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SWITZERLAND

Revised Conditional Offer on Services

The following revised offer has been received from the delegation of Switzerland on 14 June 2005 with the request that it be circulated to Members of the Council for Trade in Services.

Attached is a revised conditional offer of Switzerland in the context of the negotiation based on Article XIX of the GATS and paragraph 15 of the Doha Ministerial Declaration.

Included in this GATS offer are the Schedule of specific commitments and the List of Article II (MFN) Exemptions.

The current offer does not prejudice Switzerland's final position related to the final commitments as an outcome of the present negotiation.

As far as possible, Switzerland has scheduled its commitments on the basis of the Services Sectoral Classification List document MTN.GNS/W/120, and corresponding references to the Provisional Central Product Classification List or CPC. Switzerland has drawn on the Revision of the Guidelines for the Scheduling of Specific Commitments contained in document S/L/92 in scheduling the new and revised commitments in its initial offer. We expect that other Members will follow the same approach. In addition, Switzerland attaches a great importance to the removal of any ambiguities in Members' schedules.

This offer is based on requests received from Members, in particular from developing countries.

With this offer, Switzerland wishes to reflect its stable and predictable legal order that grants to foreign service providers and investors legal security and attractive conditions of competition, in line with Switzerland's vocation and policy to consolidate its position as an international business place and to promote a dynamic investment environment.

This conditional revised offer eliminates or relaxes a number of horizontal restrictions in modes 3 and 4, it expands the scope of horizontal commitments in Mode 4 categories, it eliminates or reduces a substantial number of MFN exemptions, and it adds the following newly committed subsectors, respectively extends the scope of sectors already committed or eliminates scheduled limitations :

		new commitment	scope extended	limitation reduced
w.120	Sector or subsector			
1	BUSINESS SERVICES			
	A. Professional services			
	a. Legal services		x	
	B. Computer services			
	e. Other		x	
	E. Rental / leasing services			
	e. Other		x	
	F. Other Business services			
	l. Investigation + security services	x		
	m. Related scientific consulting		x	
	n. Maintenance and repair			x
	t. Other		x	
2	COMMUNICATION SERVICES			
	C. Telecommunication services		x	
3	CONSTRUCTION			
	B. General civil engineering		x	
	C. Installation and assembly			x
	E. Other		x	
4	DISTRIBUTION SERVICES			
	A. Commission agents			x
	B. Wholesale trade			x
	C. Retailing			x
5	EDUCATIONAL SERVICES			
	E. Other		x	
6	ENVIRONMENTAL SERV			
	C. Sanitation and similar			x
7	FINANCIAL SERVICES			
	A. All insurance services			x
	B. Banking			x
9	TOURISM AND TRAVEL			
	A. Hotels and restaurants			x
	C. Tourist guides			x
11	TRANSPORT			
	F. Road Transport			
	e. Supporting services	x		
12	OTHER SERVICES	x		
		3	9	10

This schedule draws upon the commitments presently in force and the initial offer dated April 11, 2003 (TN/S/O/CHE). Modifications are shaded and in bold characters, italics or strikethrough.

SWITZERLAND – 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
<ul style="list-style-type: none"> - <i>The level of commitments in a particular services sector shall not supersede the level of commitments undertaken with respect to any other services sector to which such service is an input or to which it is otherwise related.</i> - <i>CPC numbers indicated in square brackets are references to the UN Provisional Central Product Classification (Statistical Papers Series M No. 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).</i> - <i>Unless otherwise provided for, requirements of residency, domicile, commercial presence, etc. in a commitment relate to the territory of Switzerland.</i> - <i>Annexes I, II and III form an integral part of this schedule.</i> 			
PART I. HORIZONTAL COMMITMENTS			
<p><i>The level of commitments in a particular services sector shall not be construed to supersede the level of commitments taken with respect to any other services sector to which such service is an input or to which it is otherwise related.</i></p> <p><i>CPC numbers indicated in square brackets are references to the UN Provisional Central Product Classification (Statistical Papers Series M No. 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).</i></p> <p>This Part sets out those commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Those commitments that apply to trade in specific services sectors are listed in Part II.</p>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	1) None 2) None	1) <i>None except Unbound</i> for subsidies, tax incentives and tax credits 2) <i>None except Unbound</i> for subsidies, tax incentives and tax credits	

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
	3) None	<p>3) <i>None except for the following:</i></p> <p><u>I. Composition of governing boards</u></p> <ul style="list-style-type: none"> - [The majority of the board of directors of For a "joint stock company" (société anonyme /Aktiengesellschaft or société en commandite par actions/Kommanditaktiengesellschaft); The majority of the board of directors must be must be Swiss citizens with domiciled in Switzerland (except for holding companies). However, this domicile requirement can be set below this limit. - At least one manager of For a "corporation with limited liability" (société à responsabilité limitée/Gesellschaft mit beschränkter Haftung); At least one manager must have his-be domiciled in Switzerland. - The administrators of For a "co-operative society" (société coopérative/Genossenschaft); The majority of the administrators must be composed of a majority of Swiss citizens with domiciled in Switzerland][#]. <p><u>II. Shareholders' circles</u></p> <p>Joint stock companies are not prohibited to foresee in their articles of incorporation that shareholders can be denied registration in the shareholder register, inter alia in case federal law requires a certain composition of shareholders. the company may reject persons as acquirers of registered shares, as far as and as long as their recognition by the company might prevent the company from providing proof of the composition of the shareholder' circle required by federal law.</p>	

[#] {The revision of the underlying legislation has been launched. Possible improvements indicated in this bracket are all about nationality is subject to the outcome of the parliamentary legislative process.}

