

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 RESERVATIONS IN CONFORMITY WITH ARTICLES [...] AND [...]  
(KEY PERSONNEL, GRADUATE TRAINEES AND BUSINESS SERVICE SELLERS)

1. The list of reservations below indicates the economic activities liberalised pursuant to Articles [...] (commitments on cross-border supply of services) and [...] (commitments on establishment) for which limitations on key personnel and graduate trainees and on business services sellers in accordance with Articles [...] (key personnel and graduate trainee ) and [...] (business services sellers) apply and specifies such limitations. The list below is composed of the following elements:

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

The EU Party does not undertake any commitment for key personnel and graduate trainees in economic activities which are not liberalised (remain unbound) pursuant to Article [...] (commitments on establishment) and for business services sellers in economic activities which are

not liberalised (remain unbound) pursuant to Article [...] (commitments on cross-border supply of services).

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 referred to in footnote 27 to Article 7.25; and
- (c) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, CPC ver 1.0, 1998.

3. Commitments on key personnel and graduate trainees do not apply in cases where the intent or effect of their temporary presence is to interfere with, or otherwise affect the outcome of, any labour/management dispute or negotiation.

4. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a limitation within the meaning of Articles [...] (market access) and [...] (national treatment). Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, and need to have a postal address in the territory where the economic activity is performed), even if not listed below, apply in any case to key personnel and graduate trainees of a Mercosur country.

5. To the extent that commitments are not taken in this Chapter, all other requirements of the laws of the Parties regarding entry and temporary stay continue to apply, including those concerning period of stay.

6. Notwithstanding the provisions of this Chapter, all requirements of the Parties' laws regarding employment and social security measures shall continue to apply, including regulations concerning minimum wages as well as collective wage agreements.

7. The list below is without prejudice to the existence of public monopolies and exclusive rights, as set out by the EU in its Schedule [...] (reservations on establishment).

8. In the sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation in the Member State of the European Union or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.

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

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

11. 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.

12. 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>Scope of intracorporate transferees</u></p> <p>In BG: The number of intracorporate transferees is not to exceed 10 percent of the average annual number of the citizens of the European Union employed by the respective Bulgarian juridical person. Where less than 100 persons are employed, the number of intracorporate transferees may, subject to authorisation, exceed 10 percent of that of the total employees.</p> <p>In HU: Category of intracorporate transferees is unbound for a natural person who has been a partner in a juridical person of a Mercosur country.</p>
ALL SECTORS	<p style="text-align: center;"><u>Specialists<sup>1</sup></u></p> <p>EU: In assessing the specialised knowledge of the natural person, account shall be taken not only of knowledge specific to the enterprise, but also of whether the person has a high level of qualification, including adequate professional experience, referring to a type of work or activity requiring specific technical knowledge, including possible membership of an accredited profession.</p>
ALL SECTORS	<p style="text-align: center;"><u>Graduate trainees</u></p> <p>In BG, HU: Economic needs tests for graduate trainees<sup>2</sup>.</p> <p>In AT, DE, ES, FR, HU, LT, SK: Training must be linked to the university degree which has been obtained.</p>
ALL SECTORS	<p style="text-align: center;"><u>Managing directors and auditors</u></p> <p>In AT: Managing directors of branches of juridical persons have to be resident in Austria. Natural persons within a juridical person or a branch responsible for the observance of the Austrian Trade Act must have a domicile in Austria.</p>

<sup>1</sup> For greater certainty, managers/executives and specialists may be required to demonstrate they possess the professional qualifications and experience needed in the juridical person to which they are transferred.

