. MANUFACTURING ³	
H. Publishing, printing and reproduction of recorded media (ISIC rev 3.1: 22), excluding publishing and printing on a fee or contract basis ⁴	<p>HR: Residency requirement for publishers.</p> <p>IT: Nationality condition for publisher.</p> <p>PL: Nationality condition for the editor-in-chief of newspapers and journals.</p> <p>SE: Residency requirements for publisher and owner of publishing and printing company.</p>

² In order for third-country nationals to obtain European Union -wide recognition of their qualifications, it is necessary a Mutual Recognition Agreement negotiated within the framework defined in Article 129 of this Agreement.

³ This sector does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

⁴ 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
6. BUSINESS SERVICES	
A. Professional Services	
a) Legal Services (CPC 861) ⁵ 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>AT, CY, ES, EL, LT, MT, RO, SK: Full admission to the Bar, required for the practice of domestic (European Union and its Member States) law, is subject to a nationality condition. For ES, the competent authorities may grant waivers.</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 Belgium quotas apply for appearing before the "Cour de cassation" 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>

⁵ 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, European Union law and the law of any jurisdiction where the service supplier 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 European Union Member States. 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 European Union law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in the European Union acting personally, and legal services in respect of the law of a European Union Member State shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in that European Union Member State acting personally. Full admission to the Bar in the relevant European Union Member State might therefore be necessary for representation before Courts and other competent authorities in the European Union since it involves practice of European Union and national procedural law. However, in some European Union 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.

Sector or Sub-Sector	Description of Reservations
	<p>FR: Lawyers' access to the profession of "avocat auprès de la Cour de Cassation" and "avocat auprès du Conseil d'Etat" is subject to quotas and to a nationality condition.</p> <p>HR: Full admission to the Bar, required for legal representation services, is subject to a nationality condition (EU Member States citizenship).</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, which has to take place on the basis of a collaboration contract concluded with a Hungarian attorney or law firm.</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 license to practice. Requirement of a Danish legal examination in order to obtain a Danish licence.</p> <p>LU: Nationality condition for the supply of legal services in respect of Luxembourg and European Union law.</p> <p>SE: Admission to the Bar, necessary only for the use of the Swedish title "advokat", is subject to a residency requirement.</p>
<p>b) 1. Accounting and Bookkeeping Services (CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220)</p>	<p>FR: 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. The requirement of residence cannot exceed 5 years.</p>

Sector or Sub-Sector	Description of Reservations
<p>b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)</p>	<p>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.) DK: Residence requirement. ES: Condition of nationality for statutory auditors and for administrators, directors and partners of companies other than those covered by the 8th EEC directive on company law. FI: Residency requirement for at least one of the auditors of a Finnish Liability company. EL: Condition of nationality for statutory auditors. HR: Only certified auditors holding a licence formally recognised by the Croatian Chamber of Auditors can provide auditing services. IT: Condition of nationality for administrators, directors and partners of companies other than those covered by the 8th EEC directive on company law. Residence requirement for individual auditors. SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, a.o. in all limited companies. Residency required for approval.</p>
<p>c) Taxation Advisory Services (CPC 863)⁶</p>	<p>AT: Nationality condition for representation before competent authorities. BG, SI: Nationality condition for specialists. HU: Residency requirement</p>
<p>d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)</p>	<p>EE: At least one responsible person (project manager or consultant) must be resident in Estonia BG: Foreign specialists must have experience in the field of construction of at least two years. Nationality condition for urban planning and landscape architectural services EL, HR, HU, SK: Residence requirement</p>

⁶ Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a). Legal services.

Sector or Sub-Sector	Description of Reservations
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	EE: At least one responsible person (project manager or consultant) must be resident in Estonia BG: Foreign specialists must have experience in the field of construction of at least two years. EL, HR, HU, SK: Residence requirement.
h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)	CZ, IT, SK: Residence requirement. CZ, EE, RO, SK: Authorization by the competent authorities required for foreign natural persons. BE, LU: For graduate trainees, authorization by the competent authorities required for foreign natural persons. BG, CY, MT: Condition of nationality. DE: Condition of nationality which can be waived on an exceptional basis in cases of public health interest. DK: Limited authorization to fulfil a specific function can be given for maximum 18 months and requires residence. FR: Condition of nationality. However, access is possible within annually established quotas. LV: Practice of medical profession by foreigners requires the permission from local health authority, based on economic needs for medical doctors and dentists in a given region. PL: Practice of medical profession by foreigners requires the permission. Foreign medical doctors have limited election rights within the professional chambers. PT: Residence requirement for psychologists.
i) Veterinary services (CPC 932)	BG, CY, DE, EE, EL, FR, HR, HU, MT, SI: Nationality condition. CZ, SK: Nationality condition and residence requirement. IT: Residence requirement. PL: Nationality requirement. Foreign persons may apply for permission to practice