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><u>III. Branching</u> The establishment of a branch requires a representative (natural person) with domicile in Switzerland who is duly authorized by the company to fully represent it.</p> <p><u>IV. Commercial presence without juridical personality</u> The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality according to Swiss law (i.e. in a form other than "joint stock company", "cooperation with limited liability" or "co-operative society") is subject to the requirement of a permanent residency permit of the associate(s) by cantonal law.</p> <p><u>V. Eligibility for subsidies</u> Eligibility for subsidies, tax incentives and tax credits may be limited to persons established in a particular geographical subdivision of Switzerland.</p> <p><u>VI. Acquisition of real estate</u> The acquisition of real estate by foreigners who are not permanently established in Switzerland and by enterprises with headquarters abroad and/or under foreign control is subject to authorization, except. However, no authorization is required for:</p> <p>(a) The acquisition of premises for professional use and business activities, (b) The acquisition of main residences for the purpose of personal housing needs by foreigners who are domiciled in Switzerland.</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>For the acquisition of holiday residences and secondary residences for the purpose of personal housing needs, For the purpose of personal housing needs (except the acquisition of holiday residences), professional use and business activities, authorization is granted upon verification of the purpose. Prohibited are purely financial investments; and real estate business operations trade in apartments, acquisition, on a professional basis, of holiday apartments and facilities other than hotels (e.g. apartment houses, camps, sport areas) and acquisition of agricultural real estate. with the following exceptions:</p> <p>(a) Foreigners can invest without authorization in financial participations (i.e. shares) in legal persons that own and trade housing properties, provided such participations are quoted in a stock exchange in Switzerland;</p> <p>(b) Foreign and foreign-controlled banks and insurance companies are granted authorization to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation;</p> <p>(c) Foreign and foreign-controlled insurance companies are granted authorization to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves required for the company's activities in Switzerland.</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>4) Unbound except for measures concerning the entry and temporary stay of natural persons (hereafter persons) falling within the <i>following</i> categories, as defined in paragraphs <i>I and II A, B, C and D</i> below, and subject to the following limitations and conditions and to the limitations and conditions on national treatment set out under the national treatment column: Entry and stay of foreign service suppliers in Switzerland is subject to authorization (requirement of residency permit and work permit). [Authorization is granted subject to measures fixing overall numbers of work permits allocated.][#]</p> <p>For essential personnel as defined in paragraph <i>I A</i> below, the period of stay is limited to a period of three years, which may be extended to a maximum of four five years¹. For other essential personnel as defined in paragraphs <i>B, C and D H</i> below, the period of stay is limited to three months 90 days within one year; if an authorization for such a period of stay is renewed the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland.</p>	<p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column, subject to the following limitations and conditions: Working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), [measures limiting professional and geographical mobility within Switzerland][#], regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.), and all other provisions of the legislation relating to immigration, entry, stay and work.</p> <p>The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures. Eligibility for subsidies, tax incentives and tax credits may be limited to persons domiciled in a particular geographical subdivision of Switzerland.</p>	

[#] ~~Review of this restriction is currently under consideration~~

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¹ This commitment cannot be construed to confer to service providers reaching the fifth year of stay a legal right of permanent residency under bilateral non-legally binding Memoranda of Understanding concluded by Switzerland.

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>Persons staying in or entering Switzerland with an open-ended or prolongable residence permit based on an employment contract not limited in time for Switzerland are not considered as persons residing in or entering Switzerland for the purpose of temporary stay or temporary employment in Switzerland.</p>		
<p>{Note: The categories below are based on document JOB(03)/195 and will be revisited in the light of the degree of their acceptance among the membership.}</p>			
	<p>I. Essential persons transferred to Switzerland within a specific business or company (intra corporate transferees) A. INTRA-CORPORATE TRANSFEREES (ICT)</p> <p>Are considered as essential those persons transferred to Switzerland within a specific business or company and defined in detail under (a) and (b) below – who are employees of that business or company (hereafter enterprise) providing services in Switzerland through a branch, subsidiary or affiliate established in Switzerland and who have been beforehand employees of their enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission:</p>		
	<p>(a) Executives and senior managers: Persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise. Executives and senior managers would not directly perform tasks related to the actual provision of services of the enterprise.</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>(b) Specialists: Highly qualified persons who, within an enterprise, are essential for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.</p> <p>B. BUSINESS VISITORS (BV) AND SERVICES SALESPERSONS (SS)</p> <p>(a) Services salespersons (SS) sellers: Persons employed or mandated by an enterprise and who stay temporarily in Switzerland in order to conclude the contract for the sale of a service on behalf of the enterprise which employs them or has mandated them. Services sellers may not sell services directly to the general public or supply services themselves.</p>		
	<p>(b) Persons Business visitors responsible for the setting up of a commercial presence (BV): Persons who are employees of an enterprise not having commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a time period not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph IA.(a) above, and who are entering Switzerland for the purpose of setting up a commercial presence of that enterprise in Switzerland. Persons responsible for the setting-up of a commercial presence may not engage in making direct sales to the general public or supply services themselves.</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>C. CONTRACTUAL SERVICE SUPPLIERS (CSS)</p> <p>1. CSS – Employees of a Juridical Person</p> <p>(e) Persons who are employees of an enterprise outside Switzerland not having commercial presence in Switzerland (other than enterprises providing services as defined by CPC 872), which has concluded a services contract with an enterprise engaged in substantive business in Switzerland, and who have been beforehand employees of the enterprise outside Switzerland for a time period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph IA.(b) above and who provide a service in Switzerland as a professional of a service sector as set out below on behalf of the enterprise outside Switzerland; as a further requirement five three years of related experience is required.</p>		
	<p>Per contract, temporary entry for a limited number of service suppliers will be granted for a single period of three months, the number of service suppliers depending on the size of the task to be performed under the contract. Individual services providers not employed by such enterprise outside Switzerland are considered as persons seeking access to the Swiss employment market.</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>Services sectors:</p> <ul style="list-style-type: none"> - Legal consultancy advisory services (part of CPC 86721) - Engineering services (CPC 8672); - Consultancy services related to the installation of computer hardware (CPC 841); - Software implementation services (CPC 842); - Auditing services (CPC 86211) - Accounting review services (CPC 86212) - Business tax planning and consulting services (CPC 86301) - Business tax preparation and review services (CPC 86302) - Architectural services (CPC 8671) - Urban planning services (CPC 86741) - Research and development services (CPC 851-853) - Management consulting services (CPC 865) - Technical testing and analysis services (CPC 8676) - Related scientific and technical consulting services (CPC 8675) - Maintenance and repair of aircraft (part of CPC 8868²) 		
	<p>2. CSS – Independent Professionals</p> <p>{Possible commitments in this category are presently under consideration.}</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>D. OTHER</p> <p>1. Installers and maintainers (IM) Qualified specialists supplying installation or maintenance services for machinery or industrial equipment. The supply of that service has to occur on a fee or contractual basis (installation/maintenance contract) between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being juridical persons.</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
PART II. SECTOR-SPECIFIC COMMITMENTS			
<p>1. BUSINESS SERVICES</p> <p>A. <u>Professional Services</u></p> <p>(a) Legal services</p> <p>- International commercial arbitration services (part of CPC 861)</p> <p>- Consultancy Legal advisory services on home country law and international law (part of CPC 861)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) All cantons except Graubünden and Ticino: None Graubünden: None, except that consultancy on Swiss law is restricted to persons inscribed in the “Anwaltsregister” Ticino: None, except that legal advisory services consultancy on Swiss fiscal law is restricted to “fiduciario commercialista”</p> <p>2) All cantons except Graubünden and Ticino: None Graubünden: None, except that consultancy on Swiss law is restricted to persons inscribed in the “Anwaltsregister” Ticino: None, except that legal advisory services consultancy on Swiss fiscal law is restricted to “fiduciario commercialista”</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>- Mediation and extra-judicial conciliation services (part of CPC 861)</p> <p>- Patent attorney services (includes trademarks) (part of CPC 861)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>3) Swiss nationality necessary to open up practice in the canton of St. Gall All cantons except Graubünden and Ticino: None Graubünden: None, except that consultancy on Swiss law is restricted to persons inscribed in the “Anwaltsregister” Ticino: None, except that <i>legal advisory services consultancy</i> on Swiss fiscal law is restricted to “fiduciario commercialista”</p> <p>4) All cantons except Graubünden and Ticino: Unbound except as indicated in Part I Graubünden: Unbound except as indicated in Part I and that consultancy on Swiss law is restricted to persons inscribed in the “Anwaltsregister” Ticino: Unbound except as indicated in Part I; and that legal advisory services consultancy on Swiss fiscal law is restricted to “fiduciario commercialista”</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1), 2), 3) None except that to register a Swiss patent or trademark at the Swiss Federal Institute of Intellectual Property (IGE/IPI) on behalf of a client, IGE/IPI may require that patent attorneys must have a permanent postal address in Switzerland and may require one year of professional experience made in Switzerland under the supervision of a patent attorney admitted by IGE/IPI</p> <p>4) Unbound except as indicated in Part I and with the limitations under 1), 2), 3) above</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>(b) Accounting, auditing and bookkeeping services</p> <ul style="list-style-type: none"> - Accounting <i>and bookkeeping</i> (CPC 862 except 86211) - Auditing services, excluding auditing of banks (part of CPC 86211) 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) None [except that A at least one person supplying auditing services to auditor of a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must have a commercial presence his domicile, his principal office, or a registered branch in Switzerland][#] 2) None 3) None 4) Unbound except as indicated in Part I; [at least one person supplying auditing services to auditor of a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must have a commercial presence his domicile, his principal office, or a registered branch in Switzerland][#] 	
<p>(c) Taxation services (CPC 863)</p>	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	

