

Observação:

À luz do crescente interesse do público nas negociações concluídas entre o MERCOSUL e a União Europeia, os governos dos países do MERCOSUL decidiram publicar os textos do pilar comercial, a fim de garantir tanto o efetivo exercício do direito de acesso à informação pública quanto a transparência da gestão pública.

Esses textos são publicados, no entanto, apenas para fins informativos e podem sofrer modificações adicionais em decorrência do processo de revisão legal a que estarão sujeitos, sem prejuízo dos compromissos assumidos.

Os textos só serão definitivos quando o Acordo for assinado. O Acordo será vinculante para as Partes, conforme o direito internacional, somente após a conclusão dos procedimentos legais internos necessários para a entrada em vigor.

ANNEX [...]

EU PARTY

LIST OF COMMITMENTS IN CONFORMITY WITH ARTICLE [...]
(ESTABLISHMENT)

1. The list of commitments below indicates the economic activities liberalised pursuant to Article [...] (commitments on establishment) and, by means of reservations, the market access and national treatment limitations that apply to establishments and investors of Mercosur in those activities. The list below is composed of the following elements:

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

Establishment in sectors or sub-sectors covered by this Agreement and not mentioned in the list below is not committed.

2. In identifying individual sectors and sub-sectors:

- (a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, ISIC REV 3.1, 2002;
- (b) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, CPC Prov, 1991; and
- (c) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, CPC ver 1.0, 1998.

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

4. The rights and obligations arising from the list below shall have no self-executing effect and thus confer no rights directly on natural or juridical persons.

5. The EU takes commitments with respect to market access commitments as set out in Article 3, paragraph 1, differentiated by its Member States, where applicable.

6. For greater certainty, for the European Union, the obligation to grant national treatment does not entail the requirement to extend to natural or juridical persons of Mercosur the treatment granted in a Member State, pursuant to the Treaty on the Functioning of the European Union, or to any measure adopted pursuant to that Treaty, including their implementation in the Member States, to:

- (i) natural persons or residents of a Member State or
- (ii) juridical persons constituted or organised under the law of another Member State or of the European Union and having their registered office, central administration or principal place of business in a Member State.

Such national treatment is granted to juridical persons which are constituted or organised under the law of a Member State or the European Union and have their registered office, central administration or principal place of business in a Member State, including those which are owned or controlled by natural or juridical persons of Mercosur.

7. The following abbreviations are used in the list below:

- AT Austria
- BE Belgium
- BG Bulgaria
- CY Cyprus
- CZ Czech Republic
- DE Germany
- DK Denmark
- EU European Union, including all its Member States
- ES Spain
- EE Estonia
- FI Finland
- FR France
- EL Greece
- HR Croatia
- HU Hungary
- IE Ireland
- IT Italy
- LV Latvia
- LT Lithuania
- LU Luxembourg

- MT Malta
- NL The Netherlands
- PL Poland
- PT Portugal
- RO Romania
- SK Slovak Republic
- SI Slovenia
- SE Sweden
- UK United Kingdom

| Sector or sub-sector | Description of reservations |
|----------------------|---|
| ALL SECTORS | <p style="text-align: center;"><u>Real estate</u></p> <p>In all Member States except AT, BG, CY, CZ, DE, DK, EE, EL, FI, HU, IE, IT, LV, LT, MT, PL, RO, SI, SK, ES: None</p> <p>In AT: The acquisition, purchase as well as rent or lease of real estate by foreign natural persons and juridical persons requires an authorisation by the competent regional authorities (Länder) which will consider whether important economic, social or cultural interests are affected or not.</p> <p>In BG: Foreign natural and juridical persons (incl. through a branch) cannot acquire ownership of land. Bulgarian juridical persons with foreign participation cannot acquire ownership of agricultural land. Foreign juridical persons and foreign citizens with permanent residence abroad can acquire ownership of buildings and limited property rights¹ of real estate subject to the permission of the Ministry of Finance. The permission requirement does not apply to persons who have made investments in Bulgaria. 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.</p> <p>In CY: Unbound.</p> <p>In CZ: Agricultural and forest land can be acquired by foreign natural and juridical persons with permanent residence in the Czech Republic. Specific rules apply to the agricultural and forest land in the state ownership.</p> |

¹ The Bulgarian property law recognizes the following limited property rights: right to use, right to build, right to raise a superstructure and servitudes.

| Sector or sub-sector | Description of reservations |
|----------------------|--|
| | <p>In DE: Certain conditions reciprocity may apply.</p> <p>In DK: Limitations on real estate purchase by non-resident physical and legal entities. Limitations on agricultural estate purchased by foreign physical and legal entities.</p> <p>In EE: Unbound for acquisition of agricultural and forest land².</p> <p>In EL: According to Law No. 1892/90, permission from the Minister of Defence is needed for a citizen to acquire land in areas near borders. According to administrative practices, permission is easily granted for direct investment.</p> <p>In FI: (Åland Islands): Restrictions on the right for natural persons who do not enjoy regional citizenship in Åland, and for juridical persons, to acquire and hold real property on the Åland Islands without permission by the competent authorities of the islands. Restrictions on the right of establishment and the right to provide services by natural persons who do not enjoy regional citizenship in Åland, or by any juridical person, without permission by the competent authorities of the Åland Islands.</p> <p>In HR: Unbound for acquisition of real estate by services suppliers not established and incorporated in Croatia. Acquisition of real estate necessary for the supply of services by companies established and incorporated in Croatia as legal persons is allowed. Acquisition of real estate necessary for the supply of services by branches requires the approval of the Ministry of Justice. Agricultural land cannot be acquired by foreigners.</p> <p>In HU: Limitations on acquisition of land and real estate by foreign investors³.</p> |

² As regards services sectors, these limitations do not go beyond the limitations reflected in the existing GATS commitments.

³ As regards services sectors, these limitations do not go beyond the limitations reflected in the existing GATS commitments.

| Sector or sub-sector | Description of reservations |
|----------------------|--|
| | <p>In IE: Prior written consent of the Land Commission is necessary for the acquisition of any interest in Irish land by domestic or foreign companies or foreign nationals. Where such land is for industrial use (other than agricultural industry), this requirement is waived subject to certification to this effect from the Minister for Enterprise, Trade and Employment. This law does not apply to land within the boundaries of cities and towns.</p> <p>In IT: The purchase of real estate by foreign natural and juridical persons is subject to a condition of reciprocity.</p> <p>In LV: Acquisition of land is unbound; land lease not exceeding 99 years is permitted.</p> <p>In LT: Acquisition of land is unbound. ⁴</p> <p>In MT: The requirements of Maltese legislation and regulations regarding acquisition of real property shall continue to apply.</p> <p>In PL: Acquisition of real estate, direct or indirect, by foreigners (a natural or foreign legal persons) requires permission. Acquisition of state-owned property is unbound (i.e. the regulations governing the privatization process).</p> <p>In RO: Natural persons not having Romanian citizenship and residence in Romania, as well as legal persons not having Romanian nationality and their headquarters in Romania, cannot acquire ownership over any kind of land plots, through inter vivos acts.</p> <p>In SI: Juridical persons, established in the Republic of Slovenia with foreign capital participation, may acquire real estate in the territory of the Republic of Slovenia. Branches⁵ established in the Republic of Slovenia by</p> |

⁴ As regards services sectors, these limitations do not go beyond the limitations reflected in the existing GATS commitments.

| Sector or sub-sector | Description of reservations |
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| | <p>foreign persons may only acquire real estate, except land, necessary for the conduct of the economic activities for which they are established.</p> <p>In SK: Limitations on real estate acquisition by foreign physical and legal entities. Foreign entities may acquire real property through establishment of Slovak legal entities or participation in joint ventures. Unbound for land, including e.g. natural resources, lakes, rivers, public roads.</p> <p>In ES, foreign investment in activities directly related to real estate investments of diplomatic missions by States that are not members of the EU require an administrative authorization from the Spanish Council of Ministers, unless there is a reciprocal liberalization agreement in place.</p> |
| ALL SECTORS | <p style="text-align: center;"><u>Public utilities</u></p> <p>EU: EU: 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.^{6 7}</p> |

⁵ According to the Law on Commercial Companies, a branch established in the Republic of Slovenia is not considered a juridical person, but as regards its operation, its treatment is equal to that of a subsidiary, which is in line with Article XXVIII paragraph (g) of the GATS.

⁶ 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 listing is not practical.

⁷ This limitation does not apply to telecommunications services and to computer and related services.

| ALL SECTORS | <u>Types of establishment</u> |
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| | <p>EU: Treatment accorded to subsidiaries (of Mercosur companies) formed in accordance with the law of the Member States of the European Union and having their registered office, central administration or principal place of business within the Union is not extended to branches or agencies established in the Member States of the European Union by companies of a Mercosur country.⁸</p> <p>In BG: The establishment of foreign service suppliers, joint ventures included, may only take the form of limited liability company or joint stock company with at least two shareholders. Establishment of branches is subject to authorization. Unbound for representative offices. Representative offices may not engage in economic activity. In enterprises where the public (state or municipal) share in the equity capital exceeds 30 per cent, the transfer of these shares to third parties needs authorization.</p> <p>In CY, full admission to the Bar is required for the practice of legal services in respect of domestic (EU and Member State) law, including representation before courts. Residency (commercial presence) and EU nationality is required in order to obtain full admission to the Bar. Only advocates enrolled in the Bar may be partners or shareholders or members of the Board of Directors in a law company in Cyprus.</p> <p>In EE: At least half of the members of the management board shall have their residence in the European Union.</p> <p>In FI: A national of a Mercosur country carrying on trade as a partner in a Finnish limited or general partnership needs a trade permit and has to be permanently resident in the European Union. For all sectors</p> |

⁸ In accordance with Article 54 of the Treaty on the functioning of the European Union, these subsidiaries are considered as juridical persons of the European Union. To the extent that they have a continuous and effective link with the economy of the European Union, they are beneficiaries of the EU internal market, which includes, *inter alia*, the freedom to establish and to provide services in all Member States of the European Union.

except telecommunications services, nationality and residency are required for at least half of the ordinary and deputy members of the board of directors and for the managing director; however exemptions may be granted to certain companies. For telecommunications services, permanent residency is required for half of the founders and half of the members of the board of directors and for the managing director. If the founder is a juridical person, that juridical person is also subject to a residency requirement. If an organization of a Mercosur country intends to carry on business or trade by establishing a branch in Finland, a trade permit is required. A permission to act as a founder of a limited company is required for an organisation of a Mercosur country or a natural person who is not a citizen of the European Union.