<sup>2</sup> 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 FI: A foreigner carrying on trade as a private entrepreneur needs a trade permit and has to be permanently resident in the European Union. For all sectors, except telecommunications services, nationality condition and residency requirements for the managing director of a limited company. For telecommunications services, permanent residency for the managing director.</p> <p>In FR: For establishing in certain commercial, industrial or artisanal activities, a specific authorisation is needed if the managing director is not a holder of a permanent residence permit.</p> <p>In RO: The majority of the commercial companies' auditors and their deputies shall be Romanian citizens.</p> <p>In SE: The managing director of a juridical person or a branch needs to be resident in Sweden.</p>
ALL SECTORS	<p style="text-align: center;"><u>Type of Enterprise</u></p> <p>In AT, CZ, SK, UK: Intra-corporate transferees, graduate trainees and business services sellers need to be employed by an enterprise other than a non-profit organisation, otherwise: Unbound.</p> <p><u>In FI: Senior personnel needs to be employed by an enterprise other than a non-profit organisation.</u></p>
ALL SECTORS	<p style="text-align: center;"><u>Recognition</u></p> <p>EU: European Union directives on mutual recognition of diplomas only apply to the citizens of the European Union. The right to practise a regulated professional service in one Member State of the European Union does not grant the right to practise in another Member State<sup>3</sup>.</p>
1. AGRICULTURE, HUNTING, FORESTRY	
<u>A. Agriculture, hunting</u> (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding	<p>In AT, DE, DK, HU, LT, MT, RO: Unbound for agricultural activities.</p> <p>In CY: The participation of Mercosur investors is allowed only up to 49%.</p> <p>In FR: Prior authorisation is required in order to become a member or act as a director of an agricultural cooperative.</p>

<sup>3</sup> In order for non-EU country nationals to obtain EU-wide recognition of their qualifications, a mutual recognition agreement, negotiated within the framework defined in [Article xx], is necessary.

Sector or sub-sector	Description of reservations
advisory and consultancy services <sup>4</sup>	In FI, only EEA nationals resident in the reindeer herding area may own reindeer and exercise reindeer husbandry. Exclusive rights may be granted. In IE: Establishment by residents of a Mercosur country in flour milling activities is subject to authorisation.
<u>B Forestry and logging</u> (ISIC rev 3.1: 020) excluding advisory and consultancy services <sup>5</sup>	In BG, DE, LT: Unbound for logging activities.
2. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) excluding advisory and consultancy services <sup>6</sup>	Unbound.
3. MINING AND QUARRYING <sup>7</sup> <u>A. Mining of coal and lignite; extraction of peat</u> (ISIC rev 3.1: 10)	EU: Unbound for juridical persons controlled <sup>9</sup> by natural or juridical persons of a non-EU country which accounts for more than 5% of the European Union's oil or natural gas imports. Unbound for direct branching (incorporation is required). Unbound for extraction of crude petroleum and natural gas. In CY: Unbound

<sup>4</sup> 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).

<sup>5</sup> 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).

<sup>6</sup> 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).

<sup>7</sup> The horizontal limitation on public utilities applies.

Sector or sub-sector	Description of reservations
<u>B. Extraction of crude petroleum and natural gas</u> <sup>8</sup> (ISIC rev 3.1: 1110) <u>C. Mining of metal ores</u> (ISIC rev 3.1: 13) <u>D. Other mining and quarrying</u> (ISIC rev 3.1: 14)	
4. MANUFACTURING <sup>10</sup>	
<u>H. Publishing, printing and reproduction of recorded media</u> (ISIC rev 3.1: 22), excluding publishing and printing on a fee or contract basis <sup>11</sup>	In IT: Nationality condition for publishers. In PL: Nationality condition for the editor-in-chief of newspapers and journals. In SE: Residency requirement for publishers and owners of publishing and printing companies.

<sup>9</sup> 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.

<sup>8</sup> 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.

<sup>10</sup> This sector does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

<sup>11</sup> Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).



6. BUSINESS SERVICES	
A. Professional Services	
<p>a) Legal Services (CPC 861)<sup>12</sup>  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, ES, EL, LT, MT, RO, SK: Full admission to the Bar, required for the practice of domestic (EU and Member State) law, is subject to a nationality condition. For ES, the competent authorities may grant waivers. In SK coupled with residency requirement in SK.</p> <p>In CY, FI: Nationality and Residency Condition. Full admission to the Bar is required for the provision of legal services II. Admission to the Bar is subject to a nationality condition, coupled with a residency requirement. Only advocates enrolled in the Bar may be partners, shareholders, or members of the Board of Directors in a law Company in Cyprus.</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 BG: Mercosur lawyers can only provide legal representation services of a national of a Mercosur country and subject to reciprocity and cooperation with a Bulgarian lawyer. For legal mediation services, permanent residency is</p>

<sup>12</sup> 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 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.

