

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 [...]
(CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS)

1. The list of reservations below indicates the economic activities liberalised pursuant to Articles [...] for the categories of contractual services suppliers and independent professionals, and specifies the limitations that apply. The list below is composed of the following elements:

- (a) the first column indicating the sector or sub-sector for which the category of contractual services suppliers and independent professionals is liberalised; and
- (b) the second column describing the applicable limitations.

The EU Party does not undertake any commitment for contractual services suppliers in economic activities which are not listed.

2. In identifying individual sectors and sub-sectors:

- (a) 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
 - (b) PC 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 for contractual service suppliers and independent professionals 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 contractual service suppliers and independent professionals of Mercosur.
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 or exclusive rights in the relevant sectors, 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. Entry and temporary stay of contractual service suppliers is subject to the following conditions:

- (a) The juridical person employing the natural person is not an agency for placement and supply services of personnel, nor acts through such an agency.
- (b) The natural persons entering the EU should be offering such services as employees of the juridical person supplying the services for at least the year immediately preceding the date of submission of an application for entry. In addition, the natural persons must possess, at the date of submission of an application for entry into the EU, at least three years professional experience¹⁶ in the sector of activity which is the subject of the contract.
- (c) The natural persons entering the EU must possess:
 - (i) a university degree or a qualification demonstrating knowledge of an equivalent level¹⁷; and
 - (ii) professional qualifications where this is required to exercise an activity pursuant to the laws, regulations or legal requirements of the EU Member State where the service is supplied.

¹⁶ Obtained after having reached the age of majority, as defined under the applicable domestic legislation.

¹⁷ Where the degree or qualification has not been obtained in the EU Member State where the service is supplied, such Member State may evaluate whether this is equivalent to a university degree required in its territory.

- (d) The number of persons covered by the service contract shall not be larger than necessary to fulfil the contract, as it may be requested by the laws, regulations or other legal requirements of the EU Member State where the service is supplied.
- (e) The entry and temporary stay of natural persons within the EU shall be for a cumulative period of not more than six months in any twelve-month period or for the duration of the contract, whatever is less.
- (f) The service contract has to be obtained in one of the activities mentioned below:
- Legal Advisory Services in respect of public international law and foreign law (i.e. non-EU law)
 - Accounting and bookkeeping services
 - Taxation advisory services
 - Architectural services, urban planning and landscape architectural services
 - Engineering services, integrated engineering services
 - Computer and related services
 - Research and development services
 - Advertising
 - Management consulting services
 - Services related to management consulting
 - Technical testing and analysis services
 - Related scientific and technical consulting services
 - Maintenance and repair of equipment
 - Translation services
 - Construction services
 - Site investigation work
 - Higher education services
 - Environmental services
 - Travel agencies and tour operator services
 - Entertainment services

11. Entry and temporary stay of independent professionals is subject to the following conditions:
- (a) The contract of the natural person to supply services with a final consumer in the territory of the other Party is not through an agency as defined by CPC 872.
 - (b) The natural persons entering the EU must possess, at the date of submission of an application for entry, at least six years professional experience in the sector of activity which is the subject of the contract.
 - (c) The natural persons entering the EU must possess:
 - (i) a university degree or a qualification demonstrating knowledge of an equivalent level¹⁸; and
 - (ii) professional qualifications where this is required to exercise an activity pursuant to the law, regulations or other legal requirements of the EU Member State where the service is supplied.
 - (d) The entry and temporary stay of natural persons within the EU shall be for a cumulative period of not more than six months in any twelve-month period or for the duration of the contract, whatever is less.
 - (e) The service contract has to be obtained in one of the activities mentioned below:
 - Architectural services, urban planning and landscape architecture
 - Engineering and integrated engineering services
 - Computer and related services
 - Management consulting services
 - Services related to management consulting

¹⁸ Where the degree or qualification has not been obtained in the EU Member State where the service is supplied, such Member State may evaluate whether this is equivalent to a university degree required in its territory.

- Translation services.

12. 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:

- (a) natural persons or residents of a Member State; or
- (b) 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 persons of Mercosur.

13. 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.