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

In HU: Commercial presence should take the form of limited liability company, joint-stock company or representative office. Initial entry as branch is not permitted, except for financial services.

In IT: Access to industrial, commercial and artisanal activities is subject to a residence permit and specific authorisation to pursue the activities.

In BG, PL: The scope of operations of a representative office may only encompass advertising and promotion of the foreign parent company represented by the office.

In PL: With the exception of financial services, branches are unbound. Investors of a Mercosur country can undertake and conduct economic activity only in the form of a limited partnership, limited joint-stock partnership, limited liability company, and joint-stock company (in the case of legal services only in the form of registered partnership and limited partnership). Foreign services suppliers may set up representative offices with their seat in the Republic of Poland. The scope of action of a representative office may only encompass conducting activity to advertise and promote the foreign services suppliers.

In RO: The sole administrator or the chairman of the board of administration as well as half of the total number of administrators of the commercial companies shall be Romanian citizens unless otherwise stipulated in the

company contract or its statutes. The majority of the commercial companies' auditors and their deputies shall be Romanian citizens.

In SE: A foreign company, which has not established a legal entity in Sweden or is conducting its business through a commercial agent, shall conduct its commercial operations through a branch, registered in Sweden, with independent management and separate accounts. The managing director and the vice-managing director, if appointed, of the branch, must reside in the EEA. A natural person not resident in the EEA, who conducts commercial operations in Sweden, shall appoint and register a resident representative responsible for the operations in Sweden. Separate accounts shall be kept for the operations in Sweden. The competent authority may in individual cases grant exemptions from the branch and residency requirements. Building projects with duration of less than a year - conducted by a company located or a natural person residing outside the EEA - are exempted from the requirements of establishing a branch or appointing a resident representative. A Swedish limited liability company may be established by a natural person resident within the EEA, by a Swedish legal person or by a legal person that has been formed according to the legislation in a state within the EEA and that has its registered office, head quarters or principal place of business within the EEA. A partnership may be a founder, only if all owners with unlimited personal liability are resident within the EEA. Founders outside the EEA may apply for permission from the competent authority. For limited liability companies and co-operative economic associations, at least 50 per cent of the members of the board of directors, at least 50 per cent of the deputy board members, the managing director, the vice-managing director, and at least one of the persons authorised to sign for the company, if any, must reside within the EEA. The competent authority may grant exemptions from this requirement. If none of the company's or society's representatives reside in Sweden, the board must appoint and register a person resident in Sweden, who has been authorised to receive servings on behalf of the company or society. Corresponding conditions prevail for establishment of all other types of legal entities.

In SK: A natural person of a Mercosur country whose name is to be registered in the Commercial Register as a person authorised to act on behalf of the entrepreneur is required to submit residence permit for the Slovak Republic.

| ALL SECTORS | <u>Investment</u> |
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| | <p>In EU: Unbound with respect to activities or services forming part of a public retirement plan or statutory system of social security.</p> <p>In BG: In enterprises where the public (State or municipal) share in the equity capital exceeds 30 percent, the transfer of these shares to third parties needs authorisation. 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. Foreign investors cannot participate in privatisation. Foreign investors and Bulgarian juridical persons with controlling foreign participation require permission for a) prospecting, development or extraction of natural resources from the territorial seas, the continental shelf or the exclusive economic zone and b) acquisition of a controlling equity interests in companies engaged in any of the activities specified under “a”).</p> <p>In CY: Entities with foreign participation must have paid up capital commensurate with their finance requirements and non-residents must finance their contribution through the importation of foreign exchange. In case the non-resident participation exceeds 24 per cent, any additional financing for working capital requirements or otherwise should be raised from local and foreign sources in proportion to the participation of residents and non-residents in the entity's equity. In the case of branches of foreign companies, all capital for the initial investment must be provided from foreign sources. Borrowing from local sources is only permitted after the initial implementation of the project, for financing working capital requirements.</p> <p>In FI: Acquisition of shares by foreign owners giving more than one third of the voting rights of a major Finnish company or a major business undertaking (with more than 1000 employees, with a turnover exceeding 168 million Euros or with a balance sheet total⁹ exceeding 168 million Euros) is subject to confirmation by the Finnish authorities. This confirmation may be denied only if an important national interest would be jeopardized.</p> |

⁹ Total sum of assets, or total sum of debts plus capital.

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| | <p>These limitations do not apply to telecommunications services.</p> <p>In FR: 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. 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.</p> <p>In HU: Unbound for foreign participation in newly privatised companies.</p> <p>In IT: Exclusive rights may be granted to or maintained in respect of newly-privatised companies. Voting rights in newly privatised companies may be restricted in some cases. For a period of five years from the date of entry into force of this Agreement, the acquisition of large equity stakes of companies operating in the fields of defence, transport services, telecommunications and energy may be subject to the approval of the competent authorities.</p> <p>In LT: 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, with respect to investment into enterprise, sectors and facilities of strategic importance to national security, and procedure and criteria for determination of conformity of potential national investors and potential enterprise participants, etc.).</p> <p>In MT: Companies with the participation of non-resident juridical or natural persons require a minimum share capital of Maltese Liri 10,000 of which 50% has to be paid up. The non-resident percentage of the equity is to be paid for with funds emanating from abroad. In terms of the Section 17 of the Exchange Control Act, non-residents of Malta, wishing to supply any service through Commercial Presence in Malta, may do so only by registering a local company with the prior permission of the Central Bank of Malta.</p> <p>In PT: Foreign participation in newly privatized companies may be limited to a variable amount, determined by the Government of Portugal on a case by case basis, of the equity offered to the public.</p> <p>In SI: For financial services, authorization is issued by the authorities indicated in sector specific commitments</p> |
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| | and according to conditions indicated in sector specific commitments. There are no limitations on establishment of a new business establishment ("greenfield" investments). |
| ALL SECTORS | <u>Geographical zones</u> In FI: In the Åland Islands, the right of establishment by natural persons who do not enjoy regional citizenship in Åland or by any juridical person is limited. |
| 1. AGRICULTURE, HUNTING, FORESTRY | |
| <u>A. Agriculture, hunting</u> (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding advisory and consultancy services ¹⁰ | EU: Quantitative restrictions to the production of agricultural products apply. In AT, HR, HU, MT, RO: agricultural activities are unbound. In CY: The participation of investors of a Mercosur country is allowed only up to 49%. In FI, only EEA nationals resident in the reindeer herding area may own reindeer and exercise reindeer husbandry. Exclusive rights may be granted. In FR: The establishment of farms and agricultural co-operatives by non EU-investors is subject to authorisation. In IE: Establishment by residents of a Mercosur country in flour milling activities is subject to authorisation. |

¹⁰ Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

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| | In SE: Only Sami people may own and exercise reindeer husbandry. |
| <u>B Forestry and logging</u> (ISIC rev 3.1: 020) excluding advisory and consultancy services ¹¹ | In BG: logging activities are unbound. |
| 2. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) excluding advisory and consultancy services ¹² | EU: Unbound |
| 3. MINING AND QUARRYING <u>A. Mining of coal and lignite; extraction of peat</u> | EU: Unbound for juridical persons controlled ¹⁴ by natural or juridical persons of a non-Party which accounts for more than 5% of the European Union's oil or natural gas imports. Unbound for direct branching (incorporation is required). EU: Reservation on prospection, exploration and exploitation of hydrocarbons: In accordance with Directive 94/22/EC of 30 May 1994 (OJ no L 164 of 30/06/94), whenever it appears that a third country is not granting EU |

¹¹ Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

¹² Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

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| (ISIC rev 3.1: 10) | entities as regards access to and exercise of these activities treatment comparable to that which the EU grants entities from that country, the Council could, on a proposal of the Commission, authorise a Member State to refuse authorisation to an entity which is effectively controlled by the third country concerned and/or by nationals of that country (reciprocity) |
| <u>B. Extraction of crude petroleum and natural gas</u> ¹³ | In EU: Unbound for extraction of crude petroleum and natural gas |
| (ISIC rev 3.1: 1110) | In BG, HU, LT, MT, CZ, SK, CY: The sector is unbound |
| <u>C. Mining of metal ores</u> | In ES: Reservation on investment originating in non-EU member states in strategic minerals. |
| (ISIC rev 3.1: 13) | In DK: The right of exploration, and production of hydrocarbons and geothermal potential is subject to a concession by the Danish Minister for Economic and Business Affairs. State participation is required in exploration for production of hydrocarbons. The state can require a license-holder to enter into an unitisation agreement with other licence-holders, who have a concession for an adjacent area. An operator applying for a licence with residence outside Denmark must have a registered office within the territory of the EU. |
| <u>D. Other mining and quarrying</u> | In FR: Establishment by a non resident in extractive industries must be carried out in the form of a French or European subsidiary, whose manager must be resident in France or other country and declare his place of |
| (ISIC rev 3.1: 14) | |

¹⁴ A juridical person is controlled by other natural or juridical person(s) if the latter has/have the power to name a majority of its directors or otherwise legally direct its actions. In particular, ownership of more than 50 percent of the equity interests in a juridical person shall be deemed to constitute control.

¹³ Does not include services incidental to mining rendered on a fee or contract basis at oil and gas fields which are to be found in ENERGY SERVICES under 19.A.