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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
(d) Architectural services (CPC 8671)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ol style="list-style-type: none"> 1) Three years of prior professional practice in Switzerland required in canton of Lucerne None 2) None 3) Three years of prior professional practice in Switzerland required in canton of Lucerne None 4) Unbound except as indicated in Part I; three years of prior professional practice in Switzerland required in canton of Lucerne 	
(e) Engineering services (CPC 8672)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ol style="list-style-type: none"> 1) Three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary None except that for survey activities for official public purposes,² a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam 2) None 3) Three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary None except that for survey activities for official public purposes, a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam 4) Unbound except as indicated in Part I; Three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary for survey activities for official public purposes, a Swiss licence is necessary, which is delivered to qualified surveyors after passing an exam 	

² "survey activities for official public purposes" means cadastral activities and related activities.

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) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(h) Medical and dental services (CPC 9312)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Swiss nationality necessary to practise independently 4) Swiss nationality necessary to practise independently	
(i) Veterinary surgeons (CPC 932)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Swiss nationality necessary to practise independently 4) Swiss nationality necessary to practise independently	
B. <u>Computer and Related Services</u>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Other			
- Maintenance and repair services of office machinery and equipment including computers (CPC 845)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Data preparation services (CPC 8491)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Training services for staff of clients (part of CPC 8499)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Research and Development Services</u>			
(a) R&D services on natural sciences, excluding projects financed in whole or in part by public funds (part of CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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) R&D services on social sciences, excluding projects financed in whole or in part by public funds (part of CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Interdisciplinary R&D services, excluding projects financed in whole or in part by public funds (part of CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Real Estate Services</u>			
(b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
E. <u>Rental/Leasing without Operators</u>			
(a) Relating to ships			
- For maritime transport services (part of CPC 83103)	1) Unbound 2) None 3) In order to sail under Swiss flag, vessels must be 100 per cent owned and controlled by Swiss nationals, 3/4 of which having residency in Switzerland 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) Board of directors and management of companies owning ships sailing under Swiss flag must be composed of Swiss nationals, the majority of which having residency in Switzerland 4) Unbound except as indicated in Part I	