	<p>required.</p> <p>In CZ: Full admission to the Bar is required for the practice of legal services, including representation before courts. Non-discriminatory legal form requirements apply. For the practice of legal services in respect of domestic (EU and Member State) law, including representation before courts, EEA or CH nationality and residency in the Czech Republic is required.</p> <p>In DK: The performing of legal services under the title “Advokat” is only permitted for lawyers with a Danish license to practice. Representation before the courts is mainly reserved for lawyers with a Danish license to practice. Other persons than lawyers with a Danish license to practice may perform legal services in accordance with the Danish Act on Legal Services, but are not allowed to use the title “Advokat”..</p> <p>In ES: EEA nationality is required for the practice of industrial property agent services.</p> <p>In HR: Full admission to the Bar, required for legal representation services, is subject to a nationality condition (Croatian citizenship and, upon accession to EU, citizenship of an EU Member State).</p> <p>In FI: A patent agent must be resident in the EEA in order to be recorded in the Patent Agents Register, which is necessary for the practice of the profession.</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-discriminatory basis. Some types of legal form may be reserved exclusively to lawyers admitted to the Bar, 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.</p> <p>In HU: Full admission to the Bar is subject to a nationality condition, coupled with a residency requirement. For foreign lawyers the scope of legal activities is limited to the provision of legal advice, which shall take place on the basis of a collaboration contract concluded with a Hungarian attorney or a law firm.</p> <p>In LV: Nationality condition for sworn solicitors, to whom legal representation in criminal proceedings is reserved.</p> <p>In PT: Nationality condition for the access to the profession of "solicitadores" and for industrial property agent.</p> <p>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</p>
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	<p>reciprocity is fulfilled. Compliance with the condition of reciprocity is verified by the Ministry of Justice.</p> <p>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.</p> <p>In SE: Admission to the Bar, necessary only for the use of the Swedish title “advokat”, is subject to a residency requirement.</p>
b) 1. Accounting and Bookkeeping Services (CPC 86212 other than “auditing services”, CPC 86213, CPC 86219 and CPC 86220)	<p>In AT: Nationality condition for representation before competent authorities.</p> <p>In FR: Provision of accounting and bookkeeping services by a foreign supplier is conditional on a decision of the Minister of Economics, Finance and Industry, in agreement with the Minister of Foreign Affairs.</p> <p>In CY: Special License is granted to third country professionals , subject to certain conditions</p>
b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)	<p>In AT: Nationality condition for representation before competent authorities and for performing audits provided for in specific Austrian laws (e.g. joint stock companies law, stock exchange law, banking law, etc.).</p> <p>In DK: Residency requirement.</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> <p>In FI: Residency requirement for at least one of the auditors of a Finnish Liability company.</p> <p>In HR: Only certified auditors holding a licence formally recognised by the Croatian Chamber of Auditors can provide auditing services.</p> <p>In IT: Nationality condition for administrators, directors and partners of companies other than those covered by the 8th EEC directive on company law. Residency requirement for individual auditors.</p> <p>In SE: Only auditors approved in Sweden may perform legal auditing services in certain legal entities, inter alia., in all limited companies. Residency is required for approval.</p> <p>In CY: Special Licence is granted to third country auditors, subject to certain conditions</p>
c) Taxation Advisory Services (CPC 863) <sup>13</sup>	<p>In AT: Nationality condition for representation before competent authorities.</p> <p>In BG: Nationality condition for specialists</p> <p>In HU: Residency requirement.</p>

<sup>13</sup> Does not include legal advisory and legal representational services on tax matters, which are to be found under 6.A.a) Legal Services.

