

**Annex II**

**Reservations for Future Measures**

1. The Schedule of a Party sets out, under Articles XX (Investment - Reservations and Exceptions), X-06 (Cross-Border Trade in Services - Reservations), X-03 (International Maritime Transport Services – Non-Conforming Measures), and, for the EU, X.9 (Financial Services – Non-Conforming Measures), the reservations taken by that Party with respect to specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

(a) Article X.6 (Investment - National Treatment) X-02 (Cross-Border Trade in Services - National Treatment) or, for the EU, X.03 (Financial Services – National Treatment);

(b) Article X.7 (Investment - Most-Favoured-Nation Treatment) X-04 (Cross-Border Trade in Services - Most-Favoured-Nation Treatment) or, for the EU, X.04 (Financial Services – Most-Favoured-Nation Treatment);

(c) Article X.4 (Investment -Market Access) X-05 (Cross-Border Trade in Services - Market Access) or, for the EU, X.06 (Financial Services – Market Access);

(d) Article X.5 (Investment - Performance Requirements);

(e) Article X.8 (Investment - Senior Management and Boards of Directors) or, for the EU, X.08 (Financial Services – Senior Management and Board of Directors);

(f) For the EU, Article X.07 (Financial Services – Cross-Border Supply of Financial Services); or

(g) Article X.02 (International Maritime Transport Services – Obligations)

The reservations of a Party are without prejudice to the rights and obligations of the Parties under the GATS.

2. Each reservation sets out the following elements:

(a) Sector refers to the general sector in which the reservation is taken;

(b) Sub-Sector refers to the specific sector in which the reservation is taken;

(c) Industry Classification refers, where applicable, to the activity covered by the reservation according to CPC codes, ISIC codes, SIC codes, or as expressly otherwise described in a Party's reservation;

(d) Type of Reservation specifies the obligation referred to in paragraph 1 for which a reservation is taken;

(e) Description sets out the scope of the sector, sub-sector or activities covered by the reservation; and

(f) Existing Measures identifies, for transparency purposes, existing measures that apply to the sector, sub-sector or activities covered by the reservation.

3. In interpreting a reservation, all elements of the reservation [are] [shall be] considered. The Description element [prevails] [shall prevail] over all other elements.

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4. A reservation taken at the level of the European Union applies to a measure of any EU Member State at the national level as well as a measure of a government within a EU Member State, unless the reservation excludes a EU Member State. A reservation taken at the national level by Canada or by an EU Member State applies to a measure of a government at regional, provincial, territorial or local level within that country.

5. Where a Party maintains a measure that requires that a service provider be a natural person, citizen, permanent resident or resident of its territory, as a condition to the provision of a service in its territory, a reservation for that measure taken with respect to cross-border services shall be applied as a reservation with respect to investment, to the extent of that measure.

6. For purposes of this Annex:

CPC means Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991;

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;

SIC means Standard Industrial Classification (SIC) numbers as set out in Statistics Canada, Standard Industrial Classification, fourth edition, 1980.

7. The following abbreviations are used in the Schedule:

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
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MT	Malta
NL	Netherlands
PL	Poland
PT	Portugal
RO	Romania
SK	Slovakia
SI	Slovenia
SE	Sweden
UK	United Kingdom

**Reservations Applicable throughout the European Union (EU)  
(applicable to all EU Member States unless otherwise indicated)**

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Market Access

**Description:** **Investment**  
 In all EU Member States, services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators.

Public utilities exist in sectors such as related scientific and technical consulting services, R&D services on social sciences and humanities, technical testing and analysis services, environmental services, health services, transport services and services auxiliary to all modes of transport. Exclusive rights on such services are often granted to private operators, for instance operators with concessions from public authorities, subject to specific service obligations. Given that public utilities often also exist at the sub-central level, detailed and exhaustive sector-specific scheduling is not practical.

This reservation does not apply to telecommunications and to computer and related services.

**Existing Measures:**

\*

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** National Treatment  
 Market Access  
 Most-Favoured Nation Treatment

**Description:** **Investment**  
 The EU reserves the right to adopt or maintain a measure mirroring the net benefit test of the Investment Canada Act and its application with regard to Canadian investors and to investments of Canadian investors.

**Existing Measures:**

\*

**Sector:** All Sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:**

**Cross-Border Services and Investment**

The **EU** 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:-

- (i) creates an internal market in services and investment, or
- (ii) grants the right of establishment, or
- (iii) requires the approximation of legislation in one or more economic sectors.

**An internal market on services and establishment**

means an area without internal frontiers in which the free movement of services, capital and persons is ensured.

The **right of establishment** means an obligation to abolish in substance all barriers to establishment among the parties to the regional economic integration agreement by the entry into force of that agreement. The right of establishment shall include the right of nationals of the parties to the regional economic integration agreement to set up and operate enterprises under the same conditions provided for nationals under the domestic law of the country where such establishment takes place.

The **approximation of legislation** means:

- (i) the alignment of the legislation of one or more of the parties to the regional economic integration agreement with the legislation of the other party or parties to that agreement; or
- (ii) the incorporation of common legislation into the domestic law of the parties to the regional economic integration agreement.

Such alignment or incorporation shall take place, and shall be deemed to have taken place, only at such time that it has been enacted in the domestic law of the party or parties to the regional economic integration agreement.

**Existing Measures:**

EEA  
Stabilisation Agreements  
EU-Switzerland

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**Sector:**

All Sectors

**Sub-sector:**

**Industry classification:**

**Type of Reservation:**

Most-Favoured-Nation Treatment

**Description:**

**Investment**

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, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands,

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Portugal, Spain and the United Kingdom, and any of the following countries or principalities: San Marino, Monaco, Andorra, and the Vatican City State.

### Existing Measures:

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**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Market Access  
National Treatment  
Most-Favoured-Nation Treatment  
Performance Requirements  
Senior Management and Boards of Directors

### Description:

#### **Cross-Border Services and Investment**

The **EU** reserves the right to adopt or maintain any measure, in particular within the framework of the Common Fisheries Policy, and of fishing agreements with third countries, with respect to access to and use of the biological resources and fishing grounds situated in maritime waters coming under the sovereignty or within the jurisdiction of Member States of the EU.

The **EU** reserves the right to adopt or maintain any measure:

- regulating the landing of catches performed in the sub-quotas allocated to third country vessels in EU ports;
- determining a minimum size for a company in order to preserve both artisanal and coastal fishing vessels;
- according differential treatment to a third country pursuant to existing or future bilateral agreements relating to fisheries.

A commercial fishing licence granting the right to fish in the territorial waters of an EU Member State may only be granted to vessels flying the flag of an EU Member State.

The **EU** reserves the right to adopt and maintain any measure with regard to the nationality of the crew of a fishing vessel flying the flag of an EU Member State.

National complementary reservations may be found in the schedules of **BE, BG, DE, DK, FI, FR, IT, LT, MT, SE and UK**.

### Existing Measures:

\*

**Sector:** Collection, purification and distribution of water  
**Sub-sector:**  
**Industry classification:** ISIC rev. 3.1: 41  
**Type of Reservation:** Market Access

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### National Treatment

**Description:**

**Cross-Border Services and Investment**

The **EU** reserves the right to adopt or maintain any measure with respect to the provision of services relating to the collection, purification and distribution of water to household, industrial, commercial or other users, including the provision of drinking water, and water management.

**Existing Measures:**

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**Sector:**

Business Services

**Sub-sector:**

Legal services, Services of notaries, Services by bailiffs

**Industry classification:**

part of CPC 861, part of CPC 87902

**Type of Reservation:**

Market Access

National Treatment

Senior Management and Boards of Directors

**Description:**

**Cross-Border Services and Investment**

The **EU**, with the exception of **SE**, reserves the right to adopt or maintain any measure with respect to the provision of legal advisory and legal documentation and certification services provided by legal professionals entrusted with public functions, such as notaries, "*huissiers de justice*" or other "*officiers publics et ministériels*", and with respect to services provided by bailiffs who are appointed by an official act of government.

**Existing Measures:**

\*

**Sector:**

Distribution and Health Services

**Sub-sector:**

Retail sales of pharmaceutical, medical and orthopaedic goods, other services provided by pharmacists

**Industry classification:**

CPC 63211

**Type of Reservation:**

Market Access

**Description:**

**Cross-Border Services**

For **all EU countries** with the exception of **BE, BG, EE, and IE**: mail order is only possible from EEA countries, thus establishment in any of these countries is required for the retail of pharmaceuticals and specific medical goods to the general public in the EU.

In **BG, DE** and **EE**, the mail order of pharmaceuticals is prohibited. In **IE**, the mail order of pharmaceuticals requiring a prescription is prohibited.

National complementary reservations may be found in the schedules of **BE, FI, SE** and **UK**.

\*

**Sector:**

Distribution and Health Services

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**Sub-sector:** Retail sales of pharmaceutical, medical and orthopaedic goods, other services provided by pharmacists  
**Industry classification:** CPC 63211  
**Type of Reservation:** Market Access

**Description:** **Investment**  
The **EU**, with the exception of **EL, IE, LT, LU, NL**, and the **UK**, reserves the right to adopt or maintain any measure which restricts the number of suppliers entitled to provide a particular service in a specific local zone or area on a non-discriminatory basis in order to prevent oversupply in areas of limited demand. An economic needs test may therefore be applied, taking into account such factors as the number of and impact on existing establishments, transport infrastructure, population density and/or geographic spread.

National complementary reservations may be found in the schedules of **DE, FI, IT** and **SE**.

### Existing Measures:

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**Sector:** Business services  
**Sub-sector:** Other business services (Collection Agency services, Credit reporting services)  
**Industry classification:** CPC 87902, CPC 87901  
**Type of Reservation:** Market Access  
National treatment

**Description:** **Cross-Border Services**  
The **EU**, with the exception of **SE** and **ES**, reserves the right to adopt or maintain any measure with regard to the provision of collection agency services and credit reporting services.

### Existing Measures:

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**Sector:** Business services  
**Sub-sector:** Placement services of office support personnel and other workers, and supply services of domestic help personnel, other commercial or industrial workers, nursing, and other personnel  
**Industry classification:** CPC 87202, 87204, 87205, 87206, 87209  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
The **EU**, with the exception of **BE, HU** and **SE**, reserves the right to require establishment and to prohibit the provision of cross-border services for the supply of placement services of office support personnel and other workers (CPC 87202).

The **EU**, with the exception of **HU** and **SE**, reserves the right to adopt or maintain any measure with regard to the provision

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of supply services of domestic help personnel, other commercial or industrial workers, nursing, and other personnel (CPCs 87204, 87205, 87206, 87209).

National complementary reservations may be found in the schedules of **AT, BE, BG, CY, CZ, DE, ES, IE, EE, FI, FR, IT, NL, LT, LV, MT, PT, PL, RO, SI, and SK.**

### Measures:

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**Sector:** Business Services  
**Sub-sector:** Investigation services  
**Industry classification:** CPC 87301  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

### Description:

#### **Cross-Border Services and Investment**

The **EU**, with the exception of **AT** and **SE**, reserves the right to adopt or maintain any measure with regard to the provision of investigation services. Residency or commercial presence is required and nationality requirements may exist.

National complementary reservations may be found in the schedules of **PT** and **LT**.

### Existing Measures:

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**Sector:** Business Services; Auxiliary services to maritime, internal waterways, rail and air transport  
**Sub-sector:** Maintenance and repair of vessels, rail transport equipment and aircraft and parts thereof  
**Industry classification:** part of CPC 8868, CPC 86764 and CPC 86769  
**Type of Reservation:** Market Access  
National Treatment

### Description:

#### **Cross-Border Services**

The **EU**, with the exception of **HU, DE and EE**, reserves the right to adopt or maintain any measure with respect to requiring establishment or physical presence in its territory and prohibiting the cross-border provision of maintenance and repair services of rail transport equipment from outside its territory.

The **EU**, with the exception of **HU, EE, CZ, LU and SK**, reserves the right to adopt or maintain any measure with respect to requiring establishment or physical presence in its territory and prohibiting the cross-border provision of maintenance and repair services of internal waterways transport vessels from outside its territory.

The **EU**, with the exception of **HU, EE, and LV**, reserves the right to adopt or maintain any measure with respect to requiring establishment or physical presence in its territory and prohibiting the cross-border provision of maintenance

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and repair services of maritime vessels from outside its territory.

Only recognised organisations authorised by the EU may carry out statutory surveys and certification of ships on behalf of EU Member States. Establishment may be required.

The **EU**, with the exception of **HU, EE, AT, LV, and PL**, reserves the right to adopt or maintain any measure with respect to requiring establishment or physical presence in its territory and prohibiting the cross-border provision of maintenance (including line maintenance) and repair services of aircraft and parts thereof from outside its territory.

### Existing Measures:

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<b>Sector:</b>	Recreational, cultural and sporting services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 9619, CPC 963 Library, archive, museum and other cultural services and CPC 964 Sporting and other recreational services other than CPC 96492
<b>Type of Reservation:</b>	Market Access National Treatment Most-Favoured-Nation Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>The <b>EU</b> except <b>AT</b> reserves the right to adopt or maintain any measure with respect to the provision of library, archive, museum, and other cultural services (CPC 963). <b>LT</b> reserves the right to adopt or maintain any measure requiring the establishment of suppliers and restricting the cross-border provision of these services. In <b>AT</b> and <b>LT</b>, a licence or concession may be required to provide these services.</p> <p><b>CY, CZ, FI, MT, PL, RO, SI, and SK</b> reserve the right to adopt or maintain any measure with respect to the provision of entertainment services, including theatre, live bands, circus and discotheque services.</p> <p>In addition, the <b>EU</b>, except <b>AT</b> and <b>SE</b>, reserves the right to adopt or maintain any measure requiring establishment and restricting the cross-border provision of entertainment services, including theatre, live bands, circus and discotheque services.</p> <p><b>BG</b> reserves the right to adopt or maintain any measure with respect to the provision of the following entertainment services:- circus, amusement park and similar attraction services (CPC 96194), ballroom, discotheque and dance instructor services (CPC 96195), and other entertainment services (CPC 96199).</p>

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**EE** reserves the right to adopt or maintain any measure with respect to the provision of other entertainment services (CPC 96199) except for cinema theatre services.

**LV** and **LT** reserves the right to adopt or maintain any measure with respect to the provision of all entertainment services (CPC 9619) except for cinema theatre operation services (part of CPC 91699).

**BG, CY, CZ, EE, LV, MT, PL, RO,** and **SK** reserve the right to adopt or maintain any measure with respect to the cross-border provision of sporting and other recreational services.

**AT** reserves the right to adopt or maintain any measure with respect to the provision of mountain guide or ski school services.

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<b>Sector:</b>	Recreational, cultural and sporting services
<b>Sub-sector:</b>	Gambling and betting services
<b>Industry classification:</b>	CPC 96492
<b>Type of Reservation:</b>	Market Access National Treatment Most-Favoured-Nation Treatment Performance requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Cross-Border Services and Investment</b> The <b>EU</b> except <b>MT</b> reserves the right to adopt or maintain any measure with respect to the provision of gambling activities, which involve wagering a stake with pecuniary value in games of chance, including in particular lotteries, scratch cards, gambling services offered in casinos, gambling arcades or licensed premises, betting services, bingo services and gambling services operated by and for the benefit of charities or non-profit-making organisations.  This reservation does not apply to games of skill, gambling machines that do not give prizes or that give prizes only in the form of free games, and promotional games, whose exclusive purpose is to encourage the sale of goods or services which are not covered by this exclusion.
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**Existing Measures:**

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<b>Sector:</b>	Education Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 92
<b>Type of Reservation:</b>	Market Access National Treatment Performance Requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Cross-Border Services and Investment</b>
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The **EU** reserves the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or State support in any form, and are therefore not considered to be privately funded.

The **EU**, except for **CZ, NL, SE** and **SK**, reserves the right to adopt and maintain any measure with respect to the provision of privately funded other education services (CPC 929), which means other than those classified as being primary, secondary, higher and adult education services.

Where the provision of privately funded education services by a foreign provider is permitted, participation of private operators in the education system may be subject to concession allocated on a non-discriminatory basis.

National complementary reservations may be found in the schedules of **AT, BG, CY, CZ, FI, FR, IT, MT, RO, SI, SE, and SK**.

### Existing Measures:

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<b>Sector:</b>	Health and social services
<b>Sub-sector:</b>	Human Health services and Social Services
<b>Industry classification:</b>	CPC 931 Human Health Services and 933 Social Services, <b>except for</b> 9312 Medical and Dental Services, and part of 93191 relating to Midwife Services and Services provided by Nurses, Physiotherapeutic and Para-medical Services, Psychologist Services
<b>Type of Reservation:</b>	Market access National Treatment

<b>Description:</b>	<b>Cross-Border Services</b> The <b>EU</b> , with the exception of <b>HU</b> , reserves the right to adopt or maintain any measure requiring the establishment or physical presence in their territory of suppliers and restricting the cross-border provision of health services from outside their territory.
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The **EU**, with the exception of **LT, LV** and the **NL**, reserves the right to adopt or maintain any measure requiring the establishment or physical presence in their territory of suppliers and restricting the cross-border provision of social services from outside their territory.