Sector or Sub-Sector	Description of Reservations
j) 1. Midwives services (part of CPC 93191)	<p>AT: In order to establish a professional practice in Austria, the person concerned must have practised the profession in question at least three years preceding the setting up of that professional practice.</p> <p>BE, LU: For graduate trainees, authorization by the competent authorities required for foreign natural persons.</p> <p>CZ, CY, EE, RO, SK: Authorization by the competent authorities required for foreign natural persons.</p> <p>FR: Condition of nationality. However, access is possible within annually established quotas.</p> <p>HU: Nationality condition.</p> <p>IT: Residence requirement.</p> <p>LV: Economic needs determined by the total number of midwives in the given region, authorized by local health authorities.</p> <p>PL: Nationality condition. Foreign persons may apply for permission to practice.</p>
j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	<p>AT: Foreign services suppliers are only allowed in the following activities: nurses, physiotherapists, occupational therapists, logotherapists, dieticians and nutritionists. In order to establish a professional practice in Austria, the person concerned must have practised the profession in question at least three years preceding the setting up of that professional practice.</p> <p>BE, FR, LU: For graduate trainees, authorization by the competent authorities required for foreign natural persons.</p> <p>CY, CZ, EE, RO, SK: Authorization by the competent authorities required for foreign natural persons.</p> <p>HU: Condition of nationality.</p> <p>DK: Limited authorization to fulfil a specific function can be given for maximum 18 months and requires residence.</p> <p>CY, CZ, EL, IT: Subject to economic needs test: decision is subject to regional vacancies and shortages.</p> <p>LV: Economic needs determined by the total number of nurses in the given region, authorized by local health authorities.</p>

Sector or Sub-Sector	Description of Reservations
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211) and other services supplied by pharmacists ⁷	FR: Condition of nationality. However, within established quotas, access for third country nationals is possible provided the service provider holds the French degree in pharmacy. DE, EL, SK: Condition of nationality HU: Condition of nationality except for retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211). IT, PT: Residence requirement.
D. Real Estate Services ⁸	
a) Involving Own or Leased Property (CPC 821)	FR, HU, IT, PT: Residence requirement. LV, MT, SI: Nationality condition.
b) On a Fee or Contract Basis (CPC 822)	DK: Residence requirement unless waived by the Danish Commerce and Companies Agency. FR, HU, IT, PT: Residence requirement CY (for Ecuador only), LV, MT, SI: Nationality condition.
E. Rental/Leasing Services without Operators	
e) Relating to personal and household goods (CPC 832)	EU: Nationality condition for graduate trainees. AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Nationality condition for specialists
f) Telecommunications equipment rental (CPC 7541)	EU: Nationality condition for specialists and for graduate trainees.

⁷ 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 European Union Member States. As a general rule, this activity is reserved to pharmacists. In some European Union Member States, only the supply of prescription drugs is reserved to pharmacists.

⁸ 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.

Sector or Sub-Sector	Description of Reservations
F. Other Business Services	
e) Technical Testing and Analysis Services (CPC 8676)	IT, PT: Residence requirements for biologist and chemical analyst.
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	IT: Residence requirements for agronomists and "periti agrari".
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	BE: Nationality condition and residence requirement for management personnel. BG, CY, CZ, EE, LV, LT, MT, PL, RO, SI, SK: Nationality condition and residence requirement. DK: Nationality condition and residence requirement for managers and for airport guard services. ES, PT: Nationality condition for specialized personnel. FR: Nationality condition for managing directors and directors. IT: Nationality condition and residence requirement in order to obtain necessary authorization for security guard services and the transport of valuables.
k) Related Scientific and Technical Consulting Services (CPC 8675)	BG: Nationality condition for specialists. DE: Nationality condition for publicly appointed surveyors. FR: Nationality condition for "surveying" operations relating to the establishment of property rights and to land law. IT, PT: Residence requirement.
l) 1. Maintenance and repair of vessels (part of CPC 8868)	MT: Nationality condition.
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	LV: Nationality condition.

Sector or Sub-Sector	Description of Reservations
l) 3. 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)	EU: For maintenance and repair of motor vehicles, motorcycles and snowmobiles, nationality condition for specialists and for graduate trainees.
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 ⁹ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	EU: Nationality condition for specialists and for graduate trainees.
m) Building-Cleaning Services (CPC 874)	CY, EE, HR, MT, PL, RO, SI: Nationality condition for specialists.
n) Photographic Services (CPC 875)	HR, LV: Nationality condition for speciality photography services. PL: Nationality condition for the supply of aerial photographic services.
p) Printing and Publishing (CPC 88442)	HR: Residency requirement for publishers. SE: Residency requirements for publisher and owner of publishing and printing company
r) 1. Translation and Interpretation Services (CPC 87905)	FI: Residence requirement for certified translators DK: Residence requirement for authorized public translators and interpreters, unless waived by the Danish Commerce and Companies Agency.
q) Convention Services (part of CPC 87909)	SI: Nationality condition.

⁹ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1 to 6.F.l) 4.
Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer services.

Sector or Sub-Sector	Description of Reservations
r) 3. Collection Agency Services (CPC 87902)	BE, EL, IT: Nationality condition.
r) 4. Credit reporting services (CPC 87901)	BE, EL, IT: Nationality condition.
r) 5. Duplicating services (CPC 87904) ¹⁰	AT, 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: Nationality condition for specialists and for graduate trainees. LV: Economic needs test for specialists and nationality condition for graduate trainees.
8. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	BG: Foreign specialists must have experience in the field of construction of at least two years.
9. DISTRIBUTION SERVICES (excluding distribution of arms, munitions and war material)	
C. Retailing Services ¹¹	
c) Food retailing services (CPC 631)	FR: Condition of nationality for tobacconists (i.e. buraliste)

¹⁰ It does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

¹¹ Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 6.B. and 6.F.I).

It does not include retailing services of energy products which are to be found in ENERGY SERVICES under 18.E and 18.F.

Sector or Sub-Sector	Description of Reservations
10. EDUCATIONAL SERVICES (only privately funded services)	
A. Primary Education Services (CPC 921)	<p>FR: Condition of nationality. However, third country nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach.</p> <p>IT: Condition of nationality for service providers who are authorised to issue State-recognized diplomas.</p> <p>EL: condition of nationality for teachers.</p>
B. Secondary Education Services (CPC 922)	<p>FR: Condition of nationality. However, third country nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach.</p> <p>IT: Condition of nationality for service providers who are authorised to issue State-recognized diplomas.</p> <p>EL: Condition of nationality for teachers.</p> <p>LV: Condition of nationality for technical and vocational secondary school-type education services for handicapped students (CPC 9224)</p>
C. Higher Education Services (CPC 923)	<p>FR: Condition of nationality. However, third country nationals may obtain authorisation from competent authorities to establish and direct an education institution and to teach.</p> <p>CZ, SK: Condition of nationality for higher education services, except for post-secondary technical and vocational education services (CPC 92310).</p> <p>IT: Condition of nationality for service providers who are authorised to issue State-recognized diplomas.</p> <p>DK: Condition of nationality for professors.</p>

Sector or Sub-Sector	Description of Reservations
12. FINANCIAL SERVICES	
A. Insurance and insurance-related services	<p>AT: The management of a branch office must consist of two natural persons resident in Austria.</p> <p>EE: For direct insurance, the management body of an insurance joint-stock company with foreign capital participation may include citizens of non-European Union countries only in proportion to the foreign participation and not more than half of the members of the management group. The head of the management of a subsidiary or an independent company must permanently reside in Estonia.</p> <p>ES: Residency requirement and three years of experience for the actuarial profession.</p> <p>HR: Residency requirement.</p> <p>IT: Residency requirement for the actuarial profession.</p> <p>FI: The managing directors and at least one auditor of an insurance company shall have their place of residence in the European Union, unless the competent authorities have granted an exemption. The general agent of the foreign insurance company shall have his/her place of residence in Finland, unless the company has its head office in the European Union.</p> <p>PL: Residency requirement for insurance intermediaries</p>
B. Banking and other financial services (excluding insurance)	<p>BG: Permanent residence in Bulgaria is required for the executive directors and the managerial agent.</p> <p>FI: The managing directors and at least one auditor of credits institutions shall have their place of residence in the European Union, unless the Financial Supervision Authority has granted an exemption. The broker (individual person) on derivative exchange shall have his/her place of residence in the European Union.</p> <p>HR: Residency requirement. The management board shall direct the business of a credit institution from the territory of Croatia. At least one management board member must be fluent in the Croatian language.</p> <p>IT: Condition of residence within the territory of a European Union Member State for "promotori di servizi finanziari" (financial salesmen)</p> <p>LT: (for Colombia and Peru): At least one manager must be a European Union citizen.</p> <p>LT: (for Ecuador): At least one head of a bank's administration must speak the Lithuanian language and permantly reside in the Republic of Lituania.</p> <p>PL: Nationality requirement for at least one of the bank executives.</p>

Sector or Sub-Sector	Description of Reservations
<p>13. HEALTH SERVICES AND SOCIAL SERVICES (only privately funded services)</p> <p>A. Hospital Services (CPC 9311)</p> <p>B. Ambulance Services (CPC 93192)</p> <p>C. Residential health facilities other than hospital services (CPC 93193)</p> <p>E. Social Services (CPC 933)</p>	<p>FR: The necessary authorisation for the access to management functions takes into consideration the availability of local managers.</p> <p>LV: Economic needs tests for doctors, dentists, midwives, nurses, physiotherapists and para-medical personnel.</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>14. TOURISM AND TRAVEL RELATED SERVICES</p>	
<p>A. Hotel, Restaurants and Catering (CPC 641, CPC 642 and CPC 643) excluding catering in air transport services¹²</p>	<p>BG: The number of foreign managers is not to exceed the number of managers who are Bulgarian citizens, in cases where the public (state and/or municipal) share in the equity capital of a Bulgarian company exceeds 50 per cent</p> <p>HR: Nationality requirement for hospitality and catering services in households and rural homesteads.</p>
<p>B. Travel Agencies and Tour Operators Services (including tour managers) (CPC 7471)</p>	<p>BG: The number of foreign managers is not to exceed the number of managers who are Bulgarian citizens, in cases where the public (state and/or municipal) share in the equity capital of a Bulgarian company exceeds 50 per cent.</p>
<p>C. Tourist Guides Services (CPC 7472)</p>	<p>ES, FR, EL, HR, IT, PL, PT: Nationality condition</p> <p>ES, IT: The right to exercise the profession is reserved for the local organisations of tourist guides</p>
<p>15. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services)</p>	
<p>A. Entertainment Services (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)</p>	<p>FR: The necessary authorisation for the access to management functions is subject to a condition of nationality when the authorisation for more than two years is required</p>

¹² Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Groundhandling services

Sector or Sub-Sector	Description of Reservations
16. TRANSPORT SERVICES	
A. Maritime transport	
a) International passenger transportation (CPC 7211 less national cabotage transport). b) International freight transportation (CPC 7212 less national cabotage transport) ¹³	EU: Nationality condition for ships' crews AT: Nationality condition for the majority of managing directors
D. Road Transport	
a) Passenger Transportation (CPC 7121 and CPC 7122)	AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership DK, HR: Nationality condition and residence requirement for managers. BG, MT: Nationality condition
b) Freight Transportation (CPC 7123, excluding transportation of mail on own account ¹⁴).	AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership BG, MT: Nationality condition HR: Nationality condition and residency requirement for managers.
E. Pipeline transport of goods other than fuel ¹⁵ (CPC 7139)	AT: Nationality condition for managing directors.

¹³ Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved

¹⁴ Part of CPC 71235, which is to be found in COMMUNICATION SERVICES under 7.A. Postal and courier services.

¹⁵ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 18.B.

Sector or Sub-Sector	Description of Reservations
17 SERVICES AUXILIARY TO TRANSPORT ¹⁶	
<p>A. Services auxiliary to Maritime Transport</p> <p>a) Maritime Cargo Handling Services</p> <p>b) Storage and warehousing Services (part of CPC 742)</p> <p>c) Customs Clearance Services</p> <p>d) Container Station and Depot Services</p> <p>e) Maritime Agency Services</p> <p>f) Maritime Freight Forwarding Services</p>	<p>EU: Nationality condition for crews for pushing, towing services, and for supporting services for maritime transport.</p> <p>AT: Nationality condition for the majority of managing directors for a), d), h), g), h), and i).</p> <p>BG, MT: Nationality condition</p> <p>DK: Requirement of residence for customs clearance services</p> <p>EL: Nationality condition for customs clearance services</p> <p>IT: Requirement of residence for "raccomandatorio marittimo"</p>
<p>g) Rental of Vessels with Crew (CPC 7213)</p> <p>h) Pushing and towing services (CPC 7214)</p> <p>i) Supporting services for maritime transport (part of CPC 745)</p> <p>j) Other supporting and auxiliary services (part of CPC 749)</p>	
<p>B. Services auxiliary to internal waterways transport</p> <p>e) Pushing and towing services (CPC 7224)</p> <p>f) Supporting services for internal waterway transport (part of CPC 745)</p>	<p>EU: Nationality condition for crews</p>

¹⁶ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.I) 1 to 6.F.I) 4.