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>- For internal waterways transport on the Rhine (part of CPC 83103)</p>	<p>1) Unbound 2) None 3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	<p>1) Unbound 2) None 3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of <i>have</i> an appropriate managing agency in Switzerland 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required</p>	
(b) Relating to aircraft			
<p>- Relating to aircraft, excluding rental/leasing to companies flying on regular schedule or on charter (part of CPC 83104)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>(c) Relating to other transport equipment (CPC 83101 + 83102 + 83105)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>(d) Relating to other machinery and equipment (CPC 83106 - 83109)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</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>(e) Leasing or rental services concerning personal and household goodsOther</p> <p>- Leasing or rental services concerning televisions, radios, video cassette recorders and related equipment and accessoriespersonal and household goods, excluding goods embodying any sexual or violent content (part of CPC 8320+)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>F. <u>Other Business Services</u></p>			
<p>(a) Advertising services</p>			
<p>- Advertising services (including direct mail advertising), excluding outdoor advertising and excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcoholic <i>beverages</i>, tobacco <i>products</i>, toxics, explosives, weapons and ammunition (part of CPC 8711 + part of 8712)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>(b) Market research and public opinion polling (CPC 864)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</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) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(f) Services incidental to agriculture, hunting and forestry (CPC 881)	1) None except for artificial insemination of cattle; also limits national treatment 2) None except for artificial insemination of cattle; also limits national treatment 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
Consulting services on agriculture, hunting and forestry (part of CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Services incidental to fishing (CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
Consulting services relating to fishing (part of CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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 - Services incidental to mining, excluding prospection, surveying, exploration and exploitation (part of CPC 883 + part of 5115)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(i) Services incidental to manufacturing (CPC 884 + 885)	1) <i>None</i> 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) <i>None</i> 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
Consulting services relating to manufacturing (part of CPC 884 + part of 885)	1) <i>None</i> 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) <i>None</i> 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
(l) Investigation and security			
- Security consultation services (CPC 87302)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(m) Related scientific and technical consulting services			
Related scientific and technical consulting services, excluding prospection, surveying, exploration and exploitation (part of CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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 (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861-8866)	1) Unbound due to lack of technical feasibility None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required for subsector group CPC 633	1) Unbound due to lack of technical feasibility None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required for subsector group CPC 633	
(o) Building cleaning services - Building cleaning services (CPC 874 except 87409)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
(p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(q) Packaging services (CPC 876)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
(r) Printing, publishing (CPC 88442)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(s) Convention services (part of CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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>(t) <i>Other</i></p> <ul style="list-style-type: none"> - Telephone answering services (CPC 87903) - Duplication services (CPC 87904) 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	
<ul style="list-style-type: none"> - Translation and interpretation services (CPC 87905) 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<p>1) All cantons except Genève and Zürich: None Genève: unbound for translation for official purposes Zürich: requirement of residency in the canton for translation for official purposes</p> <p>2) All cantons except Genève and Zürich: None Genève: unbound for translation for official purposes Zürich: requirement of residency in the canton for translation for official purposes</p> <p>1), 2), 3) All cantons except Genève and Zürich: None Genève: <i>None except</i> unbound for translation for official purposes Zürich: <i>None except</i> requirement of residency in the canton for translation for official purposes</p> <p>4) All cantons except Genève and Zürich: Unbound except as indicated in Part I Genève: Unbound except as indicated in Part I and unbound for translation for official purposes Zürich: Unbound except as indicated in Part I and requirement of residency in the canton for translation for official purposes</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
- Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Specialty design services (CPC 87907)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Other business consulting services n.e.c. (part of CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
2. COMMUNICATION SERVICES			
A./B. Postal/Courier Services			
- Express delivery services³ (part of CPC 7511 + part of 7512)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

³ According to Swiss law express delivery services are taken as letter deliveries which are delivered at five times the price applied by Swiss Post to the delivery of a priority letter of first level of weight and format and as parcel deliveries which are delivered at double the basic tariff applied by Swiss Post to the delivery of a parcel of first level of weight.

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>Telecommunication Services</u>			
Telecommunication Services are the transport of electro-magnetic signals - sound, data, image and combinations thereof, - excluding broadcasting ⁴ .			
<u>Basic Telecommunication Services</u>			
(a) Voice telephone services (CPC 7521)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	<i>As annexed Switzerland undertakes the additional commitments on basic telecommunication services contained in the Reference Paper attached in Annex I.</i>
(b) Packet-switched data transmission (CPC 7523**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Circuit-switched data transmission (CPC 7523**) (d) Telex services (CPC 7523**) (e) Telegraph services (CPC 7522)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

⁴ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

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) Facsimile services (CPC 7521** + 7529**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(g) Private leased circuit services (CPC 7522** + 7523**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
<u>Enhanced/Value-added Telecommunication Services</u>			
<p>General condition applicable to all telecommunication sectors: federal monopoly on net work infrastructure, services have to be provided over the public network or over leased lines; wireless networks subject to licensing; pricing of leased lines not volume sensitive, connection with the public network possible.</p>			
(h) Electronic mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(i) Voice mail (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(j) On-line information and data base retrieval (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(k) Electronic data interchange (EDI) (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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) Enhanced/value-added facsimile service, <i>incl. store and forward, store and retrieve</i> (part of CPC 7523)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(m) Code and protocol conversion	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(n) On-line information and/or data processing (<i>incl. transaction processing</i>) (part of CPC 843) (o) Other - Videotext - Enhanced/value added services, based on licensed wireless networks including enhanced/value added paging services, except for voice transmission	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I 1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES A. <u>General Construction Work for Buildings</u> (CPC 512)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	

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>B. <u>General Construction Work for Civil Engineering</u></p> <p>- General Construction Work for Civil Engineering (CPC 5131 + 5132 + 5133 + 5134 + 5135 + 5136 + 5137)</p> <p>C. <u>Installation and Assembly Work</u> (CPC 514 + 516)</p> <p>D. <u>Building Completion and Finishing Work</u> (CPC 517)</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) Unbound for installations in the area of energy, heating, water, communications and elevators None⁵ except in the area of elevators, where some cantons maintain an inspection obligation, except unbound for gas, water and electricity meters, gas pipelines, electricity and main water lines, the installation of which is reserved to cantons or municipalities or to specific operators</p> <p>4) Unbound except as indicated in Part I⁶; unbound for installations in the area of energy, heating, water, communications and elevators and in the area of elevators, where some cantons maintain an inspection obligation.</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	

⁵ Nothing in this commitment should be construed to include public work function in the area of energy, heating, water and communications whether owned and operated by municipalities, cantons or federal government or contracted out by them.

⁶ Nothing in this commitment should be construed to include public work function in the area of energy, heating, water and communications whether owned and operated by municipalities, cantons or federal government or contracted out by them.

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>E. <u>Other</u></p> <ul style="list-style-type: none"> - Pre-erection work at construction sites (CPC 511) - Special trade construction work (CPC 515) - Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518) 	<ul style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I <ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I 	
<p>4. DISTRIBUTION SERVICES</p>			
<p>A. <u>Commission Agents' Services</u></p> <ul style="list-style-type: none"> - Commission Agents' Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 6211) 	<ul style="list-style-type: none"> 1) None 2) None 3) Some cantons have restrictions on sales area None 4) Unbound except as indicated in Part I 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	

