

**WORLD TRADE  
ORGANIZATION**

**GATS/SC/131**  
22 November 2000

(00-4970)

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**Trade in Services**

**ALBANIA**

**Schedule of Specific Commitments**

(This is authentic in English only)

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Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Control on capital transactions and capital movements	<p>(b) Service sellers: These are persons employed or mandated by an enterprise and who stay temporarily in Albania in order to conclude the contract for the sale of a service on behalf of enterprise which employs them or mandated them. The entry is limited to a period of 6 months in any 12 months period and is renewable.</p> <p>Persons who are employees of an enterprise that has not commercial presence in Albania, which has conclude a service contract with an enterprise engaged in substantive business in Albania. The entry is limited to a period of 6 months in any 12 months period and renewable.</p> <p>(c) Persons responsible for the setting up a commercial presence: Persons who are employees of an enterprise not having commercial presence in Albania and who stay temporarily in Albania for the purpose of setting up a commercial presence of that enterprise in Albania. The entry is limited to a period of 3 months and is renewable.</p> <p>No restrictions apply for the inflows of capital. Legal and natural persons (not including banks) residents and non-residents can freely carry out the following outflows capital transactions:</p> <ol style="list-style-type: none"> <li>1. Outflow capital transfers equalling the amount of previous inflow of capital plus the profits derived from:</li> </ol>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>a .returns;  b.compensations;  c. payments arising out of an investment dispute;  d.loan repayments according to loan amortization schedule.  e. proceeds from the sale or liquidation of any or all part of an investment, and  f. the return of shareholders equity resulting from the diminution of capital in accordance with Albanian legislation.</p> <p>2. Outflow capital transfers representing the amount of profits derived from the non-residents deposits placed with Albanian resident banks.</p> <p>3. Outflow capital transfers representing the wealth of the Albanian emigrants leaving the country forever.</p> <p>Any other outflow capital transactions cannot be carried out freely from residents and non-residents. Residents or non-residents who may want to transfer capital abroad, other than the above mentioned ones have to obtain prior written approval from the Bank of Albania (BOA).</p> <p>The Bank of Albania reserves the right to maintain capital controls which will apply on national treatment basis. The regime currently in place will be removed no latter than 2010.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>II. SPECIFIC COMMITMENTS</b>			
<p>1. BUSINESS SERVICES</p> <p>A. <u>Professional Services</u></p> <p>(a) Legal services (861) (861 except consultancy on law of jurisdiction where the service supplier is qualified as a lawyer and on international law)</p> <p>Consultancy on law of jurisdiction where the service supplier is qualified as a lawyer and on international law.</p> <p>(b) Accounting, auditing and bookkeeping services (862)</p>	<p>1) Only Albanian citizens-attorneys-at-law and notaries who reside in Albania have the right to render such services.</p> <p>2) None</p> <p>3) Only Albanian citizens-attorneys-at-law and notaries who reside in Albania have the right to render such services.</p> <p>4) Only Albanian citizens-attorneys-at-law and notaries who reside in Albania have the right to render such services.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitments.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitments.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Taxation services (863)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(d) Architectural services (8671)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(e) Engineering Services (8672)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(f) Integrated engineering services (8673)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(g) Urban planning and landscape architectural services (8674)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(h) Medical and dental services (9312)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None, except that licensing is done only in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(i) Veterinary services (932)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(j) Services provided by midwives nurses, physiotherapists and paramedical personnel (93191)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound* 2) None 3) None, except that licensing is done only in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	
B. <u>Computer and related services</u>			
(a) Consultancy services related to installation of computer hardware (841)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