14. 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>Recognition</u></p> <p>EU: EU directives on mutual recognition of diplomas only apply to nationals of EU Member States. The right to practice a regulated professional service in one Member State does not grant the right to practice in another Member State¹.</p>
Legal Advisory Services in respect of public international law and foreign law (i.e. non-EU law) (part of CPC 861) ²	<p><u>CSS</u>: In AT, BE, DE, EE, EL, ES, IE, IT, LU, NL, PL, PT, SE, UK: None. In BG, CZ, DK, FI, HU, LT, LV, MT, RO, SI, SK: Economic needs test. In DK: Marketing of legal advice activities is restricted to lawyers with a Danish licence to practice. Requirement of a Danish legal examination in order to obtain a Danish licence. In FR: Full (simplified) admission to the Bar through an aptitude test is required. Lawyers' access to the professions of "avocat auprès de la Cour de cassation" et "avocat auprès du Conseil d'Etat" is subject to quotas and to a nationality condition. In HR: Full admission to the Bar required for legal representation services, is subject to a nationality condition. In CY: Nationality and residency condition. Full admission to Bar is required for the provision of Legal Services. Full admission to Bar is subject to nationality Condition, coupled with a residency requirement. Only advocates enrolled in the Bar may be shareholders or members of the Board of directors in a law company in CY.</p> <p><u>IP</u>: EU: Unbound.</p>
Accounting and Bookkeeping Services (CPC 86212 other than	<p><u>CSS</u>: In BE, DE, EE, ES, IE, IT, LU, NL, PL, PT, SI, SE, UK: None. In BG, CZ, CY, DK, EL, FI, FR, HU, LT, LV, MT, RO, SK:</p>

¹ In order for third-country nationals to obtain EU-wide recognition of their qualifications, it is necessary that a Mutual Recognition Agreement be negotiated within the framework defined in [Article xx] of the Agreement.

² Like the provision of other services, Legal Services are subject to licensing requirements and procedures applicable in Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these may take inter alia the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained) insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country. A reservation for legal services described in Annexes on [cross-border supply] and [establishment] by a Member State for "domestic law" as covering "law of the European Union and of its Member States" applies to this Schedule.

Sector or sub-sector	Description of reservations
“auditing services”, CPC 86213, CPC 86219 and CPC 86220)	<p>Economic needs test.</p> <p>In AT: The employer must be a member of the relevant professional body in the home country where such body exists; nationality condition for representation before competent authorities.</p> <p>In CY: Special Licence is granted to third Country nationals, subject to certain conditions</p> <p>In FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied. Unbound for bookkeeping services.</p> <p>In FR: Authorisation requirement. Provision of accounting and bookkeeping services is conditional on a decision of the Minister of Economics, Finance and Industry, in agreement with the Minister of Foreign Affairs.</p> <p>In HR: Residency requirement.</p> <p><u>IP</u>:</p> <p>EU: Unbound.</p>
Taxation Advisory Services (CPC 863) ³	<p><u>CSS</u>:</p> <p>In BE, DE, EE, ES, FR, IE, IT, LU, NL, PL, SI, SE, UK: None.</p> <p>In CZ, CY, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.</p> <p>In AT: The employer must be a member of the relevant professional body in the home country where such body exists; nationality condition for representation before competent authorities.</p> <p>In BG: Nationality requirement.</p> <p>In HU, HR: Residency requirement.</p> <p>In CY: Special Licence is granted to third Country nationals, subject to certain conditions.</p> <p>In PT: Unbound.</p> <p><u>IP</u>:</p> <p>EU: Unbound.</p>
Architectural services and Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	<p><u>CSS</u>:</p> <p>In EE, ES, EL, FR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None.</p> <p>In BG, CZ, DE, HU, LT, LV, RO: Economic needs test.</p> <p>In DK: Economic needs test, except for CSS stays of up to three months.</p> <p>In AT: Unbound, except for pure planning services, where: Economic needs test.</p> <p>In BG, CY, SK: Unbound.</p> <p>In FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied.</p> <p>In HU, HR: Residency requirement.</p> <p><u>IP</u>:</p>

³ Does not include legal advisory and legal representational services on tax matters, which are to be found under Legal Advisory Services in respect of public international law and foreign law.