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| | <p>residence to the local prefect authorities.</p> <p>In GR: The right of exploration and exploitation of all minerals, except hydrocarbons, solid fuels, radioactive minerals and geothermal potential is subject to a concession by the Greek State, after approval of the Council of Ministers.</p> <p>In NL: State participation is required in the production of hydrocarbons. This includes participation in production facilities. The state can require a license-holder to enter into an unitisation agreement with another license-holder who has a concession for an adjacent area.</p> <p>In SI: The exploration for and exploitation of mineral resources, including regulated mining services, are subject to establishment in or citizenship of the EEA, the Swiss Confederation or an OECD Member, or of a third country on condition of material reciprocity. Compliance with the condition of reciprocity is verified by the Ministry responsible for mining.</p> |
| 4. MANUFACTURING ¹⁵ | |
| <u>A. Manufacture of food products and beverages</u> (ISIC rev 3.1: 15) | None |
| B. Manufacture of tobacco | None |

¹⁵ This sector does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

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| <u>products</u> (ISIC rev 3.1: 16) | |
| <u>C. Manufacture of textiles</u> (ISIC rev 3.1: 17) | None |
| <u>D. Manufacture of wearing apparel; dressing and dyeing of fur</u> (ISIC rev 3.1: 18) | None |
| <u>E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear</u> (ISIC rev 3.1: 19) | None |
| <u>F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of</u> | None |

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| <u>straw and plaiting materials</u> (ISIC rev 3.1: 20) | |
| <u>G. Manufacture of paper and paper products</u> (ISIC rev 3.1: 21) | None |
| <u>H. Publishing, printing and reproduction of recorded media</u> ¹⁶ (ISIC rev 3.1: 22, excluding publishing and printing on a fee or contract basis ¹⁷) | In IT: Nationality condition for owners of publishing and printing companies. In SE: Residency requirement for publisher and owner of publishing or printing company. In HR: Residence requirement. |
| <u>I. Manufacture of coke oven products</u> | None. |

¹⁶ The sector is limited to manufacturing activities. It does not include activities which are audio-visual-related or present a cultural content.

¹⁷ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

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| (ISIC rev 3.1: 231) | |
| <u>J. Manufacture of refined petroleum products</u> (ISIC rev 3.1: 232) | EU: Unbound for juridical persons controlled ¹⁸ by natural or juridical persons of a non- Union country which accounts for more than 5 per cent of the Union's oil or natural gas imports. Unbound for direct branching (incorporation is required). |

¹⁸ Juridical person is controlled by other natural or juridical person(s) if the latter has/have the power to name a majority of its directors or otherwise legally direct its actions. In particular, ownership of more than 50 per cent of the equity interests in a juridical person shall be deemed to constitute control.

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| <u>K. Manufacture of chemicals and chemical products other than explosives</u> (ISIC rev 3.1: 24 excluding manufacturing of explosives) | None. |
| <u>L. Manufacture of rubber and plastics products</u> (ISIC rev 3.1: 25) | None. |
| <u>M. Manufacture of other non-metallic mineral products</u> (ISIC rev 3.1: 26) | None. |
| <u>N. Manufacture of basic metals</u> (ISIC rev 3.1: 27) | None. |
| <u>O. Manufacture of</u> | None. |

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| <p><u>fabricated metal products, except machinery and equipment</u> (ISIC rev 3.1: 28)</p> | |
| <p><u>P. Manufacture of machinery</u></p> | |
| <p>a) Manufacture of general purpose machinery (ISIC rev 3.1: 291)</p> | <p>None.</p> |
| <p>b) Manufacture of special purpose machinery other than weapons and munitions (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)</p> | <p>None.</p> |
| <p>c) Manufacture of domestic appliances n.e.c. (ISIC rev 3.1: 293)</p> | <p>None.</p> |

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| <p>d) Manufacture of office, accounting and computing machinery (ISIC rev 3.1: 30)</p> | <p>None.</p> |
| <p>e) Manufacture of electrical machinery and apparatus n.e.c. (ISIC rev 3.1: 31)</p> | <p>None.</p> |
| <p>f) Manufacture of radio, television and communication equipment and apparatus (ISIC rev 3.1: 32)</p> | <p>None.</p> |
| <p><u>Q. Manufacture of medical, precision and optical instruments, watches and clocks</u> (ISIC rev 3.1: 33)</p> | <p>None.</p> |

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| <p><u>R. Manufacture of motor vehicles, trailers and semi-trailers</u> (ISIC rev 3.1: 34)</p> | <p>None.</p> |
| <p><u>S. Manufacture of other (non-military) transport equipment</u> (ISIC rev 3.1: 35 excluding manufacturing of warships, warplanes and other transport equipment for military use)</p> | <p>None.</p> |
| <p><u>T. Manufacture of furniture; manufacturing n.e.c.</u> (ISIC rev 3.1: 361, 369)</p> | <p>None.</p> |
| <p><u>U. Recycling</u> (ISIC rev 3.1: 37)</p> | <p>None.</p> |
| <p>5. PRODUCTION;</p> | |

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| <p>TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER</p> <p>(EXCLUDING NUCLEAR BASED ELECTRICITY GENERATION)</p> | |
| <p><u>A. Production of electricity; transmission and distribution of electricity on own account</u></p> <p>(part of ISIC rev 3.1: 4010)¹⁹</p> | <p>EU: Unbound</p> |

¹⁹ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

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| <u>B. Manufacture of gas; distribution of gaseous fuels through mains on own account</u> (part of ISIC rev 3.1: 4020) ²⁰ | EU: Unbound |
| <u>C. Production of steam and hot water; distribution of steam and hot water on own account</u> (part of ISIC rev 3.1: 4030) ²¹ | EU: Unbound for juridical persons controlled ²² by natural or juridical persons of a non- Union country which accounts for more than 5 per cent of the Union's oil or natural gas imports. Unbound for direct branching (incorporation is required). In BG, DE, CZ, HU, LT, MT, SK: Unbound. In AT: The sector is unbound for national treatment. In EL: Solid fuels, radioactive minerals and geothermal energy: An exploration licence may not be granted to |

²⁰ Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis, and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

²¹ Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.

²² Juridical person is controlled by other natural or juridical person(s) if the latter has/have the power to name a majority of its directors or otherwise legally direct its actions. In particular, ownership of more than 50 per cent of the equity interests in a juridical person shall be deemed to constitute control.

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| | <p>non-EU natural or legal persons. The right of exploitation is subject to a concession by the Greek State, after approval by the Council of Ministers.</p> <p>In FI: Reservation on investment in an enterprise engaged in activities involving nuclear energy or nuclear matter. Unbound for transmission and distribution networks and systems of energy and of steam and hot water.</p> <p>In FR: Unbound with respect to the production of electricity.</p> <p>In LV: State monopoly in the sector of electro energy.</p> |
| 6. BUSINESS SERVICES | |
| <u>A. Professional Services</u> | |
| a) Legal Services (CPC 861) ²³ | In AT, , ES, EL, LT, MT, PL, SK: Full admission to the Bar, required for the practice of domestic (EU and Member State) law, is subject to a nationality condition. In SK coupled with residency requirement in SK. |

²³ Includes legal advisory services, legal representational services, legal arbitration and conciliation/mediation services, and legal documentation and certification services. Provision of legal services is only authorised in respect of public international law, EU law and the law of any jurisdiction where the service supplier or its personnel is qualified to practice as a lawyer, and, like the provision of other services, is subject to licensing requirements and procedures applicable in the Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these licensing requirements and procedures may take, *inter alia*, the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained), insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country. Legal services in respect of EU law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in a Member State of the European Union acting personally, and legal services in respect of the law of a Member State of the European Union shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in that Member State acting personally. Full admission to the Bar in the relevant Member State of the European

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| <p>excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries, “huissiers de justice” or other “officiers publics et ministériels.”</p> | <p>In AT: Mercosur lawyers’ (who must be fully qualified in a Mercosur country) equity participation and shares in the operating results of any law firm may not exceed 25 percent. They may not have decisive influence in decision making.</p> <p>In BE: Full admission to the Bar, required for legal representation services, is subject to a nationality condition. Exemption can be granted under specific conditions (inter alia residency requirement and reciprocity). Quotas apply for representation before the “Cour de cassation” in non-criminal cases.</p> <p>In CY: Nationality and Residency Contition applies for the provision of Legal Services and full admission to Bar is required. Full admission to the Bar, , is subject to a nationality condition, coupled with a residency requirement. Only advocated enrolled in the Bar may be partners or shareholders or members of the Board of Directors in a law company in Cyprus.</p> <p>In HR.: Representation of parties before courts can be practised only by the members of the Bar Council of Croatia (Croatian title “odvjetnici”). Citizenship requirement for membership in the Bar Council.</p> <p>In DK: Only lawyers with a Danish license to practice and law firms registered in Denmark may own shares in a Danish law firm. Only lawyers with a Danish license to practise may sit on the board or be part of the management of a Danish law firm. Requirement of a Danish legal examination in order to obtain a Danish licence.</p> <p>In FR: Full admission to the Bar is required for the practice of legal services in respect of French domestic law, including representation before courts. Residency (commercial presence) is required in order to obtain full admission to the Bar. To provide legal services in respect of domestic (EU and Member States) law, commercial presence may be required to take one of the legal forms which are allowed under national law on a non-</p> |
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Union might therefore be necessary for representation before courts and other competent authorities in the EU Party since it involves practice of EU and national procedural law. However, in some Member States, foreign lawyers not fully admitted to the Bar are allowed to represent in civil proceedings a party being a national of or belonging to the State in which the lawyer is entitled to practice.

discriminatory basis. Some types of legal form ("association d'avocats" and "société en participation d'avocat") are may be reserved exclusively to lawyers fully admitted to the Bar in France, also on a non-discriminatory basis. Representation before the "Cour de Cassation" and "Conseil d'Etat" is subject to quotas. In a law firm providing services in respect of French or EU law, shareholding and voting rights may be subject to quantitative restrictions related to the professional activity of the partners.

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

In IE: Full admission to the Bar is required for the practice of legal services in respect of Irish domestic law, including representation before courts. Residency (commercial presence) is required in order to obtain full admission to the Bar. Lawyers in Ireland are divided into two distinct categories: solicitors and barristers. The Law Society of Ireland is the statutory legal professional body that governs admission of solicitors in Ireland. The Honorable Society of King's Inns governs the admission of barristers in Ireland.

In PL: While other types of legal form are available for EC lawyers, foreign lawyers only have access to the legal forms of registered partnership and limited partnership.

In PT: The recognition of qualifications to practise Portuguese Law is subject to a condition of reciprocity. Nationality condition for the access to the profession of "solicitadores" and for industrial property agent. Only law firms where the shares belong exclusively to lawyers admitted to the Portuguese Bar can practice in Portugal.

In SI: Representing clients before the court against payment is conditioned by commercial presence in Republic of Slovenia. A foreign lawyer who has the right to practise law in a foreign country may perform legal services or practise law under the conditions laid down in Article 34a of the Attorneys Act, provided the condition of actual reciprocity is fulfilled. Compliance with the condition of reciprocity is verified by the Ministry of Justice. Commercial presence for appointed attorneys by the Slovene Bar Association is restricted to sole proprietorship, law firm with limited liability (partnership) or to a law firm with unlimited liability (partnership) only. The activities of a law firm shall be restricted to the practice of law. Only attorneys may be partners in a law firm.