\* Due to lack of technical feasibility

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Software implementation services (842)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(c) Data processing services (843)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(d) Database services (844)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(e) Other (845+849)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
E. <u>Rental/Leasing Services without Operators</u> (e) Other (CPC 832), including pre-recorded video cassettes for use in home entertainment equipment (CPC 83202)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
F. <u>Other business services</u> (a) Advertising services (871)  (b) Market research and public opinion polling services (864)  (c) Management consulting services (865)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments. 1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments. 1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None 1) None 2) None 3) None 4) None 1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Services related to management consulting (866)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(e) Technical testing and analysis services (8676)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(f) Services incidental to agriculture, hunting and forestry (881)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(g) Services incidental to fishing (882)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(h) Services incidental to mining (883); (5115)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(i) Services incidental to manufacturing (884, 885)	1) None 2) None 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(m) Related scientific and technical consulting services (8675)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(n) Maintenance and repair of equipment (663+8861-8866)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(o) Disinfecting and exterminating services (87401)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound* 2) None 3) None, except that licensing is done only in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	
(q) Packaging services (876)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound* 2) None 3) None 4) None	
(r) Printing publishing (88442)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

\* Due to lack of technical feasibility

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(s) Convention services (87909)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>2. COMMUNICATION SERVICES</p> <p>(a) Postal services Postal services related to parcels (75112)</p> <p>(b) Courier services (7512)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, except as indicated in the Horizontal Commitments.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitments.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>Albania will participate actively in ongoing and future rounds of WTO services negotiations with a view towards improving its commitments on Communications services as defined under w/120.</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Telecommunications Services</p> <p>The commitments undertaken by Albania are based on the scheduling principles provided by the following documents:  Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV.1) and  Market Access Limitations on Spectrum Availability (S/GBT/W/3)</p>			
<p>For all sub-sectors of telecommunication services.</p>	<p>1) &amp; 3) Albanian Telekom (AT) has exclusive rights for fixed telephony except in rural areas. No limitations from 1 January 2003.</p> <p>4) Natural persons cannot provide telecommunication services in Albania if they are not registered as juridical persons.</p>		<p>The Government of Albania will publish the rules and regulatory policy regarding further competition in the field of basic telecommunication services. The attached reference paper on regulatory principles is incorporated as additional commitments by the Republic of Albania.</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(a) Public Voice Telephone services (7521)			
Public local voice telephone services (Urban) (75211)	1) None as of 1 January 2003 2) None 3) None as of 1 January 2003 4) Unbound, except as indicated in the Horizontal Commitments and in the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
Public local voice telephone services (Rural) (75211)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments and in the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
Public long distance voice telephone services - national (75212)	1) None as of 1 January 2003 2) None 3) None as of 1 January 2003 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
International public voice telephone services (75212)  Analogue digital cellular/mobile telephone services (75213) - mobile voice and data services - Personal Communication Services.  (b) Packet-switched data transmission services (75231)	1) None 2) None 3) None as of 1 January 2003 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector. 1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitment and the horizontal section of the telecommunications sector. 1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None 1) None 2) None 3) None 4) None 1) None 2) None 3) None 4) None	
(c) Circuit-switched data transmission services (75232)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Telex services (7523)	1) None as of 1 January 2003 2) None 3) None as of 1 January 2003 4) Unbound, except as indicated in the Horizontal Commitment and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
(e) Telegraph services (7522)	1) None as of 1 January 2003 2) None 3) None as of 1 January 2003 4) Unbound, except as indicated in the Horizontal Commitment and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
(f) Facsimile services (75211, 7559)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
(g) Private leased circuit services (7522+7523)	1) None 2) None 3) None as of 1 January 2003. 4) Unbound, except as indicated in the Horizontal Commitment and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
