

WORLD TRADE  
ORGANIZATION

RESTRICTED

GATS/SC/31/Suppl.2

28 July 1995

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Trade in Services

EUROPEAN COMMUNITY AND ITS MEMBER STATES

Schedule of Specific Commitments

Supplement 2

(This is authentic in English only)

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This text supplements the entries relating to the Movement of Natural Persons section contained on pages 7 to 11 document GATS/SC/31.



**EUROPEAN COMMUNITY AND ITS MEMBER STATES - SCHEDULE OF SPECIFIC COMMITMENTS**

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>I. HORIZONTAL COMMITMENTS</b>			
	(iii) Unbound except for measures concerning y stay within a Member State of the following without requiring compliance with an economic licated for a specific subsector.	Unbound except for measures concerning the	
	- The natural persons are engaged n a temporary basis as employees of a juridical rcial presence in any Member State of the European		

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<sup>1</sup> All other requirement of European Community and Member States' laws, regulations and requirements regarding entry, stay and work shall continue to apply. The service contract shall comply with the laws, regulations and requirements of the European Community and the Member State where the service contract is executed.

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	<p>- The juridical person has obtained a period not exceeding 3 months from a final consumer in the host State, through an open tendering procedure or any other procedure that ensures the bona fide character of the contract (e.g. transparency of the contract) where this requirement exists or is required by the host State pursuant to the laws, regulations and administrative provisions of the Community or its Member States.</p>		
	<p>- The natural person seeking access to services as an employee of the juridical person has resided in the host State for at least the year (two years in the case of GR) immediately preceding the movement.</p>		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	- The temporary entry and stay concerned shall be for a period of not more than three period (24 months in the case of NL) or for the whatever is less.		
	- The natural person must possess qualifications and professional experience as specified concerned in the Member State where the service is		
	- The commitment relates only to s the subject of the contract; it does not confer professional title of the Member State concerned.		

EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)

	<ul style="list-style-type: none"><li>- The number of the persons contract shall not be larger than necessary to fulfil the ed by the laws, regulations and requirements of the the Member State where the service is supplied.</li></ul>		
	<ul style="list-style-type: none"><li>- The service contract has to be ities mentioned below and subject to the additional e subsector by the Member State concerned:</li></ul>		
	<ul style="list-style-type: none"><li>- Legal services</li><li>- Accounting services</li><li>- Taxation advisory services</li><li>- Architectural services, urban hitectural services</li><li>- Engineering services, integrated</li><li>- Computer and related services</li><li>- Research and development</li></ul>		

EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)

	<ul style="list-style-type: none"> <li>- Advertising</li> <li>- Management consulting services</li> <li>- Services related to management</li>   <li>- Technical testing and analysis</li>   <li>- Translation services</li> <li>- Construction services, site</li>   <li>- Higher education services</li> <li>- Travel agencies and tour operator</li>   <li>- Entertainment services</li> </ul>		
	<ul style="list-style-type: none"> <li>- Services related to the sale of ment of a patent.</li> </ul>		
Legal advice on home country law and public international law (page 12 in the Schedule dated April 1994):	Unbound except for D and UK where: as indicated under (iii) and subject to the following specific	Unbound except as indicated in the horizontal	
	three years' professional experience in the sector.		

EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)

Accounting services (page 14 in the Schedule dated April 1994) (CPC 86212 other than "auditing services"):	Unbound except for A, D, L, NL, UK, S where: as section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
Bookkeeping services for A only (page 17 in the Schedule dated April 1994) (CPC 86220):	ns and three years' experience in the sector.		
	loyer must be member of the relevant professional where such body exists.		
	ifer".		
Taxation advisory services (page 18 in the Schedule dated April 1994) (CPC 86301):	Unbound except for A, B, D, L, NL, UK, S where: al section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	ns and three years' experience in the sector.		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	employer must be member of the relevant professional body where such body exists.		
	law, where: university degree and professional, or three years' professional experience in the sector.		
Architectural services (page 20 in the Schedule dated April 1994): (CPC 8671)	Unbound except for DK, E, L, NL, UK, S where: national section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
and urban planning and landscape architectural services (page 22 in the Schedule dated April 1994): (CPC 8674)	ns and three years' professional experience in the national authorities and licence delivered by the Unbound for CPC 86713, 86714, 86719.		
Engineering services (page 21 in the Schedule dated April 1994): (CPC 8672)	Unbound except for B, DK, E, NL, UK, S where: national section under (iii) and subject to the following	Unbound except as indicated in the horizontal	

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	tions and three years' professional experience in the		
	ational authorities and licence delivered by the		
Integrated engineering services (page 22 in the Schedule dated April 1994): (CPC 8673)	Unbound except for B, DK, E, NL, UK, S where: as section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	tions and three years' professional experience in the		
	ational authorities and licence delivered by the		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

Computer and related services (pages 31 to 33 in the Schedule dated April 1994): (CPC 841, 842, 843, 844)	Unbound except for B, DK, GR, I L, NL, S where: al section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	ms analysts, programmers, software document s where: university degree and three years' the sector.		
	programmers, software document analysts where: years' professional experience in the sector.		
Research services (CPC 852) (page 33 of the Schedule dated April 1994): (to be added under CPC 851 and 853 for F only)	Unbound except for F and L where concerning the ers: as indicated in the horizontal section under (iii) g specific limitations:	Unbound except as indicated in the horizontal	

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	<p>F:</p> <ul style="list-style-type: none"> <li>- The researchers are in possession from a research body.</li> <li>- The work permit is delivered for 6 months renewable for the duration of the contract.</li> <li>- Compliance with an economic</li> <li>- The research body must pay a tax on Office.</li> </ul>		
Advertising (page 38 in the Schedule dated April 1994): (CPC 871)	Unbound except for B, D, GR, I, L, UK, S where: al section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	nal experience.		
	nce.		
Management consulting services (page 39 in the Schedule dated April 1994): (CPC 865)	Unbound except for B, D, DK, I, L, UK, S where: al section under (iii) and subject to the following	Unbound except as indicated in the horizontal	

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	onsultants where: university degree and three years'		
Services related to management consulting (page 39 in the Schedule dated April 1994): (CPC 866)	Unbound except for B, D, DK, I, L, UK, S where: al section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	onsultants where: university degree and three years'		
Technical testing and analysis services (page 40 in the Schedule dated April 1994): (CPC 8676)	Unbound except for D, DK, L, UK, S where: as section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	onstrating knowledge and three years' professional		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

Translation services (page 48 in the schedule dated April 1994): (CPC 87905)	Unbound except for GR, I, IRL, UK, S where: as section under (iii) and subject to the following	Unbound except as indicated in the horizontal	
	re.		
	nal experience.		
Construction services (page 51 in the Schedule dated April 1994): (CPC 511, 512, 513, 514, 515, 516, 517, 518)	Unbound except for NL and F where: as indicated der (iii) and subject to the following specific	Unbound except as indicated in the horizontal	
	ears' professional experience in the sector.		
	of technicians under the following conditions:		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	<ul style="list-style-type: none"> <li>- The technician is an employee of a territory of another Member and is transferred to a which has a contract with that juridical person.</li> <li>- The work permit is delivered for a period</li> </ul>		
	<ul style="list-style-type: none"> <li>- The technician presents a work certificate in F and a letter from the juridical person within member demonstrating its agreement to the transfer.</li> <li>- Compliance with an economic needs test</li> <li>- The commercial presence body must pay Migration Office.</li> </ul>		
Site investigation work: (CPC 5111)	(4) Unbound except for B, D, DK, UK, S where: as indicated in the horizontal section under (iii) and subject to the following specific limitations:	(4) Unbound except as indicated in the horizontal section.	

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	B, DK, UK, S: University degree and professional qualifications and three years' professional experience in the sector.		
	UK: Compliance with an economic needs test is required.		
	D: Unbound except for limited range of services of site investigation work where: university degree and professional qualifications and three years' professional experience in the sector.		
Higher education services (page 57 of the schedule dated April 1994): (CPC 923)	(4) Unbound except for F and L concerning the temporary entry of professors where: as indicated in the horizontal section under (iii) and subject to the following specific limitations:	(4) Unbound except as indicated in the horizontal section.	
	F: - The professors have obtained an a university or other higher education institution.		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	- The work permit is delivered for 6 months renewable for the duration of the contract.		
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**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	<ul style="list-style-type: none"> <li>- Compliance with an economic condition that those professors are designated directly by the relevant institution of higher education.</li> <li>- The recruiting institution must be approved by the National Migration Office.</li> </ul>		
Travel agencies and tour operators services (page 82 in the Schedule dated April 1994): (CPC 7471)	(4) Unbound except for A, B, D, DK, I, FIN, IRL, S where: as indicated in the horizontal section under (iii), and subject to the following specific limitations:	(4) Unbound except as indicated in the horizontal section.	
	A, B, D, DK, FIN, I, IRL, S: Unbound except for tour managers (persons whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations) where for A, B, D, DK, I, IRL, S:		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	professional certificate and three years' professional experience.		
	I: Compliance with an economic needs test is required		

EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)

<p>Entertainment services (including theatre, live bands and circus services (page 84 in the Schedule dated April 1994): (CPC 9619)</p>	<p>(4) Unbound except for A and F concerning the temporary entry of artist where: as indicated under the horizontal section under (iii) and subject to the following specific limitations:</p>	<p>(4) Unbound except as indicated in the horizontal section.</p>	
	<p>A: access is limited to persons whose main professional activity is in the field of fine arts, deriving the major part of their income from that activity. such persons shall not exercise any other commercial activity in Austria.</p>		
	<p>F: - The artists have obtained an authorized entertainment enterprise. - The work permit is delivered for</p>		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)**

	months renewable for a duration of three months.		
	- Compliance with an economic		
	- The entertainment enterprise must al Migration Office.		

EUROPEAN COMMUNITY AND ITS MEMBER STATES (continued)

<p>Services related to the sale of equipment or to the assignment of a patent:</p>	<p>(4) Unbound except for F concerning the temporary entry of technicians where: as indicated under the horizontal section under (iii) and subject to the following specific limitations:</p>	<p>(4) Unbound except as indicated in the horizontal section.</p>	
	<ul style="list-style-type: none"> <li>- The technician is an employee of a territory of another Member, and</li> <li>- that juridical person manufactures equipment to a commercial presence in France, or</li> </ul>		
	<ul style="list-style-type: none"> <li>- that juridical person has assigned a patent in France.</li> </ul>		
	<ul style="list-style-type: none"> <li>- the technician is in charge of supervising equipment, or of ensuring the preparation for the</li> </ul>		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	- the work permit is delivered for a period		

**EUROPEAN COMMUNITY AND ITS MEMBER STATES** (continued)

	- the technician presents a work certificate presence in France and a letter from the juridical person Member demonstrating its agreement to the		
	- the commercial presence in France must al Migration Office.		