	In CY: Special Licence is granted to third country professionals, subject to certain conditions
d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	In EE: At least one responsible person (project manager or consultant) must be resident in Estonia. In BG: Foreign specialists must have experience of at least two years in the field of construction. Nationality condition for urban planning and landscape architectural services. In CZ, EL, HR, HU: Residency requirement. In CY: Nationality Condition apply In SK: Residency requirement and Nationality requirement.
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	In EE: At least one responsible person (project manager or consultant) must be resident in Estonia. In BG: Foreign specialists must have experience of at least two years in the field of construction. In HR: Residency requirement. In EL, HU: Residency requirement (For CPC 8673 a residency requirement only applies to Graduate Trainees). CY: Nationality Condition apply In SK: Residency requirement and Nationality requirement.
h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)	In CZ, IT, LT, SK: Residency requirement. In CZ, SK: Authorization by the competent authorities required for foreign natural persons. In BE, LU, SI: For graduate trainees, authorization by the competent authorities required for foreign natural persons. In BG, CY, MT: Nationality condition. In DK: Limited authorization to fulfil a specific function can be given for up to 18 months and requires residency. In FR: Nationality condition. However, access 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: Economic needs for medical doctors and dentists in a given region. In PL: Practice of medical profession by foreigners requires the permission. Foreign medical doctors have limited election rights within the professional chambers. In PT: Residency requirement for psychologists.
i) Veterinary services (CPC 932)	In BG, CY, DE, EL, FR, HR, HU: Nationality condition (in FR: limited to EU and EEA citizens). In CZ and SK: Nationality condition and residency requirement. In DK, IT: Residency requirement. In PL: Nationality requirement. Foreign persons may apply for permission to practice.
j) 1. Midwives services	In BE, LU: For graduate trainees, authorization by the competent authorities required for foreign natural persons.

(part of CPC 93191)	<p>In DK: Limited authorization to fulfil a specific function can be given for maximum 18 months and requires residency.</p> <p>In FR: Nationality condition. However, access is possible within annually established quotas.</p> <p>In HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>In CY, HU: Nationality condition.</p> <p>In CZ: Unbound</p> <p>In DK: Limited authorization to fulfill a specific function can be given for up to 18 months and requires residency.</p> <p>In IT, SK: Residency requirement.</p> <p>In LV: Subject to economic needs, determined by the total number of midwives in the given region, authorized by local health authorities.</p> <p>In LT: Authorization by the competent authorities required for foreign natural persons.</p> <p>In PL: Nationality condition. Foreign persons may apply for permission to practice.</p>
j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	<p>In BE, FR, LU: For graduate trainees, authorization by the competent authorities required for foreign natural persons.</p> <p>In RO, SK: Authorization by the competent authorities required for foreign natural persons.</p> <p>In DK: Limited authorization to fulfil a specific function can be given for up to 18 months and requires residency.</p> <p>In CZ, EL, IT:</p> <p>In HR: All persons providing services directly to patients/treating patients need a licence from the professional chamber.</p> <p>In HU, CY: Nationality condition.</p> <p>In LV: Subject to economic needs determined by the total number of nurses in the given region, authorized by local health authorities.</p> <p>In LT: Authorization by the competent authorities required for foreign natural persons</p> <p>In SK: Residency requirement.</p>
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods	<p>In FR: EEA or Swiss nationality is required in order to operate a pharmacy. Foreign pharmacists may be permitted to establish within established quotas.</p> <p>In DE, EL, SK, CY: Nationality condition.</p>

(CPC 63211) and other services supplied by pharmacists <sup>14</sup>	In HU: Nationality condition except for retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 93191). In IT, PT, SK: Residency requirement.
<u>D. Real Estate Services</u> <sup>15</sup>	
a) Involving Own or Leased Property (CPC 821)	In FR, HU, IT, PT: Residency requirement. In SI: Nationality condition
b) On a Fee or Contract Basis (CPC 822)	In DK: Residency requirement unless waived by the Danish Business Authority. In FR, HU, IT, PT: Residency requirement. In SI,: Nationality condition
<u>E. Rental/Leasing Services without Operators</u>	
e) Relating to personal and household goods (CPC 832)	EU: Nationality condition for specialists and for graduate trainees.
f) Telecommunications equipment rental (CPC 7541)	EU: Nationality condition for specialists and for graduate trainees.
<u>F. Other Business Services</u>	
e) Technical Testing and Analysis Services	In IT, PT: Residency requirement for biologists and chemical analysts.

<sup>14</sup> 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.

<sup>15</sup> 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.