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>B. <u>Wholesale Trade Services</u></p> <p>- Wholesale Trade Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 622)</p>	<p>1) None 2) None 3) Some cantons have restrictions on sales area None except for large scale distribution facilities, which are subject to authorization procedures at cantonal and/or municipal level that may lead to the rejection of the authorization; no economic needs tests or other market access restrictions applicable 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>C. <u>Retailing Services</u></p> <p>- Retailing Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals; not covered is and excluding retailing through mobile sales unit (part of CPC 631 + part of 632 + part of 6111 + part of 6113 + part of 6121)</p>	<p>1) None 2) None 3) Some cantons have restrictions on sales area None except for large scale distribution facilities, which are subject to authorization procedures at cantonal and/or municipal level that may lead to the rejection of the authorization; no economic needs tests or other market access restrictions applicable 4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	
<p>D. <u>Franchising</u> (CPC 8929)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</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>5. EDUCATIONAL SERVICES</p> <p>Private Education^{at} Services[‡]</p> <p>A. Compulsory eEducation Services (primary & secondary I) <i>(part of CPC 921 + part of 922)</i></p> <p>B. Non-compulsory sSecondary eEducation Services (secondary II) <i>(part of CPC 922)</i></p> <p>C. Higher Education Services <i>(part of CPC 923)</i></p> <p>D. Adult Education Services <i>(part of CPC 924)</i></p> <p>E. Other Education Services in the field of (part of CPC 929): - foreign languages - cooking</p> <p>6. ENVIRONMENTAL SERVICES⁷</p>	<p>1) Unbound 2) Unbound 3) None 4) Unbound</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) Unbound 2) Unbound 3) None 4) Unbound</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	

⁷ Nothing in this commitment should be construed to include public work function utilities whether owned and operated by municipalities, cantons or federal government or contracted out by them.

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>{This classification is based on the proposal by Switzerland dated 4 May 2001 (S/CSS/W/76) and it will be revisited in the light of the degree of its acceptance among the membership.}</i>			
A. Sewage Services (CPC 9401)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
B. Refuse Disposal Services (CPC 9402)	1) Unbound due to lack of technical feasibility 2) None 3) None except unbound for garbage dump 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required	
C. Sanitation and Similar Services (CPC 9403)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
D. Other Environmental Services (CPC 9404 + 9405 + 9406 + part of 9409)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
A. Waste water management (part of CPC 9401)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
B. Waste management (part of CPC 9402 + 9403)	1) Unbound due to lack of technical feasibility 2) None 3) None except unbound for garbage dump 4) Unbound except as indicated in Part I commercial presence in Switzerland required	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I commercial presence in Switzerland required	

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. Protection of ambient air and climate <i>(part of CPC 9404)</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
D. Remediation and clean-up of soil and water <i>(part of CPC 9406)</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
E. Noise and vibration abatement <i>(part of CPC 9405)</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
F. Protection of biodiversity and landscape <i>(part of CPC 9406)</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	
G. Other environmental and ancillary services excluding mandatory environmental impact assessment and services associated with toxins and radioactivity <i>(part of CPC 9409)</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	1) Unbound due to lack of technical feasibility None 2) <i>None</i> 3) <i>None</i> 4) <i>Unbound except as indicated in Part I</i>	

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>7. FINANCIAL SERVICES</p> <p>Commitments on banking, securities and insurance services are in accordance with the "Understanding on Commitments in Financial Services" (hereafter "Understanding") and subject to limitations and conditions as contained in Part I (horizontal commitments) and as listed below. It is understood that paragraph B.4 of the "Understanding" does not impose any obligation to allow non-resident financial services suppliers to solicit business.</p>			
<p><u>Insurance and Insurance-related Services</u></p>	<p>Monopoly rights as indicated in paragraph B.1 of the "Understanding": a public monopoly on fire and natural damage insurance on buildings exists in the following cantons: Zurich, Berne, Lucerne, Nidwalden, Glaris, Zoug, Fribourg, Soleure, Bâle-Ville, Bâle-Campagne, Shaffhouse, Argovie, St-Gall, Grisons, Appenzell Rhodes Extérieures, Thurgovie, Vaud, Neuchâtel, Jura. In the cantons of Nidwalden and Vaud, the public monopoly on fire and natural damage insurance covers also movable property located in the buildings.</p> <p>1) Transactions as indicated in paragraph B.3 of the "Understanding": the underwriting of aircraft liability insurance requires a commercial presence in Switzerland.</p> <p>2) Transactions as indicated in paragraph B.4 of the "Understanding": the underwriting of aircraft liability insurance requires a commercial presence in Switzerland.</p>	<p>1) Acquisition of real estate by foreigners is limited as indicated in Part I; however, foreign or foreign controlled insurance companies are granted authorization to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves required for the company's activities in Switzerland, as well as to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation.</p> <p>2) 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
	<p>3) Representative offices cannot conduct business or act as an agent; for insurance companies incorporated in Switzerland, the legal form of a joint-stock company (Aktiengesellschaft, société anonyme) or a mutual association (Genossenschaft, société cooperative) is required; for branches of foreign insurance companies, the legal form of the insurance company in the head office country must be comparable to a Swiss joint-stock company or to a Swiss mutual association; participation in the basic health insurance scheme requires health insurance suppliers to be organized in one of the following legal entities: association (Verein, association), mutual association, foundation (Stiftung, fondation) or joint-stock company; participation in the statutory pension funds scheme (Berufsvorsorge/ prévoyance professionnelle) requires pension funds to be organized in the form of a mutual association or a foundation.</p> <p>4) Unbound except as indicated in Part I</p>	<p>3) A minimum of three years of experience in the direct insurance business in the head office country is required; acquisition of real estate by foreigners is limited as indicated in Part I; however, foreign or foreign-controlled insurance companies are granted authorization to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves required for the company's activities in Switzerland, as well as to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation.</p> <p>4) Unbound except as indicated in Part I</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
<u>Banking and Other Financial Services</u>	<p>Monopoly rights as indicated in paragraph B.1 of the "Understanding": two mortgage bonds issuance institutes have been granted an exclusive right for the issuance of specific mortgage bonds (Pfandbrief, lettre de gage); with regard to the first institute only Swiss cantonal banks are accepted as members; in the case of the second institute banks with head office in Switzerland whose national mortgage loan business amounts to at least 60 per cent of the balance sheet can be members; the issue of other mortgage-backed bonds is not affected by this regulation.</p> <p>1)⁸ Foreign investment funds can only be marketed or distributed through a licensed representative agent resident in Switzerland; Swiss franc denominated issues can be lead-managed only by a bank or a securities dealer having a commercial presence (except representative office) in Switzerland.</p> <p>2) Swiss franc denominated issues can be lead-managed only by a bank or a securities dealer having a commercial presence (except representative office) in Switzerland.</p>	<p>1) Acquisition of real estate by foreigners is limited as indicated in Part I; however, foreign or foreign-controlled banks are granted authorization to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation; The issue of foreign collective investment funds is subject to stamp duty.</p> <p>2) None</p>	

⁸ Not only transactions indicated in paragraph B.3 of the "Understanding" but the whole range of banking and other financial services transactions are covered (excluding insurance).