Other telecommunication services (7529)			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Paging services, value-added services, (75291) e.g., electronic mail, voice mail, on-line information and database retrieval, electronic data interchange (EDI), enhanced/value-added facsimile services including store and forward, store and retrieve, code and protocol conversion, on-line information and/or data processing (including transaction procession).	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments and the horizontal section of the telecommunications sector.	1) None 2) None 3) None 4) None	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES A. <u>General construction work for buildings (512)</u> B. <u>General construction work for civil engineering (513)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments. 1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None 1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
C. <u>Installation and assembly work (514 + 516)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
D. <u>Building completion and finishing work (517)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
E. <u>Other (511+515+518)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
4. DISTRIBUTION SERVICES			
A. <u>Commission agent's services (621)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None, except that for commission agents services of goods under the sub-sector 62117, licensing is done only in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
B. <u>Wholesale trade services (622)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None except that for wholesale of goods under the sub-sectors 62251 & 62252 licensing is done only in co-operation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	
C. <u>Retailing services (631+632+633+611+ 612), including audio and video records and tapes (CPC 63234)</u>	1) None except for retailing of goods under the sub-sector 63211. 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments	1) None except for retailing of goods under the sub-sector 63211. 2) None 3) None, except that for retailing of goods under the sub-sector 63211, licensing is done only in co-operation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) None	
D. <u>Franchising (8929)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
5. EDUCATIONAL SERVICES (92) A. <u>Primary educational services (921)</u>  B. <u>Secondary educational services (922)</u> General secondary education service (9221)  Higher secondary educational services (9222)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.  1) Unbound 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.  1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None  1) None 2) None 3) None 4) None  1) None 2) None 3) None 4) None	
C. <u>Higher educational services (923)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
D. <u>Adult educational services</u> (924)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
6. ENVIRONMENTAL SERVICES			
A. <u>Sewage services (9401)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
B. <u>Refuse disposal services (9402)</u>	1) None 2) None 3) None 4) Unbound, except indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
C. <u>Sanitation and similar services (9403)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	
D. <u>Other Cleaning services of exhaust gases (9404)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Noise abatement services (9405)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
7. FINANCIAL SERVICES			
A. <u>Insurance and insurance-related services</u>			
Life insurance services (8121)	1) Unbound except that starting on 1 January 2005, None for insurance of non-residents in Albania and for foreign investments.	1) Unbound except that starting on 1 January 2005, None for insurance of non-residents in Albania and for foreign investments.	
Non-life insurance services (8129) (not including marine, aviation and transport services 81293 )	2) None as of 1 January 2003. 3) None	2) None as of 1 January 2003. 3) None except that for commercial presence established or authorized to operate or supply services, this commercial presence is restricted to those companies that have exercised insurance activities in the home country for at least 5 years. For all forms of commercial presence the general representative of the companies must reside in Albania.	
Marine, aviation and transport services (81293)	4) Unbound except as indicated in the Horizontal Commitments	4) None	
Reinsurance and retrocession (81299)	1) None	1) None	
	2) None	2) None	
	3) None	3) None except that for commercial presence established or authorized to operate or supply services, this commercial presence is restricted to those companies that have exercised insurance activities in the home country for at least 5 years. For all forms of commercial presence the general representative of the companies must reside in Albania.	
	4) Unbound, except as indicated in the Horizontal Commitments.	4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Insurance intermediation, such as brokerage and agency (8140)  Services auxiliary to Insurance, including consultancy, actuarial, risk assessment claim settlement (8140)	1) None 2) None 3) None 4) Unbound, except indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>B. Banking and other financial services</b>			
(a) Acceptance of deposits and other repayable funds from the public (81115-81119)	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(b) Lending of all types, including consumer credit, mortgage credit factoring and financing of commercial transaction (8113)	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(c) Financial leasing (8112)	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) All payment and money transmission services (81339)	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(e) Guarantees and commitments (81199)	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(f) Trading for own account or for account of customers whether on an exchange, in an over-the-counter market or otherwise the following: - money market instruments (checks, bills, certificates and deposits, etc) (81339**) - foreign exchange	1) Unbound 2) None except for capital controls as specified in the Horizontal Commitments, which will be removed no later than 2010. 3) None 4) Unbound except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