Sector or sub-sector	Description of reservations
	<p>In DE, EE, EL, FR, IE, LU, LV, MT, NL, PL, PT, SI, SE, UK: None.</p> <p>In FI: None, except: The natural person must demonstrate that he or she possesses special knowledge relevant to the service being supplied.</p> <p>In BE, CZ, DK, ES, HU, IT, LT, RO: Economic needs test.</p> <p>In AT: Unbound, except for pure planning services, where: Economic needs test.</p> <p>In BG, CY, SK: Unbound.</p> <p>In HU, HR, SK: Residency requirement.</p>
<p>Engineering services and Integrated engineering services (CPC 8672 and CPC 8673)</p>	<p><u>CSS</u>:</p> <p>In BE, EE, ES, EL, FR, IE, LU, NL, PT, SI, SE, UK: None.</p> <p>In CZ, DE, HU, MT, RO: Economic needs test.</p> <p>In DK: Economic needs test, except for CSS stays of up to three months.</p> <p>In AT: Unbound except for pure planning services, where: Economic needs test.</p> <p>In BG, CY, LT, LV, SK: Unbound.</p> <p>In CZ, HR, HU, IT, PL: Residency requirement.</p> <p>In FI: The natural person must demonstrate that s(he) possesses special knowledge relevant to the service being supplied.</p> <p><u>IP</u>:</p> <p>In DE, EE, EL, FR, IE, LU, LV, NL, PT, SI, SE, UK: None.</p> <p>In BE, CZ, DK, ES, HU, IT, MT, RO: Economic needs test.</p> <p>In AT: Unbound except for pure planning services, where: Economic needs test.</p> <p>In BG, CY, LT, SK: Unbound.</p> <p>In CZ, HR, HU, IT, PL: Residency requirement.</p> <p>In FI: The natural person must demonstrate that s(he) possesses special knowledge relevant to the service being supplied.</p>
<p>Computer and Related Services (CPC 84)</p>	<p><u>CSS</u>:</p> <p>In BE, DE, EE, EL, ES, FR, IE, IT, LU, LV, NL, PL, PT, SI, SE, UK: None.</p> <p>In AT, BG, CZ, HU, MT, RO, SK: Economic needs test.</p> <p>In DK: Economic needs test except for CSS stays of up to three months.</p> <p>In CY, LT: Unbound.</p> <p>In FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied.</p> <p>In HR: Residency requirement.</p> <p><u>IP</u>:</p> <p>In DE, EE, EL, FR, IE, LU, NL, PL, PT, SI, SE, UK: None.</p> <p>In FI: None, except: The natural person must demonstrate that he or she possesses special knowledge relevant to the service being supplied.</p> <p>In AT, BE, BG, CZ, DK, ES, HU, IT, MT, RO, SK: Economic needs test.</p> <p>In CY, HR, LT, LV: Unbound.</p>

Trade part of the EU-Mercosur Association Agreement

Without Prejudice

<p>Research and Development Services (CPC 851, 852 excluding psychologists services⁴, 853)</p>	<p><u>CSS:</u> EU, except in BE, UK: A hosting agreement with an approved research organisation is required⁵. EU except in BE, CZ, DK, , HR, SK, UK: None In CZ, DK, SK: Economic needs test. In HR: Residency requirement. In BE, UK: Unbound. <u>IP:</u> EU: Unbound.</p>
<p>Advertising (CPC 871)</p>	<p><u>CSS:</u> In BE, DE, EE, ES, FR, HR, IE, IT, LU, NL, PL, PT, SI, SE, UK: None. In AT, BG, CZ, DK, EL, FI, HU, MT, RO, SK: Economic needs test. In CY, LT, LV: Unbound <u>IP:</u> EU: Unbound.</p>
<p>Management Consulting Services (CPC 865)</p>	<p><u>CSS:</u> In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. In AT, BG, CZ, HU, MT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In LT, CY : Unbound. <u>IP:</u> In DE, EE, EL, FI, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. In AT, BE, BG, CZ, DK, ES, HR, HU, IT, MT, RO, SK: Economic needs test. In LT, CY : Unbound.</p>
<p>Services Related to Management Consulting (CPC 866)</p>	<p><u>CSS:</u> In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. In AT, BG, CZ, MT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound. In CY, LT: Unbound. <u>IP:</u> In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL,</p>

⁴ Part of CPC 85201, which is to be found under Medical and dental services.

⁵ For all Member States except DK, the approval of the research organisation and the hosting agreement have to meet the conditions set pursuant to EU Directive 2005/71/EC.