(CPC 8676)	
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	In IT: Residency requirement for agronomists and “periti agrari.”
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	In BE: Nationality condition and residency requirement for management personnel. In BG, CY, CZ, EE, LV, LT, MT, PL, RO, SI, SK: Nationality condition and residency requirement. In DK: Nationality condition and residency requirement for managers and for airport guard services. In PT: Nationality condition for specialized personnel. In FR: Nationality condition for managing directors and directors. In IT: Nationality condition and residency requirement in order to obtain necessary authorization for security guard services and the transport of valuables. In ES: Nationality condition for security personnel
k) Related Scientific and Technical Consulting Services (CPC 8675)	In BG: Nationality condition for specialists. In DE: Nationality condition for publicly appointed surveyors. In FR: Nationality condition for “surveying” operations relating to the establishment of property rights and to land law. In IT, PT: Residency requirement.
l) 1. Maintenance and repair of vessels (part of CPC 8868)	In MT: Nationality condition.
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	In LV: Nationality condition.
l) 3. Maintenance and Repair of motor vehicles, motorcycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part	EU: For maintenance and repair of motor vehicles, motorcycles and snowmobiles, nationality condition for specialists and for graduate trainees.

of CPC 8867 and part of CPC 8868)	
l) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods <sup>16</sup> (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	EU: Nationality condition for specialists and for graduate trainee, except for: - BE, DE, DK, ES, FR, EL, HU, IE, IT, LU, MT, NL, PL, PT, RO, SE, UK for CPC 633, 8861, 8866; - BG for repair services of personal and household goods (excl. Jewellery): CPC 63301, 63302, part of 63303, 63304, 63309; - AT for CPC 633, 8861-8866; - EE, FI, LV, LT for CPC 633, 8861-8866; - CZ, SK for CPC 633, 8861-8865; and - SI for CPC 633, 8861, 8866.
m) Building-Cleaning Services (CPC 874)	In CY, EE, HR, MT, PL, RO, SI: Nationality condition for specialists.
n) Photographic Services (CPC 875)	In HR, LV: Nationality condition for specialty photography services. In PL: Nationality condition for the supply of aerial photographic services.
p) Printing and Publishing (CPC 88442)	In SE: Residency requirement for publishers and owners of publishing and printing companies. In HR: Residency requirement for publishers.
q) Convention Services (part of CPC 87909)	In SI: Nationality condition.
r) 1. Translation and Interpretation Services	In FI: Residency requirement for certified translators.

<sup>16</sup> Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1. to 6.F.l) 4.

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



(CPC 87905)	In CY: Nationality and Residency Condition
r) 3. Collection Agency Services (CPC 87902)	In BE, EL, IT: Nationality condition.
r) 4. Credit reporting services (CPC 87901)	In BE, EL, IT: Nationality condition.
r) 5. Duplicating services (CPC 87904) <sup>17</sup>	EU: Nationality condition for specialists and for graduate trainees.
8. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	In BG: Foreign specialists must have experience of at least two years in the field of construction. In CY: Specific condition apply and authorisation is required
9.DISTRIBUTION SERVICES (excluding distribution of arms, munitions and war material)	In CY: Nationality and Residency Condition for energy distribution
<u>C. Retailing Services</u> <sup>18</sup>	In CY: Nationality Condition for pharmaceuticals and medical and orthopedical goods and other services provided by pharmasists.

<sup>17</sup> Does not include printing services, which fall under CPC 88442 and are to be found under 6.F. p).

<sup>18</sup> 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.

c) Food retailing services (CPC 631)	In FR: Nationality condition for tobacconists (buraliste).
10. EDUCATIONAL SERVICES (only privately funded services)	
<u>A. Primary Education Services</u> (CPC 921)	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 educational institutions. Foreign nationals may also obtain an authorisation from the relevant competent authorities in order to establish and operate and/or manage primary educational institutions. Such authorisation is granted on a discretionary basis. In IT: Nationality condition for service providers who are authorised to issue State-recognized diplomas. In EL: Nationality condition for teachers.
<u>B. Secondary Education Services</u> (CPC 922)	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 secondary educational institutions. Foreign nationals may also obtain an authorisation from the relevant competent authorities in order to establish and operate and/or manage secondary educational institutions. Such authorisation is granted on a discretionary basis. In IT: Nationality condition for service providers who are authorised to issue State-recognized diplomas. In EL: Nationality condition for teachers. In LV: Nationality condition for technical and vocational secondary school-type education services for handicapped students (CPC 9224).
<u>C. Higher Education Services</u> (CPC 923)	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 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 higher-level educational institutions. Such authorisation is granted on a discretionary basis. In CZ, SK: Nationality condition for higher education services, except for post-secondary technical and vocational education services (CPC 92310). In IT: Nationality condition for service providers who are authorised to issue State-recognized diplomas. In DK: Nationality condition for professors.
12. FINANCIAL	

