

**WORLD TRADE
ORGANIZATION**

GATS/SC/130
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Trade in Services

THE REPUBLIC OF CROATIA

Schedule of Specific Commitments

(This is authentic in English only)

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
All sectors included in this schedule	<p>3) <u>Investment</u> Branch offices can perform all kind of business activities, but are not considered to be independent legal entities. The rights and obligations of the branch offices are those vested in the parent companies which have founded them.</p> <p>3) <u>Real Estate</u> Unbound in relation to acquisition of real estate by services suppliers not established and incorporated in Croatia Acquisition of real estate necessary for the supply of services by companies established and incorporated in Croatia as legal persons is allowed. Acquisition of real estate necessary for the supply of services by branches requires the approval of the Ministry of Foreign Affairs.</p>	<p><u>Subsidies</u></p> <p>1,2,3) Eligibility for subsidies from the Republic of Croatia may be limited to legal persons established within the territory of Croatia or a particular geographical sub-division thereof. Research and development subsidies are limited to legal persons established in Croatia.</p> <p>4) To the extent that any subsidies are made available to natural persons, their availability may be limited to the nationals of the Republic of Croatia.</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>4) <u>Movement of natural persons</u> Unbound, except for the entry and temporary stay of natural persons which fall into one of the following categories:</p> <p><u>Temporary presence of intracorporate transferees</u> Natural persons being temporarily transferred to supply services through commercial presence in the territory of the Republic of Croatia.</p> <p>(i) Intra-Corporate Transferees occupying senior managerial or executive positions and:</p> <ul style="list-style-type: none"> - directing the establishment or a department or subdivision of the establishment; or - supervising or controlling the work of other supervisory, managerial or other skilled professional employees; - having the authority to hire or dismiss employees, or having other authorizations concerning personnel. 		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(ii) Specialists possessing high or uncommon qualifications or knowledge essential for the functioning of the company, which are important to the services that the company supplies, and who possess knowledge of the organization's services, research equipment, techniques or management. Firms have to be prepared upon request to certify the qualifications of their transferees seeking entry.</p> <p><u>Other essential persons</u> Persons who are employees of an enterprise not having commercial presence in Croatia which has concluded a services contract with an enterprise engaged in substantive business in Croatia. The persons provide a service in Croatia as a professional of a service sector on behalf of the enterprise outside Croatia.</p> <p>For temporary stay of intracorporate transferees and other essential persons mentioned in this section a residence permit with a validity of two years (unless a shorter period is requested by the applicant) is required and is renewable upon request. On the basis of residence permit a work permit is issued with the validity of two years (unless a shorter period is requested by the applicant) and is also renewable. There are no limitations on the number of extensions of the residence and work permit providing that the intracorporate transferees have a valid work contract with their employers.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p><u>Business visitors</u> Natural persons who stay temporarily in Croatia without acquiring remuneration from or within Croatia and without seeking employment in Croatia. Here are included:</p> <p>(i) Natural persons who stay temporarily in Croatia in order to conclude the contract for the sale of a service on behalf of the enterprise they are employed or mandated for or participate in business meetings, fairs and other similar activities. Persons not based in Croatia and receiving no remuneration from a source located in Croatia, who are engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier. Those representatives can not be engaged in making direct sales to the general public or in supplying services themselves.</p> <p>(ii) Natural persons employed at or mandated for by a company having its head office in another WTO member who are responsible for setting up of a commercial presence in Croatia. Those representatives can not be engaged in making direct sales to the general public or in supplying services themselves.</p> <p>The duration of temporary stay is limited to 90 days or with a 90 days visa, when required.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional services			
a) Legal services, including consultancy on home country, foreign and international law (CPC 861)	1) None for consultancy on foreign and international law. Unbound for practising of Croatian law. 2) None 3) None for consultancy on home country, foreign and international law. Unbound for legal representation of parties before the Courts. In proceedings involving international elements, parties can be represented before arbitration courts – ad hoc courts by lawyers who are members of bar associations of other countries. 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) Representation of parties before courts can be practised only by the members of the Bar Council of Croatia (Croatian title “odvjetnici”). Citizenship requirement for membership in the Bar Council. Membership in the Bar Council of Croatia is not required for consultancy on home country, foreign and international law). 4) Unbound, except as indicated in the horizontal section	
b) Accounting, Auditing and Bookkeeping services (CPC 862)	1) None, except that auditing firms not established in Croatia should perform joint final audit with domestic firms according to the International Standards on Auditing. 2) None 3) None, except that auditing can be performed only by legal persons. Natural persons can become legal persons through registration with a commercial court. 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Taxation Advisory Services (CPC 863 excluding representation in tribunals)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
d) Architectural Services (CPC 8671)	1) None* 2) None 3) None* 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
e) Engineering Services (CPC 8672)	1) None* 2) None 3) None* 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
g) Urban planning and landscape architectural services, except general urban planning services, which are exclusively provided by the Governmental institutions, i.e. the State Office for Urban Planning and its regional and local offices (CPC 8674)			