	<p>PT, SI, SE, UK: None. In AT, BG, CZ, MT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound. In CY, LT: Unbound.</p>
<p>Technical Testing and Analysis Services (CPC 8676)</p>	<p><u>CSS</u>: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, NL, PL, SI, SE, UK: None. In AT, BG, FI, HU, MT, PT, RO: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months In CY, CZ, LT, LV, SK: Unbound. <u>IP</u>: EU: Unbound.</p>
<p>Related Scientific and Technical Consulting Services (CPC 8675)</p>	<p><u>CSS</u>: In BE, EE, EL, ES, HR, IE, IT, LU, NL, PL, SI, SE, UK: None. In AT, CZ, CY, DE, DK, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. In DE: None, except for publicly appointed surveyors, where: Unbound. In FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied. In FR: None, except for "surveying" operations relating to the establishment of property rights and to land law, where: Unbound. In BG: Unbound. <u>IP</u>: EU: Unbound.</p>
<p>Maintenance and repair of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods ⁶ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)</p>	<p><u>CSS</u>: In BE, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In BG, CZ, CY, DE, DK, HU, IE, LT, RO, SK: Economic needs test. In AT, FI, UK: Unbound, except in the context of an after-sales or after-lease contract, where: Economic needs test. <u>IP</u>: EU: Unbound.</p>
<p>Translation services (CPC 87905, excluding official or certified activities)</p>	<p><u>CSS</u>: In BE, DE, EE, EL, ES, FR, HR, IT, LU, NL, PT, SI, SE, UK: None. In AT, BG, CZ, DK, FI, HU, IE, LV, MT, PL, RO, SK: Economic needs test.</p>

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

	<p>In CY, LT: Unbound. In DK: Authorised public translators and interpreters: residence requirement unless waived by the Danish Commerce and Companies Agency. In FI: Residency requirement for certified translators. <u>IP:</u> In DE, EE, FR, LU, NL, PT, SI, SE, UK: None. In AT, BE, BG, CZ, DK, EL, ES, FI, HU, IE, IT, MT, PL, RO, SK: Economic needs test. In CY, HR, LT, LV: Unbound. In DK: Authorised public translators and interpreters: residence requirement unless waived by the Danish Commerce and Companies Agency. In FI: Residency requirement for certified translators.</p>
Construction work (CPC 51)	<p><u>CSS:</u> EU, except in FR, NL: Unbound. In FR: Economic needs test. Work permit is delivered for a period not exceeding six months. In NL: None. <u>IP:</u> EU: Unbound.</p>
Site investigation work (CPC 5111)	<p><u>CSS:</u> In BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None. In CZ, CY, HU, LT, LV, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In AT, BG, FI: Unbound. <u>IP:</u> EU: Unbound.</p>
Higher Education Services (CPC 923)	<p><u>CSS:</u> EU, except in LU: Unbound. In LU: Unbound except concerning the temporary entry of professors, where: None. <u>IP:</u> EU: Unbound.</p>
Environmental services (CPC 9401 ⁷ , CPC 9402, CPC 9403, CPC 9404 ⁸ , part of CPC 9406 ⁹ , CPC 9405, part of CPC 9406, CPC 9409)	<p><u>CSS:</u> In BE, EE, ES, FI, FR, HR, IE, IT, LU, NL, PL, PT, SI, SE, UK: None. In AT, BG, CZ, DE, DK, EL, HU, LV, MT, RO, SK: Economic needs test.</p>

⁷ Corresponds to sewage services.

⁸ Corresponds to Cleaning Services of Exhaust Gases.

⁹ Corresponds to parts of Nature and Landscape Protection Services.

	<p>In CY, LT: Unbound. In SK: Residency requirement for processing and recycling of used batteries and accumulators, waste oils, used cars and electric and electronic equipment. <u>IP:</u> EU: Unbound.</p>
<p>Travel Agencies and Tour Operators Services (including tour managers¹⁰) (CPC 7471)</p>	<p><u>CSS:</u> In AT, CZ, DE, EE, ES, FR, IT, LU, NL, PL, SI, SE: None. In BG, EL, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In BE, IE: Unbound, except for tour managers (persons whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations), where: None. In HR: Residency requirement. In UK, CY: Unbound. <u>IP:</u> EU: Unbound.</p>
<p>Entertainment Services other than audiovisual services (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)</p>	<p><u>CSS:</u> In EU, except BE, DE, FR, UK: Economic needs test. In BE, DE, FR, UK: Unbound. In SI: Duration of stay is limited to 7 days per event. For circus and amusement park services, duration of stay is limited to a maximum of 30 days per calendar year. <u>IP:</u> EU: Unbound.</p>

¹⁰ Services suppliers whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations.