

Appendix 2

List of Reservations of Switzerland

1. This List of Reservations sets out, pursuant to Article 57, the reservations taken by Switzerland with respect to measures that do not conform with obligations imposed by any of the following provisions of the Agreement:

- (a) Article 45;
- (b) Article 46; or
- (c) Article 47.

2. Each reservation sets out the following elements:

- (a) “Sector” refers to the general sector in which a reservation is taken;
- (b) “Sub-Sector” refers to the specific sector in which a reservation is taken;
- (c) “Industry Classification” refers, where applicable, to the activity covered by the reservation according 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] (hereinafter referred to as “CPC”);
- (d) “Type of Reservation” specifies the obligation of the Agreement for which a reservation is taken;
- (e) “Level of Government” indicates the level of government maintaining the measure for which a reservation is taken, *i.e.* federal, cantonal and/or municipal;
- (f) “Measures” identifies the existing laws, ordinances, regulations or other measures, as qualified, where indicated, by the Description element, with respect to which the reservation is taken. In relation to reservations with respect to Article 45, it also includes international treaties. A measure cited in the Measures element:

- (i) means the measure as in force as of the date of signing of this Agreement, unless otherwise provided for in the Measures element; and
- (ii) includes any subordinate measure maintained, modified or adopted under the authority of and consistent with the measure, unless otherwise provided for in the Measures element; and

Note: It is understood that the Classified Compilation of the federal legislation (SR) is indicated only for transparency purposes and shall by no means override the measure as in force at the date of signing.

- (g) “Description” sets out, with regard to the obligations referred to in paragraph 1, the non-conforming aspects of the measures for which the reservation is taken.

3. Reservations are sequenced in the following order:

- Reservations covering all sectors (horizontal measures);
- Reservations covering specific sectors (sequenced according to the CPC);

- Reservations covering sectors to which no obvious CPC numbers could be assigned for the moment;
- Reservations covering various sectors.

4. The interpretation of a reservation in the meaning of this Appendix shall be made in accordance with international law and in the light of the relevant provisions of Chapter 6. In particular:

- (a) if the Measures element is marked as being “qualified by the Description element”, the Measures element as so qualified shall prevail over all other elements; and
- (b) if the Measures element is not so qualified, the Measures element shall prevail over all other elements. However, if any element is substantially and materially more precise than the Measures element, then that element shall be taken into consideration when determining the scope and/or meaning of the reservation. In particular, if the Measures element merely contains a general reference such as “cantonal legislations”, then any other more specific element shall prevail; and
- (c) the “Qualification” in the Description element applies to the levels of government indicated in the Level of Government element, unless more narrowly specified in the Qualification.

5. In case some fields of legislative competences are transferred in the future from federal to sub-federal level or vice-versa or from sub-federal to municipal level or *vice-versa*, Switzerland reserves the right to adapt the list of reservations correspondingly. The level of commitment shall not be decreased.

6. The fact that a reservation mentions a particular measure as well as the description of a particular measure shall not be used to infer that the provisions of Chapter 6 necessarily cover that measure.

7. Any activity that is not classified in Chapters 5 to 9 of the CPC is not considered as a service under Chapter 6.

1. Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Swiss Code of obligations (SR 220), Articles 718, 764, 814 and 898, as qualified by the Description element
Description:	<p>For a joint-stock company (Aktiengesellschaft; société anonyme; società anonima) or a “stock company with unlimited partners” (Kommanditaktiengesellschaft; société en commandite par actions; società in accomandita per azioni): at least one of the members of the board of directors or another person of the company with the right to represent the company must be domiciled in Switzerland (Articles 718 and 764 of the Code).</p> <p>For a limited liability company (Gesellschaft mit beschränkter Haftung; société à responsabilité limitée; società a garanzia limitata): at least one member of the managing officers or another person of the company with the right to represent the company must be domiciled in Switzerland (Article 814 of the Code).</p> <p>For a co-operative society (Genossenschaft; société cooperative; società cooperativa): at least one member of the administration or another person of the company with the right to represent the company must be domiciled in Switzerland (Article 898 of the Code).</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt, for aforementioned members, any domicile requirements in sectoral or specific laws or regulations. However, such future measures shall be not more restrictive than the 50 per cent requirement set out pursuant to the Code of obligations prior to its amendment of 1st January 2008.</p>

2. Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Swiss Code of obligations (SR 220), Article 4 of the final provisions together with Article 685 <i>d</i> of the Code
Description:	Joint-stock companies are not prohibited from providing in their articles of incorporation that 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 shareholders' circle required by federal law.

3. Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Swiss Code of obligations (SR 220), Article 935 Federal Law on international private law (SR 291), Article 160
Description:	The establishment of a branch requires a representative (natural person) with domicile in Switzerland who is duly authorised by the company to fully represent it.

4. Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations
Description:	The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality according to Swiss law (<i>i.e.</i> in a form other than joint-stock company, limited liability company or co-operative society) is subject to the requirement of a permanent residence permit of the associate(s) under cantonal law.

5. Sector:	All Sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the acquisition of real estate by persons abroad (SR 211.412.41) Federal Ordinance on the acquisition of real estate by persons abroad (SR 211.412.411)
Description:	<p>The acquisition of real estate by foreigners who are not permanently established in Switzerland and by enterprises with headquarters abroad or under foreign control is subject to authorisation. However, no authorisation is required for:</p> <ul style="list-style-type: none"> (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>For the acquisition of holiday residences and secondary residences for the purpose of personal housing needs, authorisation is granted upon verification of the purpose.</p> <p>Purely financial investments and trade in apartments are prohibited, with the following exceptions:</p> <ul style="list-style-type: none"> (a) foreigners may invest without authorisation in financial participations (<i>i.e.</i> shares) in juridical persons that own and trade housing properties, provided such participations are quoted on a stock exchange in Switzerland; (b) foreign and foreign-controlled banks and insurance companies are granted authorisation to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation; (c) foreign and foreign-controlled insurance companies are granted authorisation 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.