In SE: Admission to the Bar, necessary only for the use of the Swedish title 'advokat', is subject to a residency

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| | requirement. |
| b) 1. Accounting and Bookkeeping Services (CPC 86212 other than “auditing services”, CPC 86213, CPC 86219 and CPC 86220) | <p>In AT: Mercosur accountants’ (who must be authorised according to the law of a Mercosur country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 percent, if they are not members of the Austrian Professional Body.</p> <p>In CY: Access is subject to an economic needs test. Main criteria: the employment situation in the sub-sector.</p> <p>In DK: In order to enter into partnerships with Danish authorised accountants, foreign accountants have to obtain permission from the Danish Business Authority.</p> <p>In FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions), AGC (Association de gestion et comptabilité) or SCP only.</p> |
| b) 2. Auditing services (CPC 86211 and 86212 other than accounting services) | <p>In AT: Mercosur auditors’ (who must be authorised according to the law of a Mercosur country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 percent, if they are not members of the Austrian Professional Body.</p> <p>In CY:</p> <p>In CY Special licence is granted to third country auditors, subject to certain conditions</p> <p>In CZ and SK: At least 60 percent of capital share or voting rights are reserved to nationals.</p> <p>In DK: In order to enter into partnerships with Danish authorised accountants, foreign accountants have to obtain permission from the Danish Commerce and Companies Agency.</p> <p>In FI: Residency requirement for at least one of the auditors of a Finnish liability company and of companies which are under the obligation to carry out an audit. An auditor must be a locally-licensed auditor or a locally-licensed audit firm</p> <p>In FR: For statutory audits: provision through any company form except SNC, SCS.</p> <p>In HR: None, except that auditing can be performed only by legal persons.</p> |

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| | <p>In LV: The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. In a commercial company of sworn auditors more than 50 percent of the voting capital shares shall be owned by sworn auditors or commercial companies of sworn auditors of the European Union.</p> <p>In LT: Not less than 75% of shares should belong to auditors or auditing companies of the European Union.</p> <p>In PL: Audit firms may be established only in certain Polish legal forms with a seat in the EU..</p> <p>In RO: The sector is unbound</p> <p>In SE: Only auditors approved in Sweden, authorised auditors and registered auditing firms may perform statutory auditing services in certain legal entities, including in all limited companies, as well as natural persons. Only auditors approved in Sweden, and registered public accounting firms, may be shareholders or form partnerships in companies which practice qualified auditing (for official purposes). Residency within the EEA is required for authorization or approval. The titles of 'approved auditor' and 'authorised auditor' may only be used by auditors approved or authorised in Sweden. Auditors of co-operative economic associations and certain other enterprises who are not authorized or approved accountants must be resident within the EEA. The competent authority may grant exemptions from this requirement..</p> <p>In SI: Commercial presence should take the form of a juridical person. A third country audit entity may hold shares or form partnerships in Slovenian audit company provided that, under the law of the country in which the third-country audit entity is incorporated, Slovenian audit companies may hold shares or form partnership in an audit entity in that country. A permanent residency in Slovenia is required for at least one member of the management board of an audit company establishment in Slovenia</p> <p>In ES: Nationality condition for statutory auditors and for administrators, directors and partners of companies other than those covered by the 8th EEC directive on company law.</p> |
| c) Taxation Advisory Services | In AT: Mercosur tax advisors' (who must be authorised according to the law of a Mercosur country) equity participation and shares in the operating results of any Austrian legal entity may not exceed 25 percent, if they |

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| (CPC 863) ²⁴ | <p>are not members of the Austrian Professional Body.</p> <p>In CY: Access is subject to an economic needs test. Main criteria: the employment situation in the sub-sector.</p> <p>In FR: Provision through SEL (anonyme, à responsabilité limitée ou en commandite par actions) or SCP only.</p> <p>In BG, PL, SI, RO: Unbound</p> |
| <p>d) Architectural services and</p> <p>e) Urban planning and landscape architectural services</p> <p>(CPC 8671 and CPC 8674)</p> | <p>In BG: For projects of national or regional significance, Mercosur investors have to act in partnership with or, as subcontractors of, local investors.</p> <p>In CY: Nationality condition.</p> <p>In FR: An architect may only establish in France in order to provide architectural services using one of the following legal forms (on a non-discriminatory basis): SA et SARL (sociétés anonymes, à responsabilité limitée), EURL, SCP (en commandite par actions), SCOP, SELARL (société d'exercice libéral à responsabilité limitée), SELAFA (société d'exercice libéral à forme anonyme), SELAS or SAS, or as individual or as a partner in an architectural firm.</p> <p>In LV: For architectural services, in order to receive a licence enabling to engage in business activity with full range of legal responsibility and rights to sign a project, practice of 3 years in Latvia in the field of projecting and university degree is required.</p> <p>In SK: For the provision of these services by a physical person present in the territory of the Slovak Republic, membership in the Slovak Chamber of Architects or Slovak Chamber of Engineers is obligatory. Slovak residency is required for membership.</p> |

²⁴ Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a) Legal Services.

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| <p>f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)</p> | <p>In BG: For projects of national or regional significance, Mercosur investors have to act in partnership with or, as subcontractors of, local investors. In CY: Nationality condition.</p> |
| <p>h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)</p> | <p>In CY, EE, FI, MT: Unbound. In AT: The sector is unbound except for psychologists and psychotherapists. In DE: An economic needs test when medical doctors and dentists are authorised to treat members of public insurance schemes. Main criteria: shortage of doctors and dentists in the given region. In FR: While other types of legal form are available for EU investors, foreign investors only have access to the legal forms of "société d'exercice libéral" and "société civile professionnelle". Nationality is required. However, access by foreigners is possible within annually established quotas. In HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber. In LV: For medical and dental services, nationality condition. Economic needs test. Main criteria: shortage of doctors and dentists in the given region. In BG: The supply of service is subject to authorisation which is based on a health services plan established in function of needs, taking into account population and existing medical and dental services. In LT: The supply of service is subject to authorisation which is based on a health services plan established in function of needs, taking into account population and existing medical and dental services. In PL: Nationality condition.</p> |

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| | <p>In RO: The sector is unbound</p> <p>In SE: A needs test applied to decide the number of private practices to be subsidised though public funding.</p> <p>In SI: All persons providing services directly to patients/treating patients need a licence and authorization for the provision of health services from the Ministry of Health or Medical Chamber. Unbound for social medicine, sanitary, epidemiological, medical/ecological services; the supply of blood, blood preparations and transplants; and autopsy.</p> <p>In UK: Establishment for doctors under the National Health Service is subject to medical manpower planning.</p> |
| <p>i) Veterinary services (CPC 932)</p> | <p>In AT, CY, EE, HU, MT, SI: Unbound.</p> <p>In BG: Economic needs test. Main criteria: population and density of existing business. Unbound for all services related to border veterinary controls, prevention, localization, curing, etc. of infectious and parasitic epizootic diseases and diagnostic analysis related thereto, and controls exercised over animal products.</p> <p>In FR: Nationality condition limited to EU and EEA citizens. Insofar as Mercosur allows French citizens to provide veterinary services then France will allow Mercosur service suppliers to provide veterinary services under the same conditions. The legal forms available to a company providing veterinary services are limited to three types of companies (SEP; SCP; SEL).</p> <p><u>In SK: Access is restricted to natural persons only. Authorization by veterinary administration is required..</u></p> <p>In SE: A needs test is applied to decide the number of private practices to be subsidized through public funding.</p> <p>In ES: Access is restricted to natural persons</p> |
| <p>j) 1. Midwives services (part of CPC 93191)</p> | <p>In BG, CY, CZ, EE, FI, HU, MT, RO, SK: Unbound.</p> <p>In FR: While other types of legal form are available for EU investors, foreign investors only have access to the legal forms of "société d'exercice libéral" and "société civile professionnelle". Nationality is required. However,</p> |

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| | <p>access by foreigners is possible within annually established quota.</p> <p>In HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>In LT: An economic needs test may be applied. Main criteria: employment situation in the sub-sector.</p> <p>In SI: All persons providing services directly to patients/treating patients need a licence and authorization for the provision of health services from the Ministry of Health or Medical Chamber.</p> <p>In SE: A needs test applied to decide the number of private practices to be subsidised through public funding</p> |
| <p>j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)</p> | <p>In BG,CY, CZ, EE, HU, MT, SI, SK: Unbound</p> <p>In AT: Foreign investors are only allowed in the following activities: nurses, physiotherapists, occupational therapists, logotherapists, dieticians and nutritionists.</p> <p>In FI, SI: physiotherapists and paramedical personnel are unbound.</p> <p>In FR: While other types of legal form are available for EU investors, foreign investors only have access to the legal forms of "société d'exercice liberal" and "société civile professionnelle". Nationality is required. However, access by foreigners is possible within annually established quota.</p> <p>In HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>In LT: An economic needs test may be applied. Main criteria: employment situation in the sub-sector.</p> <p>In PL: Nationality condition.</p> <p>In SE: A needs test applied to decide the number of private practices to be subsidised through public funding.</p> |
| <p>k) Retail sales of pharmaceuticals and retail sales of medical and</p> | <p>In AT, BG, CY, CZ, EE, FI, HU, LV, MT, PL, RO, SE, SI, SK: Unbound.</p> <p>In BE, DE, DK, ES, FR, IT, HR, IE, PT: Authorisation is subject to an economic needs test. Main criteria:</p> |

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| <p>orthopaedical goods (CPC 63211) and other services supplied by pharmacists²⁵</p> | <p>population and geographical density of existing pharmacies.</p> <p>In DE: Only natural persons are permitted to provide retail services of pharmaceuticals and specific medical goods to the public. Persons who have not passed the German pharmacy exam may only obtain a licence to take over a pharmacy which has already existed during the preceding three years. Nationals of non EEA countries cannot obtain a licence to establish a pharmacy .The total number of pharmacies per person is restricted to one pharmacy and up to three branch pharmacies.</p> <p>In FR: EEA or Swiss nationality is required in order to operate a pharmacy. Foreign pharmacists may be permitted to establish within annually established quotas. Commercial presence must take one of the legal forms which are allowed under national law on a non-discriminatory basis: SEL (anonyme, à responsabilité limitée ou en commandite par actions), SNC (société en noms collectifs), société de participations financières de profession libérale de pharmaciens d'officine and SARL only.</p> <p>In ES, only natural persons, who are licenced pharmacists, can be owners of a pharmacy and are permitted to provide retail services of pharmaceuticals and specific medical goods (CPC 63211) to the public. Each pharmacist cannot obtain more than one license. .</p> |
| <p><u>B. Computer and Related Services</u> (CPC 84)</p> | <p>None.</p> |
| <p><u>C. Research and</u></p> | |

²⁵ The supply of pharmaceuticals to the general public, like the provision of other services, is subject to licensing and qualification requirements and procedures applicable in the Member States of the European Union. As a general rule, this activity is reserved to pharmacists. In some Member States, only the supply of prescription drugs is reserved to pharmacists.

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| <u>Development Services</u> | |
| a) R&D services on natural sciences (CPC 851) | In AT, BG, EE, HU, LV, SE, SI: For R&D services, which receive public funding or State support in any form, and are therefore not considered to be privately funded, whereby exclusive rights and/or authorisations can 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. In BE, HR, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, UK: Unbound. |
| b) R&D services on Social Sciences and Humanities (CPC 852 excluding psychologists services) ²⁶ | None. |
| c) Interdisciplinary R&D services (CPC 853) | In AT, BG, EE, HU, LV, SE, SI: For publicly funded R&D services, exclusive rights and/or authorisations can 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. In BE, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, UK: Unbound. |
| <u>D. Real Estate Services²⁷</u> | |

²⁶ Part of CPC 85201, which is to be found under 6.A.h. Medical and Dental services.

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| a) Involving Own or Leased Property (CPC 821) | In BG, CY, CZ, EE, HU, LV, LT, MT, PL, RO, SK, SI: Unbound. |
| b) On a Fee or Contract Basis (CPC 822) | In BG, CY, CZ, EE, HU, LV, LT, MT, PL, RO, SK, SI: The sector is unbound In DK: Authorisation for authorised estate agent may limit scope of activity. |
| <u>E. Rental/Leasing Services without Operators</u> | |
| a) Relating to Ships (CPC 83103) | In AT, BE, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LV LU, NL, PT, SI, SE, UK: the establishment of a registered company for the purpose of operating with a fleet under the national flag of the State of establishment is unbound. In LT: Ships must be owned by Lithuanian natural persons or companies established in Lithuania. In SE: To fly the Swedish flag, proof of dominating Swedish operating influence must be shown in case of foreign ownership interests in ships. Dominating Swedish influence means a proportionally large share of Swedish ownership in the ship, and that the operation of the ship is located in Sweden. . In BG, CY, CZ, MT, PL, RO, SK: Unbound. |
| b) Relating to Aircraft (CPC 83104) | In AT, BE, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LV LU, NL, PT, SI, SE, UK: The EU: For rental or leasing of aircraft without crew (dry lease) aircraft used by an air carrier of the European Union are subject to applicable aircraft registration requirements. A dry lease agreement to which a EU carrier is a party shall be |

²⁷ The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

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| | <p>subject to requirements in EU or national law on aviation safety, such as prior approval and other conditions applicable to the use of third countries' registered aircraft. To be registered, aircraft may be required to be owned either by natural persons meeting specific nationality criteria or by enterprises meeting specific criteria regarding ownership of capital and control.</p> <p>In BG, CY, CZ, MT, PL, RO, SK: Unbound</p> |
| <p>c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)</p> | In BG, CY, CZ, LV, LT, MT, PL, RO, SK: Unbound. |
| <p>d) Relating to Other Machinery and Equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)</p> | In BG, CY, CZ, MT, PL, RO, SK: Unbound. |
| <p>e) Relating to personal and household goods (CPC 832)</p> | In AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LU, MT, NL, PL, PT, RO, SK, SI, UK: Unbound. |
| <p>f) Telecommunications equipment rental (CPC 7541)</p> | None. |
| <u>F. Other Business Services</u> | |
| a) Advertising | In RO: Unbound. |

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| (CPC 871) | |
| b) Market Research and Opinion Polling (CPC 864) | In RO, PL: Unbound. |
| c) Management Consulting Services (CPC 865) | None. |
| d) Services Related to Management Consulting (CPC 866) | In HU: arbitration and conciliation services (CPC 86602) is unbound. In BG: Unbound. |
| e) Technical Testing and Analysis Services (CPC 8676) | In BG, CY, CZ, MT, PL, RO, SK: Unbound. |
| f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881) | In RO, SI: Unbound. In CZ: Only as regards consulting services concerning the methods for improving productivity, reducing production costs and improving the quality of production in the areas of agriculture, hunting and forestry. |
| g) Advisory and Consulting Services Relating to Fishing (part of CPC 882) | In CY, CZ, EE, LV, LT, MT, PL, RO, SK, SI: Unbound. |

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| h) Advisory and Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885) | In AT, BE, CY, CZ, DE, DK, ES, FI, FR, EL, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI, UK: Unbound. |
| i) Placement and Supply Services of Personnel | |
| i) 1. Executive search (CPC 87201) | In AT, BG, CY, CZ, DE, EE, FI, HR, LV, LT, MT, PL, PT, RO, SK, SI: Unbound. In ES: State monopoly. |
| i) 2. Placement Services (CPC 87202) | In AT, BG, CY, CZ, DE, EE, FI, HR, LV, LT, MT, PL, PT, RO, SI, SK: Unbound. In BE, ES, FR, IT: State monopoly. |
| i) 3. Supply Services of office support personnel (CPC 87203) | In AT, BG, CY, CZ, DE, EE, FI, FR, HR, LV, LT, MT, PL, PT, RO, SK, SI: Unbound. In IT: State monopoly. |
| i) 5. Supply services of domestic help personnel, other commercial or industrial workers, nursing and other personnel (CPCs 87204, 87205, 87206, 87209) | In all Member States except HU: Unbound. In HU: None. |
| j) 1. Investigation Services | In BE, BG, CY, CZ, DE, ES, EE, FR, EL, HR, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SK, SI: |

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| (CPC 87301) | Unbound. |
| j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305) | <p>In DK: Nationality and residency requirements for members of the board. Unbound for the supply of airport guard services.</p> <p>In BG, , CZ, EE, LV, LT, MT, PL, RO, SI, SK: Licence may be granted only to nationals and to national registered organisations.</p> <p>In ES: Access is subject to prior authorisation. In granting the authorisation, the Council of Ministers takes into account conditions such as competence, professional integrity and independence, adequacy of the protection provided for the security of the population and the public order.</p> <p>In FI: Licences to provide security services may be granted only to natural persons resident in the EEA or juridical persons established in the EEA.</p> <p>In HR, CY: Unbound.</p> |
| k) Related Scientific and Technical Consulting Services (CPC 8675) | <p>In FR: For surveying, access through a SEL (anonyme, à responsabilité limitée ou en commandite par actions), SCP, SA and SARL only. Foreign investors are required to have a specific authorisation for exploration and prospecting services.</p> <p>CY: Unbound</p> <p>In SI: The exploration for and exploitation of mineral resources, including regulated mining services, are subject to establishment in or citizenship of the EEA, the Swiss Confederation or an OECD Member, or of a third country on condition of material reciprocity. Compliance with the condition of reciprocity is verified by the Ministry responsible for mining</p> |
| l) 1. Maintenance and repair of vessels (part of CPC 8868) | None. |

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| <p>l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)</p> | <p>In LT: State monopoly. In SE: Economic needs test when an investor intends to establish its own terminal infrastructure facilities. Main criteria: space and capacity constraints.</p> |
| <p>l) 3. Maintenance and Repair of motor vehicles, motorcycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)</p> | <p>In SE: An economic needs test applies when an investor intends to establish its own terminal infrastructure facilities. Main criteria: space and capacity constraints.</p> |
| <p>l) 4. Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)</p> | <p>None.</p> |
| <p>l) 5. Maintenance and Repair services of metal products, of (non-office) machinery, of (non-transport and non-office) equipment and of</p> | <p>None.</p> |

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| personal and household goods ²⁸ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866) | |
| m) Building-Cleaning Services (CPC 874) | None |
| n) Photographic Services (CPC 875) | None. |
| o) Packaging Services (CPC 876) | None. |
| p) Printing and Publishing (CPC 88442) | In HR: Residency requirement for publisher and editorial board. In LT, LV: Establishment rights in the publishing sector are granted only to nationally incorporated juridical |

²⁸ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6. F. I) 1. to 6. F. I) 4.

Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer and Related Services.

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| | <p>persons (no branches).</p> <p>In PL: Nationality condition for the editor-in-chief of newspapers and journals.</p> <p>In SE: Residency requirement for publisher and owner of publishing and printing companies.</p> |
| <p>q) Convention Services (part of CPC 87909)</p> | <p>None.</p> |
| <p>r) 1. Translation and Interpretation Services (CPC 87905)</p> | <p>In DK: Authorisation for authorised public translators and interpreters may limit the scope of their activity.</p> <p>In HR: Unbound for translation and interpretation services for/before Croatian courts.</p> <p>In PL: Unbound for the supply of sworn interpretation services.</p> <p>In BG, HU, SK: Unbound for official translation and interpretation.</p> <p>In CY: Unbound for translation and interpretation services</p> |
| <p>r) 2. Interior Design and other Specialty Design Services (CPC 87907)</p> | <p>None.</p> |
| <p>r) 3. Collection Agency Services (CPC 87902)</p> | <p>In IT, PT: Nationality condition for investors.</p> |
| <p>r) 4. Credit reporting services (CPC 87901)</p> | <p>In BE: For consumer credit databanks, nationality condition for investors.</p> <p>In IT, PT: Nationality condition for investors.</p> |

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| r) 5. Duplicating services (CPC 87904) ²⁹ | None. |
| r) 6. Telecommunications consulting services (CPC 7544) | None. |
| r) 7. Telephone answering services (CPC 87903) | None. |
| r) Sales and Marketing r) Computer Reservations System (CRS) services | EU: Where European Union air carriers are not accorded, by CRS services suppliers operating outside the European Union, equivalent (meaning non-discriminatory) treatment to that provided in the European Union, or where European Union CRS services suppliers are not accorded, by non- European Union air carriers, equivalent treatment to that provided in the European Union, measures may be taken to accord equivalent treatment, respectively, to the non- European Union air carriers by the CRS services suppliers operating in the European Union, or to the non- European Union CRS services suppliers by European Union air carriers. In BG: Unbound for direct branching (incorporation is required). |
| 7. COMMUNICATION SERVICES | |

²⁹ Does not include printing services, which fall under CPC 88442 and are to be found under 6.F. p).

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| <p><u>A. Postal and Courier Services</u></p> <p>(Services relating to the handling³⁰ of postal items³¹ according to the following list of sub-sectors, whether for domestic or foreign destinations: (i) Handling of addressed written communications on any kind of physical medium³², including Hybrid mail service and Direct mail, (ii) Handling of addressed parcels and packages³³, (iii) Handling of addressed press products³⁴, (iv) Handling of items referred to in (i) to (iii) above as registered or</p> | <p>None (conditioned upon comparable binding of existing autonomous liberalisation by Mercosur).</p> |
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³⁰ “Handling” refers to activities such as clearance, sorting, transport and delivery.

³¹ “Postal item” refers to items handled by any type of commercial operator, whether public or private.

³² E.g. letters, postcards.

³³ Books and catalogues are included hereunder.

³⁴ Journals, newspapers and periodicals.

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| <p>insured mail, (v) Express delivery services³⁵ for items referred to in (i) to (iii) above, (vi) Handling of non-addressed items, and (vii) Document exchange³⁶</p> <p>Sub-sectors (i), (iv) and (v) are however excluded when they fall into the scope of the services which may be reserved for items of correspondence the price of which is less than five times the public basic tariff,</p> | |
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³⁵ Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, and confirmation of receipt.

³⁶ Provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. "Postal item" refers to items handled by any type of commercial operator, whether public or private.

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| <p>provided that they weigh less than 50 grams³⁷, and for the registered mail service used in the course of judicial or administrative procedures.)</p> <p>(part of CPC 751, part of CPC 71235³⁸ and part of CPC 73210³⁹)</p> | |
| <p><u>B. Telecommunications Services</u></p> <p>Telecommunications services exclude services providing, or exercising editorial control over, the content transmitted.</p> | <p>CY: Nationality Condition on broadcasting transmission services</p> |
| <p>a) All services which consist</p> | <p>None</p> |

³⁷ “Items of correspondence” means a communication in written form on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping. Books, catalogues, newspapers and periodicals are not regarded as items of correspondence.

³⁸ Transportation of postal and courier items on own account by any land mode.

³⁹ Transportation of mail on own account by air.

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| in the transmission and reception of electromagnetic signals by any electromagnetic means ⁴⁰ , excluding broadcasting ⁴¹ | In CY::Nationality Condition on broadcasting transmission services |
| 8. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518) | In CY: Specific conditions apply and authorization is required for third country nationals. |
| 9. DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material) | In AT: Unbound for distribution of pyrotechnical goods, of ignitable articles and blasting devices, and of toxic substances. For the distribution of pharmaceutical products and tobacco products, exclusive rights and/or authorisations can 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. In FI: Unbound for distribution of alcoholic beverages and pharmaceutical products. |

⁴⁰ These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under I.B. Computer and Related services.

⁴¹ Broadcasting is defined as radio communication in which transmissions are intended for direct reception by the general public, and may include sound transmission and television transmission.

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| All sub-sectors mentioned below | In HR: Unbound for distribution of tobacco products. |
| <u>A. Commission Agents' Services</u> | |
| a) Commission Agents' Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 6111, part of CPC 6113 and part of CPC 6121) | None. |
| b) Other Commission Agents' Services (CPC 621) | None. |
| <u>B. Wholesale Trade Services</u> | |
| a) Wholesale Trade Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 6111, part of CPC 6113 and part of CPC | None. |

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| 6121) | |
| b) Wholesale Trade Services of telecommunication terminal equipment (part of CPC 7542) | None. |
| c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ⁴²) | In FR, IT: State monopoly on tobacco. In FR: Authorisation of wholesale pharmacies is subject to an economic needs test. Main criteria: population and geographical density of existing pharmacies. |
| <u>C. Retailing Services</u> ⁴³ Retailing Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (CPC 61112, part of CPC | In ES, FR, IT: State monopoly on tobacco. In FR: Nationality condition for tobacconists (buraliste). In BE, BG, DK, FR, IT, MT, PT: Authorisation for department stores (in the case of FR and PT only for large department stores) is subject to an economic needs test. Main criteria: number of and impact on existing stores, population density, geographic spread, impact on traffic conditions and creation of new employment. |

⁴² These services, which include CPC 62271, are to be found in ENERGY SERVICES under 19.D.

⁴³ Does not include maintenance and repair services which are to be found in BUSINESS SERVICES under 6.B. and 6.F.I).
Does not include retailing services of energy products which are to be found in ENERGY SERVICES under 19.E. and 19.F.

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| <p>6113 and part of CPC 6121)</p> <p>Retailing Services of telecommunication terminal equipment (part of CPC 7542)</p> <p>Food retailing services (CPC 631)</p> <p>Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods⁴⁴ (CPC 632 excluding CPC 63211 and 63297)</p> | <p>In IE, SE: Unbound for the retail sale of alcoholic beverages.</p> |
| <p><u>D. Franchising</u> (CPC 8929)</p> | <p>None.</p> |
| <p>10. EDUCATIONAL SERVICES (only privately funded services)</p> | |

⁴⁴ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under PROFESSIONAL SERVICES in 6.A.k).

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| <u>A. Primary Education Services</u> | EU: Where the supply 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. |
| (CPC 921) | In AT: Unbound for higher education services and for adult schools by means of radio or television broadcasting. |
| <u>B. Secondary Education Services</u> | In BG: Unbound for the supply of primary and/or secondary education services by foreign natural persons and associations, and for the supply of higher education services. |
| (CPC 922) | In CZ, SK: Nationality condition for the majority of members of the board. Unbound for the supply of higher education services except for post-secondary technical and vocational education services (CPC 92310). |
| <u>C. Higher Education Services</u> | In CY, FI, MT, RO, SE: Unbound. |
| (CPC 923) | In HR: Unbound for Primary Education Services (CPC 921). For Secondary Education Services: None for legal persons. |
| <u>D. Adult Education Services</u> | In EL: Nationality condition for the majority of members of the board in primary and secondary schools. Unbound for higher education institutions granting recognised State diplomas. |
| (CPC 924) | In ES, IT: Economic needs test for establishing private universities authorised to issue recognised diplomas or degrees. The relevant procedure involves an advice of the Parliament. Main criteria: population and density of existing establishments. |
| | In FR: French or EU nationality is required in order to teach in a privately funded educational institution. However, foreign nationals may obtain an authorisation from the relevant competent authorities in order to teach in primary, secondary and higher level educational institutions. Foreign nationals may also obtain an authorisation from the relevant competent authorities in order to establish and operate and/or manage primary, secondary and higher level educational institutions. Such authorisation is granted on a discretionary basis. |
| | In HU: The number of schools being established may be limited by local authorities (or in the case of high schools and other higher education institutions by central authorities) in charge of granting licenses. |

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| | <p>In SK: The number of schools being established may be limited by authorities</p> <p>In LV: Unbound for the supply of education services relating to technical and vocational secondary school-type education services for handicapped students (CPC 9224).</p> <p>In SI: Unbound for primary schools. Nationality condition for the majority of members of the board in secondary and high schools.</p> |
| <p><u>E. Other education services</u> (CPC 929)</p> | <p>In AT, BE, BG, CY, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SI, SE, UK: Unbound.</p> <p>In CZ, SK: Participation of private operators in the education network is subject to concession Nationality condition for majority of members of the board.</p> |
| <p>11. ENVIRONMENTAL SERVICES</p> <p><u>A. Waste Water Services</u> (CPC 9401)⁴⁵</p> <p><u>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</u></p> <p>a) Refuse Disposal Services (CPC 9402)</p> | <p>None.</p> |

⁴⁵ Corresponds to sewage services.

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| <p>b) Sanitation and Similar Services (CPC 9403)</p> <p><u>C. Protection of ambient air and climate</u> (CPC 9404)⁴⁶</p> <p><u>D. Remediation and clean up of soil and waters</u> a) Treatment, remediation of contaminated/polluted soil and water (part of CPC 9406)⁴⁷</p> <p><u>E. Noise and vibration abatement</u> (CPC 9405)</p> <p><u>F. Protection of biodiversity and landscape</u> a) Nature and landscape</p> | |
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⁴⁶ Corresponds to cleaning services of exhaust gases.

⁴⁷ Corresponds to parts of nature and landscape protection services.

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| <p>protection services (part of CPC 9406) <u>G. Other environmental and ancillary services</u> (CPC 9409)</p> | |
| <p>12. FINANCIAL SERVICES</p> | |
| <p><u>A. Insurance and insurance-related services</u></p> | <p>In AT: The licence for branch offices of Mercosur insurers shall be denied if the insurer in Mercosur does not have a legal form corresponding or comparable to a joint stock company or a mutual insurance association.</p> <p>In BG, ES: Before establishing a branch or agency in Bulgaria or Spain to provide certain classes of insurance, a Mercosur insurer must have been authorised to operate in the same classes of insurance in a Mercosur country for at least five years. In ES: direct branching is not permitted for insurance intermediation, which is reserved to companies formed in accordance with the law of a Member State of the EU. In ES: For actuarial services, residence requirement and three-years relevant experience.</p> <p>In EL: The right of establishment does not cover the creation of representative offices or other permanent presence of insurance companies, except where such offices are established as agencies, branches or head offices.</p> <p>In FI: At least one half of the promoters and 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</p> |

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| | <p>his permanent residence in the EEA.</p> <p>In IT: The authorisation of the establishment of branches is ultimately subject to the evaluation of supervisory authorities.</p> <p>In BG, PL: Local incorporation (no branches) is required for insurance intermediaries.</p> <p>In PT: In order to establish a branch in Portugal, Mercosur insurance companies need to demonstrate prior operational experience of at least five years. Direct branching is not permitted for insurance intermediation, which is reserved to companies formed in accordance with the law of a Member State of the European Union.</p> <p>In SK: Mercosur nationals may establish an insurance company in the form of a joint stock company or may conduct insurance business through their subsidiaries with registered office in the Slovak Republic (no branches). The authorisation in both cases is subject to the evaluation of supervisory authority.</p> <p>In SI: Foreign investors cannot participate in insurance companies under privatisation. Membership of the mutual insurance institution is limited to companies established in the Republic of Slovenia (no branches) and domestic natural persons. For providing consultancy and claim settlement services, incorporation is required as a legal entity (no branches).</p> <p>In SE: Insurance undertakings not incorporated in Sweden may be established only through a branch.</p> |
| <p><u>B. Banking and other financial services (excluding insurance)</u></p> | <p>EU: Only firms having their registered office in the European Union can act as depositories of the assets of investment funds. The establishment of a specialised management company, having its head office and registered office in the same Member State of the European Union, is required to perform the activities of management of unit trusts and investment companies.</p> <p>In BG: Pension insurance shall be implemented through participation in incorporated pension insurance companies (no branches). Permanent residency in Bulgaria is required for the chairperson of the management</p> |

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| | <p>board and the chairperson of the board of directors.</p> <p>In HR: None, except for settlement and clearing services where the Central Depository Agency (CDA) is the sole supplier in Croatia. Access to the services of the CDA will be granted to non-residents on a non-discriminatory basis.</p> <p>In HU: Branches of Mercosur institutions are not allowed to provide asset management services for private pension funds or management of venture capital. The board of a financial institution should include at least two members, who are Hungarian citizens, residents in the meaning of the relevant foreign exchange regulations and have permanent residency in Hungary for at least one year.</p> <p>In IE: In the case of collective investment schemes constituted as unit trusts and variable capital companies (other than undertakings for collective investment in transferable securities, UCITS), the trustee/depository and management company is required to be incorporated in Ireland or in another Member State of the European Union (no branches). In the case of an investment limited partnership, at least one general partner must be incorporated in Ireland. To become a member of a stock exchange in Ireland, an entity must either (a) be authorised in Ireland, which requires that it be incorporated or be a partnership, with a head/registered office in Ireland, or (b) be authorised in another Member State of the European Union in accordance with the EU directive on investment and services.</p> <p>In IT: In order to be authorised to manage the securities settlement system with an establishment in Italy, a company is required to be incorporated in Italy (no branches). In order to be authorised to manage central securities depository services with an establishment in Italy, companies are required to be incorporated in Italy (no branches). In the case of collective investment schemes other than UCITS harmonised under the legislations of the European Union, the trustee/ depository is required to be incorporated in Italy or in another Member State of the European Union and established through a branch in Italy. Management companies of UCITS not harmonised under the legislations of the European Union are also required to be incorporated in Italy (no branches). Only banks, insurance companies, investment-firms, and companies managing UCITS</p> |
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| | <p>harmonised under the legislations of the European Union, having their legal head office in the European Union, as well as UCITS incorporated in Italy may carry out activity of pension fund resources management. In providing the activity of door-to-door selling, intermediaries must utilise authorised financial salesmen resident within the territory of a Member State of the European Union. Representative offices of foreign intermediaries cannot carry out activities aimed at providing investment services.</p> <p>In LT: For the purpose of asset management, incorporation as a specialised management company is required (no branches). Only firms having their registered office in Lithuania can act as the depositories of the assets. At least one head of a bank's administration must speak the Lithuanian language.</p> <p>In PT: Pension fund management may be provided only by companies incorporated in Portugal and specialised for that purpose and by insurance companies established in Portugal and authorised to take up life insurance business or by entities authorised for pension fund management in other Member States of the European Union (unbound for direct branching from non-EU countries).</p> <p>In RO: Branches of foreign institutions are not allowed to provide asset management services.</p> <p>In SK: Investment services in the Slovak Republic can be provided by banks, investment companies, investment funds and security dealers which have legal form of joint-stock company with equity capital according to the law (no branches).</p> <p>In SI: Unbound for participation in banks under privatisation and for private pension funds (non-compulsory pension funds).</p> <p>In SE: A founder of a savings bank shall be a natural person resident in the EU.</p> |
| <p>13. HEALTH SERVICES AND SOCIAL SERVICES</p> | |

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| (only privately funded services) | |
| <p><u>A. Hospital Services</u> (CPC 9311)</p> <p><u>B. Ambulance Services</u> (CPC 93192)</p> <p><u>C. Residential health facilities other than hospital services</u> (CPC 93193)</p> <p><u>D. Social Services</u> (CPC 933)</p> | <p>EU: Participation of private operators in the health and social network is subject to concession. 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>In AT: Unbound for ambulance services.</p> <p>In SI: All persons providing services directly to patients/treating patients need a licence and authorization for the provision of health services from the Ministry of Health or Medical Chamber.</p> <p>In BG: Unbound for hospital services, for ambulance services and for residential health facilities other than hospital services.</p> <p>In CY, CZ, FI, MT, SE, SK, SI: Unbound.</p> <p>In FR: Unbound for social services other than services relating to Convalescent and Rest Houses and Old People's Homes.</p> <p>In HR: None, except that establishment of some social care facilities may be subject to needs based limits in particular geographical areas. All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>In HU: Unbound for social services.</p> <p>In PL: Unbound for ambulance services, for residential health facilities other than hospital services, and for social services.</p> <p>In BE, DE, ES, UK: Unbound for ambulance services, for residential health facilities other than hospital services, and for social services other than convalescent and rest houses and old people's homes.</p> <p>In DE: Rescue services and "qualified ambulance services" might be reserved for non-profit operators. The number of ICT-services providers may be limited to guarantee interoperability, compatibility and necessary</p> |

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| | safety standards. |
| 14. TOURISM AND TRAVEL RELATED SERVICES | |
| <u>A. Hotel, Restaurants and Catering</u> (CPC 641, CPC 642 and CPC 643) excluding catering in air transport services ⁴⁸ | In BG: Incorporation is required (no branches). In IT: An economic needs test applies to bars, cafes and restaurants. Main criteria: population and density of existing establishments. In HR: Location in the protected areas of particular historic and artistic interest and within national or landscape parks is subject to approval by the Government of the Republic of Croatia which can be denied. |
| <u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471) | In BG: Unbound for direct branching (incorporation is required). In CY: Unbound. |
| <u>C. Tourist Guides Services</u> (CPC 7472) | None. In CY: Unbound |
| 15. RECREATIONAL, CULTURAL AND SPORTING SERVICES | |

⁴⁸ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT under 17.E.a) Ground-handling services.

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| (other than audio-visual services) | |
| A. <u>Entertainment Services</u> (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619) | In CY, CZ, FI, MT, PL, RO, SI, SK: Unbound. In BG: Unbound except for theatrical producer, singer group, band and orchestra entertainment services (CPC 96191), services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192), and ancillary theatrical services (CPC 96193). In EE: Unbound for other entertainment services (CPC 96199) except for cinema theatre services. In LV: Unbound except for cinema theatre operation services (part of CPC 96199). |
| B. <u>News and Press Agencies Services</u> (CPC 962) | In FR: Foreign participation in existing companies publishing publications in the French language may not exceed 20 percent of the capital or of voting rights in the company. Establishment of foreign press agencies is subject to conditions set out in domestic regulation. Establishment of press agencies by foreign investors is subject to reciprocity In BG, CY, CZ, HU, LT, RO, PL, SK: Unbound. In PT: News companies, incorporated in Portugal in the juridical form of "Sociedade Anónima", must have the social capital in the form of nominal stocks. |
| C. <u>Libraries, archives, museums and other cultural services</u> | In BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HR, HU, IE, IT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound. In AT, LT: Participation of private operators in the libraries, archives, museums and other cultural services' network is subject to concession or licence. |
| D. <u>Sporting services</u> (CPC 9641) | In AT, SI: Unbound for ski school services and mountain guide services. In BG, CY, CZ, EE, LV, MT, PL, RO, SK: Unbound. |

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| <u>E. Recreation park and beach Services</u> (CPC 96491) | None. |
| 16. TRANSPORT SERVICES | |
| <u>A. Maritime transport</u> | |
| a) International passenger transportation (CPC 7211 <u>less</u> national cabotage transport ⁴⁹). b) International freight transportation (CPC 7212 <u>less</u> national | In AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, NL, PL, PT, RO, SK, SI, SE, UK: Unbound for the establishment of a registered company for the purpose of operating a fleet under the national flag of the State of establishment. |

⁴⁹ Without prejudice to the scope of activities which may be considered as cabotage under the relevant national legislation, this schedule does not include national cabotage transport, which is assumed to cover transportation of passengers or goods between a port or point located in a Member State of the European Union and another port or point located in the same Member State, including on its continental shelf as provided in the UN Convention on the Law of the Sea, and traffic originating and terminating in the same port or point located in a Member State of the European Union.

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| cabotage transport ⁵⁰⁾ | |
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| <u>D. Road Transport</u> | |
| a) Passenger Transportation (CPC 7121 and CPC 7122) | <p>EU: Foreign investors cannot provide transport services within a Member State (cabotage), except for rental of non-scheduled services of buses with operator.</p> <p>EU: Economic needs test for taxi services. Main criteria: number of and impact on existing establishments, population density, geographic spread, impact on traffic conditions and creation of new employment.</p> <p>In AT, BG: Exclusive rights and/or authorisation can 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.</p> <p>In BG, CZ: Unbound for direct branching (incorporation is required).</p> <p>In FI, LV: Authorisation is required, not extended to foreign registered vehicles.</p> <p>In LV and SE: Requirement for established entities to use vehicles with national registration.</p> |

⁵⁰ Without prejudice to the scope of activities which may be considered as cabotage under the relevant national legislation, this schedule does not include national cabotage transport, which is assumed to cover transportation of passengers or goods between a port or point located in a Member State of the European Union and another port or point located in the same Member State, including on its continental shelf as provided in the UN Convention on the Law of the Sea, and traffic originating and terminating in the same port or point located in a Member State of the European Union.

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| | <p>In ES: Economic needs test for CPC 7122. Main criteria: local demand.</p> <p>In IT, PT: Economic needs test for limousine services. Main criteria: number of and impact on existing establishments, population density, geographic spread, impact on traffic conditions and creation of new employment.</p> <p>In ES, IE, IT: Economic needs test for intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographic spread, impact on traffic conditions and creation of new employment.</p> <p>In FR : Unbound for intercity bussing services.</p> |
| <p>b) Freight Transportation (CPC 7123, excluding transportation of postal and courier items on own account⁵¹).</p> | <p>In AT, BG: Exclusive rights and/or authorisation can 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 EU.</p> <p>In ES: 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 service suppliers of Spain (CPC 7123).</p> <p>In BG, CZ: Unbound for direct branching (incorporation is required).</p> <p>In FI, LV: Authorisation is required, not extended to foreign registered vehicles.</p> <p>In LV and SE: Requirement for established entities to use vehicles with national registration.</p> <p>In IT, SK: Economic needs test. Main criteria: local demand.</p> |

⁵¹ Part of CPC 71235, which is to be found in COMMUNICATION SERVICES under 7.A. Postal and Courier Services.