- derivative products including, but not limited to futures and options	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.
- exchange rate and interest rate instruments, including such as swaps, forward rate arrangements, etc.  - transferable securities  - other negotiable instruments and financial assets, including bullion	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of a prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues. (8132)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of a prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.
(h) Money broking (81339)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of a prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(i) Asset management, such as cash or portfolio management, pension fund management, custodial and trust services.	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of a prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.
(j) Settlement and clearing services of financial assets, including securities, derivative products, and other negotiable instruments. (81339)	1) Unbound 2) Unbound 3) Settlements and clearing services for the time being are offered by the BOA only. 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	The Bank of Albania will offer the service of clearing for a period of 5 years from the day of accession and after that other entities will offer such service. The Bank of Albania will retain the monopoly over inter-banking payments system and RTGS (Real Time Gross Settlement)
(k) Advisory and other auxiliary financial services and all activities listed in article B of MFN. TNC/W/50, including credit reference and analysis, investment and portfolio research and advice on acquisitions and on corporate restructuring and strategy. (8131 or 8133)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(l) Provision and transfer of financial information, and financial data processing related software by providers of other financial services. (8131)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
8. HEALTH-RELATED AND SOCIAL SERVICES (other than those listed under I.A.h-j.) A. <u>Hospital services (9311)</u>  B. <u>Other human health services (9319, other than 93191)</u>	1) None 2) None 3) None  4) Unbound, except as indicated in the Horizontal Commitments. 1) None 2) None 3) None  4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None, except that licensing is done in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) Unbound  1) None 2) None 3) None, except that licensing is done in cooperation with an Albanian professional whether this professional is a partner or an employee in the foreign company. 4) Unbound	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>9. TOURISM AND TRAVEL-RELATED SERVICES</p> <p>A. <u>Hotels and restaurants services (641, 642, 643)</u></p> <p>B. <u>Travel agencies and tour operators services (7471)</u></p> <p>C. <u>Tourist guide services (7472)</u></p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitment.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitment.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitment.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</p> <p>A. <u>Entertainment Services</u> Other entertainment services: Cinema theatre operation services (CPC 96199**)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the Horizontal Commitment.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None except unbound for access to subsidies.</p> <p>4) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
B. <u>News agency service (962)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitment.	1) None 2) None 3) None 4) None	
C. <u>Libraries, archives, museums and other cultural services</u> Library services (96311)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
Archive service (96312)	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
D. <u>Sporting and other recreational services (964)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES A. <u>Maritime Transport Services</u> <u>International Transport</u> a. Passenger and (7211) freight transportation (7211 & 7212) less cabotage transport			The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: <ol style="list-style-type: none"> <li>1. Pilotage</li> <li>2. Towing and tug assistance</li> <li>3. Provisioning, fueling and watering</li> <li>4. Garbage collecting and ballast waste disposal</li> <li>5. Port Captain's Services</li> <li>6. Navigation aids</li> <li>7. Shore-based operational services essential to ship operations including communications, water and electrical suppliers</li> <li>8. Emergency repair facilities</li> <li>9. Anchorage, berth and berthing services</li> </ol>
(c) Rental of vessels with crew (7213) (d) Maintenance and repair of vessels (8868*)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(f) Supporting services for maritime transport (745**)  C. <u>Air transport service</u> (d) Maintenance and repair of aircraft (8868*)	    1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	    1) None 2) None 3) None 4) None	Supporting services are performed by the State Port Authority. These services are included in the law on privatization of strategic enterprises and is expected their liberalization. In the meantime, privatization of different services has started, e.g., shipping agency, pilot services, garbage services, forwarding services, etc.
F. <u>Road transport service</u> (a) Passenger transportation (i) international passenger transport (7121 + 7122) less cabotage transport	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(ii) domestic passenger transport, less cabotage transport (7121+7122)	1) Unbound* 2) Unbound* 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