6. Sector:	All sectors
Sub-Sector:	Subsidies
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	All
Measures:	Federal, cantonal and municipal legislations As qualified by the Description element
Description:	With regard to subsidies, tax incentives and tax credits, Switzerland reserves the right to maintain, modify or adopt any measures which are not inconsistent with its commitments under the GATS.

7. Sector:	All sectors
Sub-Sector:	
Industry Classification:	
Type of Reservation:	National treatment (Article 47)
Level of Government:	All
Measures:	As qualified by the Description element
Description:	<p>When transferring or disposing of its equity or interests in, or the assets of, a state enterprise or a governmental entity, Switzerland reserves the right to:</p> <ul style="list-style-type: none">(a) prohibit or impose limitations on the ownership of such interests or assets by persons of Japan;(b) impose limitations on the ability of persons of Japan as owners of such interests or assets to control any resulting enterprise;(c) adopt or maintain any measure relating to the nationality of executives, managers or members of the board of directors of any resulting enterprise.

8. Sector:	Construction Work
Sub-Sector:	Installation Work
Industry Classification:	CPC 5162 Water plumbing and drain laying work CPC 5163 Gas fitting construction work CPC 51641 Electrical wiring and fitting work CPC 51649 Other electrical construction work CPC 87909 Other business services n.e.c. (limited to reading of gas, water and electricity meters)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal and municipal
Measures:	Cantonal and municipal legislations
Description:	Works related to gas, water and electricity meters, gas pipelines, as well as electricity and main water lines are reserved exclusively to cantons or municipalities or to specific operators. The reading of gas, water and electricity meters is reserved exclusively to cantons or municipalities or to specific operators.

9. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services; Wholesale Trade Services; Retail Trade Services
Industry Classification:	CPC 6111 Sales of motor vehicles CPC 6113 Sales of parts and accessories of motor vehicles CPC 6121 Sales of motorcycles and snowmobiles and related parts and accessories CPC 622 Wholesale trade services CPC 631 Food retailing services CPC 632 Non-food retailing services
Type of Reservation:	Market access (Article 46)
Level of Government:	Cantonal and municipal
Measures:	Cantonal and municipal legislations
Description:	Cantonal and municipal enactments provide an authorisation procedure for large-scale distribution facilities that may lead to the rejection of the authorisation on a case-by-case and discretionary basis. No economic needs tests or other market access restrictions apply.

10. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services; Wholesale Trade Services; Retail Trade Services
Industry Classification:	<p>CPC 6111 Sales of motor vehicles (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p> <p>CPC 6113 Sales of parts and accessories of motor vehicles (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p> <p>CPC 6121 Sales of motorcycles and snowmobiles and related parts and accessories (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p> <p>CPC 621 Commission agents' services (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p> <p>CPC 622 Wholesale trade services (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p> <p>CPC 632 Non-food retailing services (limited to weapons, weapon components, accessories for weapons, ammunition and ammunition components)</p>
Type of Reservation:	<p>Market Access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	Federal Law on weapons, weapon components and ammunition (SR 514.54), Articles 8, 12, 17 and 24, as qualified by the Description element
Description:	<p>Authorisation is required for import, distribution and trade of goods as defined in the Law. In order to obtain authorisation, enterprises must be registered in a cantonal Commercial Register in Switzerland. Natural or juridical persons must be resident or domiciled in the same canton for registration in the cantonal Commercial Register (SR 514.54, Articles 8, 12, 17 and 24).</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for retail trade of weapons, weapon components, accessories for weapons, ammunition</p>

and ammunition components.

11. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services; Wholesale Trade Services; Retail Trade Services
Industry Classification:	<p>CPC 6111 Sales of motor vehicles (limited to war material and embargoed goods)</p> <p>CPC 6113 Sales of parts and accessories of motor vehicles (limited to war material and embargoed goods)</p> <p>CPC 6121 Sales of motorcycles and snowmobiles and related parts and accessories (limited to war material and embargoed goods)</p> <p>CPC 621 Commission agents' services (limited to war material and embargoed goods)</p> <p>CPC 622 Wholesale trade services (limited to war material and embargoed goods)</p> <p>CPC 632 Non-food retailing services (limited to war material and embargoed goods)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	<p>Federal Law on war material (SR 514.51), Articles 7, 8, 9 and 10</p> <p>Federal Law on the implementation of international sanctions (SR 946.231), Article 1</p> <p>As qualified by the Description element</p>
Description:	<p>Market access and/or national treatment may not be granted in respect of import, export, transit, distribution, brokering and trade of war materials ("Kriegsmaterial", "matériel de guerre", "materiale bellico"). The supply of such services shall not prejudice national interests (SR 514.51, Articles 9 and 10).</p> <p>The import, export, transit, distribution, brokering, trade, or other disposal of nuclear, biological, and chemical weapons as well as anti-personnel mines is prohibited (SR 514.51, Articles 7 and 8).</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for any service, if this is necessary for the implementation of international sanctions aiming at enforcing public international law and in particular public international human rights law (SR 946.231, Article 1).</p>

12. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services; Wholesale Trade Services; Retail Trade Services
Industry Classification:	CPC 621 Commission agents' services (limited to explosives) CPC 622 Wholesale trade services (limited to explosives) CPC 632 Non-food retailing services (limited to explosives)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on explosives (SR 941.41), Articles 9 and 10 Federal Ordinance on explosives (SR 941.411), Articles 31 and 35
Description:	Authorisation is required for the distribution, sale and trade of explosives (SR 941.41, Articles 9 and 10; SR 941.411 Article 31). Only natural persons having their residence in Switzerland and juridical persons registered in the cantonal Commercial Register may be authorised to sell explosives (SR 941.411, Article 35).

13. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services; Wholesale Trade Services; and Retail Trade Services
Industry Classification:	<p>CPC 621 Commission agents' services (limited to dual-use goods and special goods for military use)</p> <p>CPC 622 Wholesale trade services (limited to dual-use goods and special goods for military use)</p> <p>CPC 632 Non-food retailing services (limited to dual-use goods and special goods for military use)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	Federal Law on the control of goods for civil and military use and of special goods for military use (SR 946.202), Articles 4, 5, 6, and 8
Description:	The distribution, import, export, transit, brokering and trade of goods as defined in the Law are subject to various authorisations, declarations and supervisory obligations which <i>de facto</i> restrict cross-border supply of such services (SR 946.202, Articles 4, 5, 6 and 8).

14. Sector:	Trade Services
Sub-Sector:	Commission Agents' Services, Wholesale Trade Services; Retail Trade Services
Industry Classification:	<p>CPC 621 Commission agents' services (limited to services related to medicinal products, medical devices, transplant products, narcotics, psychotropic substances, precursors and other chemicals used to produce narcotics and psychotropic substances)</p> <p>CPC 622 Wholesale trade services (limited to services related to medicinal products, medical devices, transplant products, narcotics, psychotropic substances, precursors and other chemicals used to produce narcotics and psychotropic substances)</p> <p>CPC 632 Non-food retailing services (limited to services related to medicinal products, medical devices, transplant products, narcotics, psychotropic substances, precursors and other chemicals used to produce narcotics and psychotropic substances)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal and cantonal
Measures:	<p>Federal Law on the transplantation of organs, tissues and cells (SR 810.21), Article 49</p> <p>Federal Law on narcotics and psychotropic substances (SR 812.121), Article 4</p> <p>Federal Law on medicinal products and medical devices (Law on therapeutic products) (SR 812.21), Articles 2, 10, 18, 19, 20, 27, 28, 29, 30, 47 and 50</p> <p>Federal Ordinance on precursors and other chemicals used to produce narcotics and psychotropic substances (SR 812.121.3), Article 6</p> <p>Federal Ordinance on authorisations in the area of medicinal products (SR 812.212.1), Articles 7, 12 and 15</p> <p>Federal Ordinance on medicinal products (SR 812.212.21), Article 29</p> <p>Cantonal legislations</p> <p>As qualified by the Description element</p>
Description:	<p>FEDERAL LEVEL:</p> <p>Authorisation is required for the import, distribution, sale</p>

and trade of goods as defined in the Laws cited in the Measures element (SR 810.21, Article 49; SR 812.121, Article 4; SR 812.21, Articles 18, 19, 20, 27, 28, 29, 30 and 47; SR 812.121.3, Article 6).

Juridical persons seeking an authorisation must have their domicile in Switzerland and be registered in a cantonal Commercial Register. Natural persons seeking authorisation must be resident in Switzerland (SR 812.21, Articles 2 and 10; SR 812.121.3, Article 6; SR 812.212.1, Articles 7 and 12; SR 810.21, Article 49).

CANTONAL LEVEL:

Retail distribution:

Authorisation issued by the cantons is required for retail distribution of goods as defined in the Federal Law on the transplantation of organs, tissues and cells (SR 810.21) and in the Federal Law on medicinal products and medical devices (Law on therapeutic products, SR 812.21). Cantons may establish corresponding rules, conditions and procedures (SR 812.21, Article 30; SR 810.21, Article 49).

Qualification: Switzerland reserves the right to maintain, modify or adopt any such rules and conditions.

Mail-order distribution:

Mail-order business and distribution of goods as defined in the Federal Law on the transplantation of organs, tissues and cells (SR 810.21) and in the Federal Law on medicinal products and medical devices (Law on therapeutic products) (SR 812.21) is prohibited in principle. Authorisation issued by the cantons may be granted in some cases (SR 812.21, Article 27; SR 810.21, Article 49). To obtain such an authorisation, a cantonal retail distribution authorisation granting the permission to operate a public pharmacy is required (SR 812.212.21, Article 29).

Qualification: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for mail-order business and distribution services.

Note for transparency: Placing certain medical devices on the market may require an authorisation (SR 812.21, Article 47). Import and export of certain medical devices may be restricted or prohibited (SR 812.21, Article 50).

15. Sector:	Trade Services
Sub-Sector:	Retail Trade Services
Industry Classification:	CPC 632 Non-food retailing services (limited to precious metals)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the control of trade with precious metals and goods derived from precious metals (SR 941.31), Articles 1, 2, 23, 24, 25 and 28
Description:	<p>Hawking and taking orders through mobile sales or advertising units with respect to goods as defined in Articles 1 and 2 of the Law as well as to precious metal waste and melting products are prohibited (Articles 23 and 28).</p> <p>For commercial trade in precious metal waste and melting products, an authorisation is required (Article 24).</p> <p>To obtain such an authorisation for natural persons, residence in Switzerland and registration in the Swiss Commercial Register are required. For juridical persons, domicile in Switzerland and registration in a cantonal Commercial Register are required (Article 25).</p>

16. Sector:	Transport Services
Sub-Sector:	Rail Transport Services; Supporting and Auxiliary Transport Services
Industry Classification:	CPC 7111 Passenger transportation CPC 7112 Freight transportation CPC 7113 Pushing or towing services CPC 743 Supporting services for railway transportation
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Law on railways (SR 742.101), Articles 5 and 6 Federal Ordinance on access to railway infrastructure (SR 742.122), Article 3 Cantonal legislations, as qualified by the Description element
Description:	<p>FEDERAL LEVEL:</p> <p>A concession is required to construct and/or operate railway infrastructure (SR 742.101, Article 5).</p> <p>A concession to construct and/or operate a railway infrastructure may be granted under the condition that the transport service is delivered in a practical and economical way and, in addition, that substantial public interests are not affected such as zoning plans, the protection of the environment and the landscape, or defence (SR 742.101, Article 6).</p> <p>Authorisation is required for access to railway infrastructure. Only enterprises domiciled in Switzerland and registered in a cantonal Commercial Register or possessing a concession to construct and/or operate railway infrastructure may obtain such authorisation (SR 742.122, Article 3).</p> <p>CANTONAL LEVEL:</p> <p>Authorisation issued by cantons on a case-by-case and discretionary basis is required for the use of public roads by tramway infrastructure (SR 742.101, Article 6).</p> <p><u>Qualification:</u> Switzerland reserves the right for the cantons to maintain, modify or adopt any measures restricting market access and/or national treatment for services as indicated in the Industry Classification element.</p>

17. Sector:	Transport Services
Sub-Sector:	Internal Waterways Transport Services; Rail Transport Services; Road Transport Services; Other Land Transport Services (Including Cable Railways, Funiculars, Ski Lifts, Sledge Cable Railway, Elevators, Other Similar Transportation Facilities by Cable or by Cable on Railways, and any Other Transport Facility)
Industry Classification:	CPC 7111 Passenger transportation CPC 7121 Other scheduled passenger transportation CPC 7122 Other non-scheduled passenger transportation CPC 7221 Passenger transportation
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Law on passenger transport and on concessions for road transport enterprises (SR 744.10), Articles 2, 4 and 8 Federal Law on inland navigation (SR 747.201), Article 7 Federal Ordinance on concessions for passenger transportation (SR 744.11), Articles 4, 5, 6, 13, 32, 37, 38, 39 <i>b</i> , 40 and 47 <i>a</i> Cantonal legislations
Description:	FEDERAL LEVEL: State monopoly for regular transport of passengers (SR 744.10, Article 2; SR 747.201, Article 7). Concession or authorisation is required for regular transport of passengers (Article 4 SR 744.11). Concession is required for regular transport as defined in Article 5 of the Federal Ordinance on concessions for passenger transportation (SR 744.11). Such a concession may be granted under the condition that the transport service is supplied in a practical and economical way and, in addition, that either the transport service does not negatively affect public transport enterprises or that the transport service establishes an important new transport connection (SR 744.10, Article 5; SR 744.11, Article 13). Authorisation is required for regular transport as defined in Article 6 of the Federal Ordinance on concessions for passenger transportation (SR 744.11), namely for regular cross-border transport, certain international shuttle transport and for the transport of passengers between airports and tourist regions. To obtain an authorisation for regular cross-border and certain international shuttle transport by road, the newly introduced transport services

must not compete in any way with public or other existing transport services and an enterprise of Switzerland must have a substantial share in the business. Such an authorisation does not allow the supply of transport services between points within the territory of Switzerland (cabotage). To obtain an authorisation for the transport of passengers between airports and tourist regions, the conditions for obtaining a concession must be met (SR 744.11, Articles 6, 37, 38, 39*b*, 40 and 47*a*).

Authorisation is required for enterprises undertaking regular passenger transport or freight transport by road (SR 744.10, Article 8).

CANTONAL LEVEL:

Authorisation issued by cantons is required for regular passenger transport as defined in the Federal Ordinance on concessions for passenger transport (SR 744.11, Article 6). To obtain such authorisation, the newly introduced service must not compete in any way with public transport (SR 744.10, Article 4; SR 744.11, Articles 13 and 32).

18. Sector:	Transport Services
Sub-Sector:	Road Transport Services
Industry Classification:	CPC 7121 Other scheduled passenger transportation CPC 7122 Other non-scheduled passenger transportation CPC 7123 Freight transportation
Type of Reservation:	Most-favoured-nation treatment (Article 45) Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the shift to rail of freight traffic crossing the Alps (SR 740.1), Article 1 Federal Law on road transport (SR 741.01), Article 106 Federal Ordinance on the admission of persons and vehicles to road traffic (SR 741.51), Article 115 Agreement of 21 June 1999 on the carriage of goods and passengers by rail and road between the European Community and the Swiss Confederation (SR 074.72) Other bilateral road transport agreements, existing (SR 0.741.619 series) and future
Description:	Freight transport on roads crossing the Alps shall not exceed 650'000 rides per year (SR 740.1, Article 1). The Federal Law on the shift to rail of freight traffic crossing the Alps provides the possibility to introduce non-discriminatory measures to achieve the objective of shifting freight traffic to rail (SR 740.1, Article 2). Switzerland reserves the right to accord less favourable treatment to services or service suppliers of Japan for transport of goods and/or passengers by vehicles registered in countries other than Switzerland in, into, out of, or in transit through Swiss territory than that accorded to like service suppliers of any other country, normally pursuant to bilateral road transport agreements (SR 741.01, Article 106; SR 0.741). Vehicles must carry a Swiss vehicle document and a Swiss licence plate if they transport passengers or freight between points within the territory of Switzerland (prohibition of cabotage) on a commercial basis (SR 741.51, Article 115).

19. Sector:	Transport Services
Sub-Sector:	Road Transport Services
Industry Classification:	CPC 7122 Other non-scheduled passenger transportation (limited to services supplied by taxis)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal and municipal
Measures:	Cantonal and municipal legislations, as qualified by the Description element
Description:	Cantonal and municipal enactments on taxi services provide monopolies, concessions or licences to specific operators or impose various measures restricting market access and/or national treatment. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures of the type described.

20. Sector:	Transport Services
Sub-Sector:	Pipeline Transport Services
Industry Classification:	CPC 7131 Transportation of petroleum and natural gas CPC 7139 Transportation of other goods
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Law on pipeline installations (SR 746.1), Articles 2, 3 and 4 Cantonal legislations
Description:	<p>For public and economic policy reasons specified in the Law, market access for foreign companies to receive approval to construct pipeline installations in Switzerland may be restricted or denied (SR 746.1, Articles 2 and 3).</p> <p>To receive approval to construct pipeline installations in Switzerland and/or to supply services as indicated in the Industry Classification element, a foreign enterprise must have its management as well as its production management resident in Switzerland. Furthermore, the foreign enterprise must have an operational organisation which ensures the implementation of Swiss Law (SR 746.1, Article 4).</p> <p>Cantonal authorisation may be required and is granted on a case-by-case and discretionary basis.</p>

21. Sector:	Transport Services; Business Services
Sub-Sector:	Maritime Transport Services; Leasing or Rental Services Concerning Vessels without Operator; Leasing or Rental Services Concerning Pleasure and Leisure Equipment
Industry Classification::	CPC 721 Transport services by seagoing vessels (limited to flag-related restrictions) CPC 83103 Leasing or rental services concerning vessels without operator (limited to maritime transport and flag-related restrictions) CPC 83204 Leasing or rental services concerning pleasure and leisure equipment (limited to maritime transport and flag-related restrictions)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on maritime transport under Swiss flag (SR 747.30), Articles 19, 20, 21, 22, 23, 24 and 91 Federal Ordinance on maritime transport (SR 747.301), Articles 5, 5a, 5b, 5c, 5d, 5e, 5f and 6 Federal Ordinance on Swiss maritime yachts (SR 747.321.7), Articles 17 and 18
Description:	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 (SR 747.301, Article 5d). The following types of enterprises as listed hereinafter may own and/or operate a vessel under Swiss flag under the following conditions (vessel owner and/or shipping company): (a) the head office and actual centre of business activities must be located in Switzerland; (b) at least two thirds of the shares' voting power representing at least the majority of the share capital of a joint-stock company (Aktiengesellschaft; société anonyme; società anonima) or a stock company with unlimited partners (Kommanditaktiengesellschaft; société en commandite par actions; società in accomandita per azioni) 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;

- (c) the whole share capital of the joint-stock company or of the stock company with unlimited partners must be issued in the form of registered shares;
- (d) at least three quarters of the associates or other partners who account for at least three quarters of the capital of a collective society (Kollektivgesellschaft; société en nom collectif; società in nome collettivo), a limited partnership (Kommanditgesellschaft; société en commandite; società in accomandita) or a limited liability company (Gesellschaft mit beschränkter Haftung; société à responsabilité limitée; società a garanzia limitata) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland;
- (e) at least two thirds of the members who account for at least two thirds of the capital of a co-operative society (Genossenschaft; société coopérative; società cooperativa) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with registered office in Switzerland.

To own and/or operate a vessel under Swiss flag:

- (a) for all types of enterprises mentioned above:
 - (i) the majority of the members of the board of directors and of the management must be domiciled in Switzerland;
 - (ii) if the board of directors or the management is constituted by a single person, this person must be a Swiss national domiciled in Switzerland;
 - (iii) in addition, the Swiss Maritime Navigation Office may, if necessary, require other executives and/or senior managers of the enterprise to be Swiss nationals domiciled in Switzerland to ensure the substantially Swiss-owned and effectively Swiss-controlled character of the enterprise;
- (b) for sole proprietorships (Einzelfirma; entreprise individuelle; ditta individuale), the proprietor must be a Swiss national domiciled in Switzerland;
- (c) at least two thirds of the members of the board of directors and of the management of a joint-stock company, a stock company with unlimited partners, a limited liability company or a co-operative society must be Swiss nationals;
- (d) statutory auditing reports must be drawn up by auditing companies with an office or branch domiciled in

Switzerland and registered in a cantonal Commercial Register;

- (e) eligibility for public guarantee of loans for the financing of seagoing vessels is reserved to vessels sailing under Swiss flag (SR 747.30, Articles 19, 20, 21, 22, 23 and 24; SR 747.301, Articles 5, 5a, 5b, 5c, 5d, 5e, 5f and 6).

Rental/Leasing without operator relating to ships under Swiss flag is allowed to Swiss ship-owning companies only (SR 747.30, Article 91).

Commercial maritime transport services for passenger and freight by sport and leisure crafts under Swiss flag and leasing or rental services relating to sport and leisure crafts under Swiss flag are prohibited (SR 747.321.7, Articles 17 and 18).

22. Sector:	Transport Services; Business Services
Sub-Sector:	Internal Waterways Transport Services (Limited to the Rhine); Leasing or Rental Services Concerning Vessels without Operator; Leasing or Rental Services Concerning Pleasure and Leisure Equipment
Industry Classification:	<p>CPC 7221 Passenger transportation (limited to transport on the Rhine)</p> <p>CPC 7222 Freight transportation (limited to transport on the Rhine)</p> <p>CPC 7223 Rental services of non-seagoing vessels with operator (limited to transport on the Rhine)</p> <p>CPC 83103 Leasing or rental services concerning vessels without operator (limited to internal waterways transport and flag-related restrictions)</p> <p>CPC 83204 Leasing or rental services concerning pleasure and leisure equipment (limited to internal waterways transport and flag-related restrictions)</p>
Type of Reservation:	<p>Most-favoured-nation treatment (Article 45)</p> <p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	<p>Federal Law on maritime transport under Swiss flag (SR 747.30), 91, 125 and 126</p> <p>Federal Law on ship registry (SR 747.11), Article 4</p> <p>Federal Ordinance on ship registry (SR 747.111), Articles 8, 9, 10, 11, 12, 13, 14 and 15</p> <p>Revised Act on Rhine shipping of 17 October 1868 between Baden, Bavaria, France, Hessen, Netherlands and Prussia (SR 0.747.224.101), as may be amended in the future, Articles 2 and 4</p>
Description:	<p>Ships under the flag of a Contracting Party to the Revised Act on Rhine shipping are defined as “belonging to Rhine shipping” (SR 0.747.224.101, Article 2).</p> <p>As defined by the Revised Act on Rhine shipping (SR 0.747.224.101, Article 4) and as defined in the Federal Law on maritime transport under Swiss flag (SR 747.30, Article 125), ships “belonging to Rhine shipping” have the right to transport passengers and goods between two points on the Rhine. It is not allowed to supply services as indicated in the Industry Classification element under other flags (SR</p>

0.747.224.101, Article 4).

All ships offering commercial transport services of passengers and goods on internal waterways on the territory of Switzerland, including waterways sharing the border with another country, must be registered in the ship registry (Schiffsregister, registre des bateaux, registro del naviglio). To be registered in the ship registry, more than 50 per cent of a ship must be owned by one or more natural persons having their residence in Switzerland or by one or more juridical persons having their domicile in Switzerland. In addition, a ship may be registered in the ship registry only if it is allowed to carry the Swiss flag and if it belongs to an economically independent enterprise or branch with a full-fledged operational organisation in Switzerland (SR 747.11, Article 4).

The owner of a Rhine vessel that is permitted to fly the Swiss flag on the Rhine must meet the requirements as specified hereinafter. Rhine vessels are defined as vessels used for the commercial transport of persons or goods on the Rhine, its tributaries and side canals, downstream of the town of Rheinfelden. The Confederation, the cantons and Swiss public corporations and organisations are not required in their capacity as ship owners to prove that they fulfil these requirements. A maritime vessel that is entered in the register of Swiss maritime vessels (Register der Schweizerischen Seeschiffe, registre des navires suisses, registro delle navi marittime svizzere) may operate on the Rhine under the Swiss flag (SR 747.111, Article 8).

Concerning the abovementioned flag-related restrictions, the following states are “accorded equal status to Switzerland”:

- (a) the Contracting Parties to the Revised Act on Rhine shipping of 17 October 1868;
- (b) the Member States of the European Community in which, for the purpose of flying the flag of their state on the Rhine, regulations that are equivalent to those applicable to the Contracting Parties to the Revised Act on Rhine shipping apply (SR 747.111, Article 9).

If more than half of the ship is owned by a natural person, a commercial business, a legal entity or its branch office, it must be domiciled in Switzerland and be a national of Switzerland or of a state “accorded equal status to Switzerland” or it must have its registered office in Switzerland and fulfil the requirements of Articles 11 to 13 of SR 747.111 as stated hereinafter with regard to the majority requirement and participation levels.

If more than half of the ship is owned by more than one natural person, commercial company, legal entity or its

branch office, these must be domiciled in Switzerland and be a national of Switzerland or of a state “accorded equal status to Switzerland”, or these must have their registered office in Switzerland and fulfil the requirements of Articles 11 to 13 (SR 747.111) as stated hereafter with regard to the majority requirement and participation levels (SR 747.111, Article 10).

If the ship is owned by a commercial business or a legal entity, this commercial business or legal entity must fulfil the following requirements:

- (a) two thirds of all company members (partners, general partners, limited partners and other co-partners) must be domiciled in Switzerland or in a state “accorded equal status to Switzerland” and be a national of Switzerland or of a state “accorded equal status to Switzerland” or, if the limited partners or other co-partners are legal entities or commercial businesses, they must be entities from Switzerland or from a state “accorded equal status to Switzerland” (SR 747.111, Article 13). The partners must in addition hold a minimum of two thirds of the capital;
- (b) persons from Switzerland or from states “accorded equal status to Switzerland” must hold a minimum of two thirds of the share capital, registered capital or cooperative capital (SR 747.111, Article 13); these persons must also as a minimum hold the same proportion of voting rights;
- (c) a minimum of two thirds of all members of an association as well as all members of the committee or any other executive association body must be domiciled in Switzerland or in a state “accorded equal status to Switzerland” and be nationals of Switzerland or of a state “accorded equal status to Switzerland”;
- (d) all members of the board of governors of a foundation must be domiciled in Switzerland or in a state “accorded equal status to Switzerland” and be nationals of Switzerland or of a state “accorded equal status to Switzerland”.

Usufructuaries, secured creditors or persons entitled to any other participation in the business of the ship owner must, if they are in a position to exert a significant influence on the management of the business, fulfil the same requirements as the owner.

Trustors must fulfil the same requirements as trustees. The same condition applies by analogy to arrangements similar to trusts.

A commercial business or legal entity is not regarded as an economically or commercially independent business if the

master of the ship, the ship's crew or the members of their families own more than two thirds of the ship (SR 747.111, Article 11).

If only one person is entrusted with the management or administration of a sole proprietorship, commercial business or legal entity, that person must be domiciled in Switzerland and be a national of Switzerland or of a state "accorded equal status to Switzerland".

If more than one person is entrusted with the management or administration of a sole proprietorship, commercial business or legal entity, then the majority of those persons must be domiciled in Switzerland; two thirds must be nationals of Switzerland or of a state "accorded equal status to Switzerland".

Any horizontal provisions on nationality as stated in this agreement that impose stricter conditions are reserved (SR 747.111, Article 12).

The following persons are regarded as persons from Switzerland or from states "accorded equal status to Switzerland" in accordance with the Revised Act on Rhine shipping:

- (a) natural persons that are domiciled in Switzerland or in a state "accorded equal status to Switzerland" and who are nationals of Switzerland or of a state "accorded equal status to Switzerland";
- (b) commercial businesses and legal entities that have their registered office in Switzerland or in a state "accorded equal status to Switzerland" and in which natural persons as referred to in (a) or other commercial businesses or legal entities hold a significant participation as members or partners, shareholders, cooperative members or as other co-partners (sub-participation). Commercial partnerships or legal entities that hold a sub-participation must themselves fulfil the requirements of a significant participation as defined below. The foregoing also applies to any other significant participation in a sub-participation.

A significant participation is defined as (SR 747.111, Article 13):

- (a) a participation in the capital normally amounting to at least two thirds;
- (b) the possession of the same proportion of the voting rights; and
- (c) a significant involvement in the management and administration.

An undertaking in terms of Article 4 of SR 747.11 as stated

above (sole proprietorships, commercial businesses, legal entities) or its branch office must:

- (a) be organised appropriately in Switzerland for operating, equipping and manning the vessel; and
- (b) have the centre of its commercial activities in Switzerland and conduct the operation of the vessel from there.

These conditions apply by analogy to associations of joint-owners or co-owners.

If the operational tasks are carried out on board by the master of the ship or a member of the ship's crew (private ship's owner), the owner of the vessel must be domiciled in Switzerland and be a national of Switzerland or of a state "accorded equal status to Switzerland". If the ship is owned by more than one person (joint owners or co-owners), these owners must all be domiciled in Switzerland and be nationals of Switzerland or of a state "accorded equal status to Switzerland" (SR 747.111, Article 14).

If a Rhine vessel is operated by an inland operator who is not the owner, this operator must either:

- (a) be domiciled or have its registered office in Switzerland and fulfil the requirements that the Ordinance specifies for the owner; or
- (b) be domiciled or have its registered office in a state "accorded equal status to Switzerland" and fulfil the requirements that this state specifies for inland operators. In relation to this, the operator must provide an official document in accordance with the Revised Act on Rhine shipping of 17 October 1868 (SR 0.747.224.101).

If a ship is acquired by an owner in terms of Article 8 of SR 747.111 on behalf of the inland operator and primarily for funding purposes, the inland operator must be domiciled or have its registered office in Switzerland as well and must fulfil the same requirements as the owner (SR 747.30, Article 126; SR 747.111, Article 15).

Rental/Leasing without operator relating to ships under Swiss flag is allowed to Swiss ship-owning companies only (SR 747.30, Article 91).

23. Sector:	Transport Services
Sub-Sector:	Internal Waterways Transport Services
Industry Classification:	CPC 7221 Passenger transportation (excluding transport on the Rhine)
	CPC 7222 Freight transportation (excluding transport on the Rhine)
	CPC 7224 Towing and pushing services (excluding transport on the Rhine)
Type of Reservation:	Market access (Article 46)
Level of Government:	Federal and cantonal
Measures:	Federal Law on inland navigation (SR 747.201), Article 3 Cantonal legislations, as qualified by the Description element
Description:	Cantons have the competence to restrict or prohibit inland navigation on their internal waterways to protect public interests. <u>Qualification:</u> Switzerland reserves the right for the cantons to maintain, modify or adopt any measures restricting market access and/or national treatment for transport services on internal waterways.