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</u> (includes catering) (CPC 641 - 643)</p>	<p>3) Commercial presence of foreign financial service suppliers is subject to specific requirements relating to the name of the firm and the regulations on financial institutions in the country of origin; commercial presence may be denied to financial service suppliers whose ultimate shareholders and/or beneficial owners are persons of a non-GATS Member; representative offices can neither conclude or deal business nor act as an agent.</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility, except unbound none for catering (CPC 6423)</p> <p>2) None</p> <p>3) Federal law enables cantons to grant licence for restaurants based on economic needs (assessment of economic needs is based on criteria such as population, degree of built-up area, type of neighbourhood, touristical interests, number of existing restaurants). All cantons except Basel-Landschaft: None. Basel-Landschaft: uUntil 31.12.2009: Federal law enables cantons Basel-Landschaft to grants licence for restaurants based on economic needs (assessment of economic needs is based on criteria such as population, degree of built-up area, type of neighbourhood, touristical interests and number of existing restaurants) None after 31.12.2009</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	<p>3) Acquisition of real estate by foreigners is limited as indicated in Part I; however, foreign or foreign controlled banks are granted authorization to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation.</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility, except unbound none for catering (CPC 6423)</p> <p>2) None</p> <p>3) None except that Residency of licence holder in same canton may be required in some cantons; passing an examination in the same canton may be required; residency of licence holder in the same canton is required in the canton of Jura</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required; residency of licence holder in same canton may beis required in some cantons the canton of Jura</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>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Tourist Guides Services</u> (CPC 7472)	1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; in some cantons commercial presence may be required	1) Unbound due to lack of technical feasibility 2) None 3) None, except that in order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict the ability of foreign mountain guides, and ski instructors, to practise independently; residency in same canton may be required in some cantons 4) Unbound except as indicated in Part I; in order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict the ability of foreign mountain guides, and ski instructors, to practise independently; in some cantons commercial presence may be required	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)			
B. <u>News Agency Services</u> (CPC 962)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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>D. <u>Sporting and other recreational services</u></p> <p>- Sporting Services (CPC 9641)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	
11. TRANSPORT SERVICES			
<p>A. <u>Maritime Transport Services</u></p> <p>International transport (passengers and freight) <i>CPC 7211 and 7212 less excluding cabotage transport (part of CPC 7211 + 7212)</i></p>	<p><i>[Commitments according to the "Conditional offer on Maritime Transport Services" by Switzerland, document S/NGMTS/W/12 dated 13.2.1996]</i></p> <p>1) Unbound[*] due to lack of technical feasibility 2) None 3) The following types of enterprises as listed hereinafter, whose head office and real center of activities are located in Switzerland, can own and/or operate a vessel under Swiss flag under the following conditions (vessel owner and/or shipping company):</p>	<p><i>[Commitments according to the "Conditional offer on Maritime Transport Services" by Switzerland, document S/NGMTS/W/12 dated 13.2.1996]</i></p> <p>1) Unbound[*] due to lack of technical feasibility 2) None 3) For all types of enterprises mentioned under mode 3 of the market access column: the majority of the members of the board of directors and of the management must be domiciled in Switzerland;</p>	<p>Services at sea ports⁹: unbound due to lack of technical feasibility</p>

⁹ ~~Additional commitments on services at sea ports are not feasible from a technical point of view.~~

^{*} ~~A commitment on this mode of delivery is not feasible from a technical point of view.~~

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>At least two thirds of the shares' voting power representing at least the majority of the share-capital of a joint stock company (société anonyme/Aktiengesellschaft) or a partnership limited by shares (société en commandite par actions/Kommanditaktiengesellschaft) must be owned by Swiss nationals domiciled in Switzerland and/or by substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland. The whole share-capital of the joint stock company or of the partnership limited by shares must be issued in the form of nominative shares. At least three quarters of the associates or other partners who account for at least three quarters of the capital of a collective society (société en nom collectif/Kollektivgesellschaft), a limited partnership (société en commandite/Kommanditgesellschaft) or a corporation with limited liability (société à responsabilité limitée/Gesellschaft mit beschränkter Haftung) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.</p>	<p>if the board of directors or the management is constituted by one single person, this person must be a Swiss national domiciled in Switzerland; in addition, the Swiss Maritime Navigation Office may require other executives and/or senior managers of the enterprise to be Swiss nationals domiciled in Switzerland if necessary to ensure the substantially Swiss-owned and effectively Swiss-controlled character of the enterprise. In addition, at least two thirds of the members of the board of directors and of the management of a joint stock company, of a partnership limited by shares, of a corporation with limited liability or of a co-operative society must be Swiss nationals. Statutory auditing reports must be drawn up by auditing companies with registered office in Switzerland or having a branch which is registered in the commercial register in Switzerland.</p> <p>Eligibility for public guarantee of loans for the financing of seagoing vessels reserved to vessels sailing under Swiss flag.</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>MARITIME AUXILIARY SERVICES</p> <p>- Maritime cargo handling services (as defined <i>below in Annex II - definition no. 1</i>)¹⁰</p>	<p>At least two thirds of the members who account for at least two thirds of the capital of a co-operative society (société coopérative/Genossenschaft) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.</p> <p>The financing of a vessel under Swiss flag by foreign funds shall in no way endanger the influence of Swiss interests on the shipping company and on the operation of the vessel.</p> <p>4) Unbound except as indicated in Part I; vessels' crews: unbound</p> <p>1) Unbound[⊗] <i>due to lack of technical feasibility</i></p> <p>2) None</p> <p>3) Unbound[⊗] <i>due to lack of technical feasibility</i></p> <p>4) Unbound[⊗] <i>due to lack of technical feasibility</i></p>	<p>4) Unbound except as indicated in Part I; vessels' crews: unbound Eligibility for subsidies: unbound</p> <p>1) Unbound[⊗] <i>due to lack of technical feasibility</i></p> <p>2) None</p> <p>3) Unbound[⊗] <i>due to lack of technical feasibility</i></p> <p>4) Unbound[⊗] <i>due to lack of technical feasibility</i></p>	

¹⁰ Cargo-handling services auxiliary to all modes of transport (CPC 741): commitments as specified in *Chapter H(a) below Switzerland's Schedule of Specific Commitments (document GATS/SC/83 of April 1994).*

~~* A commitment on this mode of delivery is not feasible from a technical point of view.~~

~~* A commitment on this mode of delivery is not feasible from a technical point of view.~~

~~* A commitment on this mode of delivery is not feasible from a technical point of view.~~

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~~* A commitment on this mode of delivery is not feasible from a technical point of view.~~

~~* A commitment on this mode of delivery is not feasible from a technical point of view.~~

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
- Storage and warehouse services (CPC 742) ¹¹	1) Unbound [*] due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound [*] due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Customs clearance services (As defined below in Annex II - definition no. 2)	1) Unbound [*] due to lack of technical feasibility 2) None 3) None ^{**} 4) Unbound except as indicated in Part I	1) Unbound [*] due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Container station and depot services (as defined below in Annex II - definition no. 3)	1) Unbound [*] due to lack of technical feasibility 2) None 3) None ^{**} 4) Unbound except as indicated in Part I ^{**}	1) Unbound [*] due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I	
- Maritime agency services (as defined below in Annex II - definition no. 4) ¹²	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
- Maritime freight forwarding services (as defined below in Annex II - definition no. 5) ¹³	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

¹¹ Storage and warehouse services auxiliary to all modes of transport (CPC 742): commitments as specified in Chapter H(b) below Switzerland's Schedule of Specific Commitments (document GATS/SC/83 of April 1994).

^{*} A commitment on this mode of delivery is not feasible from a technical point of view.

^{*} A commitment on this mode of delivery is not feasible from a technical point of view.

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^{*} A commitment on this mode of delivery is not feasible from a technical point of view.

¹² Freight transport agency services, including other auxiliary transport services, auxiliary to all modes of transport excluding local pick up and delivery (CPC 748 + part of 749): commitments as specified in Chapter H(c) below Switzerland's Schedule of Specific Commitments (document GATS/SC/83 of April 1994).

¹³ Freight transport agency services, including other auxiliary transport services, auxiliary to all modes of transport excluding local pick up and delivery (CPC 748 + part of 749): commitments as specified in Chapter H(c) below Switzerland's Schedule of Specific Commitments (document GATS/SC/83 of April 1994).

^{*} A commitment on services at sea ports are not feasible from a technical point of view.

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>Maintenance and repair services of seagoing vessels</p> <p>B. <u>Internal Waterways Transports</u></p> <p>Internal Waterways Transport on the Rhine</p> <p>(a), (b) Passenger and freight transportation (part of CPC 7221 + part of 7222)</p>	<p>1) Unbound* due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound</p> <p>2) None</p> <p>3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	<p>1) Unbound* due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound</p> <p>2) None</p> <p>3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of have an appropriate managing agency in Switzerland</p> <p>4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required</p>	
<p>(c) Rental of vessels with crew (part of CPC 7223)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of have an appropriate managing agency in Switzerland</p> <p>4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required</p>	

* ~~A commitment on this mode of delivery is not feasible from a technical point of view.~~

* ~~A commitment on this mode of delivery is not feasible from a technical point of view.~~

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>(d)</i> Maintenance and repair of vessels (part of CPC 8868)	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I 	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I 	
<i>(e)</i> Pushing and towing services (part of CPC 7224)	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I 	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I 	
<i>(f)</i> Supporting services for internal waterway transport (part of CPC 745)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I 	
<p>C. <u>Air Transport Services</u></p> <p>- Aircraft repair and maintenance services (<i>part of CPC 8868</i>)</p>	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility None 2) Unbound None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required 	<ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility None 2) Unbound None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required 	
<p>- Selling and marketing of air transport services</p>	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal sectionPart I 	<ol style="list-style-type: none"> 1) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier: unbound 2) None 3) None except unbound for distribution through CRS of air transport services provided by CRS parent carrier: unbound 4) Unbound except as indicated in the horizontal sectionPart I 	

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>- Computer reservation system (CRS) services</p> <p>- Ground-handling services (ground administration, passenger handling, baggage handling, freight and mail handling, ramp handling, aircraft services, fuel and oil handling, flight operations and crew administration, surface transport)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the <i>horizontal section Part I</i></p> <p>1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None except unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: unbound</p> <p>2) None 3) None except unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: unbound</p> <p>4) Unbound except as indicated in the horizontal <i>section Part I</i></p> <p>1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I</p>	
<p>- Airport management services (airport infrastructure and operation services, including related consulting services)</p> <p>D. <u>Space Transport</u> (CPC 733)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound</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>E. <u>Rail Transport Services</u></p> <p>(a) Passenger transportation (CPC 7111)</p> <p>(b), (c) Freight transportation, including pushing and towing (CPC 7112 + 7113)</p> <p>(d) Maintenance and repair of rail transport equipment (part of CPC 8868)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except that concession is required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in an ecologically and economically more reasonable way</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None except that concession is required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in an ecologically and economically more reasonable way</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	
<p>F. <u>Road Transport Services</u></p> <p>(a) Passenger transportation</p> <p>- regular, "closed-door" tours only (part of CPC 7121)</p> <p>- occasional, excluding empty entrance, cabotage and taxi services (part of CPC 7122)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>5) Unbound except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</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>(b) Freight transportation <i>excluding cabotage (part of CPC 7123, not including cabotage)</i></p> <p>(c) Rental of commercial vehicles with operator (CPC 7124)</p> <p>(d) Maintenance and repair of road transport equipment (CPC 6112 + 8867)</p> <p>(e) Other supporting services for road transport (CPC 7449)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	
<p>H. <u>Services Auxiliary to All Modes of Transport</u></p>			
<p>(a) Cargo-handling services (CPC 741)</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	
<p>(b) Storage and warehouse services (CPC 742)</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) Unbound due to lack of technical feasibility</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</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>(c), (d) Freight transport agency services, <i>including other auxiliary transport services, excluding local pick up and delivery</i> (CPC 748 + <i>part of 749</i>), <i>including: customs clearance agency services and load scheduling</i></p> <p>(d) <i>Other auxiliary transport services, excluding local pick up and delivery</i> (part of CPC 749), <i>including: container station and depot services, container leasing and rental services, through-chain logistics services and reverse logistics</i></p> <p>12. OTHER SERVICES</p> <p>(a) Washing, cleaning and dyeing services (CPC 9701)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) <i>Unbound except as indicated in Part I</i></p> <p>1) None 2) None 3) None 4) <i>Unbound except as indicated in Part I</i></p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p> <p>1) None 2) None 3) None 4) <i>Unbound except as indicated in Part I</i></p> <p>1) None 2) None 3) None 4) <i>Unbound except as indicated in Part I</i></p>	
<p>(b) Hairdressing and other beauty services (CPC 9702)¹⁴</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in Part I</p>	

¹⁴ For the avoidance of doubt, the CPC categories in this subsector do not include any types of therapeutical, medical or para-medical treatment.