* Natural and legal persons may supply these services after being entered into the Registry of the Croatian Chamber of Architects and Engineers. In order to be entered into the Registry of the Croatian Chamber of Architects and Engineers, foreign service suppliers should be members in professional associations or having a certification of qualification or be authorized by law in their home country. A design or project elaborated abroad must be recognized (validated) by an authorized legal person in Croatia with regard to its compliance with construction standards under Croatian Law. Any project (elaborated in Croatia or abroad) must be controlled by authorized revisers with regard to the effect of mechanical resistance and stability, noise and health protection and energy savings of the construction. This control, including its costs, is ensured by the investor and not the service suppliers.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(i) Urban planning	1) Unbound 2) None 3) None, on condition that the company has at least three employees, one of whom should be authorized architect or engineer 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
(ii) Landscape architectural services	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
h) Medical and dental services (CPC 9312)	1) Unbound*, except for telemedicine: none 2) None 3) None, except that investment in the existing obligatory public health network which includes public hospitals, public clinics university clinic hospitals (teaching hospitals) and first aid medical care institutions is not allowed. 4) Unbound, except as indicated in the horizontal section	1) Unbound , except for telemedicine: none 2) None 3) None, except that Croatian citizenship is required for individual private practice 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector		Limitations on Market Access		Limitations on National Treatment		Additional Commitments
i)	Veterinary services (CPC 932)	1)	None	1)	None	
		2)	None, except that measures (such as vaccination) which are ordered by law may not be performed abroad. Only measures carried out by legal and natural persons registered in Croatia are valid.	2)	None	
		3)	None	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
j)	services provided by midwives, nurses, physiotherapists and para-medical personnel, (CPC 93191, excluding ergotherapy, homeopathy, acupuncture)	1)	Unbound*, except for telemedicine: none	1)	Unbound*, except for telemedicine: none	
		2)	None	2)	None	
		3)	None, except that investment in the existing obligatory public health network which includes public hospitals, public clinics, university clinic hospitals (teaching hospitals) and first aid medical care institutions is not allowed.	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
B.	<u>Computer and Related Services</u>					
a)	Consulting services related to the installation of computer hardware (CPC 841)	1)	None	1)	None	
		2)	None	2)	None	
		3)	None	3)	None	
b)	Software implementation services (CPC 842)	4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
c)	Data processing services (CPC 843)					
d)	Data base services (CPC844)					
e)	Other (CPC 845-849)					

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Research and Development services</u>			
a) R&D services on natural sciences (CPC 851)	1) None 2) None	1) None 2) None	
b) R&D services on social sciences and humanities (CPC 852)	3) None 4) Unbound, except as indicated in the horizontal section	3) None 4) Unbound, except as indicated in the horizontal section	
c) Interdisciplinary R&D services (CPC 853)			
D. <u>Real Estate Services</u> (CPC 821)	1) Commercial presence required 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
E. <u>Rental/Leasing Services Without Operators</u>			
a) Relating to ships (CPC 83103), excluding cabotage	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
b) Relating to Aircrafts (CPC 83104)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
c) Relating to Other Transport Equipment (CPC 83101, 83102, 83105), excluding cabotage	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
d) Relating to Other Machinery and Equipment (CPC 83106, 83107, 83108, 83109)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
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 section	1) None 2) None 3) None 4) None	
F. <u>Other Business Services</u>			
a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Technical testing and analysis services (CPC 8676) excluding services related to issuance of mandatory certificates and similar official documents.	1) Institutions should be registered in the international accreditation system 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
f) Services incidental to agriculture, hunting, forestry and fishing (CPC 881 and 882)	1) None for consultancy 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
i) Services incidental to manufacturing (CPC 884, 885, excluding producing of securities, money, coins and stamps)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
j) Services incidental to energy distribution (CPC 887)	1) Commercial presence required 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
k) Placement and supply Services of Personnel (CPC 87203)	1) Unbound 2) Unbound 3) Unbound, except for placement and supply of Croatian nationals for employment in Croatia by legal persons mediators and subject to prior approval by the Ministry of Labor and Social Welfare for the following professionals: house-maid, babysitter, musician, singer, farmer, fruit-grower, vintner, masseur, nurse, music teacher, driving instructor, actor, culture and art performances organizer, physical therapist, master of ceremonials-speakers or musician. 4) Unbound, except as indicated in the horizontal section and that persons should have at least two-year post-secondary school qualification and three-year working experience in personnel management.	1) Unbound 2) Unbound 3) Unbound 4) Unbound, except as indicated in the horizontal section	
m) Related scientific and technical consulting services (CPC 8675)	1) None, except that services of basic geological, geodetic and mining research as well as related environmental protection research services on the territory of Croatia can be carried out only jointly with/or through domestic legal persons. 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633+8861-8866)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector		Limitations on Market Access		Limitations on National Treatment		Additional Commitments
r)	Publishing (part of CPC 88442)	1)	None	1)	None	
		2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
s)	Convention services (CPC 87909, planning, managing and marketing services for conventions and similar events)	1)	None	1)	None	
		2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
t)	Other-Translation services (CPC 87905)	1)	None, except for official documents	1)	None	
		2)	None	2)	None	
		3)	None, except for translation and interpretation services for/before Croatian courts.	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	
2.	COMMUNICATION SERVICES					Croatia 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.
B.	<u>Land Based Courier Services</u> (CPC 7512)	1)	None	1)	None	
		2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound, except as indicated in the horizontal section	4)	Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>C. <u>Telecommunication Services</u></p> <p><u>All subsectors</u></p> <p>This part has been scheduled in accordance with the "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><u>Basic Telecommunications Services</u></p> <p>Fixed telecommunication infrastructure facilities - based and on resale basis, for public and non public use</p>	<p>For subsectors 1, 2, and 3: Modes 1), 2), 3)</p> <p>During the period of exclusivity (until 1 January 2003), HT- Croatian Telecommunications is the sole supplier of the fixed network infrastructure</p> <p>During this period all international traffic must go through the HT. None, as of 1 January 2003.</p>	<p>For subsectors 1, 2, and 3: Modes 1), 2), 3)</p> <p>During the period of exclusivity (until 1 January 2003), HT- Croatian Telecommunications is the sole supplier of the fixed network infrastructure</p> <p>During this period all international traffic must go through the HT. None, as of 1 January 2003.</p>	<p>See the Reference Paper attached</p>
<p>a) Voice telephony</p> <p>b) Packet-switched data</p> <p>c) Circuit-switched data transmission services,</p> <p>d) Telex services,</p> <p>e) Telegraph services,</p> <p>f) Facsimile services,</p> <p>g) Private leased circuit services</p>	<p>1 & 2) Until 1 January 2003 bypass of network of HT not allowed. None as of 1 January 2003</p> <p>3) HT - Croatian Telecommunications has monopoly on these services. None as of 1 January 2003.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>Enhanced Telecommunications Services</u>			
h) Electronic mail	1, 2, 3) Only over network infrastructure leased from HT. None as of 1 January 2001.	1) None	
i) Voice mail		2) None	
j) On-line information and data base retrieval,		3) None	
k) Electronic data interchange	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	
l) Enhanced Facsimile Services (including store and forward, store and retrieve)			
m) Code and Protocol Conversion,			
n) On-line Information and/or Data Processing (including transaction processing)			
<u>Mobile Services</u>			
- Analogue/Digital telephone services	1) None on condition that foreign legal person establishes a legal entity in Croatia.	1) None	
- PCS (Personal Communication Services)	International interconnection of mobile networks with other mobile or fixed networks must be made through the HT until 1 January 2001. None as of 1 January 2001.		
- Paging services	2) None, except that international interconnection of mobile networks with other mobile or fixed networks must be made through the HT until 1 January 2001. None as of 1 January 2001.	2) None	
- mobile data services	3) None except that international interconnection of mobile networks with other mobile or fixed networks must be made through the HT until 1 January 2001. None as of 1 January 2001.	3) None	
	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) Unbound* 2) None 3) None	1) Unbound* 2) None 3) None	
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	4) Unbound, except as indicated in the horizontal section, and that for the site manager , recognition of technical and professional qualification in accordance with Croatian regulations is required.	4) Unbound, except as indicated in the horizontal section	
C. <u>Installation and Assembly Work</u> (CPC 514, 516)			
D. <u>Building Completion and Finishing Work</u> (CPC 517)			
E. <u>Special Trade Construction Work</u> (CPC 515)			
F. <u>Other</u> (CPC 511)			
4. DISTRIBUTION SERVICES**			
A. <u>Commission Agents Services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

** Excluding fire arms, explosive devices and tobacco products

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Wholesale Trade Services</u> (CPC 622, CPC 61111, 6113, 6121)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
C. <u>Retailing Services</u> (CPC 61112, 6112, 6113, 6121, 631, 632, 633) including audio and video records and tapes (CPC 63234)	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>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
5. EDUCATIONAL SERVICES			
B. <u>Secondary Education Services</u> (CPC 922)	1) Unbound 2) None 3) None for legal persons 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
C. <u>Higher Education Services</u> (CPC 923)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

*** Cross-border supply of services classified in CPC 6112 and 633 is technically not feasible

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. <u>Adult education</u> (CPC 924)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
E. <u>Other Education Services</u> (CPC 929)	1) None for correspondence education or education via telecommunications 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None for correspondence education or education via telecommunications 2) None 3) None 4) Unbound except as indicated in the horizontal section	
6. ENVIRONMENTAL SERVICES			
A. <u>Sewage Services</u> (CPC 9401)	1) Unbound * 2) None 3) These services are legally considered as municipal activities, provided primarily by entities owned by local authorities. Private operators may be allowed to provide those services on the basis of a concession granted by local authorities 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Refuse Disposal Services</u> (CPC 9402)	1) Unbound 2) None 3) These services are legally considered as municipal activities, provided primarily by entities owned by local authorities. Private operators may be allowed to provide those services on the basis of a concession granted by local authorities. 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. Sanitation and Similar Services (CPC 9403)	1) Unbound * 2) None 3) These services are legally considered as municipal activities, provided primarily by entities owned by local authorities. Private operators may be allowed to provide those services on the basis of a concession granted by local authorities. 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	
D. Cleaning services of exhaust gases (CPC 9404)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	
E. Noise abatement services (CPC 9405)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. Nature and Landscape Protection Services (CPC 9406)	1) Commercial presence required 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
G. Other (CPC 9409)	1) Commercial presence required 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
7. FINANCIAL SERVICES			
1) <u>Measures Applicable to All Sectors and Subsectors in Financial Services</u>			
Insurance or banking activities, as well as securities trading and activities related thereto, should be carried out by legally separated companies. However, banks are allowed to participate in activities related to securities trading until the end of 1999.			
A. <u>Insurance and related services</u> as defined in the "Annex on Financial services"			
a) Life insurance	1) Unbound, except for the supply of life insurance to foreign persons residing in Croatia 2) Unbound, except for the ability of foreign persons residing in Croatia to obtain life insurance 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>b) Non-life insurance, not including marine, aviation, transport</p>	<p>1) Unbound, except for the supply of non-life insurance to foreign persons residing in Croatia other than automobile liability</p> <p>2) Unbound, except for:</p> <ul style="list-style-type: none"> (i) the ability of foreign persons residing in Croatia to obtain non-life insurance other than automobile liability (ii) personal or property risk insurance that is not available in the Republic of Croatia <ul style="list-style-type: none"> - companies purchasing insurance abroad in connection with investment works abroad including the equipment for those works - for ensuring the return of foreign loans (collateral insurance) - personal and property insurance of wholly-owned enterprises and joint ventures which perform an economic activity in a foreign country, if it is in accordance with the regulations of that country or it is required by its registration, - ships under construction and overhaul if it is stipulated by the contract concluded with the foreign client (buyer). <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Marine, aviation, transport	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
c) Reinsurance and retrocession	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
d) Insurance intermediation, such as brokerage and agency	1,2) None for insurance services for which commitments are taken under subsectors a), b), c) and for marine, aviation, transport 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
e) Services auxiliary to insurance, such as: - consultancy - actuarial - risk assessment - claim settlement services	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. <u>Banking and Other Financial Services</u> (excluding insurance) as defined in the "Annex on Financial Services"</p> <p>a) Acceptance of deposits and other repayable funds from the public.</p> <p>b) Lending of all types, including consumer credit, factoring and financing of commercial transactions.</p> <p>c) Financial leasing</p> <p>d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts.</p> <p>e) Guarantees and commitments</p> <p>f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise the following:</p> <ul style="list-style-type: none"> - Money market instruments (including cheques, bills, certificate of deposits) 	<p>1) Unbound, except for services described in subsectors b), c) d) e) h) k) and l): None</p> <p>2) None, other than:</p> <p>- Authorization issued by the Croatian National Bank (CNB) is required for opening of an account abroad by Croatian non/bank residents. The relevant authorization is issued in the following cases:</p> <p>(a) for the payment of a part of costs of capital investment projects abroad;</p> <p>(b) for the payments settlement in non-transferable currency arising from business abroad;</p> <p>(c) for placement of deposits, i.e. depositing of caution money for conducting business operations in timely manner and in accordance with the terms and condition of an agreement; and</p>	<p>1) None</p> <p>2) None</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<ul style="list-style-type: none"> - derivative products including, but not limited to, futures and options - exchange rate and interest rates instruments, including products such as swaps, forward rate agreements - foreign exchange - Transferable securities - Other negotiable instruments and financial assets, including bullion. 	<p>(d) for payment of operating costs of representative offices and business entities abroad, costs arising from supplying services of international transport of goods and persons, and costs related to domestic legal persons providing personal and property insurance</p> <p>License is required by the CNB and the Ministry of Economy for export and import of bullion.</p> <p>Resident natural persons can make foreign exchange capital transfers abroad from their foreign exchange accounts only with an authorization by the Croatian National Bank. The authorization is issued in the following cases:</p> <p>(a) permanent and temporary emigration from the Republic of Croatia;</p>		

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

Sector or Sub-sector	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 and provision of services related to such issue	(b) indirect costs of education abroad; and (c) indirect costs of medical treatment abroad			
h) Money broking	Capital payments abroad are generally restricted, except in the following cases:			
i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services, including pension funds management		(a) foreign direct investment (b) ongoing financial credits and guarantees (in cases when Croatian legal (non-bank) persons extend credit to non-resident entities abroad in which they have majority voting rights; and issue guarantees to non-residents aimed at performing activities which they are registered for)		
j) Settlement and clearing services for financial assets, including securities, derivatives products, and other negotiable instruments.		(c) operation in financial derivatives (for the hedging of investment funds asset) (d) purchase of foreign securities abroad by the investment funds.		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
k) Provision and transfer of financial information and financial data processing and related software by suppliers of other financial services.	3) None, except for settlement and clearing services where the Central Depository Agency (CDA) is the sole supplier in Croatia. Access to the services of the CDA will be granted to non-residents on a non-discriminatory basis.	3) None	
l) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
8. HEALTH RELATED AND SOCIAL SERVICES			
Hospital and other health and social care facilities services – direct ownership, management and operation by contract of such facilities on a “for fee” basis (CPC 93, excluding CPC 9312, 93191, 932)	1) Unbound*, except for telemedicine: none 2) None 3) None, except that investment in the existing obligatory public health and social care network which includes public hospitals, public clinics, university clinic hospitals (teaching hospitals), first aid medical care institutions and other public health and social care facilities is not allowed. Establishment of some social care facilities may be subject to needs based limits in particular geographical areas. 4) Unbound, except as indicated in the horizontal section	1) Unbound, except for telemedicine: none 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels, Restaurants</u> (including catering) (CPC 641, 642, 643) (excluding catering in transport services sector)	1) Unbound 2) None 3) None** 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