National complementary reservations may be found in the schedule of **LT**.

This reservation does not relate to the provision of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, which are covered by other reservations.

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<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 931, <b>except for</b> 9312 Medical and Dental Services and part of 93191 relating to Midwife Services and Services provided by Nurses, Physiotherapeutic and Para-medical services, Psychologist Services
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<p><b>Investment</b></p> <p>The <b>EU</b> reserves the right to adopt or maintain any measure with regard to the provision of all health services which receive public funding or State support in any form, and are therefore not considered to be privately funded.</p> <p>The <b>EU</b> reserves the right to adopt or maintain any measure with regard to all privately funded health services, other than privately funded hospital, ambulance, and residential health facilities services other than hospital services (CPC 9311, 93192, 93193).</p> <p>The participation of private operators in the privately funded health network may be subject to concession on a non-discriminatory basis. An economic needs test may apply. Main criteria: number of and impact on existing establishments, transport infrastructure, population density, geographic spread, and creation of new employment.</p> <p>This reservation does not relate to the provision of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, , which are covered by other reservations.</p> <p>National complementary reservations may be found in the schedules of <b>AT, BE, BG, CY, CZ, FI, FR, LT, MT, PL, SI, SK</b> and <b>UK</b>.</p>

### Existing Measures:

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<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Health-related Professional Services: Medical and Dental Services, Midwife Services, Nursing Services, Physiotherapeutic and Para-medical services, Psychologist Services
<b>Industry classification:</b>	CPC 9312, part of CPC 93191
<b>Type of Reservation:</b>	Market Access
<b>Description:</b>	<p><b>Cross-Border Services</b></p> <p>In the EU, with the exception of <b>BE, FI, NL</b> and <b>SE</b>, the provision of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, requires residency.</p>

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These services may only be provided by natural persons physically present in the territory of the EU.

National complementary reservations may be found in the schedules of **AT, BE, BG, FI, FR, MT** and **UK**.

**Existing Measures:** None

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**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
The **EU** reserves the right to adopt or maintain any measure with regard to the provision of all social services which receive public funding or State support in any form, and are therefore not considered to be privately funded.  
  
The participation of private operators in the privately funded social network may be subject to concession on a non-discriminatory basis. An economic needs test may apply. Main criteria: number of and impact on existing establishments, transport infrastructure, population density, geographic spread, and creation of new employment.  
  
National complementary reservations may be found in the schedules of **BE, CY, CZ, DE, DK, EL, ES, FI, FR, HU, IE, IT, LT, MT, PL, PT, RO, SK, SL**, and **UK**.

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**Sector:** Financial Services  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Market Access

**Description:** **Financial Services**  
The **EU** reserves the right to adopt or maintain any measure requiring a financial institution, other than a branch, when establishing in a Member State of the EU to adopt a specific legal form, on a non-discriminatory basis.

**Existing Measures:**

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**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (excluding insurance)  
**Industry classification:**  
**Type of Reservation:** Market Access  
National Treatment

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### Cross-Border Supply of Financial Services

**Description:**

**Financial Services**

Only firms having their registered office in the EU 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 common funds, including unit trusts, and where allowed under national law, investment companies.

**Existing Measures:**

Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS), as amended by: [2001/107/EC](#) and [2001/108/EC](#)

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**Sector:**

Air Transport

**Sub-sector:**

Services Auxiliary to Air Transport

**Industry classification:**

**Type of Reservation:**

Most-Favoured-Nation Treatment

**Description:**

**Cross-Border Services and Investment**

The **EU** reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant to existing or future bilateral agreements relating to the following Auxiliary Air Transport Services:

- (a) the selling and marketing of air transport services;
- (b) computer reservation system (CRS) services; and
- (c) other services auxiliary to air transport, such as ground-handling services and airport operation services.

In respect of maintenance and repair of aircrafts and parts, the EU reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant to existing or future Article V trade agreements.

**Existing Measures:**

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**Sector:**

Transportation

**Sub-Sector:**

Water Transportation

**Industry Classification:** CPC 722 Transport services (passengers and freight) by non-seagoing vessels ISIC rev.3.1: 0501, 0502, CPC 882 CPC 722, 74520, 74540, 74590, 5133/5223,

Any other commercial activity undertaken from a non-sea going vessel

**Type of Reservation:**

National Treatment

Market Access

Senior Management and Board of Directors

**Description:**

**Investment**

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The **EU** reserves the right to adopt or maintain any measure with regard to the registration of a non-seagoing vessel in order to fly the national flag of an EU Member State, and with regard to the establishment of a registered company for the purpose of operating a fleet under the national flag of the State of establishment. This reservation relates to, among other elements, requirements for incorporation or to maintain a principal office in the Member State concerned, as well as requirements relating to ownership of capital and control.

### Existing Measures:

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**Sector:** Transportation  
**Sub-Sector:** Water Transportation  
**Industry Classification:** CPC 721,722,74520,74540,74590,5133/5223  
**Type of Reservation:** Any other commercial activity undertaken from a ship  
National Treatment  
Market Access  
Senior Management and Board of Directors

**Description:** **Cross-Border Trade in Services and Investment**  
The **EU** reserves the right to adopt and maintain any measure with regard to the nationality of crew on a seagoing or non-seagoing vessel.

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**Sector:** Transport  
**Sub-sector:** Water transport, Supporting services for water transport  
**Industry classification:** CPC 72, CPC 745  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors  
Most-Favoured Nation Treatment

**Description:** **Cross-Border Services and Investment**  
The **EU** reserves the right to adopt or maintain any measure with respect to the provision of national cabotage transport.

Without prejudice to the scope of activities which may be considered as cabotage under the relevant national legislation, national cabotage transport 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.

For greater certainty, this reservation applies *inter alia* to feeder services. This reservation does not apply to Canadian shipping companies repositioning owned/leased containers on a non-revenue basis.

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### Existing Measures:

\*

**Sector:** Transport  
**Sub-sector:** Water transport: Pilotage and berthing services, pushing and towing  
**Industry classification:** CPC 7452, 7214, 7224  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

### Description:

#### Cross-Border Services and Investment

The **EU** reserves the right to adopt or maintain any measure with respect to the provision of pilotage and berthing services. For greater clarity, regardless of the criteria which may apply to the registration of ships in an EU Member State, the EU reserves the right to require that only ships registered on the national registers of EU Member States may provide pilotage and berthing services.

For the **EU**, with the exception of **LT** and **LV**, only vessels carrying the flag of an EU Member State may provide pushing and towing services.

For **LT**, only Lithuanian juridical persons or EU juridical persons with branches in Lithuania that have a Certificate issued by the Lithuanian Maritime Safety Administration may provide pilotage and berthing, pushing and towing services.

### Existing Measures:

\*

**Sector:** Internal Waterways Transport  
**Sub-sector:**  
**Industry classification:** CPC 722  
**Type of Reservation:** Most-Favoured-Nation Treatment

### Description:

#### Cross-Border Services and Investment

The **EU** reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant for existing or future agreements relating to access to inland waterways (including agreements following the Rhine-Main-Danube link), which reserve traffic rights for operators based in the countries concerned who meet nationality criteria regarding ownership.

Subject to regulations implementing the Mannheim Convention on Rhine Shipping. This part of the reservation only applies to the following Member States: Belgium, France, Germany, and the Netherlands.

### Existing Measures:

\*

**Sector:** Transport

## LIMITED



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<b>Sub-sector:</b>	Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services
<b>Industry classification:</b>	CPC 712
<b>Type of Reservation:</b>	Market Access National Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>The <b>EU</b> reserves the right to require establishment and to limit the provision of cross-border services for the supply of road transport services.</p> <p>The <b>EU</b> reserves the right to adopt or maintain measures limiting the provision of cabotage within an EU Member State by foreign investors established in another EU Member State.</p> <p>An economic needs test may apply to taxi services in the EU except for <b>BE</b>. The economic needs test, when applied, sets a limit on the number of service suppliers. Main criteria: Local demand as provided in applicable laws.</p> <p>For road passenger and freight transportation, national complementary reservations may be found in the schedules of <b>AT, BE, BG, ES, FI, FR, IE, IT, LV, MT, PT, RO, SE, and SK</b>.</p>
<b>Existing Measures:</b>	<p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC</p> <p>Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market</p> <p>Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006</p> <p style="text-align: center;">*</p>
<b>Sector:</b>	Road and Rail Transport
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 7111, CPC 7112, CPC 7121, CPC 7122, CPC 7123
<b>Type of Reservation:</b>	Most-Favoured-Nation Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>The <b>EU</b> reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant to existing or future bilateral agreements relating to international road haulage (including combined transport - road/rail) and passenger transport, concluded between the Community/European Union or the Member States and third countries.</p>

## LIMITED

Such treatment may:

(a) reserve or limit the provision of the relevant transport services between the contracting parties or across the territory of the contracting parties to vehicles registered in each contracting party<sup>1</sup>; and/or

(b) provide for tax exemptions for such vehicles.

**Existing Measures:**

\*

<b>Sector:</b>	Transport
<b>Sub-sector:</b>	Space transport, rental of space craft
<b>Industry classification:</b>	CPC 733, part of CPC 734
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Cross-Border Services and Investment</b> The <b>EU</b> reserves the right to adopt or maintain any measure with respect to the transportation services via space and the rental of space craft.
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**Existing Measures:**

\*

<b>Sector:</b>	Energy
<b>Sub-sector:</b>	Electricity and gas transmission systems, oil and gas pipeline transport
<b>Industry classification:</b>	ISIC Rev 3.1 401, 402, CPC 7131, CPC 887 (except advisory and consultancy services)
<b>Type of Reservation:</b>	National Treatment Market Access Performance requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Investment</b> Where an EU Member State permits foreign ownership of a gas or electricity transmission system, or an oil and gas pipeline transport system, the <b>EU</b> reserves the right to adopt or maintain any measure with respect to Canadian enterprises controlled by natural persons or enterprises of a third country which accounts for more than 5% of the EU's oil or natural gas or electricity imports, in order to guarantee the security of the energy supply of the EU as a whole, or of an individual EU Member State.
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<sup>1</sup> With regard to Austria the part of the MFN exemption regarding traffic rights covers all countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be considered in future.

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This reservation does not apply to advisory and consultancy services provided as services incidental to energy distribution.

This reservation does not apply to **HU** and **LT** (for LT, only CPC 7131) with regard to the pipeline transport of fuels, nor to **LV** with regard to services incidental to energy distribution, nor to **SI** with regard to services incidental to the distribution of gas.

National complementary reservations may be found in the schedules of **BE, BG, CY, FI, FR, HU, LT, PT**, and **SK**.

### Existing Measures:

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 repealing Directive 2003/54/EC

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 and repealing Directive 2003/55/EC

\*\*\*

LIMITED

## **Reservations Applicable in Austria**

**Sector:** Manufacture of nuclear fuel, Electricity, Gas and Water Supply  
**Sub-sector:** Nuclear based electricity generation, Processing of nuclear material and fuel, Transportation and handling of nuclear material  
**Industry classification:** ISIC Rev 3.1 233, 40  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross Border Services and Investment**  
 Austria reserves the right to adopt or maintain any measure with respect to the processing, distribution or transportation of nuclear material and generation of nuclear-based energy.

**Existing Measures:** Bundesverfassungsgesetz für ein atomfreies Österreich (Constitutional Law on a Nuclear Free Austria), BGBl. I Nr. 149/1999

\*

**Sector:** Business services  
**Sub-sector:** Placement services of office support personnel and other workers, and supply services of office support personnel  
**Industry classification:** CPC 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Austria reserves the right to adopt or maintain any measure with regard to the provision of supply services of office support personnel (CPC 87203), and the establishment of suppliers of placement services of office support personnel and other workers (CPC 87202).

**Existing Measures:**

\*

**Sector:** Education services  
**Sub-sector:** Higher Education Services, Adult Education Services  
**Industry classification:** CPC 923, 924  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross-Border Services and Investment**  
 Austria reserves the right to adopt or maintain any measure with regard to the provision of privately funded higher education services.

Austria reserves the right to prohibit the cross-border provision of privately funded adult education services by means of radio or television broadcasting.

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### Existing Measures:

\*

<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Ambulance services
<b>Industry classification:</b>	CPC 93192
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors

### Description:

#### Investment

Austria reserves the right to adopt or maintain any measure with respect to the provision of privately funded ambulance services.

### Existing Measures:

\*\*\*

LIMITED

## Reservations Applicable in Belgium

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 A fishing licence is mandatory for performing marine fishing activities in Belgium. The owner of a vessel who has a fishing licence is either a legal person or a natural person. The natural person has to be a country resident when applying for a fishing licence. The legal person has to be a domestic firm and the managers of the domestic firm have to be active in fisheries and to be country residents when applying for a fishing licence.

### Existing Measures:

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 The provision of security services by a foreign provider on a cross-border basis is not allowed.

Requirement of EU nationality for boards of directors of companies providing guard and security services, as well as consultancy and training relating to security services. The senior management of companies providing guard and security consultancy services are required to be resident EU nationals.

### Existing Measures:

\*

**Sector:** Distribution  
**Sub-sector:** Retail sales of pharmaceutical, medical and orthopaedic goods  
**Industry classification:** CPC 63211  
**Type of Reservation:** Market Access

**Description:** **Cross-Border Services**  
 Mail order is only authorised for pharmacies open to the public, thus establishment in Belgium is required for the retail of pharmaceuticals and specific goods to the general public.

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**Existing Measures:** Arrêté royal du 21 janvier 2009 portant instructions pour les pharmaciens  
Arrêté royal du 10 novembre 1967 relatif à l'exercice des professions des soins de santé

\*

**Sector:** Health Services  
**Sub-sector:** Ambulance Services, Residential Health Services Other than Hospital Services  
**Industry classification:** CPC 93192, CPC 93193  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Belgium reserves the right to adopt or maintain any measure with respect to the provision of privately funded ambulance and residential health services other than hospital services.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Health-related Professional Services: Medical and Dental Services, Midwife Services, Nursing Services, Physiotherapeutic and Para-medical services, Psychologist Services, Veterinary Services

**Industry classification:** CPC 9312, part of CPC 93191, part of CPC 85201, CPC 932  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
Belgium reserves the right to adopt or maintain any measure relating to the cross-border provision of Medical, Dental and Midwives Services and Services provided by Nurses, Physiotherapists and Paramedical Personnel, and Veterinary Services.

**Existing Measures:**

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Belgium reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

## LIMITED

**Existing Measures:**

\*

**Sector:** Transport  
**Sub-sector:** Cargo handling services  
**Industry classification:** CPC 741  
**Type of Reservation:** Market Access

**Description:** **Cross border services and Investment**  
 Cargo handling services can only be operated by accredited workers, eligible to work in port areas designated by royal decree.

**Existing Measures:** Loi du 8 juin 1972 organisant le travail portuaire.  
 Arrêté royal du 12 janvier 1973 instituant une Commission paritaire des ports et fixant sa dénomination et sa compétence  
 Arrêté royal du 4 septembre 1985 portant agrément d'une organisation d'employeur (Anvers)  
 Arrêté royal du 29 janvier 1986 portant agrément d'une organisation d'employeur (Gand)  
 Arrêté royal du 10 juillet 1986 portant agrément d'une organisation d'employeur (Zeebrugge)  
 Arrêté royal du 1er mars 1989 portant agrément d'une organisation d'employeur (Ostende)  
 Arrêté royal du 5 juillet 2004 relatif à la reconnaissance des ouvriers portuaires dans les zones portuaires tombant dans le champ d'application de la loi du 8 juin 1972 organisant le travail portuaire, tel que modifié.

\*

**Sector:** Transport  
**Sub-sector:** Road transport  
**Industry classification:** CPC 71221  
**Type of Reservation:** Market access

**Description:** **Investment**  
 Belgium reserves the right to restrict the availability of licences to provide taxi services.

For the Brussels Capital Region: A maximum number of licences is fixed by law.

For the Flemish Region: A maximum number of taxis per capita is fixed by law. This number can be adjusted, in which case an economic needs test is applied. Main criteria: degree of urbanisation, average occupancy rate of existing taxis.

For the Walloon Region: A maximum number of taxis per capita is fixed by law. This number can be adjusted, in which case an economic needs test is applied. Main criteria: average occupancy rate of existing taxis.

\*



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**Sector:** Energy  
**Sub-sector:** Production of electricity  
**Industry classification:** ISIC rev 3.1: 4010  
**Type of Reservation:** National Treatment  
Market Access

### Description:

#### Investment

An individual authorisation for the production of electricity of a capacity of 25 MW requires establishment in the EU, or in another State which has a similar regime to that enforced by Directive 96/92 in place, and where the company has an effective and continuous link with the economy.