Sector or Sub-Sector	Description of Reservations
<p>C. Services auxiliary to road transport</p> <p>d) Rental of Commercial Road Vehicles with Operators (CPC 7124)</p> <p>e) Customs clearance services</p>	<p>AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership for rental of commercial road vehicles with operators services.</p> <p>BG, MT: Nationality condition</p> <p>DK: Requirement of residence for customs clearance services</p> <p>EL: Nationality condition for customs clearance services</p> <p>PL: National restrictions concerning direct representation in customs clearance services: it can be performed by customs agents only who have the residence in the territory of European Union.</p> <p>FR: Unbound except if full reciprocity is granted.</p> <p>NL: The admittance of natural or juridical persons to act as customs representatives is subject to discretion by the inspector, as provided by articles 1(3) and 1(9) of the General Customs Act. Admittance will be denied in case the applicant has been irrevocably sentenced for a criminal act in the past five years. Customs representatives, who are not a resident of or established in the Netherlands, are required to take residence or establish a fixed location in the Netherlands, before they perform activities as an admitted customs representative.</p>
<p>D. Services auxiliary to rail transport¹⁷</p> <p>a) Customs clearance services</p>	<p>BG, MT: Nationality condition</p> <p>DK: Requirement of residence for customs clearance services</p> <p>EL: Nationality condition for customs clearance services</p> <p>PL: National restrictions concerning direct representation in customs clearance services: it can be performed by customs agents only who have the residence in the territory of European Union.</p> <p>FR: Unbound except if full reciprocity is granted.</p> <p>NL: The admittance of natural or juridical persons to act as customs representatives is subject to discretion by the inspector, as provided by articles 1(3) and 1(9) of the General Customs Act. Admittance will be denied in case the applicant has been irrevocably sentenced for a criminal act in the past five years. Customs representatives, who are not a resident of or established in the Netherlands, are required to take residence or establish a fixed location in the Netherlands, before they perform activities as an admitted customs representative.</p>

¹⁷ The horizontal limitation on public utilities applies when the services require the use of the public domain.

Sector or Sub-Sector	Description of Reservations
<p>E. Services auxiliary to air transport services</p> <p>a) Customs clearance services</p>	<p>BG, MT: Nationality condition</p> <p>DK: Requirement of residence for customs clearance services</p> <p>EL: Nationality condition for customs clearance services</p> <p>PL: National restrictions concerning direct representation in customs clearance services: it can be performed by customs agents only who have the residence in the territory of European Union.</p> <p>FR: Unbound except if full reciprocity is granted.</p> <p>NL: The admittance of natural or juridical persons to act as customs representatives is subject to discretion by the inspector, as provided by articles 1(3) and 1(9) of the General Customs Act. Admittance will be denied in case the applicant has been irrevocably sentenced for a criminal act in the past five years. Customs representatives, who are not a resident of or established in the Netherlands, are required to take residence or establish a fixed location in the Netherlands, before they perform activities as an admitted customs representative.</p>
<p>F. Services auxiliary to pipeline transport of goods other than fuel¹⁸</p> <p>a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)</p>	<p>AT: Nationality condition for managing directors.</p>

¹⁸ Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES. under 18.C.

Sector or Sub-Sector	Description of Reservations
18. ENERGY SERVICES	
A. Services Incidental to Mining (CPC 883) ¹⁹	SK: Residence requirement.
19. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing services (CPC 9701)	EU: Nationality condition for specialists and for graduate trainees
b) Hairdressing services (CPC 97021)	BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HR, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Nationality condition for specialists and for graduate trainees. AT: Nationality condition for graduate trainees.
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HR, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Nationality condition for specialists and for graduate trainees. AT: Nationality condition for graduate trainees.

¹⁹ 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 downhole 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
Does not include direct access to or exploitation of natural resources.
Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 8. CONSTRUCTION SERVICES.

Sector or Sub-Sector	Description of Reservations
d) Other beauty treatment services n.e.c (CPC 97029)	BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HR, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Nationality condition for specialists and for graduate trainees. AT: Nationality condition for graduate trainees.
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 ²⁰ (CPC ver. 1.0 97230)	EU: Nationality condition for specialists and for graduate trainees.

²⁰ Therapeutical massages and thermal cure services are to be found under 6.A.h) Medical services, 6.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (13.A and 13 C).