** Location in the protected areas of particular historic and artistic interest and within national or landscape parks is subject to approval by the Government of the Republic of Croatia which can be denied.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Tourist Guides Services</u> (CPC 7472)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
D. <u>Other</u>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. <u>Other Entertainment Services</u> (CPC 9619), including Cinema Theatre Operation Services (CPC 96199**)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None, except unbound for access to subsidies 4) None	The value-added tax (VAT) on cinema tickets will be reduced to 0% by September 2000. The 5% local tax on cinema tickets will be eliminated by September 2000.
B. <u>News Agency Services</u> (CPC 962)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
C. <u>Sporting and Other Recreational Activities</u> , excluding gambling and betting services (CPC 9641, 96491)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
A. <u>Maritime Transport Services</u>			
a) Passenger transportation (CPC 7211)	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
b) Freight transportation (CPC 7212)	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
c) Rental of vessels with crew (CPC 7213)	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None, except for cabotage 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
d) Maintenance and Repair of Vessels (CPC 8868)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Towing and pushing services (CPC 7214)	1) Unbound 2) None 3) None on condition that a foreign legal person establishes a company in Croatia which should be granted a concession by the port authority following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
f) Supporting services for maritime transport (CPC 745)	1) Unbound* 2) None 3) None, except for navigation aid services and pilotage and on the condition that foreign legal person establishes a company in Croatia which should be granted a concession by the port authority following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
C. <u>Air Transport Services</u>			
d) Maintenance and repair of aircrafts (CPC 8868)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Supporting services for air transport - Sales and marketing	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
f) Rental services of aircraft with operator (CPC 7340)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
Computer Reservation System (CRC)*	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
E. Rail Transport service			
d) Maintenance and Repair of Rail Transport Equipment (CPC 8868)	1) Unbound** 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound** 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
e) Supporting services for railway transport (CPC 7430)	1) Unbound** 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Further Croatian regulation will be based on the recommendations of ECAC (European Civil Aviation Conference) concerning Code of Conduct on CRS (identical European Commission's regulation)

** Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. <u>Road Transport Services</u>			
a) & b) Passenger and freight transportation (CPC 7121 + 7122)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
c) maintenance and repair of road transport equipment (CPC 8867 and 6112)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
d) supporting services for road transport (CPC 744)	1) None, except for cabotage and subject to permit. 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None, except for cabotage and subject to permit 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
G. <u>Pipeline Transport Services</u> (CPC 713)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
H. <u>Services Auxiliary to all Modes of Transport</u>			
a) Cargo handling services (CPC 741)	1) Unbound* 2) None 3) None, except for maritime services where a foreign legal person is required to establish a company in Croatia which should be granted a concession by the port authority , following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
b) Storage and warehousing services (CPC 742)	1) Unbound* 2) None 3) None, except for maritime services where a foreign legal person is required to establish a company in Croatia which should be granted a concession by the port authority , following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Freight transport agency services (CPC 748)	1) None 2) None 3) None, except for maritime services where a foreign legal person is required to establish a company in Croatia which should be granted a concession by the port authority, following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
d) Other supporting and auxiliary transport services (CPC 749)	1) Unbound*, except for transportation document preparation services 2) None 3) None, except for maritime services where a foreign legal person is required to establish a company in Croatia which should be granted a concession by the port authority, following a public tendering procedure. The number of service suppliers may be limited reflecting limitations in port capacity. 4) Unbound, except as indicated in the horizontal section	1) Unbound, except for transportation document preparation services 2) None 3) None 4) Unbound, except as indicated in the horizontal section	

* Unbound due to lack of technical feasibility

REFERENCE PAPER

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 not-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favorable 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 unbounded 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 services

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 license 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 license and
- b) the terms and conditions of individual licenses.

The reasons for the denial of a license 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.