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>(c) Other services n.e.c.</p> <p>- Pet-caring services (such as hair-grooming or pet boarding) (part of CPC 9709)</p> <p>- Wellness services (such as sauna) (part of CPC 9709)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	

Annex I

ADDITIONAL COMMITMENTS ON BASIC TELECOMMUNICATION SERVICES
(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 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 any supplier with a dominant position 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.

Annex II

SWITZERLAND: DEFINITIONS TO THIS SCHEDULE

1. "*Maritime cargo handling services*" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of the loading/discharging of cargo to/from a vessel, the lashing/unlashing of cargo, the reception/delivery and safekeeping of cargoes before shipment or after discharge.
 2. "*Customs clearance services*" (alternatively "*customs house brokers' services*") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through-transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.
 3. "*Container station and depot services*" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.
 4. "*Maritime agency services*" means activities consisting in representing as an agent, within a given geographic area, the business interests of one or more shipping lines or shipping companies for the following purposes: **(a)** marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information; **(b)** acting on behalf of the companies organising the call of the vessel or taking over cargoes when required.
 5. "*Maritime freight forwarding services*" means the activity consisting in organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.
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Annex III

SWITZERLAND: ~~FINAL~~ LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries Members to which the measure applies	Intended duration	Conditions creating the need for the exemption
Distribution services	To grant work permits, without certain limitations, to employees of establishments of enterprises of member countries of the Convention establishing the European Free Trade Association (EFTA), the establishment's activity being commerce in goods	Members of EFTA	Indefinite	Flanking measure to the provisions on free trade in goods under the EFTA Agreement
Audiovisual services	To confer national treatment to audiovisual works covered by bilateral or plurilateral agreements on coproduction in the field of audiovisual works, in particular in relation to access to funding and to distribution	All countries with whom cultural cooperation may be desirable (at present agreements exist with member countries of the Council of Europe and with Canada)	Indefinite	Promotion of common cultural objectives

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries Members to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services - only terrestrial broadcasting ¹ or when broadcaster wants to be supported financially through revenues of reception fees	Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screen time which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria	European countries	Indefinite	Promotion of cultural objectives based on longstanding cultural links
Banking and other financial services (excluding insurance)	Concessions for the operation of radio or television broadcast stations may be granted, normally on the basis of reciprocity with regard to foreign capital participation in this sector bilateral agreements, to persons of countries other than Switzerland	All countries with whom cultural cooperation may be desirable in which access to broadcasting services is granted on the same basis as under Swiss law	Indefinite	Promotion of common cultural objectives, and to regulate access to a market limited in scale (given the size of Switzerland) in order to preserve diversity of supply
	To allow persons established in the Principality of Liechtenstein, without requiring a commercial presence in Switzerland, to participate in settlement and clearing network and to lead manage Swiss franc denominated issues	Principality of Liechtenstein	Indefinite	Measures ensuing from the monetary union between Switzerland and the Principality of Liechtenstein

¹ { Given the high cable density of Switzerland, the vast majority of radio and television broadcast programs are cable based. }

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries Members to which the measure applies	Intended duration	Conditions creating the need for the exemption
Internal waterways transport	To allow transport services on the Rhine including cabotage to vessels registered in countries other than Switzerland on the basis of the Mannheim Convention (including related additional articles and protocols) and other agreements on internal waterways transport in Europe	Beneficiaries of the Mannheim Convention and other agreements relating to internal waterways transport in Europe to which Switzerland may be a member (at present members of EC)	Indefinite	To regulate transport capacity on inland waterways
CRS and sales and marketing of air transport services	Measures based on Article 7 of the revised Code of Conduct of the European Civil Aviation Conference (ECAC), whereby the obligations of CRS system vendors or of parent and participating air carriers shall not apply where equivalent treatment to that applied under the revised Code of Conduct is not accorded in the country of origin of the parent carrier of the system vendor	All countries where a CRS system vendor or a parent air carrier is located	Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries Members to which the measure applies	Intended duration	Conditions creating the need for the exemption
Road transport services (passenger and freight)	To allow regulate , on the basis of mutual access to the market, transport services of goods and/or passengers by vehicles registered in countries other than Switzerland to undertake transportation of goods and/or passengers in, into, out of, or in transit through Swiss territory, normally based on bilateral agreements	All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approximately 30 45 countries)	Exemption needed until multilateral liberalization of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon	To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment
Road transport services (freight)	To allocate transit quota for perishable or otherwise urgent cargo by trucks heavier than 28 tons registered in countries other than Switzerland in case capacity of combined transport is exhausted	EC	To be reviewed 12 years after entry into force of the bilateral agreement between Switzerland and EC	To protect the integrity of road infrastructure and of the environment
All sectors	To mutually grant permits of temporary stay and permanent residency in the territory of the parties, without certain limitations, to citizens of the parties of the agreements on temporary stay and permanent residency between Switzerland and the Principality of Liechtenstein	Principality of Liechtenstein	Indefinite	Flanking measure to customs, monetary and postal union between Switzerland and the Principality of Liechtenstein

Sector or Subsector	Description of measure indicating its inconsistency with Article II	<i>Countries Members</i> to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	<p>Preferential treatment accorded to nationals of countries other than Switzerland, belonging to traditional recruiting areas according to Swiss legislation on immigration, when granting permits for entry, stay and work in Switzerland (year round resident, short time resident, seasonal workers) to natural persons providing services other than essential persons as defined in the Swiss Schedule of Specific Commitments on trade in services (part I: horizontal commitments); and m Measures based on bilateral agreements between the Principality of Liechtenstein, or the European Community and/or its Member States and/or EFTA States, and Switzerland, with the objective of providing for the movement of all categories of natural persons supplying services.</p>	<p>The Principality of Liechtenstein and the EC and EFTA countries</p>	Indefinite	<p>To regulate immigration into Switzerland by measures based on longstanding links with traditional recruiting areas Elements of a comprehensive set of bilateral agreements between Switzerland and the Principality of Liechtenstein and between Switzerland and the EC</p>