The offshore production of electricity within the offshore territory of Belgium is subject to concession and a joint venture obligation with an EU company, or a foreign company from a country having a similar regime to that of directive 2003/54/CE, particularly with regard to conditions relating to the authorisation and selection. Additionally, the company should have its central administration or its head office in an EU Member State or a country meeting the above criteria, where it has an effective and continuous link with the economy.

The construction of electrical power lines which link offshore production to the transmission network of Elia requires authorisation and the company must meet the previously specified conditions, except for the joint venture requirement.

### Existing Measures:

Arrêté Royal du 11 octobre 2000 fixant les critères et la procédure d'octroi des autorisations individuelles préalables à la construction de lignes directes

Arrêté Royal du 20 décembre 2000 relatif aux conditions et à la procédure d'octroi des concessions domaniales pour la construction et l'exploitation d'installations de production d'électricité à partir de l'eau, des courants ou des vents, dans les espaces marins sur lesquels la Belgique peut exercer sa juridiction conformément au droit international de la mer

Arrêté Royal du 12 mars 2002 relatif aux modalités de pose de câbles d'énergie électrique qui pénètrent dans la mer territoriale ou dans le territoire national ou qui sont installés ou utilisés dans le cadre de l'exploration du plateau continental, de l'exploitation des ressources minérales et autres ressources non vivantes ou de l'exploitation d'îles artificielles, d'installations ou d'ouvrages relevant de la juridiction belge

\*

**Sector:** Energy  
**Sub-sector:** Energy transmission services and bulk storage services of gas  
**Industry classification:** ISIC 4010, CPC 71310, CPC 887 (other than consultancy services), Part of CPC 742

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**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-border services and Investment**  
Belgium reserves the right to adopt or maintain any measure related to the types of legal entities and to the treatment of public or private operators to whom Belgium has conferred exclusive rights. Establishment is required within EU for energy transmission services and for bulk storage services of gas.

**Existing Measures:**

\*

**Sector:** Energy  
**Sub-sector:** Energy distribution services and services incidental to energy distribution  
**Industry classification:** CPC 887 (other than consultancy services)  
**Type of Reservation:** Market access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-border services and Investment**  
Belgium reserves the right to adopt or maintain any measure related to energy distribution services and services incidental to energy distribution.

**Existing Measures:**

\*

**Sector:** Energy  
**Sub-sector:** Transport via pipeline of fuel  
**Industry classification:** CPC 7131  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-border services**  
The pipeline transport of natural gas and other fuels is subject to an authorisation requirement. An authorisation may only be granted to a natural or juridical person established in an EU Member State (in accordance with Article 3 of the AR of 14 May 2002).

Where the authorisation is requested by a company then:-

- the company must be established in accordance with Belgian law, or the law of another EU Member State, or the law of a third country, which has undertaken commitments to maintain a regulatory framework similar to the common requirements specified in Directive 98/30/EC of the European Parliament and the Council of 22 June 1998 concerning common rules for the internal market in natural gas; and
- the company must hold its administrative seat, its principal establishment or its head office within a Member State of the

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European Union, or a third country, which has undertaken commitments to maintain a regulatory framework similar to the common requirements specified in Directive 98/30/EC of the European Parliament and the Council of 22 June 1998 concerning common rules for the internal market in natural gas, provided that the activity of this establishment or head office represents an effective and continuous link with the economy of the country concerned.

**Existing Measures:** Arrêté Royal du 14 mai 2002 relatif à l'autorisation de transport de produits gazeux et autres par canalisations.

\*

**Sector:** Energy  
**Sub-sector:** Wholesaling services of electricity and gas  
**Industry classification:** CPC 62271  
**Type of Reservation:** National Treatment

**Description:** **Cross-border services**  
An authorisation is necessary for the supply of electricity by an intermediary having customers established in Belgium who are connected to the national grid system or to a direct line whose nominal voltage is higher than 70.000 volts. Such an authorisation may only be granted to a natural or juridical person established in the EEA.

In general, the supply of natural gas to customers (customers being both distribution companies and consumers whose overall combined consumption of gas arising from all points of supply attains a minimum level of one million cubic metres per year) established in Belgium is subject to an individual authorisation provided by the minister, except where the supplier is a distribution company using its own distribution network. Such an authorisation may only be granted to a natural or juridical person established in an EU Member State.

**Existing Measures:** Arrêté royal relatif aux autorisations de fourniture d'électricité par des intermédiaires et aux règles de conduite applicables à ceux-ci  
Arrêté royal du 12 juin 2001 relatif aux conditions générales de fourniture de gaz naturel et aux conditions d'octroi des autorisations de fourniture de gaz naturel

\*

**Sector:** Energy  
**Sub-sector:** Nuclear energy  
**Industry classification:** ISIC  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
Belgium reserves the right to adopt and maintain any measure with respect to the production, processing or transportation of nuclear material and generation or distribution of nuclear-based energy.

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### Existing Measures:

\*

**Sector:** Mining and quarrying, Manufacturing and Energy  
**Sub-Sector:** Mining and quarrying, Manufacture of refined petroleum products and nuclear fuel, Electricity, gas and hot water supply  
**Classification:** ISIC rev 3.1: 10, 1110, 13, 14, 232, part of 4010, part of 4020, part of 4030  
**Type of Reservation:** Market access  
National treatment

**Description:** **Investment**  
With the exception of the mining of metal ores and other mining and quarrying (ISIC rev 3.1: 13, 14), Canadian enterprises controlled by natural persons or enterprises of a third country which accounts for more than 5% of the EU's oil or natural gas or electricity imports may be prohibited from obtaining control of the activity.

Incorporation is required (no branching).

### Existing Measures:

\*\*\*

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### Reservations Applicable in Bulgaria

**Sector:** All Sectors  
**Sub-sector:** Acquisition of real estate  
**Industry classification:**  
**Type of Reservation:** National Treatment

**Description:** **Investment**  
Foreign natural and foreign juridical persons (including through a branch) cannot acquire ownership of land in Bulgaria. 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. Foreign citizens with permanent residence abroad, foreign juridical persons and companies in which foreign participation ensures a majority in adopting decisions or blocks the adoption of decisions, can acquire real estate property rights in specific geographic regions designated by the Council of Ministers subject to permission.

**Existing Measures:** Constitution of the Republic of Bulgaria, art. 22  
Law on Ownership and Use of Agricultural Land, art. 3  
Law on Forests, art. 10

\*

**Sector:** All Sectors except Mining and Quarrying  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Market Access  
National Treatment  
**Measures:** Law on State Property  
Concessions Act  
Law on Privatisation and Post-Privatisation Control

**Description:** **Investment**  
Certain economic activities related to the exploitation or use of State or public property are subject to concessions granted under the provisions of the Concessions Act.  
  
Commercial corporations in which the State or a municipality holds a share in the capital exceeding 50 per cent, cannot effect any transactions for disposition of fixed assets of the corporation, to conclude any contracts for acquisition of participating interest, lease, joint activity, credit, securing of receivables, as well as incurring any obligations arising under bills of exchange, unless permitted by the Privatisation Agency or the municipal council, whichever is the competent authority.

This reservation does not apply to mining and quarrying, which are subject to a separate reservation in Annex I.

**Existing measures:**

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\*

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Market Access  
National Treatment  
Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**

The take of marine and river living resources, performed by vessels in the internal marine waters, the territorial sea and on the inland waterways of the Republic of Bulgaria, shall be performed by vessels flying the Bulgarian flag. A foreign ship may not engage in commercial fishing in the exclusive economic zone save on the basis of an agreement between the Republic of Bulgaria and the flag state. While passing through the exclusive economic zone, foreign fishing ships may not maintain their fishing gear in operational mode.

**Existing Measures:**

\*

**Sector:** Energy  
**Sub-sector:**  
**Industry classification:** ISIC rev 3.1: 40, CPC 88 (part of), CPC 71310  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-Border Services and Investment**

Bulgaria reserves the right to adopt and maintain any measure with respect to the production of electricity and heat and to the services incidental to energy distribution, as well as to pipeline transportation, storage and warehousing of petroleum and natural gas, including transit transmission.

**Existing measures:** Energy Act

\*

**Sector:** Manufacturing, Electricity, Gas and Water Supply  
**Sub-sector:** Nuclear-based electricity generation  
Processing of nuclear material and fuel  
Transportation or handling of nuclear material  
**Industry classification:** ISIC REV 3.1 23, 40  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Investment**

Bulgaria reserves the right to adopt and maintain any measure with respect to the processing of fissionable and fusionable materials or the materials from which they are derived, as well as to the trade therewith, to the maintenance and repair of equipment and systems in nuclear

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energy production facilities, to the transportation of such materials and the refuse and waste matter of their processing, to the use of ionising radiation, and on all other services relating to the use of nuclear energy for peaceful purposes (incl. engineering and consulting services and services relating to software, etc.).

**Existing measures:** Safe Use of Nuclear Energy Act

\*

**Sector:** Business Services  
**Sub-sector:** Legal Services  
**Industry classification:** part of CPC 861  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
In Bulgaria, full national treatment on the establishment and operation of companies, as well as on the provision of services, may be extended only to companies established in, and citizens of, the countries with whom preferential arrangements have been or will be concluded.

**Existing Measures:**

\*

**Sector:** Business services  
**Sub-sector:** Auditing services  
**Industry classification:** CPC 86211 and CPC 86212 other than accounting services  
**Type of Reservation:** National Treatment  
**Measures:** Independent Financial Audit Act

**Description:** **Cross-Border Services**  
An independent financial audit shall be implemented by registered auditors who are members of the Institute of the Certified Public Accountants. Subject to reciprocity, the Institute of the Certified Public Accountants shall register a third-country audit entity upon the latter's furnishing proof that: 1. three-fourths of the members of the management bodies and the registered auditors carrying out audit on behalf of the entity meet requirements equivalent to those for Bulgarian auditors and have passed successfully the examinations for it; 2. the audit entity carries out independent financial audit in accordance with the requirements for independence and objectivity; 3. the audit entity publishes on its website an annual transparency report or performs other equivalent requirements for disclosure in case it audits public-interest entities.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Veterinary Services  
**Industry classification:** CPC 932  
**Type of Reservation:** National Treatment

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**Measures:**

Market Access  
Veterinary Practices Act

**Description:**

**Cross-Border Services and Investment**

In Bulgaria, a veterinary medical establishment may be established by a natural or a legal person.

The practice of veterinary medicine is subject to an EU/EEA nationality condition, otherwise a permanent residence permit is required for foreign nationals (physical presence is required).

\*

**Sector:**

Business services

**Sub-sector:**

Executive search, placement services, and supply services of office support personnel

**Industry classification:**

CPC 87201, 87202, 87203

**Type of Reservation:**

Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:**

**Cross Border Services and Investment**

Bulgaria reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).

Bulgaria reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:**

Business Services

**Sub-sector:**

Security services

**Industry classification:**

CPC 87302, 87303, 87304, 87305, 87309

**Type of Reservation:**

Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:**

**Cross-Border Services and Investment**

Bulgaria reserves the right to adopt or maintain any measure with regard to the provision of security services.

Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

**Existing Measures:**

\*

**Sector:**

Distribution

**Sub-sector:**

Distribution of chemical products  
Distribution of precious metals and stones

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<b>Industry classification:</b>	Distribution of pharmaceuticals, products and objects for medical use and medical substances
	Distribution of tobacco and tobacco products
	Distribution of alcoholic beverages
	Part of CPC 621, CPC 62228, CPC 62251, CPC 62271, part of CPC 62272, CPC 62276, CPC 63108, part of CPC 6329
<b>Type of Reservation:</b>	Market Access
	National Treatment
	Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services</b>
	Bulgaria reserves the right to adopt or maintain any measure with respect to the distribution chemical products, precious metals and stones, pharmaceuticals, medical substances and products and objects for medical use; tobacco and tobacco products and alcoholic beverages.
	Bulgaria reserves the right to adopt or maintain any measure with respect to the services provided by commodity brokers.
<b>Existing measures:</b>	Law on Medicinal Products in Human Medicine
	Law of Veterinary Activity
	Law for Prohibition of the Chemical Weapons and for Control over the Toxic Chemical Substances and Their Precursors
	Law for Tobacco and Tobacco Products
	*
<b>Sector:</b>	Education Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 921, 922, 923
<b>Type of Reservation:</b>	National Treatment
	Market Access
<b>Description:</b>	<b>Cross-Border Services and Investment</b>
	Bulgaria reserves the right to adopt and maintain any measure restricting the cross-border provision of privately funded primary and secondary education services.
	Bulgaria reserves the right to adopt and maintain any measure with respect to the provision of privately funded higher education services.
<b>Existing Measures:</b>	Public Education Act, art. 12
	Law for the Higher Education, paragraph 4 of the additional provisions
	Vocational Education and Training Act, art. 22
	*
<b>Sector:</b>	Financial Services
<b>Sub-sector:</b>	Insurance
<b>Type of Reservation</b>	Cross-Border Supply of Financial Services
<b>Description:</b>	<b>Financial Services</b>
	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.

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**Sector:** Health Services  
**Sub-sector:**  
**Industry classification:** CPC 9311 Hospital services, 93192 Ambulance services, 93193 Residential health services other than hospital services  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors  
**Description:** **Investment**  
Bulgaria reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, and residential health services other than hospital services.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Health-related Professional Services: Medical and Dental Services, Midwife Services, Nursing Services, Physiotherapeutic and Para-medical services, Psychologist Services  
**Industry classification:** CPC 9312, part of CPC 9319  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors  
**Description:** **Investment**  
Bulgaria reserves the right to adopt or maintain any measure with respect to the provision of all health-related professional services, including medical and dental services, services provided by nurses, midwives, physiotherapists, paramedical personnel, as well as psychologist services.

**Existing Measures:** Law for Medical Establishments  
Professional Organisation of Medical Nurses, Midwives and Associated Medical Specialists Guild Act

\*

**Sector:** Transport  
**Sub-sector:** Supporting services for road transport  
**Industry classification:** CPC 744  
**Type of Reservation:** National Treatment  
**Measures:** Bulgarian Act for Road Transport, art. 6

**Description:** **Cross border**  
Establishment is required.

**Existing Measures:** Law for Medical Establishments

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\*

**Sector:** Water Transport  
**Sub-sector:** Supporting services for water transport  
**Industry classification:** part of CPC 741, part of CPC 742  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
In so far as Canada and its provinces and territories allow Bulgarian service suppliers to supply cargo-handling services and storage and warehouse services in sea and river harbours, including services relating to containers and goods in containers, Bulgaria will allow Canadian services suppliers to supply cargo-handling services and storage and warehouse services in sea and river harbours, including services relating to containers and goods in containers under the same conditions.

**Existing Measures:**

\*

**Sector:** Rail Transport  
**Sub-sector:**  
**Industry classification:** CPC 7111, CPC 7112  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures that are taken under existing or future agreements, and which regulate traffic rights and operating conditions, and the provision of transport services in the territory of Bulgaria, Czech Republic and Slovakia and between the countries concerned.

**Existing Measures:**

\*

**Sector:** Road Transport  
**Sub-sector:**  
**Industry classification:** CPC 7121, CPC 7122, CPC 7123  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures taken under existing or future agreements, which reserve and/or restrict the supply of these kinds of transportation services and specify the terms and conditions of this supply, including transit permits and/or preferential road taxes, in the territory of Bulgaria or across the borders of Bulgaria.

**Existing Measures:**

\*

**Sector:** Transport  
**Sub-sector:** Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services

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**Industry classification:** CPC 712  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-Border Services and Investment**  
For passenger and freight transportation, exclusive rights and/or authorisations may only be granted to nationals of the Member States of the European Union and to juridical persons of the European Union having their headquarters in the European Union.

Incorporation is required. Condition of EU nationality for natural persons.

**Existing Measures:**

\*\*\*

LIMITED

## Reservations Applicable in Croatia

**Sector:** Agriculture, hunting  
**Sub-sector:**  
**Industry classification:** ISIC rev. 3.1:011, 012, 013, 014, 015, CPC 8811, 8812, 8813  
 excluding advisory and consultancy services  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Investment**  
 Croatia reserves the right to adopt or maintain any measure with respect to agricultural and hunting activities.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Urban planning  
**Industry classification:** CPC 8674  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross-Border Services**  
 Croatia reserves the right to adopt or maintain any measure with respect to the cross-border provision of urban planning.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security Services  
**Industry classification:** CPC 87302, CPC 87305  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance requirements  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Croatia reserves the right to adopt or maintain any measure with respect to security consultation services and guard services.

**Existing Measures:**

\*

**Sector:** Other Business Services  
**Sub-sector:** Translation and Interpretation Services;  
**Industry classification:** CPC 87905  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross-Border Services**

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Croatia reserves the right to adopt or maintain any measure with respect to the cross border provision of translation and interpretation of official documents.