SERVICES	
<u>A. Insurance and insurance-related services</u>	<p>In AT: The management of a branch office must consist of two natural persons resident in Austria.</p> <p>In EE: For direct insurance, the management body of an insurance joint-stock company with Mercosur capital participation may include nationals of a Mercosur country only in proportion to the Mercosur participation and in any event not more than half of the members of the management body. The head of the management of a subsidiary or an independent company must permanently reside in Estonia.</p> <p>In ES: Residency requirement for the actuarial profession (or alternatively two years of experience)</p> <p>In IT: Residency requirement for the actuarial profession.</p> <p>In HR: Residency requirement.</p> <p>In FI: At least one-half of the members of the board of directors and the supervisory board shall have their place of residence in the EEA, unless the competent authorities have granted an exemption. At least one auditor shall have his permanent residence in the EEA. The general agent of an insurance company of Mercosur must have his place of residence in Finland, unless the company has its head office in the EU.</p>
<u>B. Banking and other financial services (excluding insurance)</u>	<p>In BG: Permanent residence in Bulgaria is required for the executive directors and the managerial agent.</p> <p>In FI: A managing directors and at least one auditor of credits institutions shall have their place of residence in the European Union, unless the Financial Supervision Authority has granted an exemption. The broker (individual person) on derivative In exchange shall have his place of residence in the Community.</p> <p>In IT: Condition of residency within the territory of a Member State of the European Union for “promotori di servizi finanziari” (financial salesmen).</p> <p>In LT: At least one head of a bank's administration must speak the Lithuanian language.</p> <p>In PL: Nationality requirement for at least one of the bank executives.</p> <p>In HR: Residency requirement. The management board shall direct the business of a credit institution from the territory of the Republic of Croatia. At least one management board member must be fluent in the Croatian language.</p>
<p>13. HEALTH SERVICES AND SOCIAL SERVICES (only privately funded services)</p> <p><u>A. Hospital Services (CPC 9311)</u></p> <p><u>B. Ambulance Services</u></p>	<p>In FR: For hospital and ambulance services, residential health facilities (other than hospital facilities) and social services, an authorisation is necessary in order to exercise management functions. The authorisation process takes into account the availability of local managers.</p> <p>In LV: Economic needs tests for doctors, dentists, midwives, nurses, physiotherapists and para-medical personnel.</p> <p>In PL: Practice of medical profession by foreigners requires permission. Foreign medical doctors have limited election rights within the professional chambers.</p> <p>In HR: All persons providing services directly to patients/treating patients need a licence from the professional</p>

(CPC 93192) <u>C. Residential health facilities other than hospital services</u> (CPC 93193) <u>E. Social Services</u> (CPC 933)	chamber. 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.
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 <sup>19</sup>	In BG: The number of foreign managers is not to exceed the number of managers who are Bulgarian citizens, in cases where the public (state and/or municipal) share in the equity capital of a Bulgarian company exceeds 50 percent. In HR: Nationality requirement for hospitality and catering services in households and rural homesteads.
<u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471)	In BG: The number of foreign managers is not to exceed the number of managers who are Bulgarian citizens, in cases where the public (state and/or municipal) share in the equity capital of a Bulgarian company exceeds 50 percent. In HR: Approval of the Ministry of Tourism for office manager position.
<u>C. Tourist Guides Services</u> (CPC 7472)	In BG, CY, ES, HR, HU, IT, LT, MT, PL, SK: Nationality condition. In EL : Diploma from the Tourist Guide Schools of the Greek Ministry of Tourism required. Can be waived if confirmed absence of a touristguide for a specific language. In FR: France reserves the right to require EU nationality for the provision of tourist guide services in its territory.
15. RECREATIONAL, CULTURAL AND SPORTING SERVICES	

<sup>19</sup> Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT under 17.E.a) Ground-handling services.