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\* This mode of delivery is not feasible.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(b.) Freight transportation (7123)			
(i) international freight transportation	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound 2) None 3) None 4) None	
(ii) domestic freight transport, less cabotage transport	1) Unbound* 2) Unbound* 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound* 2) Unbound* 3) None 4) None	
(c) Rental of commercial vehicles with operators (7124)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

\* This mode of delivery is not feasible.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Maintenance and repair of road transport equipment (6112+8867)	1) None, except where there exists a technical unfeasibility. 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(e) Supporting service for road transportation services (744)	1) None, except where there exists a technical unfeasibility. 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
H. <u>Services auxiliary to all modes of transport</u>			
(a) Cargo handling services (741)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
(b) Storage and warehousing services (742)	1) Unbound* 2) None 3) None** 4) Unbound, except as indicated in the Horizontal Commitments.	1) Unbound* 2) None 3) None** 4) None	
(c) Freight transport agency services (748)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	
Other auxiliary transport services such as freight inspection (749**)	1) None 2) None 3) None 4) Unbound, except as indicated in the Horizontal Commitments.	1) None 2) None 3) None 4) None	

\* A commitment of this mode of delivery is not feasible.

\*\* Public utility concessions or licensing procedures may apply in case of occupation of the public domain

ALBANIA - LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article II	Country to which the measure applies	Intended duration	Conditions creating the need for exemption
Road transport; passengers and freight	Provisions in existing or future bilateral or plurilateral agreements on international road transport (including combined transport - road/rail) reserving or limiting the provision of a transport service into, in, across and out of the Republic of Albania to the contracting parties to vehicles registered in each contracting party.	All countries with which Albania has bilateral or plurilateral agreement on road transport in force, mentioned below: Greece, Italy, FYROM, Turkey, Slovenia, Croatia, Sweden, Germany, Russia, Switzerland, France, Denmark, United Kingdom, Netherlands, Poland, Bulgaria and Hungary.	Indefinite	The need for exemption is linked to the region characteristics of road transport services.
Sale and marketing of air transport services and computer reservation systems (CRS)	Preferential market access resulting from bilateral air transport agreements	All countries with which Albania has bilateral agreement on air transport: Hungary, China, Greece, Turkey, Romania, Switzerland, Pakistan, Bulgaria, Germany, Slovenia, Italy, Austria, FYROM, Russia, United Kingdom, Croatia, Egypt, Yugoslavia, Netherlands	Indefinite	Reciprocal provisions concerning supply of air transport services as a result of bilateral air transport agreements.
Audiovisual Services - Production and distribution of audiovisual works through broadcasting or other forms of transmission to the public Audiovisual Services - Production and distribution of television programmes and cinematographic works	Measures which define works of European origin, in such a way as to extend national treatment to audiovisual works which meet certain linguistic and origin criteria regarding access to broadcasting or similar forms of transmission. Measures based upon government - to government framework agreements, on co-production of audiovisual works which confer national treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding.	Parties to the Council of Europe Convention on Transfrontier Television or other European Countries with whom an agreement may be concluded.  All countries with whom cultural cooperation is desirable.	Indefinite. Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed.  Indefinite.	The measures aim, within the sector, to promote cultural values both within EC Member States, and with other countries in Europe, as well achieving linguistic policy objectives.  The aim of such agreement is to promote cultural links between countries concerned.

Sector or sub-sector	Description of measure indicating its inconsistency with Article II	Country to which the measure applies	Intended duration	Conditions creating the need for exemption
Audiovisual Services - Production and distribution of television programmes and cinematographic works	Measures granting the benefit of any support programmes (such as Action Plan for Advanced Television Services, MEDIA or EURIMAGES) to audiovisual works, and suppliers of such works, meeting certain European origin criteria.	European Countries	Indefinite Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed.	These programmes aim at preserving and promoting the regional identity of countries within Europe which have long-standing cultural links.

REFERENCE PAPERS TO THE ALBANIAN  
TELECOMMUNICATION SERVICES

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

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