\*

**Sector:** **Transport services**  
**Sub-sector:** Road transport services  
**Industry classification:** CPC 7111 and CPC 7112  
**Type of Reservation:** Most favoured nation treatment

**Description:** **Cross-Border Services and Investment**  
Measures applied under existing or future agreements on international road transport and which reserve or limit the provision of transport services and specify operating conditions, including transit permits and/or preferential road taxes of transport services into, in, across and out of the Republic of Croatia to the parties concerned.

**Existing Measures:**

\*

**Sector:** **Transport services**  
**Sub-sector:** Services auxiliary to all modes of Transport  
**Industry classification:** CPC 741, 742, 743, 744, 745, 746, 749  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services**  
Croatia reserves the right to adopt or maintain any measure with respect to the cross border provision of services auxiliary to transport other than freight transport agency services, transportation preparation document services and supporting services for road transport that are subject to permit.

**Existing Measures:**

\*\*\*

LIMITED

## **Reservations Applicable in Cyprus**

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Cyprus reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
  
 Cyprus reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Cyprus reserves the right to adopt or maintain any measure with regard to the provision of security services.  
  
 Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

**Existing Measures:**

\*

**Sector:** Education Services  
**Sub-sector:**  
**Industry classification:** CPC 921, 922, 923, 924  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance Requirements  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Cyprus reserves the right to adopt and maintain any measure with respect to the provision of privately funded primary, secondary, higher, and adult education services.

**Existing Measures:**

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\*

**Sector:** Health Services  
**Sub-sector:** Hospital services, Ambulance services, Residential health services other than hospital services  
**Industry classification:** CPC 9311, 93192, 93193  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Cyprus reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, and residential health services other than hospital services.

**Existing Measures:**

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Cyprus reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

\*

**Sector:** Energy  
**Sub-sector:**  
**Industry classification:** ISIC rev 3.1: 232, 4010, 4020, and CPC 62271, 63297, 7131, 613, 742, and 887 (excluding advisory and consulting services)

**Type of Reservation:** National Treatment  
Market Access  
Senior Management and Boards of Directors  
Performance Requirements

**Description:** **Cross-Border Services and Investment**  
Cyprus reserves the right to adopt or maintain any measure limiting the cross-border provision of and requiring establishment for storage and warehousing services of fuels transported through pipelines, and the retail sales of fuel oil and bottled gas other than by mail order.

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Cyprus reserves the right to adopt or maintain any measure with respect to the manufacture of refined petroleum products insofar as the investor is controlled by a natural or juridical person of a non-EU country which accounts for more than 5% of the EU's oil or natural gas imports, as well as to the manufacture of gas, distribution of gaseous fuels through mains on own account, the production, transmission and distribution of electricity, the pipeline transportation of fuels, services incidental to electricity and natural gas distribution other than advisory and consulting services, wholesale services of electricity, retailing services of motor fuel, electricity and non-bottled gas.

**Existing Measures:**

The Regulating of the Electricity Market Laws of 2003 to 2008 (articles 34(2) and 37)

The Regulating of the Gas Market Laws of 2004 to 2007

The Petroleum (Pipelines) Law, Chapter 273 of the Constitution of the Republic of Cyprus

The Petroleum Law L.64(I)/1975

The Petroleum and Fuel Specifications Laws of 2003 to 2009

\*\*\*

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### Reservations Applicable in Czech Republic

**Sector:** Business Services  
**Sub-sector:** Real estate services  
**Industry classification:** CPC 821, CPC 822  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
Czech Republic reserves the right to adopt or maintain any measure with respect to the cross-border provision of real estate services.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Auction Services  
**Industry classification:** CPC Ver.1.1 part of 621 (services of retail auctioning houses)  
CPC Ver.1.1 part of 612 (services of wholesale houses)  
CPC Ver.1.1 part of 625 (services of electronic retail auctions)  
CPC Ver.1.1 part of 85990 (auctioning services other than in connection with legal procedures)

**Description:** **Cross-Border Services**  
Auction services in the Czech Republic are subject to licence. To obtain a licence (for the provision of voluntary public auctions), a company must be incorporated in the Czech Republic and a natural person is required to obtain a residency permit, and the company, or natural person must be registered in the Commercial Register of the Czech Republic.

**Existing Measures:** The Act. 455/1991 Coll., Trade Licence Act and Act no. 26/2000 Coll., on public auctions

\*

**Sector:** Business services  
**Sub-sector:** Auditing services  
**Industry classification:** CPC 86211 and 86212 other than accounting services  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Investment**  
Only an enterprise in which at least 60 per cent of capital interests or voting rights are reserved to Czech/EU nationals may be authorised to carry out audits in the Czech Republic.

**Existing Measures:** Law of 14<sup>th</sup> April 2009 no. 93/2009 Coll., on Auditors

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel

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**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
The Czech Republic reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).

The Czech Republic reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
The Czech Republic reserves the right to adopt or maintain any measure with regard to the provision of security services.

Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

**Existing Measures:**

\*

**Sector:** Education Services  
**Sub-sector:**  
**Industry classification:** CPC 921, 922, 923, 924  
**Type of Reservation:** Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
In the Czech Republic, the majority of the members of the board of directors of an establishment providing privately-funded education services must be Czech nationals.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Hospital services, Ambulance services, Residential health services other than hospital services  
**Industry classification:** CPC 9311, 93192, 93193  
**Type of Reservation:** Market Access

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Performance requirements  
Senior Management and Boards of Directors

**Description:**

**Investment**

The Czech Republic reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, and residential health services other than hospital services.

**Existing Measures:**

Act No. 372/2011 Sb. on Health Care Services and Conditions of Their Provision

\*

**Sector:**

Health Services

**Sub-sector:**

Health-related Professional Services: Medical and Dental Services, Midwife Services, Nursing Services, Physiotherapeutic and Para-medical services, Psychologist Services, Other Health-related Services

**Industry classification:**

CPC 9312, part of CPC 9319,

**Type of Reservation:**

Market Access  
National Treatment

**Description:**

**Cross-Border Services and Investment**

The Czech Republic reserves the right to adopt or maintain any measure with regard to the provision of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, as well as other health-related services relating to the handling of human tissues, organs and cells intended for use in man.

**Existing Measures:**

Act No 296/2008 Coll., on Safeguarding the Quality and Safety of Human Tissues and Cells Intended for Use in Man ("Act on Human Tissues and Cells")  
Act No 378/2007 Coll., on Pharmaceuticals and on Amendments to Some Related Acts (Act on Pharmaceuticals)  
Act. 123/2000 Coll., on Medical Devices  
Act. 285/2002 Coll., on the Donating, Taking and Transplanting of Tissues and Organs and on Amendment to Certain Acts (Transplantation Act)

\*

**Sector:**

Social Services

**Sub-sector:**

**Industry classification:**

CPC 933

**Type of Reservation:**

Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:**

**Investment**

The Czech Republic reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

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\*

**Sector:** Rail Transport  
**Sub-sector:**  
**Industry classification:** CPC 7111, CPC 7112  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures that are taken under existing or future agreements, and which regulate traffic rights and operating conditions, and the provision of transport services in the territory of Bulgaria, Czech Republic and Slovakia and between the countries concerned.

**Existing Measures:**

\*

**Sector:** Road Transport  
**Sub-sector:**  
**Industry classification:** CPC 7121, CPC 7122, CPC 7123  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures that are taken under existing or future agreements, and which reserve or limit the provision of transport services and specify operating conditions, including transit permits and/or preferential road taxes of a transport services into, in, across and out of the Czech Republic to the contracting parties concerned.

**Existing Measures:**

\*\*\*

LIMITED

## Reservations Applicable in Denmark

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Most-Favoured-Nation Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b>  Measures taken by Denmark, Sweden and Finland aimed at promoting Nordic cooperation, such as:  (a) financial support to R&amp;D projects (the Nordic Industrial Fund);  (b) funding of feasibility studies for international projects (the Nordic Fund for Project Exports); and  (c) financial assistance to companies<sup>2</sup> utilizing environmental technology (the Nordic Environment Finance Corporation).</p> <p>This reservation is without prejudice to the exclusion of procurement by a Party, subsidies, or governmental support for trade in services in Chapter X (Investment) Article X.14(5) (a) and (b), and Chapter X (CBTS) Article. X.01(2)(f) and (g) respectively.</p>
<b>Existing Measures:</b>	
	*
<b>Sector:</b>	Fishing and Aquaculture, Services incidental to fishing
<b>Sub-sector:</b>	
<b>Industry classification:</b>	ISIC rev.3.1: 0501, 0502, CPC 882
<b>Type of Reservation:</b>	Market Access National Treatment Most-Favoured-Nation Treatment Performance Requirements Senior Management and Boards of Directors
<b>Description:</b>	<p><b>Investment</b>  Non-EU residents cannot own one-third or more of a business engaged in commercial fishing in Denmark.</p> <p>Non-EU residents cannot own Danish flag vessels except through an enterprise incorporated in Denmark.</p> <p>For a company to register its vessel as a Danish fishing vessel, at least two-thirds of the owners of the company must be registered as fishermen having an "A" status fishing licence, or two-thirds of the shares of the company must be owned by another company which is entirely owned by fishermen having an "A" status licence.</p> <p>To obtain an "A" status fishing licence, a natural person must have lived in Denmark for two years prior to the request to obtain a licence or hold Danish citizenship. These restrictions do not apply to persons within the EU or EEA Countries.</p>

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<sup>2</sup> Applies to East European companies, which are cooperating with one or more Nordic companies.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Denmark reserves the right to adopt or maintain any measure with regard to the provision of airport guard services.  
  
 In order to provide security services in Denmark, it is a requirement to be a national juridical person.

**Existing Measures:**

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Market Access  
 National Treatment  
 Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
 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.

**Existing Measures:**

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance Requirements  
 Senior Management and Boards of Directors

**Description:** **Investment**  
 Denmark reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

\*\*\*

## **Reservations Applicable in Estonia**

**Sector:** All Sectors  
**Sub-sector:** Acquisition of real estate  
**Industry classification:**  
**Type of Reservation:** National Treatment

**Description:** **Investment**  
 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 an immovable used for profit yielding land, the land use type categories of which include agricultural or forest land, and only with the authorisation of the county governor.

This reservation does not apply to the acquisition of agricultural or forest land for the purposes of providing a service which is liberalised under this agreement.

**Existing Measures:** Kinnisasja omandamise kitsendamise seadus (Restrictions on Acquisition of Immovables Act) § 2, § 3

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Estonia reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
 Estonia reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Estonia reserves the right to adopt or maintain any measure with regard to the provision of security services.



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Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (except insurance)  
**Type of Reservation:** Market Access  
National treatment  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
For acceptance of deposits, requirement of authorisation by the Estonian Financial Supervision Authority and registration under Estonian law as a joint-stock company, a subsidiary or a branch.

**Existing Measures:** Krediidiasutuste seadus (Credit Institutions Act) § 20<sup>6</sup>.

\*

**Sector:** Transport  
**Sub-sector:** Maritime Transport, Road and Rail Transport  
**Industry classification:** part of CPC 721, part of CPC 711, part of CPC 712  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Estonia reserves the right to adopt or maintain any measure which accords differential treatment to a country pursuant to existing or future bilateral agreements on international road transport (including combined transport-road/rail), reserving or limiting the provision of a transport services into, in, across and out of the Republic of Estonia to the contracting parties to vehicles registered in each contracting party, and providing for tax exemption for such vehicles.

### Existing Measures:

\*\*\*

## LIMITED

## Reservations Applicable in Finland

<b>Sector:</b>	All Sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	National Treatment Market Access
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b> Restrictions on the right for natural persons, who do not enjoy regional citizenship in Åland, and for legal persons, to acquire and hold real property on the Åland Islands without obtaining permission from the competent authorities of the Åland Islands.</p> <p>Restrictions on the right of establishment and right to carry out economic activities by natural persons, who do not enjoy regional citizenship in Åland, or by any enterprise, without obtaining permission from the competent authorities of the Åland Islands.</p>
<b>Existing Measures:</b>	<p>Ahvenanmaan maanhankintalaki (Act on land acquisition in Åland) (3/1975), Section 2 Ahvenanmaan itsehallintolaki (Act on the Autonomy of Åland) (1144/1991), Section 11</p> <p style="text-align: center;">*</p>
<b>Sector:</b>	All services
<b>Sub-sector:</b>	Electronic identification services
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Market Access
<b>Description:</b>	<p><b>Cross-Border Services</b> Finland reserves the right to require establishment in Finland, or elsewhere in the EEA in order to provide electronic identification services.</p>
<b>Existing Measures:</b>	<p>Laki vahvasta sähköisestä tunnistamisesta ja sähköisistä allekirjoituksista (Act on Strong Electronic Identification and Electronic Signatures) 617/2009</p> <p style="text-align: center;">*</p>
<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Most-Favoured-Nation Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b> Measures taken by Denmark, Sweden and Finland aimed at promoting Nordic cooperation, such as: (a) financial support to R&amp;D projects (the Nordic Industrial Fund);</p>

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(b) funding of feasibility studies for international projects (the Nordic Fund for Project Exports); and  
(c) financial assistance to companies<sup>3</sup> utilizing environmental technology (the Nordic Environment Finance Corporation).

This reservation is without prejudice to the exclusion of procurement by a Party, subsidies, or governmental support for trade in services in Chapter X (Investment) Article X.14(5) (a) and (b), and Chapter X (CBTS) Article. X.01(2)(f) and (g) respectively.

### Existing Measures:

\*

**Sector:** Manufacture of Nuclear Fuel, Electricity, Gas and Water Supply  
**Sub-sector:** Nuclear based electricity generation  
Processing of nuclear material and fuel  
Transportation or handling of nuclear material  
**Industry classification:** ISIC REV 3.1 233, 40  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Investment**  
Finland reserves the right to adopt and maintain any measure with respect to the processing, distribution or transportation of nuclear material and generation of nuclear-based energy.

**Existing measures:** Ydinenergialaki (Nuclear Energy Act) (990/1987)

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services of office support personnel and other workers, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** National Treatment  
Market Access  
Senior Management and Boards of Directors

**Description:** **Cross border Services and Investment**  
Finland reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
  
Finland reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel and other workers (CPC 87203).

**Existing Measures:** Laki julkisesta työvoima- ja yrityspalvelusta (Act on Public Employment and Enterprise Service) (916/2012)

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<sup>3</sup> Applies to East European companies, which are cooperating with one or more Nordic companies.

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**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-Border Services**  
The provision of security services by a foreign provider on a cross-border basis is not allowed.

Licences to provide security services may be granted only to natural persons resident in the EEA or juridical persons established in the EEA.

**Existing Measures:** Laki yksityisistä turvallisuuspalveluista (Private Security Services Act) 282/2002

\*

**Sector:** Distribution Services  
**Sub-sector:** Distribution of alcoholic beverages  
**Industry classification:** part of CPC 62112, 62226, 63107, 8929  
**Type of Reservation:** National Treatment  
Market Access  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Finland reserves the right to adopt or maintain any measure with respect to the provision of distribution of alcoholic beverages.

**Existing Measures:** Alkoholilaki (Alcohol Act) (1143/1994)

\*

**Sector:** Distribution Services  
**Sub-sector:** Distribution of pharmaceutical products  
**Industry classification:** CPC 62251, CPC 62117, CPC 63211, CPC 8929  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Finland reserves the right to adopt or maintain any measure with regard to distribution of pharmaceutical products.

**Existing Measures:** Lääkelaki (Medicine Act) (395/1987)

\*

**Sector:** Energy  
**Sub-sector:** Transmission and distribution networks and systems, importation, wholesale and retail of electricity, production and distribution of gas, steam and hot water  
**Industry classification:** ISIC Rev. 3.1 40, CPC 7131, CPC 887 (excluding advisory and consultancy services)

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<b>Type of Reservation:</b>	Market Access National treatment Senior Management and Boards of Directors Performance Requirements
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Finland reserves the right to adopt or maintain any measure with regard to transmission and distribution networks and systems of energy and of steam and hot water.  Finland reserves the right to prevent control or ownership of an LNG terminal (including those parts of the LNG terminal used for storage and/or re-gasification of LNG) by foreign persons or enterprises for energy security reasons.  Finland reserves the right to adopt or maintain any measure with regard to the importation, wholesale and retail of electricity.  Finland reserves the right to adopt or maintain quantitative restrictions in the form of monopolies or exclusive rights for the importation of natural gas, and for the production and distribution of steam and hot water.  Currently, natural monopolies and exclusive rights exist.
<b>Existing measures:</b>	Maakaasumarkkinalaki (Natural Gas Market Act) (508/2000) Sähkömarkkinalaki (Electricity Market Act) (386/1995)  *
<b>Sector:</b> <b>Sub-sector:</b> <b>Industry classification:</b> <b>Type of Reservation:</b>	Education Services  CPC 921, 922, 923, 924 Market Access National Treatment Performance Requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Finland reserves the right to adopt and maintain any measure with respect to the provision of privately funded primary, secondary, higher, and adult education services.
<b>Existing Measures:</b>	Perusopetuslaki (Basic Education Act) (628/1998) Lukiolaki (General Upper Secondary Schools Act) (629/1998) Laki ammatillisesta koulutuksesta (Vocational Training and Education Act) (630/1998) Laki ammatillisesta aikuiskoulutuksesta (Vocational Adult Education Act) (631/1998) Ammattikorkeakoululaki (Polytechnics Act) (351/2003) Yliopistolaki (Universities Act) (558/2009)  *
<b>Sector:</b>	Health Services

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<b>Sub-sector:</b>	Hospital services, Ambulance services, Residential health services other than hospital services, Other human health services
<b>Industry classification:</b>	CPC 9311, 93192, 93193, 93199
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Investment</b> Finland reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, residential health services other than hospital services, and other human health services.
<b>Existing Measures:</b>	Laki yksityisestä terveydenhuollosta (Act on Private Health Care) (152/1990)  *
<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Health-related professions: Medical and dental services, services provided by midwives, physiotherapeutic and paramedical services, Services provided by psychologists
<b>Industry classification:</b>	CPC 9312, CPC 93191
<b>Type of Reservation:</b>	Market Access National Treatment Performance Requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Finland reserves the right to adopt or maintain any measure with respect to the provision of all health-related professional services, whether publicly or privately funded, including medical and dental services, services provided by midwives, physiotherapists and paramedical personnel, and services provided by psychologists. This reservation does not apply to services provided by nurses.
<b>Existing Measures:</b>	Laki yksityisestä terveydenhuollosta (Act on Private Health Care) (152/1990)  *
<b>Sector:</b>	Social Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 933
<b>Type of Reservation:</b>	Market Access National Treatment Performance Requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Investment</b> Finland reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

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**Existing Measures:** Laki yksityisten sosiaalipalvelujen valvonnasta (Act on Supervision of Private Social Services) (603/1993)

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance and insurance-related services  
**Industry classification:**  
**Type of Reservation:** National Treatment  
Market Access  
Cross-Border Supply of Financial Services  
Senior Management and Boards of Directors

**Description:** **Financial Services**  
The supply of insurance broker services is subject to a permanent place of business in the European Union.

Only insurers having their head office in the European Union or having their branch in Finland may offer direct insurance services, including co-insurance.

At least one half of the members of the board of directors and the supervisory board, the managing director of an insurance company providing statutory pension insurance shall have their place of residence in the EEA, unless the competent authorities have granted an exemption. Foreign insurers cannot obtain a licence in Finland as a branch to carry on statutory pension insurance. At least one auditor shall have his permanent residence in the EEA.

For other insurance companies, residency in the EEA is required for at least one member of the board of directors and the supervisory board and the managing director. At least one auditor shall have his permanent residence in the EEA.

The general agent of a Canadian insurance company must have his place of residence in Finland, unless the company has its head office in the EU.

**Existing Measures:** Laki ulkomaisista vakuutusyhtiöistä (Act on Foreign Insurance Companies) (398/1995)  
Vakuutusyhtiölaki (Insurance Companies Act) (521/2008)  
Laki vakuutusedustuksesta (Act on Insurance Mediation) (570/2005)  
Laki työeläkevakuutusyhtiöistä (Act on Companies providing statutory pension insurance) (354/1997)

\*

**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services  
**Industry classification:**  
**Type of Reservation:** National Treatment  
Senior Management and Boards of Directors  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**

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At least one of the founders, the members of the board of directors, the supervisory board, the managing director of banking services providers and the person entitled to sign the name of the credit institution shall have their permanent residence in the EEA. At least one auditor shall have his permanent residence in the EEA.

For payment services, residency or domicile in Finland may be required.

### Existing Measures:

Laki liikepankeista ja muista osakeyhtiömuotoisista luottolaitoksista (Act on Commercial Banks and Other Credit Institutions in the Form of a Limited Company) (1501/2001)  
Säästöpankkilaki (1502/2001) (Savings Bank Act)  
Laki osuuspankeista ja muista osuuskuntamuotoisista luottolaitoksista (1504/2001) (Act on Cooperative Banks and Other Credit Institutions in the Form of a Cooperative Bank)  
Laki hypoteekkiyhdistyksistä (936/2001) (Act on Mortgage Societies)  
Maksulaitoslaki (297/2010) (Act on Payment Institutions)  
Laki ulkomaisen maksulaitoksen toiminnasta Suomessa (298/2010) (Act on the Operation of Foreign Payment Institution in Finland)  
Laki luottolaitostoiminnasta (Act on Credit Institutions) (121/2007)

\*

### Sector: Sub-sector: Industry classification: Type of Reservation:

Transport  
Passenger or freight transport by rail  
CPC 7111, CPC 7112  
Market Access  
National Treatment

### Description:

#### Cross-Border Services and Investment

Finland reserves the right to adopt or maintain any measure with respect to cross-border provision of rail transport.

With regard to establishment of rail passenger transport services, currently, there are exclusive rights (granted to VR-Group Ltd that is 100% owned by the state) until 2017 in Helsinki Metropolitan Area and elsewhere until 2019 in this field, which may be renewed.

### Existing Measures:

Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70  
Rautatielaki (Railway Act) (304/2011)

\*

### Sector: Sub-sector: Industry classification: Type of Reservation:

Fishing and Aquaculture, Services incidental to fishing  
ISIC rev.3.1: 0501, 0502, CPC 882  
National Treatment  
Market Access

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## **Reservations Applicable in France**

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Types of establishment
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Investment</b> Pursuant to articles L151-1 and R153-1 sec of the financial and monetary code, foreign investments in France in sectors listed in article R153-2 of the financial and monetary code are subject to prior approval from the Minister for the Economy.
<b>Existing Measures:</b>	Financial and monetary code: articles L151-1 sec, R153-1 sec

\*

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Types of establishment
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	National Treatment Senior Management and Boards of Directors
<b>Measures:</b>	
<b>Description:</b>	<b>Investment</b> France reserves the right to limit foreign participation in newly privatised companies to a variable amount, determined by the government of France on a case by case basis, of the equity offered to the public.  For establishing in certain commercial, industrial or artisanal activities, a specific authorisation is needed if the managing director is not a holder of a permanent residence permit.

<b>Phase-out:</b>	None
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\*

<b>Sector:</b>	Fishing and Aquaculture, Services incidental to fishing
<b>Sub-sector:</b>	
<b>Industry classification:</b>	ISIC rev.3.1: 0501, 0502, CPC 882
<b>Type of Reservation:</b>	National Treatment Market Access
<b>Description:</b>	<b>Investment</b> Non-EU nationals cannot participate in French maritime State property for fish/shellfish/algae farming.

<b>Existing Measures:</b>	
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\*

<b>Sector:</b>	Business services
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**Sub-sector:** Placement services and supply services of office support personnel  
**Industry classification:** 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
France reserves the right to restrict the number of suppliers of placement services. These services are subject to a state monopoly.

France reserves the right to require establishment and to prohibit the cross-border provision of supply services of office personnel.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
The provision of security services by a foreign provider on a cross-border basis is not allowed.

Nationality condition for managing directors and directors.

**Existing Measures:**

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
Insurance of risks relating to ground transport may be underwritten only by insurance firms established in the European Union.

**Existing Measures:** Article L 310-10 du code des assurances

\*

**Sector:** Health services  
**Sub-sector:** Laboratory Analysis and Testing  
**Industry classification:** Part of CPC 9311  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**

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France reserves the right to adopt or maintain any measure with regard to the provision of privately funded laboratory analysis and testing services.

**Existing Measures:** Article L 6213-1 à 6213-6 du Code de la Santé Publique

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
France reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

\*

**Sector:** Tourism and Travel Related Services  
**Sub-sector:** Tourist Guides Services  
**Industry classification:** CPC 7472  
**Type of Reservation:** National Treatment

**Description:** **Cross-Border Services**  
France reserves the right to require EU nationality for the provision of tourist guide services in its territory.

**Existing measures:** None

\*

**Sector:** News and Press Agency Services  
**Sub-sector:**  
**Industry classification:** CPC 962  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Investment**  
Foreign participation in existing companies publishing publications in the French language may not exceed 20 per cent of the capital or of voting rights in the company.  
  
Establishment of Canadian press agencies is subject to conditions set out in domestic regulation.  
  
Establishment of press agencies by foreign investors is subject to reciprocity.

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**Existing Measures:** Ordonnance n° 45-2646 du 2 novembre 1945 portant  
règlementation provisoire des agences de presse  
Loi n° 86-897 du 1 août 1986 portant réforme du  
régime juridique de la presse

\*

**Sector:** Energy  
**Sub-sector:** Electricity and gas transmission systems, oil and gas pipeline  
transport  
**Industry classification:** ISIC Rev 3.1 401, 402, CPC 7131, CPC 887  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
France reserves the right to adopt or maintain any measure  
with regard to electricity and gas transmission systems and  
oil and gas pipeline transport.

Only companies where 100% of the capital is held by the  
French State, by another public sector organisation or by  
EDF, may own and operate electricity transmission or  
distribution systems.

Only companies where 100% of the capital is held by the  
French State, by another public sector organisation or by  
GDF-Suez, may own and operate gas transmission or  
distribution systems for reasons of national energy security.

**Existing Measures:** Loi N° 2004-803 du 9 août 2004 relative au service public de  
l'électricité et du gaz et aux entreprises électriques et  
gazières

Loi N°2005-781 du 13 juillet 2005

Loi N°2000-108 du 10 février 2000

\*

**Sector:** Production of electricity  
**Industry classification:** ISIC rev 3.1: 4010  
**Type of Reservation:** Market Access

**Description:** **Investment**  
France reserves the right to adopt or maintain any measure  
with respect to the production of electricity.

\*

**Sector:** Manufacturing, production, processing, generation,  
distribution or transportation of nuclear material  
**Sub-sector:** Nuclear based electricity generation  
Processing of nuclear material and fuel  
Transportation or handling of nuclear material

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**Industry classification:** ISIC REV 3.1 12, 23, 40; ISIC rev.3.1, 1200, 2330, part of 4010

**Type of Reservation:** Market Access  
National Treatment

**Description:** **Investment**  
The manufacturing, production, processing, generation, distribution or transportation of nuclear material must respect the obligations of the Euratom-Canada agreement.

**Existing Measures:**

\*

**Sector:** Rental/Leasing Services without Operators

**Sub-sector:** Other Rental/Leasing Services without Operators

**Industry classification:** CPC 832

**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
France reserves the right to adopt or maintain any measure with regard to the provision of other rental/leasing services without operator.

**Existing Measures:**

\*

**Sector:** Transport

**Sub-sector:** Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services

**Industry classification:** CPC 712

**Type of Reservation:** Market Access  
National Treatment

**Description:** **Investment**  
Foreign investors are not allowed to provide intercity bussing services.

**Existing Measures:**

\*\*\*

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**Reservations Applicable in Germany**  
(applicable to all levels of government unless otherwise indicated)

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** National Treatment  
 Market Access  
 Senior Management and Board of Directors

**Description:** **Investment**  
 The majority of shares must be owned by EU citizens or companies established in accordance with EU rules and that have their principal place of business in a Member State. The use of the vessels must be headed and supervised by persons residing in Germany.  
  
 In order to obtain a fishing licence, all fishing vessels must register with the relevant coastal states in which the ships have their home ports.

**Existing Measures:**

\*

**Sector:** Environmental Services  
**Sub-sector:** Waste management: Sewage, refuse disposal, and sanitation services  
**Industry classification:** CPC 9401, CPC 9402, CPC 9403  
**Type of Reservation::** Market access

**Description:** **Cross-Border Services and Investment**  
 Germany reserves the right to maintain or adopt or maintain any measure prohibiting the cross-border provision of services and requiring establishment with respect to the supply of waste management services, other than advisory services.  
  
 Germany reserves the right to adopt or maintain any measure relating to the designation, establishment, expansion, or operation of monopolies or exclusive services suppliers providing waste management services.

\*

**Sector:** Environmental Services  
**sub-sector:** Soil Management  
**Industry classification:** 94060  
**Type of reservation:** Market Access

**Description:** **Cross-Border Services and Investment**  
 Germany reserves the right to adopt or maintain any measure prohibiting the cross-border provision of services and requiring establishment with respect to services relating to the protection of soil and the management of contaminated soils, other than advisory services.

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Germany reserves the right to adopt or maintain any measure relating to the designation, establishment, expansion, or operation of monopolies or exclusive services suppliers providing soil management and protection services.

### Existing measures:

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Market Access  
National Treatment  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
Compulsory air insurance policies can be underwritten only by a subsidiary established in the European Union or by a branch established in Germany.

**Existing Measures:** §§ 105 ff "Versicherungsaufsichtsgesetz" (VAG), insbesondere § 105 Abs. 2 VAG: „Versicherungsunternehmen eines Drittstaates, die im Inland das Erst- oder Rückversicherungsgeschäft durch Mittelspersonen betreiben wollen, bedürfen der Erlaubnis.“

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Market Access  
National Treatment  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
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.

**Existing Measures:** § 43 Abs. 2 Luftverkehrsgesetz (LuftVG) und § 105 Abs. 1 Luftverkehrszulassungsordnung (LuftVZO)

\*

**Sector:** Other Business Services  
**Sub-sector:** Placement and supply services  
**Industry classification:** CPC 87201, 87202, 87203, 87204, 87205, 87206, 87209  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
Germany reserves the right to adopt or maintain any measure with regard to the provision of executive search services and supply services.

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Germany reserves the right to restrict the number of suppliers of placement services. Authorisation is subject to an economic needs test. Main criteria: situation and development of the labour market.

Germany reserves the right to introduce or maintain a monopoly of the Federal Labour Agency (*Bundesagentur für Arbeit*). Pursuant to Sec. 292 Social Code No. III (*Drittes Buch Sozialgesetzbuch – SGB III*), the Federal Ministry of Labour and Social Affairs may issue a regulation concerning the placement and recruitment of extra-EU and extra-EEA personnel for specified professions.

**Existing Measures:** Sec. 42 Employment Regulation (Beschäftigungsverordnung)

\*

**Sector:** Health and Social Services  
**Sub-sector:**  
**Industry classification:** CPC 93  
**Type of Reservation:** Market Access  
National Treatment  
Most-Favoured Nation Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Germany reserves the right to adopt or maintain any measure with regard to the provision of the Social Security System of Germany, where services may be provided by different companies or entities involving competitive elements which are thus not "Services carried out exclusively in the exercise of governmental authority". Germany reserves the right to accord better treatment in the context of a bilateral trade agreement with regard to the provision of health and social services.

**Existing Measures:**

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Germany reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

Germany reserves the right to adopt or maintain any measure regarding the Social Security System of Germany,

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where services are provided by different companies or entities involving competitive elements and might therefore not fall under the definition of the “*Services carried out exclusively in the exercise of governmental authority*”.

### Existing Measures:

\*

**Sector:** Health Services  
**Sub-sector:** Hospital Services  
**Industry classification:** 93110  
**Type of Reservation:** Market Access  
National Treatment

### Description:

#### Investment

Germany reserves the right to maintain national ownership of privately funded hospitals run by the German Forces. Germany reserves the right to nationalise other key privately funded hospitals.

### Existing Measures:

\*

**Sector:** Recreational, cultural and sporting services  
**Sub-sector:** Entertainment services, including theatre, live bands and circus services, Libraries, archives and museums and other cultural services  
**Industry classification:** CPC 96, except for 962 (News and Press Agency Services) and 964 (Sporting and Other Recreational Services) and Audiovisual Services  
**Type of Reservation:** Market Access  
National Treatment  
Most-Favoured-Nation Treatment  
Performance Requirements  
Senior Management and Boards of Directors

### Description:

#### Cross-Border Services and Investment

Germany reserves the right to adopt and maintain any measure prohibiting the cross-border provision of services irrespective of their mode of production, distribution, or transmission and requiring establishment with respect to entertainment services (CPC 961), with the exception of audiovisual services which are not subject to liberalisation under this agreement.

Germany reserves the right to adopt and maintain any measure with respect to the provision of libraries, archives, museums and other cultural services (CPC 963).

### Existing measures:

\*

**Sector:** Energy  
**Sub-sector:** Nuclear-based electricity generation  
Processing of nuclear material and fuel

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<b>Industry classification:</b>	Transportation or handling of nuclear material
<b>Type of Reservation:</b>	ISIC REV 3.1 120, 40, <b>services to be included</b> Market Access National Treatment Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Germany reserves the right to adopt and maintain any measure with respect to the processing or transportation of nuclear material and generation of nuclear-based energy.
<b>Existing measures:</b>	*
<b>Sector:</b>	Rental/Leasing of vessels
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 83103, CPC 7213, CPC 7223
<b>Type of Reservation:</b>	Most-Favoured-Nation Treatment
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Chartering-in of foreign ships by consumers resident in Germany may be subject to a condition of reciprocity.
<b>Existing Measures:</b>	*
<b>Sector:</b>	<b>Other services not included elsewhere</b>
<b>Sub-sector:</b>	Funeral, cremation and undertaking services
<b>Industry classification:</b>	CPC 9703
<b>Type of reservation:</b>	Market Access National Treatment Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Germany reserves the right to adopt and maintain any measure with respect to funeral, cremation and undertaking services. Only juridical persons established under public law may operate a cemetery. The creation and operation of cemeteries and services related to funerals are carried out as governmental services.
<b>Existing measures:</b>	***

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**Reservations Applicable in Greece**

**Sector:** Social Services

**Sub-sector:**

**Industry classification:** CPC 933

**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:**

**Investment**

Greece reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

\*\*\*

## **Reservations Applicable in Hungary**

<b>Sector:</b>	All Sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Market Access National Treatment Senior Management and Boards of Directors
<b>Description:</b>	<b>Investment</b> Hungary reserves the right to adopt or maintain any measure with respect to the acquisition of state-owned properties.
<b>Existing measures:</b>	*
<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Legal entities
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Market Access
<b>Measures:</b>	
<b>Description:</b>	<b>Investment</b> Commercial presence should take a form of limited liability company, joint-stock company or representative office. Initial entry as a branch is not permitted except for financial services.
<b>Existing measures:</b>	*
<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Acquisition of arable land
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	National Treatment Market Access
<b>Description:</b>	<b>Investment</b> Hungary reserves the right to adopt or maintain any measure with regard to the acquisition of arable land by foreign legal persons and non-resident natural persons, including with regard to the authorisation process for the acquisition of arable land.
<b>Existing Measures:</b>	Act LV of 1994 on Arable Land
	*
<b>Sector:</b>	Agriculture
<b>Sub-sector:</b>	
<b>Industry classification:</b>	ISIC rev 3.1.: 011, 012, 013, 014, 015 excluding advisory and consultancy services
<b>Type of Reservation:</b>	Market Access National Treatment

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**Description:** **Investment**  
Hungary reserves the right to adopt or maintain any measures with respect to agricultural activities.

**Existing Measures:**

\*

**Sector:** Business services  
**Sub-sector:** Accounting, Bookkeeping and Auditing services  
**Industry classification:** CPC 86212, CPC 86220, CPC 86211  
**Type of Reservation:** Market Access

**Description:** **Cross-Border Services**  
Hungary reserves the right to adopt or maintain any measure with respect to cross border activities for accounting, bookkeeping and auditing services.

**Existing Measures:** Act C of 2000, Act CXXV of 2007

\*

**Sector:** Business services  
**Sub-sector:** Real Estate Services  
**Industry classification:** CPC 821, 822  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
Hungary reserves the right to adopt or maintain any measure with respect to the cross-border provision of real estate services.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Services incidental to manufacturing; Services incidental to energy distribution  
**Industry Classification:** Part of CPC 884 and 887, other than advisory and consulting services  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
Hungary reserves the right to adopt or maintain any measure with respect to services incidental to energy distribution, and to the cross-border provision of services incidental to manufacturing, with the exception of advisory and consulting services relating to these sectors.

**Existing Measures:**

\*

**Sector:** Business Services

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**Sub-sector:** Security services  
**Industry classification:** CPC 87304, 87305  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
Hungary reserves the right to adopt or maintain any measure with regard to the provision of armoured car services and guard services.

**Existing Measures:**

\*

**Sector:** Business services  
**Sub-sector:** Duplicating services  
**Industry classification:** CPC 87904  
**Type of Reservation:** Market access

**Description:** **Cross-Border services**  
Hungary reserves the right to require establishment for the supply of duplicating services.

**Existing Measures:**

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Market Access  
National Treatment  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
The supply of direct insurance in the territory of Hungary by insurance companies not established in the European Union is allowed only through a branch office registered in Hungary.

**Existing Measures:** Act LX of 2003

\*

**Sector:** Health Services  
**Sub-sector:** Hospital, ambulance and residential health services other than hospital services  
**Industry classification:** CPC 9311, 93192, 93193  
**Type of Reservation:** Market access  
National Treatment

**Description:** **Cross-Border Services**  
Hungary reserves the right to adopt or maintain any measure requiring the establishment or physical presence in their territory of suppliers and restricting the cross-border provision from outside their territory of all hospital, ambulance, and residential health services other than

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hospital services (CPC codes 9311, 931292, 93193), which receive public funding.

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Hungary reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

\*

**Sector:** Recreational, cultural and sporting agencies  
**Sub-sector:** News and press agencies services  
**Industry classification:** CPC 962  
**Type of Reservation:** Market access

**Description:** **Cross-Border services**  
Hungary reserves the right to adopt or maintain any measure with respect to the supply of news and press agencies services.

**Existing Measures:** None

\*

**Sector:** Manufacturing of electricity, gas and water supply  
**Sub-sector:** Nuclear based electricity generation  
Processing of nuclear fuel  
**Industry classification:** ISIC rev.3.1.: 2330, part of 4010  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Hungary reserves the right to adopt and maintain any measure with respect to the processing of nuclear fuel and nuclear-based electricity generation.

**Existing measures:** Act CXVI of 1996 on Nuclear Energy, Government Decree Nr. 72/2000 on Nuclear Energy

\*

**Sector:** Energy services  
**Sub-sector:** Pipeline Transportation of fuels  
**Industry classification:** CPC 7131  
**Type of reservation:** Market access

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**Description:**

**Cross-Border Services and Investment**

The provision of pipeline transport services requires establishment.

Services may be provided through a Contract of Concession granted by the state or the local authority. The supply of this service is regulated by the Hungarian Concession Law.

**Existing measures:**

Act XVI of 1991 about Concessions

\*\*\*

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## **Reservations Applicable in Ireland**

**Sector:** Business services  
**Sub-sector:** Executive search, supply services of office support personnel  
**Industry classification:** CPC 87201, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross border Services**  
 Ireland reserves the right to require establishment and to prohibit the cross-border provision of the supply of executive search services.  
 Ireland reserves the right to require establishment and to prohibit the cross-border provision of supply services of office personnel.

**Existing Measures:**

\*

**[Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (excluding insurance)  
**Type of Reservation:** Market Access  
 National Treatment  
 Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
 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 with a head/registered office in Ireland (authorisation may not be required in certain cases, e.g., where a third country service supplier has no commercial presence in Ireland and the service is not supplied to private individuals) or (II) authorisation in another Member State in accordance with the EC Investment Services Directive.

**Existing Measures:** Directive 85/611/EEC

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance Requirements  
 Senior Management and Boards of Directors

**Description:** **Investment**  
 Ireland reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

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\*

**Sector:** Transport  
**Sub-sector:** Road Transport: Passenger Transportation  
**Industry classification:** CPC 7121, 7122  
**Type of Reservation:** Market Access

**Description:** **Investment**  
Economic needs test for intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment.

**Existing Measures:**

\*\*\*

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## **Reservations Applicable in Italy**

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Market Access  
National Treatment

**Description:**

**Investment**

The Government may exercise certain special powers in enterprises operating in the areas of defense and national security, and in certain activities of strategic importance in the areas of energy, transport and communications. This relates to all juridical persons carrying out activities considered of strategic importance in the areas of defense and national security, not only to privatised companies.

Where there is a threat of serious injury to the essential interests of defense and national security, the Government has following special powers:-

- a) to impose specific conditions in the purchase of shares;
- b) to veto the adoption of resolutions relating to special operations such as transfers, mergers, splitting up, and changes of activity;
- c) to reject the acquisition of shares, where the buyer seeks to hold a level of participation in the capital that is likely to prejudice the interests of defense and national security.

Any resolution, act and transaction (transfers, mergers, splitting up, change of activity, termination) relating to strategic assets in the areas of energy, transport and communications shall be notified by the concerned company to the Prime Minister's office. In particular, acquisitions by any physical or juridical person outside the EU that give this person control over the company shall be notified.

The Prime Minister may exercise the following special powers:-

- a) to veto any resolution, act and transaction that constitutes an exceptional threat of serious injury to the public interest in the security and operation of networks and supplies;
- b) to impose specific conditions in order to guarantee the public interest;
- c) to reject an acquisition in exceptional cases of risk to the essential interests of the State.

The criteria on which to evaluate the real or exceptional threat and conditions and procedures for the exercise of the special powers are laid down in the law.

**Existing Measures:**

Law 56/2012 on special powers in companies operating in the field of defense and national security, energy, transport and communications

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Decree of the Prime Minister DPCM 253 of 30.11.2012 defining the activities of strategic importance in the field of defense and national security

\*

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
Fishing in Italian territorial waters is reserved to Italian flagged vessels.

**Existing Measures:** Royal Decree 327/1942 (modified with Law 222/2007), art. 143 and 221 (Navigation Code)

\*

**Sector:** Business services  
**Sub-sector:** Placement services, and supply services of office support personnel  
**Industry classification:** CPC 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
Italy reserves the right to require establishment and to prohibit the cross-border provision of supply services of office personnel (CPC 87203).

Italy reserves the right to restrict the number of suppliers of placement services and supply services of office personnel (CPC8702 and 87203).

**Existing Measures:** Legislative Decree 276/2003 art. 4 and 5

\*

**Sector:** Education services  
**Sub-sector:** Primary, secondary, and higher education services  
**Industry classification:** CPC 921, 922, 923  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
Italy reserves the right to require establishment and to restrict the provision of cross-border services for the supply of privately funded primary and secondary education services.

**Existing Measures:** Royal Decree 1592/1933 (Law on secondary education)  
Law 243/1991 (Occasional public contribution for private universities)

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Resolution 20/2003 of CNVSU (Comitato nazionale per la valutazione del sistema universitario)  
Decree of the President of the Republic (DPR) 25/1998

\*

**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (except insurance)  
**Type of Reservation:** Market Access  
National Treatment  
Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
Italy reserves the right to adopt or maintain any measure relating to the activities of "*promotori di servizi finanziari*".

**Existing Measures:** Articles 91-111 of Consob Regulation on Intermediaries (no. 16190 of 29 October 2007)

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
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, except for international transport involving imports into Italy.

**Existing Measures:** Art. 29 of the code of private insurance (Legislative decree n. 209 of 7 September 2005)

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
Italy reserves the right to adopt or maintain any measure requiring establishment and limiting the cross-border provision of services of suppliers of actuarial services.

**Existing Measures:** Law 194/1942 on the actuarial profession

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

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<b>Description:</b>	<b>Investment</b> Italy reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.
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<b>Existing Measures:</b>	Law 833/1978 institution of the public health system; Legislative Decree 502/1992 organisation and discipline of the health field; Law 328/2000 Reform of social services
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\*

<b>Sector:</b>	Transport
<b>Sub-sector:</b>	Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services
<b>Industry classification:</b>	CPC 712
<b>Type of Reservation:</b>	Market Access

<b>Description:</b>	<b>Investment</b> An economic needs test is applied to limousine services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment.
---------------------	---

An economic needs test is applied to intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment.

An economic needs test is applied to the supply of freight transportation services. Main criteria: local demand.

<b>Existing Measures:</b>	Legislative decree 285/1992 (Road Code and subsequent amendments) art. 85; Legislative Decree 395/2000 art. 8 (road transport of passengers); Law 21/1992 (Framework law on non-scheduled public road transport of passengers); Law 218/2003 art.1 (transport of passenger through rented buses with driver); Law 151/1981 (framework law on public local transport)
---------------------------	--

\*\*\*

## **Reservations Applicable in Latvia**

**Sector:** All sectors  
**Sub-sector:** Acquisition of rural land  
**Industry classification:**  
**Type of Reservation:** National Treatment  
 Market Access

**Description:** **Investment**  
 Latvia reserves the right to adopt or maintain any measure with regard to the acquisition of rural land by third country nationals, including with regard to the authorisation process for the acquisition of rural land.

**Existing Measures:** Law on land privatisation in rural areas, Section 28;29;30.

\*

**Sector:** Veterinary Services  
**Sub-sector:**  
**Industry classification:** CPC 932  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross-Border Services**  
 Latvia reserves the right to adopt or maintain any measure relating to the cross-border provision of veterinary services.

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Latvia reserves the right to adopt or maintain any measure with regard to the provision of executive search, placement services, and supply services of office support personnel (CPC 87201, 87202, 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**



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Latvia reserves the right to adopt or maintain any measure with regard to the provision of security services.

Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:**

Transport

**Sub-sector:**

Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services

**Industry classification:**

CPC 712

**Type of Reservation:**

Market Access

National Treatment

**Description:**

**Investment**

For passenger and freight transportation services, an authorisation is required, which is not extended to foreign registered vehicles.

Established entities are required to use nationally registered vehicles.

### Existing Measures:

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## Reservations Applicable in Lithuania

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of reservation:</b>	Market access National Treatment Most-Favoured -Nation Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<p><b>Investment</b></p> <p>Lithuania reserves the right to adopt or maintain any measure with respect to enterprises of strategic importance to national security which must belong to the State by the right of ownership (proportion of capital which may be held by private national or foreign persons conforming to national security interests, procedure and criteria for determination of conformity of potential national investors and potential enterprise participants, etc.)</p>
<b>Existing Measures:</b>	Law on Enterprises and Facilities of Strategic Importance for National Security and Other Enterprises of Importance to Ensuring National Security of the Republic of Lithuania of 21 July 2009 No. XI-375.
	*
<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Purchase of land
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	National Treatment Market Access
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>Lithuania reserves the right to adopt or maintain any measure which is consistent with the commitments taken by the European Union and which are applicable in Lithuania in the General Agreement on Trade in Services (GATS) with respect to land acquisition. The land plot acquisition procedure, terms and conditions, as well as restrictions shall be established by the Constitutional Law, the Law on Land and the Law on the Acquisition of Agricultural Land.</p> <p>However, local governments (municipalities) and other national entities of Members of the OECD and NATO conducting economic activities in Lithuania, which are specified by the constitutional law in compliance with the criteria of European and other integration which Lithuania has embarked on, are permitted to acquire into their ownership non-agricultural land plots required for the construction and operation of buildings and facilities necessary for their direct activities.</p>
<b>Existing Measures:</b>	Constitution of the Republic of Lithuania

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The Constitutional Law of the Republic of Lithuania on the Implementation of Paragraph 3 of Article 47 of the Constitution of the Republic of Lithuania of 20 June 1996, No. I-1392 as last amended 20 March 2003, No. IX-1381

Law on land, of 27 January 2004, No. IX-1983

Law on acquisition of agricultural land of 24 April 2014, No. XII-854

\*

**Sector:** Business services  
**Sub-sector:** Legal services  
**Industry classification:** part of CPC 861  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Attorneys from foreign countries can participate as advocates in court only in accordance with bilateral agreements on legal assistance.

**Existing Measures:**

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
Lithuania reserves the right to adopt or maintain any measure with regard to the provision of executive search, placement services, and supply services of office support personnel (CPC 87201, 87202, 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Lithuania reserves the right to adopt or maintain any measure with regard to the provision of security services.

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Licensing and authorisation requirements may exist.  
Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:** Business Services  
**Sub-sector:** Investigation services  
**Industry classification:** CPC 87301  
**Type of Reservation:** Market Access

**Description:** **Investment**  
In Lithuania, investigation services are a monopoly reserved to the State.

### Existing Measures:

\*

**Sector:** Tourism and Travel-Related Services  
**Sub-sector:** Tourist Guides Services  
**Industry classification:** CPC 7472  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Insofar as Canada and its provinces and territories allow Lithuanian nationals to provide tourist guide services, Lithuania will allow Canadian nationals to provide tourist guide services under the same conditions.

### Existing Measures:

\*

**Sector:** Telecommunications  
**Sub-sector:**  
**Industry classification:**  
**Type of reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
State Enterprise "Infostruktura" has exclusive rights to provide the following services: data transmission through secure state data transmission networks, granting of internet addresses ending "gov.lt", certification of electronic cash-register.

**Existing Measures:** Government Resolution of 28 May 2002 No.756 On the approval of the standard procedure for setting prices and tariffs of goods and services of a monopolistic nature provided by state owned enterprises and public institutions established by ministries, governmental institutions and county governors and assigned to them

\*

**Sector:** Construction services

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**Sub-sector:**  
**Industry classification:** CPC 51  
**Type of reservation:** Market access  
**Measures:** Law on Construction of Republic of Lithuania of 19 March 1996 No. I-1240

**Description:** **Cross-Border Services**  
The right to prepare design documentation for construction works of exceptional significance is only given to a design enterprise registered in the Republic of Lithuania, or a foreign design enterprise which has been approved by an institution authorised by the Government for such activities. The right to perform technical activities in the main areas of construction may be granted to a non-Lithuanian person who has been approved by an institution authorised by the Government of the Republic of Lithuania.

**Existing Measures:** Law on Construction of Republic of Lithuania of 19 March 1996 No. I-1240

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access

**Description:** **Cross-Border Services**  
Lithuania reserves the right to adopt or maintain any measure with regard to the cross-border provision of all social services which receive public funding or State support in any form, and are therefore not considered to be privately funded.

\*

**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (excluding insurance)  
**Industry classification:**  
**Type of Reservation:** Market Access  
Senior Management and Boards of Directors

**Level of Government:**  
**Measures:** Law on Banks of the Republic of Lithuania of 30 March 2004 No IX-2085  
Law on Collective Investment Undertakings of the Republic of Lithuania of 4 July 2003 No IX-1709  
Law on Supplementary Voluntary Pension Accumulation of the Republic of Lithuania of 3 June 1999 No VIII-1212

**Description:** **Financial Services**  
For the purpose of asset management, incorporation as a specialised management company (no branches) is required.  
  
Only banks having their registered office or branch in Lithuania may act as the depositories of the assets of investment funds.

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Only banks having their registered office or branch in Lithuania and authorised to provide investment services in the Member State or in the European Economic Area State may act as the depositories of the assets of pension funds.

At least one head of a bank's administration must speak the Lithuanian language and permanently reside in the Republic of Lithuania.

**Phase-out:** None

\*

**Sector:** Energy services  
**Sub-sector:** Pipeline Transportation of fuels  
**Industry classification:** CPC 7131  
**Type of reservation:** Market access  
**Description:** **Cross-Border Services**  
Lithuania reserves the right to adopt or maintain any measure with respect to pipeline transportation of fuels.

**Existing measures:** Law on Natural Gas of the Republic of Lithuania of 10 October 2000 No VIII-1973

\*

**Sector:** Energy  
**Sub-sector:** Storage and warehouse services of fuels transported through pipelines  
**Industry classification:** CPC 742 (ISIC Rev.3.1: 402)  
**Type of reservation:** Market access  
**Description:** **Cross-Border Services**  
Lithuania reserves the right to adopt or maintain any measure with respect to services auxiliary to pipeline transport of goods other than fuel.

**Existing measures:** Law On Natural Gas of the Republic of Lithuania 10 October 2000 No VIII-1973 (Art 10.8)

\*

**Sector:** Business Services; auxiliary services to maritime, internal waterways, rail and air transport  
**Sub-sector:** Maintenance and repair of vessels, rail transport equipment and aircraft and parts thereof  
**Industry classification:** part of CPC 8868, CPC 86764 and CPC 86769  
**Type of Reservation:** Market Access

**Description:** **Investment**  
In Lithuania, maintenance and repair services of rail transport equipment are subject to a state monopoly.

**Existing Measures:**

\*

**Sector:** Road Transport

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**Sub-sector:**

**Industry classification:**

**Type of Reservation:**

CPC 7121, CPC 7122, CPC 7123  
Most-Favoured-Nation Treatment

**Description:**

**Cross-Border Services and Investment**

Measures that are taken under bilateral agreements and which set the provisions for transport services and specify operating conditions, including bilateral transit and other transport permits for transport services into, through and out of the territory of Lithuania to the contracting parties concerned, and road taxes and levies.

**Existing Measures:**

\*\*\*

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## **Reservations Applicable in Malta**

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Investment**  
For the purposes of the registration and licensing of a fishing vessel, the owner and/or captain or master of the fishing vessel shall be resident in Malta, in accordance with the terms of the provisions of the Immovable Property (Acquisition by Non-Residents) Act.

**Existing Measures:** Article 5 of Subsidiary Legislation 425.07 on Fishing Vessels Regulations

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
Malta reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
  
Malta reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Malta reserves the right to adopt or maintain any measure with regard to the provision of security services.  
  
Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

**Existing Measures:**



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\*

<b>Sector:</b>	Education Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 921, 922, 923, 924
<b>Type of Reservation:</b>	Market Access National Treatment Performance Requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> Malta reserves the right to adopt and maintain any measure with respect to the provision of privately funded primary, secondary, higher, and adult education services.
<b>Existing Measures:</b>	

\*

<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Hospital services, Ambulance services, Residential health services other than hospital services
<b>Industry classification:</b>	CPC 9311, 93192, 93193
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors
<b>Description:</b>	<b>Investment</b> Malta reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, and residential health services other than hospital services.
<b>Existing Measures:</b>	

\*

<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Health-related Professional Services: Medical and Dental Services, Midwife Services, Nursing Services, Physiotherapeutic and Para-medical services, Psychologist Services
<b>Industry classification:</b>	CPC 9312, part of CPC 9319
<b>Type of Reservation:</b>	National Treatment Market Access
<b>Description:</b>	<b>Cross-Border Services and Investment</b> This reservation applies to all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists. In Malta, these services may only be provided by EU nationals having prior authorisation, which may be subject to an ENT.
<b>Existing Measures:</b>	

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\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Malta reserves the right to adopt or maintain any measure with regard to the provision of privately funded social services.

\*

**Sector:** Transport services  
**Sub-sector:** Road Transport  
**Industry classification:** CPC 712  
**Type of Reservation:** Market Access  
National treatment

**Description:** **Cross-Border Services and Investment**  
Public Bus Service: The entire network is subject to a concession which includes a Public Service Obligation agreement to cater for certain social sectors (such as students and the elderly).

\*

**Sector:** Transport  
**Sub-sector:** Water Transport, Supporting Services for Water Transport  
**Industry classification:** CPC 7213, CPC 7214, CPC 745, part of CPC 742, part of CPC 749  
**Type of Reservation:** Market Access

**Description:** **Cross-Border Services and Investment**  
Exclusive rights exist for the maritime link to mainland Europe through Italy with Malta.

\*\*\*

LIMITED

## Reservations Applicable in Netherlands

**Sector:** Business services  
**Sub-sector:** Supply services of office support personnel  
**Industry classification:** CPC 87203  
**Type of Reservation:** Market Access

**Description:** **Cross Border Services**  
 The Netherlands reserves the right to require establishment and to prohibit the cross-border provision of supply services of office personnel.

### Existing Measures:

**Sector:** Transportation, Fishing and Aquaculture  
**Sub-Sector:** Water Transportation, Services Incidental to Fishing  
 CPC 722 Transport services (passengers and freight) by non-seagoing vessels  
**Type of Reservation:** National Treatment  
 Market Access

**Description:** **Investment**  
 Foreign investors must have their principal office in the Netherlands in order to register a vessel on the national shipping register.

### Existing Measures:

\*\*\*

## Reservations Applicable in Poland

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
 Preferential conditions for establishment or the provision of cross-border services, which may include the elimination or modification of certain restrictions embodied in the list of reservations applicable in Poland, may be extended through commerce and navigation treaties.

**Existing Measures:**

\*

**Sector:** Fishing and Aquaculture, Services incidental to fishing  
**Sub-sector:**  
**Industry classification:** ISIC rev.3.1: 0501, 0502, CPC 882  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
 Poland reserves the right to adopt or maintain any measure which accords differential treatment to services and service providers of a country pursuant to existing or future bilateral agreements relating to fishing in the geographical area of fisheries falling within the jurisdiction of the countries involved, in accordance with international conservation practices and policies or agreements on fisheries, particularly in the Baltic Sea basin.

**Existing Measures:**

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Poland reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
 Poland reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

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### Existing Measures:

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Reserve the right to adopt or maintain any measure with regard to the provision of security services.  
  
Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:** Health Services  
**Sub-sector:** Ambulance Services  
**Industry classification:** CPC 93192  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Investment**  
Poland reserves the right to adopt or maintain any measure with respect to the provision of ambulance services.

### Existing Measures:

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Poland reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

### Existing Measures:

\*

**Sector:** Transport  
**Sub-sector:** All Passenger and Freight Transport Services excluding Maritime Transport

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**Industry classification:**

part of CPC 711, part of CPC 712, part of CPC 722

**Type of Reservation:**

Most-Favoured-Nation Treatment

**Description:**

**Cross-Border Services and Investment**

Insofar as Canada and its provinces and territories allow the supply of transport services into and across Canadian territory by Polish passenger and freight transport suppliers, Poland will allow the supply of transport services by Canadian passenger and freight transport suppliers into and across the territory of Poland under the same conditions.

**Existing Measures:**

\*\*\*

LIMITED

## **Reservations Applicable in Portugal**

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Most-Favoured-Nation Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>Portugal reserves the right to waive nationality requirements for the exercise of certain activities and professions by natural persons supplying services for countries for whom Portuguese is the official language (Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique and São Tomé &amp; Príncipe).</p>
<b>Existing Measures:</b>	*
<b>Sector:</b>	Business services
<b>Sub-sector:</b>	Auditing services
<b>Industry classification:</b>	CPC 86211, CPC 86212, other than accounting services
<b>Type of Reservation:</b>	Market Access
<b>Description:</b>	<p><b>Cross-Border Services</b></p> <p>Portugal reserves the right to adopt or maintain any measure with respect to the cross-border provision of auditing services.</p>
<b>Existing Measures:</b>	*
<b>Sector:</b>	Business services
<b>Sub-sector:</b>	Executive search, placement services, and supply services of office support personnel
<b>Industry classification:</b>	CPC 87201, 87202, 87203
<b>Type of Reservation:</b>	<p>Market Access</p> <p>National Treatment</p> <p>Senior Management and Boards of Directors</p>
<b>Description:</b>	<p><b>Cross Border Services and Investment</b></p> <p>Portugal reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).</p> <p>Portugal reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).</p>
<b>Existing Measures:</b>	*
<b>Sector:</b>	Business Services

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**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services**  
The provision of security services by a foreign provider on a cross-border basis is not allowed.

Nationality condition for specialised personnel.

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Investigation services  
**Industry classification:** CPC 87301  
**Type of Reservation:** Market Access

**Description:** **Cross-Border Services and Investment**  
In Portugal, investigation services are a monopoly reserved to the State.

**Existing Measures:**

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
Air and maritime transport insurance, covering goods, aircraft, hull and liability, can be underwritten only by firms established in the European Union.  
  
Only persons or companies established in the European Union may act as intermediaries for such insurance business in Portugal.

**Existing Measures:** Article 7 of Decree-Law 94-B/98 and article 7 of Decree-Law 144/2006

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Portugal, reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

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\*

<b>Sector:</b>	Energy
<b>Sub-sector:</b>	Electricity, Natural Gas, Crude oil/Petroleum products
<b>Industry classification:</b>	ISIC rev 3.1: 232, 4010, 4020, CPC 7131, 7422, 887 (excluding advisory and consulting services)
<b>Type of Reservation:</b>	Market Access National Treatment
<b>Description:</b>	<p><b>Cross-Border Services and Investment</b></p> <p>Portugal reserves the right to adopt or maintain any measure with respect to the production, transmission and distribution of electricity, the manufacturing of gas, the pipeline transportation of fuels, wholesale services of electricity, retailing services of electricity and non-bottled gas, and services incidental to electricity and natural gas distribution.</p> <p>Portugal reserves the right to adopt or maintain any measure with respect to the cross-border provision of storage and warehousing services of fuels transported through pipelines (natural gas).</p> <p>The activities of electricity transmission and distribution are carried out through exclusive concessions of public service.</p> <p>Concessions relating to the transmission, distribution and underground storage of natural gas and the reception, storage and regasification terminal of liquefied natural gas (LNG) are awarded through contracts concession, following public calls for tenders.</p> <p>These concessions for electricity and gas sectors are assigned only to limited companies with their headquarters and effective management in Portugal.</p>
<b>Existing Measures:</b>	Decree-Law 230/2012 and Decree-Law 231/2012, 26 October - Natural Gas Decree-Law 215-A/2012, and Decree-Law 215-B/2012, 8 October - Electricity Decree-Law 31/2006, 15 February – Crude oil/Petroleum products

\*

<b>Sector:</b>	Transport
<b>Sub-sector:</b>	Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services
<b>Industry classification:</b>	CPC 712
<b>Type of Reservation:</b>	Market Access
<b>Description:</b>	<p><b>Investment</b></p> <p>For passenger transportation, an economic needs test is applied to the supply of limousine services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment.</p>

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### Existing Measures:

\*

**Sector:** Other Services  
**Sub-sector:** Funeral, cremation and undertaking services  
**Industry classification:** CPC 97030  
**Type of Reservation:** Market Access

**Description:** **Investment**  
Portugal reserves the right to adopt and maintain any measure with respect to funeral, cremation and undertaking services. The private management and operation of cemeteries is carried out under a public concession.

**Existing Measures:** Decree-Law 109/2010, 14<sup>th</sup> October 2010 and Law 13/2011, 29<sup>th</sup> April 2011

\*\*\*

LIMITED

## Reservations Applicable in Romania

**Sector:** Business services  
**Sub-sector:** Research and Development Services  
**Industry classification:** CPC 851, CPC 852, CPC 853  
**Type of Reservation:** Market Access  
National Treatment  
**Description:** **Cross Border Services**  
Romania reserves the right to adopt and maintain any measure with respect to the provisions of the specific legislation in force **(to be completed)**.  
**Existing Measures:** Governmental Ordinance nr. 6 / 2011  
Order of Minister of Education and Research nr. 3548 / 2006  
Governmental Decision nr. 134 / 2011

\*

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors  
**Description:** **Cross Border Services and Investment**  
Romania reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  
Romania reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

**Existing Measures:**

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors  
**Description:** **Cross-Border Services and Investment**  
Romania reserves the right to adopt or maintain any measure with regard to the provision of security services.  
Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

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### Existing Measures:

\*

**Sector:** Education Services  
**Sub-sector:**  
**Industry classification:** CPC 921, 922, 923, 924  
**Type of Reservation:** Market Access  
National Treatment

**Description:** **Cross-Border Services and Investment**  
Romania reserves the right to adopt and maintain any measure with respect to the provision of privately funded primary, secondary, higher, and adult education services.

### Existing Measures:

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
Romania reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

\*\*\*

## LIMITED

## **Reservations Applicable in the Slovak Republic**

<b>Sector:</b>	All sectors
<b>Sub-sector:</b>	Acquisition of real estate
<b>Industry classification:</b>	
<b>Type of Reservation:</b>	Market Access National Treatment
<b>Description:</b>	<b>Investment</b> 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.). (Article 19a of the Act 202/1995)
<b>Existing Measures:</b>	Act 202/1995, the Foreign Exchange Act, art. 19 Act 229/1991 on Laws on Adjustment of ownership relations to Land.

\*

<b>Sector:</b>	Business services
<b>Sub-sector:</b>	Executive search, placement services, and supply services of office support personnel
<b>Industry classification:</b>	CPC 87201, 87202, 87203
<b>Type of Reservation:</b>	Market Access National Treatment Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross Border Services and Investment</b> The Slovak Republic reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).  The Slovak Republic reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).
<b>Existing Measures:</b>	

\*

<b>Sector:</b>	Business Services
<b>Sub-sector:</b>	Security services
<b>Industry classification:</b>	CPC 87302, 87303, 87304, 87305, 87309
<b>Type of Reservation:</b>	Market Access National Treatment Senior Management and Boards of Directors
<b>Description:</b>	<b>Cross-Border Services and Investment</b> The Slovak Republic reserves the right to adopt or maintain any measure with regard to the provision of security services.

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Licensing and authorisation requirements may exist.  
Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:** Education Services  
**Sub-sector:**  
**Industry classification:** CPC 921, 922, 923 except 92310, 924  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
EEA residency requirement for providers of all privately funded education services other than post-secondary technical and vocational education services (CPC 92310).

An economic needs test may apply, the number of schools being established may be limited by local authorities.

In the Slovak Republic, the majority of the members of the board of directors of an establishment providing education services must be Slovak nationals.

**Existing Measures:** Act 245/2008 on education  
Act 131/2002 on Universities, art. 2, 47 and 49a  
Act 596/2003 on State Administration in Education, art. 16

\*

**Sector:** Health Services  
**Sub-sector:** Hospital services, Ambulance services, Residential health services other than hospital services  
**Industry classification:** CPC 9311, 93192, 93193  
**Type of Reservation:** Market Access  
National Treatment  
Performance requirements  
Senior Management and Boards of Directors

**Description:** **Investment**  
The Slovak Republic reserves the right to adopt or maintain any measure with respect to the provision of privately funded hospital, ambulance, and residential health services other than hospital services.

### Existing Measures:

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
National Treatment  
Performance Requirements

## LIMITED

Senior Management and Boards of Directors

**Description:** **Investment**  
The Slovak Republic reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.

**Existing Measures:**

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance and insurance-related services  
**Industry classification:**  
**Type of Reservation:** Market Access

**Description:** **Financial Services**  
Foreign nationals may establish an insurance company in the form of a joint stock company or may conduct insurance business through their branches having a registered office in the Slovak Republic. The authorisation in both cases is subject to the evaluation of supervisory authority.

**Existing Measures:** Act 8/2008 on Insurance

\*

**Sector:** Financial Services  
**Sub-sector:** Banking and other financial services (excluding insurance)  
**Industry classification:**  
**Type of Reservation:** Market Access  
National Treatment  
**Measures:** Act 566/2001 on Securities  
Act 483/2001 on Banks

**Description:** **Financial Services**  
Investment services in the Slovak Republic can be provided by management companies which have the legal form of joint-stock company with equity capital according to the law (no branches).

**Existing Measures:**

\*

**Sector:** Energy  
**Sub-sector:**  
**Industry classification:** ISIC 3.1: 4010, 4020, 4030, CPC 7131  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-Border Services and Investment**  
An authorisation is required for the production, transmission and distribution of electricity, manufacture of gas and distribution of gaseous fuels, production and distribution of steam and hot water, pipeline transportation of fuels, wholesale and retail of electricity, steam and hot water, and services incidental to energy distribution. An economic needs

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test is applied and the application may be denied only if the market is saturated.

For all these activities, an authorisation may only be granted to a natural person with permanent residency in EU/EEA or juridical person established in the EU/EEA.

**Existing Measures:** Act 51/1988 on Mining, art. 4a  
Act 569/2007 on Geological Activity, art. 5  
Act 251/2012 on Energy, art. 6, 7  
Act 657/2004 on Thermal Energy, art. 5

\*

**Sector:** Transportation, Fishing and Aquaculture  
**Sub-Sector:** Water Transportation, Service Incidental to Fishing  
CPC 722 Transport services (passengers and freight) by non-seagoing vessels  
**Type of Reservation:** National Treatment  
Market Access

**Description:** **Cross-border Services**  
In the Slovak Republic, Foreign investors must have their principal office in the Slovak Republic in order to apply for a licence enabling them to provide a service.

**Existing Measures:**

\*

**Sector:** Transport  
**Sub-sector:** Road Transport: Passenger Transportation, Freight  
Transportation, International Truck transport services  
**Industry classification:** CPC 712  
**Type of Reservation:** Market Access  
**Description:** **Investment**  
For freight transportation, an economic needs test is applied. Main criteria: local demand.

**Existing Measures:**

\*

**Sector:** Rail Transport  
**Sub-sector:**  
**Industry classification:** CPC 7111, CPC 7112  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures that are taken under existing or future agreements, and which regulate traffic rights and operating conditions, and the provision of transport services in the territory of Bulgaria, Czech Republic and Slovakia and between the countries concerned.

**Existing Measures:**

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\*

**Sector:** Road Transport  
**Sub-sector:**  
**Industry classification:** CPC 7121, CPC 7122, CPC 7123  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures that are taken under existing or future agreements, and which reserve or limit the provision of transport services and specify operating conditions, including transit permits and/or preferential road taxes of a transport services into, in, across and out of Slovakia to the contracting parties concerned.

**Existing Measures:**

\*\*\*

LIMITED

## Reservations Applicable in Slovenia

**Sector:** Business services  
**Sub-sector:** Executive search, placement services, and supply services of office support personnel  
**Industry classification:** CPC 87201, 87202, 87203  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross Border Services and Investment**  
 Slovenia reserves the right to adopt or maintain any measure with regard to the establishment of placement services of office support personnel (CPC 87202).

Slovenia reserves the right to adopt or maintain any measure with regard to the provision of executive search services (CPC 87201) and supply services of office support personnel (CPC 87203).

### Existing Measures:

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Slovenia reserves the right to adopt or maintain any measure with regard to the provision of security services.

Licensing and authorisation requirements may exist. Residency or commercial presence is required and nationality requirements may exist.

### Existing Measures:

\*

**Sector:** Education Services  
**Sub-sector:** Primary, secondary, and higher education services  
**Industry classification:** CPC 921, 922, 923  
**Type of Reservation:** Market Access  
 National Treatment  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
 Slovenia reserves the right to require establishment and to restrict the provision of cross-border services for the supply of privately funded primary education services.

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The majority of the members of the board of directors of an establishment providing privately funded secondary or higher education services must be Slovenian nationals.

### Existing Measures:

\*

<b>Sector:</b>	Health Services
<b>Sub-sector:</b>	Ambulance services
<b>Industry classification:</b>	CPC 93192
<b>Type of Reservation:</b>	Market Access National Treatment Performance requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Investment</b> Slovenia reserves the right to adopt or maintain any measure with respect to the provision of privately funded ambulance services.
---------------------	---

### Existing Measures:

\*

<b>Sector:</b>	Social Services
<b>Sub-sector:</b>	
<b>Industry classification:</b>	CPC 933
<b>Type of Reservation:</b>	Market Access National Treatment Performance Requirements Senior Management and Boards of Directors

<b>Description:</b>	<b>Investment</b> Slovenia reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services.
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## LIMITED

## Reservations Applicable in Spain

**Sector:** Business services  
**Sub-sector:** Executive search, placement services  
**Industry classification:** CPC 87201, 87202  
**Type of Reservation:** Market Access

**Description:** **Investment**  
 Spain reserves the right to restrict the number of suppliers of executive search services.  
 Spain reserves the right to restrict the number of suppliers of placement services.

### Existing Measures:

\*

**Sector:** Business Services  
**Sub-sector:** Security services  
**Industry classification:** CPC 87302, 87303, 87304, 87305, 87309  
**Type of Reservation:** Market Access  
 National Treatment

**Description:** **Cross-Border Services and Investment**  
 The provision of security services by a foreign provider on a cross-border basis is not allowed.  
 Access through Sociedades Anonimas, Sociedades de Responsabilidad Limitada, Sociedades Anonimas Laborales and Sociedades Cooperativas only.  
 Nationality condition for specialised personnel.

### Existing Measures:

\*

**Sector:** Financial Services  
**Sub-sector:** Insurance  
**Type of Reservation:** Market Access  
 National Treatment  
 Cross-Border Supply of Financial Services

**Description:** **Financial Services**  
 Residence requirement or alternatively two years of experience for the actuarial profession.

\*

**Sector:** Social Services  
**Sub-sector:**  
**Industry classification:** CPC 933  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance Requirements  
 Senior Management and Boards of Directors

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**Description:** **Investment**  
Spain reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

**Existing Measures:**

\*

**Sector:** Transport  
**Sub-sector:** Road Transport: Passenger Transportation, Freight Transportation, International Truck transport services  
**Industry classification:** CPC 712  
**Type of Reservation:** Market Access

**Description:** **Investment**  
For passenger transportation, an economic needs test applies to services provided under CPC 7122. Main criteria: local demand.

An economic needs test for intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment.

**Existing Measures:**

\*

**Sector:** Road Transport (Freight)  
**Sub-sector:**  
**Industry classification:** CPC 7123  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Authorisation for the establishment of a commercial presence in Spain may be refused to service suppliers, whose country of origin does not accord effective market access to Spanish service suppliers.

**Existing Measures:** Ley 16/1987, de 30 de julio, de Ordenación de los Transportes Terrestres

\*\*\*

## LIMITED

## **Reservations Applicable in Sweden**

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** National Treatment  
 Senior Management and Boards of Directors

**Description:** **Investment**  
 Sweden reserves the right to adopt or maintain discriminatory requirements for founders, senior management and board of directors when new forms of legal association are incorporated into Swedish law.

**Existing measures:**

\*

**Sector:** All sectors  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
 Measures taken by Denmark, Sweden and Finland aimed at promoting Nordic cooperation, such as:  
 (a) financial support to R&D projects (the Nordic Industrial Fund);  
 (b) funding of feasibility studies for international projects (the Nordic Fund for Project Exports); and  
 (c) financial assistance to companies<sup>4</sup> utilizing environmental technology (the Nordic Environment Finance Corporation).

This reservation is without prejudice to the exclusion of procurement by a Party, subsidies, or governmental support for trade in services in Chapter X (Investment) Article X.14(5) (a) and (b), and Chapter X (CBTS) Article. X.01(2)(f) and (g) respectively.

**Existing Measures:**

\*

**Sector:** Mining and quarrying, Manufacturing of Electricity, gas and water supply  
**Sub-sector:** Nuclear based electricity generation  
 Processing of nuclear fuel  
**Industry classification:** ISIC rev.3.1.: 1200, 2330, part of 4010  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance Requirements  
 Senior Management and Boards of Directors

**Description:** **Investment**

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<sup>4</sup> Applies to East European companies, which are cooperating with one or more Nordic companies.

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Sweden reserves the right to adopt and maintain any measure with respect to the processing of nuclear fuel and nuclear-based electricity generation.

**Existing measures:** The Swedish Environmental Code (1998:808), Law on Nuclear Technology Activities (1984:3)

\*

**Sector:** Distribution services  
**Sub-sector:** Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods and other services supplied by pharmacists  
**Industry classification:** CPC 63211  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
The Swedish monopoly on retail sales of pharmaceuticals was abandoned on July 1<sup>st</sup> 2009. Given that the opening of the market is recent and involves new modes of services delivery, Sweden reserves the right to adopt and maintain any measure with respect to retail sales of pharmaceutical goods and the supply of pharmaceutical goods to the general public.

**Existing Measures:** Law on trade with pharmaceuticals (2009:336)  
Regulation on trade with pharmaceuticals (2009:659)  
The Swedish Medical Products Agency has adopted further regulations, the details can be found at (LVFS 2009:9) [http://www.lakemedelsverket.se/upload/lvfs/LVFS\\_2009-9.pdf](http://www.lakemedelsverket.se/upload/lvfs/LVFS_2009-9.pdf)

**Phase-out:** This reservation will be revisited within five years of the entry into force of this Agreement

\*

**Sector:** Education Services  
**Sub-sector:**  
**Industry classification:** CPC 92  
**Type of Reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services and Investment**  
Sweden reserves the right to adopt and maintain any measure with respect to educational services suppliers that are approved by public authorities to provide education.  
  
This reservation applies to privately funded educational services suppliers with some form of State support, inter alia educational service suppliers recognised by the State, educational services suppliers under State supervision or education which entitles to study support.

**Existing Measures:**

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**Sector:** Recycling  
**Sub-sector:**  
**Industry classification:** ISIC rev 3.1:37  
**Type of Reservation:** Market Access

### **Description: Investment**

Sweden reserves the right to limit the number of suppliers of privately funded recycling services at the level of local government, by establishing or maintaining monopolies, or granting a concession or exclusive rights on a non-discriminatory basis to a service provider or service providers. The limitation on market access reflects the application of the EU reservation relating to public utilities.

**Existing Measures:** The Environmental Code (1998:808)  
SFS 1994:1205 Förordning (1994:1205) om producentansvar för returpapper  
SFS 2000:208 Förordning (2000:208) om producentansvar för glödlampor och vissa belysningsarmaturer  
SFS 2005:209 Förordning (2005:209) om producentansvar för elektriska och elektroniska produkter  
SFS 1997:185 Förordning (1997:185) om producentansvar för förpackningar  
SFS 1994:1236 Förordning (1994:1236) om producentansvar för däck  
SFS 1993:1154 Förordning (1993:1154) om producentansvar för glasförpackningar och förpackningar av wellpapp  
SFS 2007:185 Förordning (2007:185) om producentansvar för bilar  
SFS 2007:193 Förordning (2007:193) om producentansvar för vissa radioaktiva produkter och herrelösa strålkällor  
SFS 2006:1273 Förordning (2006:1273) om producentansvar för förpackningar  
SFS 2009:1031 Förordning (2009:1031) om producentansvar för läkemedel

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**Sector:** Waste management  
**Sub-sector:** Management of waste from households and waste related to producer responsibilities  
**Industry classification:** CPC 9402  
**Type of Reservation:** Market Access

### **Description: Investment**

Sweden reserves the right to limit the number of suppliers of privately funded waste management services at the level of local government, by establishing or maintaining monopolies, or granting a concession or exclusive rights on a non-discriminatory basis to a service provider or service providers. The limitation on market access reflects the application of the EU reservation relating to public utilities.

**Existing Measures:** The Environmental Code (1998:808)  
SFS 1994:1205 Förordning (1994:1205) om producentansvar för returpapper

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SFS 2000:208 Förordning (2000:208) om producentansvar för glödlampor och vissa belysningsarmaturer  
SFS 2005:209 Förordning (2005:209) om producentansvar för elektriska och elektroniska produkter  
SFS 1997:185 Förordning (1997:185) om producentansvar för förpackningar  
SFS 1994:1236 Förordning (1994:1236) om producentansvar för däck  
SFS 1993:1154 Förordning (1993:1154) om producentansvar för glasförpackningar och förpackningar av wellpapp  
SFS 2007:185 Förordning (2007:185) om producentansvar för bilar  
SFS 2007:193 Förordning (2007:193) om producentansvar för vissa radioaktiva produkter och herrelösa strålkällor  
SFS 2006:1273 Förordning (2006:1273) om producentansvar för förpackningar  
SFS 2009:1031 Förordning (2009:1031) om producentansvar för läkemedel

\*

**Sector:** Maritime Transport  
**Sub-sector:** Cabotage  
**Industry classification:** CPC 7211, CPC 7212  
**Type of Reservation:** Most-Favoured-Nation Treatment

**Description:** **Cross-Border Services and Investment**  
Measures may be taken on a reciprocal basis allowing Canadian vessels under the Canadian flag to operate cabotage traffic in Sweden insofar as Canada and its provinces and territories allow vessels registered under the Swedish flag to operate cabotage traffic in Canada. The specific aim of this reservation depends on the content of possible mutually agreed future agreement between Canada and Sweden.

**Existing Measures:**

\*

**Sector:** Business Services; auxiliary services to rail and land transport  
**Sub-sector:** Maintenance and repair of rail and road transport equipment and parts thereof  
**Industry classification:** CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868  
**Type of Reservation:** Market Access

**Description:** **Investment**  
In Sweden, maintenance and repair services of rail and road transport equipment are subject to an economic needs test when an investor intends to establish its own terminal infrastructure facilities. Main criteria: space and capacity constraints.

**Existing Measures:** Planning and Building Act (2010:900)

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**Sector:** Other services not included elsewhere  
**Sub-sector:** Funeral, cremation and undertaking services  
**Industry classification:** CPC 9703  
**Type of reservation:** Market Access  
National Treatment  
Senior Management and Boards of Directors

**Description:** **Cross-Border Services**  
Sweden reserves the right to adopt and maintain any measure with respect to funeral, cremation and undertaking services

**Existing measures:**

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LIMITED

## **Reservations Applicable in the United Kingdom**

**Sector:** Business Services  
**Sub-sector:** Auditing Services  
**Industry classification:** CPC 86211 and 86212 other than accounting services  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance requirements  
 Senior Management and Boards of Directors

**Description:** **Cross-Border Services**  
 United Kingdom reserves the right to adopt or maintain any measure with respect to the cross-border provision of auditing services.

**Existing Measures:** Companies Act 2006

\*

**Sector:** Health Services  
**Sub-sector:** Medical services  
**Industry classification:** CPC 93121, 93122  
**Type of Reservation:** Market Access

**Description:** **Investment**  
 Establishment for doctors under the National Health Service is subject to medical manpower planning.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Ambulance Services, Residential health facilities services other than hospital services  
**Industry classification:** 93192, 93193  
**Type of Reservation:** Market Access  
 National Treatment  
 Performance requirements  
 Senior Management and Boards of Directors

**Description:** **Investment**  
 United Kingdom reserves the right to adopt or maintain any measure with respect to the provision of privately funded ambulance services and residential health facilities services other than hospital services.

**Existing Measures:**

\*

**Sector:** Health Services  
**Sub-sector:** Health-related professional services, including medical and dental services as well as services by psychologists; midwives services; services by nurses, physiotherapists and paramedical personnel; retail sales of pharmaceuticals and of

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**Industry classification:**  
**Type of Reservation:**

medical and orthopaedical goods, and other services  
supplied by pharmacists  
CPC 9312, part of CPC 93191, Part of CPC 85201, CPC 63211  
National Treatment  
Market Access

**Description:**

**Cross-Border Services**

The United Kingdom reserves the right to adopt or maintain any measure requiring the establishment of suppliers and restricting the cross-border provision of health-related professional services by service suppliers not physically present in the territory of the UK, including medical and dental services as well as services by psychologists; midwives services; services by nurses, physiotherapists and paramedical personnel; the retail sales of pharmaceuticals and of medical and orthopaedical goods, and other services supplied by pharmacists.

**Existing Measures:**

\*

**Sector:**  
**Sub-sector:**  
**Industry classification:**  
**Type of Reservation:**

Social Services  
CPC 933  
Market Access  
National Treatment  
Performance Requirements  
Senior Management and Boards of Directors

**Description:**

**Investment**

United Kingdom reserves the right to adopt and maintain any measure with respect to the provision of privately funded social services other than services relating to Convalescent and Rest Houses and Old People's Homes.

**Existing Measures:**

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## LIMITED