(other than audio-visual services)	
A. <u>Entertainment Services</u> (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	In FR: Authorisation is necessary for the access to management functions. The authorization is subject to a nationality condition when authorisation for more than two years is required.
16. TRANSPORT SERVICES	
<u>A. Maritime transport</u>	
a) International passenger transportation (CPC 7211 <u>less</u> national cabotage transport). b) International freight transportation (CPC 7212 <u>less</u> national cabotage transport)	EU: Nationality condition for ships' crew. In AT: Nationality condition for the majority of managing directors.
<u>D. Road Transport</u>	
a) Passenger Transportation (CPC 7121 and CPC 7122)	In AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership. In DK, HR: Nationality condition and residency requirement for managers. In BG, MT, CY: Nationality condition.
b) Freight Transportation (CPC 7123, excluding transportation of postal and courier items on own account <sup>20</sup> ).	In AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership. In BG, MT: Nationality condition. In HR: Nationality condition and residency requirement for managers.

<sup>20</sup> Part of CPC 71235, which is to be found in COMMUNICATION SERVICES under 7.A. Postal and Courier Services.

<u>E. Pipeline transport of goods other than fuel</u> <sup>21</sup> (CPC 7139)	In AT: Nationality condition for managing directors.
<u>17. SERVICES AUXILIARY TO TRANSPORT</u> <sup>22</sup>	
<u>A. Services auxiliary to Maritime Transport</u> a) Maritime Cargo Handling Services b) Storage and warehousing Services (part of CPC 742) c) Customs Clearance Services d) Container Station and Depot Services e) Maritime Agency Services f) Maritime Freight Forwarding Services g) Rental of Vessels with Crew (CPC 7213)	In AT: Nationality condition for the majority of managing directors. In BG, MT: Nationality condition. In DK: Requirement of residence for customs clearance services. In EL: Nationality condition for customs clearance services. In IT: Requirement of residence for “raccomandatorio marittimo.”

<sup>21</sup> Pipeline transportation of fuels is to be found in ENERGY SERVICES under 19.B.

<sup>22</sup> 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.

h) Pushing and towing services (CPC 7214) i) Supporting services for maritime transport (part of CPC 745) j) Other supporting and auxiliary services (excluding catering) (part of CPC 749)	
D. <u>Services auxiliary to road transport</u> d) Rental of Commercial Road Vehicles with Operators (CPC 7124)	In AT: Nationality condition for persons and shareholders entitled to represent a juridical person or a partnership. In BG, MT, Nationality condition. In CY: Nationality Condition for taxi drivers
F. <u>Services auxiliary to pipeline transport of goods other than fuel</u> <sup>23</sup> a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)	In AT: Nationality condition for managing directors.
19. ENERGY SERVICES	
A. <u>Services Incidental to Mining</u>	In SK: Residency requirement. In CY: Unbound

<sup>23</sup> Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES under 19.C.

(CPC 883) <sup>24</sup>	
20. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing services (CPC 9701)	EU: Nationality condition for specialists and for graduate trainees.
b) Hairdressing services (CPC 97021)	EU: Nationality condition for specialists and for graduate trainees.
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	EU: Nationality condition for specialists and for graduate trainees.
d) Other beauty treatment services n.e.c (CPC 97029)	EU: Nationality condition for specialists and for graduate trainees.
e) Spa services and non therapeutical massages, to the extent that they are provided as relaxation physical well-being services	EU: Nationality condition for specialists and for graduate trainees.

<sup>24</sup> Includes the following service rendered on a fee or contract basis: advisory and consulting services relating to mining, on-land site preparation, on-land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and downhole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services, plugging and abandoning of wells.  
Does not include direct access to or exploitation of natural resources.  
Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 8. CONSTRUCTION AND RELATED ENGINEERING SERVICES.



and not for medical or rehabilitation purposes <sup>25</sup> (CPC ver. 1.0 97230)	
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<sup>25</sup> 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).