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| E. <u>Pipeline transport of goods other than fuel</u> ⁵² (CPC 7139) | In AT: Exclusive rights can 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 EU. |
| 17. <u>SERVICES</u> <u>AUXILIARY TO</u> <u>TRANSPORT</u> ⁵³ | |
| A. <u>Services auxiliary to Maritime Transport</u> a) Maritime Cargo Handling Services b) Storage and warehousing Services (part of CPC 742) c) Customs Clearance Services | In AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, HU, IE, IT, LT, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound for the establishment of a registered company for the purpose of operating a fleet under the national flag of the State of establishment. In IT: Economic needs test ⁵⁴ for maritime cargo-handling services. Main criteria: number of and impact on existing establishments, population density, geographic spread and creation of new employment In BG: Unbound for direct branching (incorporation is required). Services auxiliary to Maritime Transport that require the use of vessels can be provided only by vessels operating under the Bulgarian flag. InSI: Only juridical persons established in the Republic of Slovenia (no branches) can perform customs clearance. |

⁵² Pipeline transportation of fuels is to be found in ENERGY SERVICES under 19.B.

⁵³ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.1) 1. to 6.F.1) 4.

⁵⁴ This measure is applied on a non-discriminatory basis.

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| <p>d) Container Station and Depot Services</p> <p>e) Maritime Agency Services</p> <p>f) Maritime Freight Forwarding Services</p> <p>g) Rental of Vessels with Crew (CPC 7213)</p> <p>h) Pushing and towing services (CPC 7214)</p> <p>i) Supporting services for maritime transport (part of CPC 745)</p> <p>j) Other supporting and auxiliary services (including catering) (part of CPC 749)</p> | <p>In FI: Services can be provided only by ships operating under the Finnish flag.</p> <p>In HR: Unbound for c) Customs Clearance Services, d) Container Station and Depot Services, e) Maritime Agency Services and f) Maritime Freight Forwarding Services. For a) Maritime Cargo Handling Services, b) Storage and warehousing Services, j) Other supporting and auxiliary services (including catering), h) Pushing and towing services and i) Supporting services for maritime transport: None, except that foreign legal person is required to establish a company in Croatia which should be granted a concession by the port authority, following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity</p> |
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| <p>C. <u>Services auxiliary to rail transport</u></p> | <p>In BG: Unbound for direct branching (incorporation is required). Participation in a Bulgarian company is limited to 49 percent.</p> |
| <p>a) Cargo-handling services (part of CPC 741)</p> | <p>In CZ: Unbound for direct branching (incorporation is required).</p> |
| <p>b) Storage and warehouse services (part of CPC 742)</p> | <p>In SI: Only juridical persons established in the Republic of Slovenia (no branches) can perform customs clearance.</p> |
| <p>c) Freight transport agency services (part of CPC 748)</p> | <p>In HR: Unbound for pushing and towing services.</p> |
| <p>d) Pushing and towing services (CPC 7113)</p> | |
| <p>e) Supporting services for rail transport services (CPC 743)</p> | |
| <p>f) Other supporting and auxiliary services (part of CPC 749)</p> | |

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| D. <u>Services auxiliary to road transport</u> | In AT: For rental of commercial road vehicles with operators, authorisation can 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 EU. |
| a) Cargo-handling services (part of CPC 741) | In BG: Unbound for direct branching (incorporation is required). Participation in a Bulgarian company is limited to 49 percent. |
| b) Storage and warehouse services (part of CPC 742) | In CZ: Unbound for direct branching (incorporation is required). |
| c) Freight transport agency services (part of CPC 748) | In FI: For rental of commercial road vehicles with operators, authorisation is required, but not extended to foreign registered vehicles. |
| d) Rental of Commercial Road Vehicles with Operators (CPC 7124) | In SI: Only juridical persons established in the Republic of Slovenia (no branches) can perform customs clearance. |
| e) Supporting services for road transport equipment (CPC 744) | In HR, CY: Unbound for Rental of Commercial Road Vehicles with Operators. |
| f) Other supporting and auxiliary services (part of CPC 749) | |
| <u>E. Services auxiliary to air</u> | |

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| <u>transport services</u> | |
| a) Ground-handling services (including catering) | In EU: Unbound, except for Market Access. Categories of activities depend on the size of the airport. The number of service suppliers in each airport can be limited, due to available-space constraints, and to not less than two suppliers for other reasons. In BG: Unbound for direct branching (incorporation is required). |
| b) Storage and warehouse services (part of CPC 742) | In BG: Unbound for direct branching (incorporation is required). In PL: For storage services of frozen or refrigerated goods and bulk storage services of liquids or gases, categories of activities depend on the size of the airport. The number of service suppliers in each airport can be limited, due to available-space constraints, and to not less than two suppliers for other reasons. |
| c) Freight transport agency services (part of CPC 748) | In CY, CZ, HU, MT, PL, RO, SK: Unbound. In BG: Foreign persons can supply services only through participation in Bulgarian companies with 49 percent limitation on equity participation and through branches. In SI: Only juridical persons established in the Republic of Slovenia (no branches) can perform customs clearance. |
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| <u>F. Services auxiliary to pipeline transport of goods other than fuel</u> ⁵⁵ a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742) | None. |
| <u>18. OTHER TRANSPORT SERVICES</u> | |
| <u>Provision of Combined Transport Service</u> | In all Member States except AT, BG, CY, CZ, EE, HR, HU, LT, LV, MT, PL, RO, SE, SI, SK: None, without prejudice to the limitations inscribed in this List of Commitments affecting any given mode of transport. In AT, BG, CY, CZ, EE, HR, HU, LT, LV, MT, PL, RO, SE, SI, SK: Unbound. |
| <u>19. ENERGY SERVICES</u> | |

⁵⁵ Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES under 19.C.

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| <u>A. Services Incidental to Mining</u> (CPC 883) ⁵⁶ | In CY: Unbound. In SI: The exploration for and exploitation of mineral resources, including regulated mining services, are subject to establishment in or citizenship of the EEA, the Swiss Confederation or an OECD Member, or of a third country on condition of material reciprocity. Compliance with the condition of reciprocity is verified by the Ministry responsible for mining, |
| <u>B. Pipeline Transportation of fuels</u> (CPC 7131) | In AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, IE, IT, LV, LU, MT, NL, PL, PT, RO, SK, SI, SE, UK: Unbound. |
| <u>C. Storage and warehouse services of fuels transported through pipelines</u> (part of CPC 742) | In CY, CZ, MT, PL, SK: Investors from countries which are energy suppliers may be prohibited to obtain the control of the activity. Unbound for direct branching (incorporation is required). In FI: Unbound for control or ownership of a liquefied natural gas (LNG) terminal (including those parts of the LNG terminal used for storage or re-gasification of LNG) by foreign persons or enterprises for energy security reasons |
| <u>D. Wholesale trade services of solid, liquid and gaseous</u> | EU: Unbound for wholesale trade services of electricity, steam and hot water. In FI: Unbound for importation, wholesale and retail of electricity, and quantitative restrictions in the form of |

⁵⁶ Includes the following services rendered on a fee or contract basis: advisory and consulting services relating to mining, on-land site preparation, on-land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and downhole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services and plugging and abandoning of wells. Does not include direct access to or exploitation of natural resources. Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 8. CONSTRUCTION AND RELATED ENGINEERING SERVICES.

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| <u>fuels and related products</u> (CPC 62271) <u>and wholesale trade services of electricity, steam and hot water</u> | monopolies or exclusive rights for the importation of natural gas, and for the production and distribution of steam and hot water In SK: Unbound for direct branching (incorporation is required) for liquid and gaseous fuels. |
| <u>E. Retailing Services of motor fuel</u> (CPC 613) <u>F. Retail sales of fuel oil, bottled gas, coal and wood</u> (CPC 63297) <u>and retailing services of electricity, (non-bottled) gas, steam and hot water</u> | EU: Unbound for retailing services of motor fuel, electricity, (non bottled) gas, steam and hot water. In BE, BG, DK, FR, IT, MT, PT: For retail sales of fuel oil, bottled gas, coal and wood, authorisation for department stores (in the case of FR and PT only for large stores) is subject to an economic needs test. Main criteria: number of and impact on existing stores, population density, geographic spread, impact on traffic conditions and creation of new employment. |
| <u>G. Services incidental to energy distribution</u> (CPC 887) | In AT, BE, BG, CY, CZ, DE, DK, ES, EE, FI, FR, EL, IE, HU, IT, LU, LT, MT, NL, PL, PT, RO, SK, SE, UK: Unbound except for consultancy services, and none for consultancy services. In SI: Unbound except for services incidental to the distribution of gas, and none for the distribution of gas. |
| 20. OTHER SERVICES NOT INCLUDED ELSEWHERE | |
| a) Washing, Cleaning and | None. |

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| Dyeing services (CPC 9701) | |
| b) Hairdressing services (CPC 97021) | In CY: Unbound. In IT: An economic needs test applies on a national treatment basis. The economic needs test, when applied, sets a limit on the number of enterprises. Main criteria: population and density of existing business. |
| c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022) | In IT: An economic needs test applies on a national treatment basis. The economic needs test, when applied, sets a limit on the number of enterprises. Main criteria: population and density of existing business. In CY: Nationality Condition |
| d) Other beauty treatment services n.e.c (CPC 97029) | In IT: An economic needs test applies on a national treatment basis. The economic needs test, when applied, sets a limit on the number of enterprises. Main criteria: population and density of existing business. In CY: Nationality Condition |
| e) Spa services and non therapeutic massages, to the extent that they are provided as relaxation physical well-being services and not for medical or rehabilitation purposes ⁵⁷ | In CY: Nationality Condition |

⁵⁷ Therapeutical massages and thermal cure services are to be found under 6.A.h) Medical and Dental services, 6.A.j) 2. Services provided by Nurses, Physiotherapists and Paramedical personnel, and Health Services (13.A and 13.C).

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| (CPC ver. 1.0 97230) | |
| f) Telecommunications connection services (CPC 7543) | None. |