24. Sector:	Transport Services, Business Services, Agricultural Services, Community Services
Sub-Sector:	Air Transport Services; Specialty Air Services
Industry Classification:	<p>CPC 731 Passenger transportation by air</p> <p>CPC 732 Freight transportation by air</p> <p>CPC 734 Rental services of aircraft with operator</p> <p>CPC 86753 Surface surveying services (limited to airborne surveying services)</p> <p>CPC 8719 Other advertising services (limited to aerial advertising services)</p> <p>CPC 87504 Speciality photography services (limited to aerial photography)</p> <p>CPC 8811 Services incidental to agriculture (limited to aerial spraying)</p> <p>CPC 8814 Services incidental to forestry and logging (limited to air-lifted logging and forest fire management)</p> <p>CPC 9126 Police and fire protection services (limited to aerial fire-fighting)</p>
Type of Reservation:	<p>Most-favoured-nation treatment (Article 45)</p> <p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	<p>Federal Law on air transport (SR 748.0), Articles 2, 8, 27, 28, 29, 30 and 32.</p> <p>Federal Ordinance on air transport (SR 748.01), Articles 4, 83, 103 and 108</p> <p>Agreement of 21 June 1999 on air transport between the Swiss Confederation and the European Community (SR 0.748.127.192.68)</p> <p>Other bilateral air services agreements, existing (SR 0.748.127 series) and future</p>
Description:	<p>In order to operate in Swiss air-space, aeroplanes must be registered in the Swiss aircraft register (Schweizerisches Luftfahrzeugregister; registre matricule suisse; matricola svizzera). Foreign aeroplanes may be allowed to operate in Swiss air-space pursuant to bilateral agreements (SR 748.0 Article 2). Aeroplanes owned by the following natural or juridical persons may be registered in the Swiss aircraft register:</p> <p>(a) Swiss nationals;</p> <p>(b) foreigners, who:</p>

- (i) pursuant to a bilateral agreement, are accorded equal status to Swiss nationals in respect of foreign capital participation in and management of Swiss air traffic companies;
 - (ii) are domiciled in Switzerland; and
 - (iii) are permitted to stay in Switzerland for an extended period of time;
- (c) foreigners, who:
- (i) are domiciled in Switzerland;
 - (ii) are permitted to stay in Switzerland for an extended period of time; and
 - (iii) normally use the aeroplane from Switzerland;

companies and co-operative societies domiciled in Switzerland and registered in a cantonal Commercial Register (SR 748.01, Article 4).

An authorisation is required for the commercial transport of passengers and freight (SR 748.0, Article 27). Commercial transport of passengers includes services such as air sightseeing services or transport of parachute jumpers and of heli-skiers. Commercial transport of freight includes air-lifted transport of material for construction sites or air lifted logging. A concession is required for the regular transport of passengers and freight on the same flight route (SR 748.0, Article 28). In order to obtain such authorisation or concession, an enterprise must have its domicile in Switzerland (SR 748.0, Article 27), be registered in a cantonal Commercial Register and be owned and controlled by a majority of Swiss nationals or Swiss enterprises. The majority of the shares must be registered shares and in Swiss hands (SR 748.01, Article 103).

Enterprises without domicile in Switzerland may obtain such authorisation and concession on the basis of reciprocity, normally pursuant to bilateral air services agreements. Switzerland reserves the right to accord less favourable treatment to services or service suppliers of Japan than that accorded to like services or service suppliers of any other country (SR 748.0, Articles 29, 30; SR 748.01, Article 108; SR 0.748).

Commercial transport services of passengers or freight between points within the territory of Switzerland (cabotage), as well as rental services of aircraft with operator, must be supplied by Swiss enterprises exclusively, unless international agreements stipulate otherwise. Switzerland reserves the right to accord less favourable treatment to services or service suppliers of Japan than that accorded to like services or service suppliers of any other country, normally pursuant to

bilateral air services agreements (SR 748.0, Article 32; SR 0.748).

Aerial advertising is prohibited (SR 748.01, Article 83).

25. Sector:	Transport Services
Sub-Sector:	Supporting and Auxiliary Transport Services
Industry Classification:	CPC 741 Cargo handling services (limited to cargo handling services for air transport)
	CPC 7461 Airport operation services (excl. cargo handling)
Type of Reservation:	Most-favoured-nation treatment (Article 45)
	Market access (Article 46)
	National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Ordinance on aviation infrastructure (SR 748.131.1), Article 29a and Annex on ground-handling services
	Agreement of 21 June 1999 on air transport between the Swiss Confederation and the European Community (SR 0.748.127.192.68)
Description:	<p>The Ordinance stipulates that Council Directive 96/67/EC of October 1996 on access to the ground-handling market at Community airports shall apply in Switzerland (SR 748.131.1 Article 29a). As a consequence, as provided for by the provisions of the Directive, access to the ground-handling services market may be guaranteed on a reciprocal basis only.</p> <p>The number of ground-handling services suppliers may be limited in accordance with Council Directive 96/67/EC of October 1996 on access to the ground-handling market at Community airports (SR 748.131.1, Annex on ground-handling services).</p>

26. Sector:	Transport Services
Sub-Sector:	Supporting and Auxiliary Transport Services
Industry Classification:	CPC 7441 Bus station services CPC 7443 Parking services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantons
Measures:	Cantonal legislations As qualified by the Description element
Description:	Switzerland reserves the right to maintain, modify or adopt any measures restricting market access or national treatment for services as indicated in the Industry Classification element, including monopolies and exclusive service suppliers.

27. Sector:	Transport Services
Sub-Sector:	Supporting and Auxiliary Transport Services
Industry Classification:	CPC 7442 Highway, bridge and tunnel operation services
Type of Reservation:	Market access (Article 46)
Level of Government:	Federal
Measures:	Federal Constitution (SR 101), Article 82
Description:	<p>The supply of highway, bridge and tunnel operation services must be free of charge (Article 82). This amounts to a <i>de facto</i> ban of the supply of such services on a private commercial basis.</p> <p>Highways, bridges and tunnels are all state-owned and operated by the state or by delegated entities.</p>

28. Sector: Transport Services

Sub-Sector: Supporting and Auxiliary Transport Services

Industry Classification: CPC 7462 Air traffic control services

Type of Reservation: Market access (Article 46)

Level of Government: Federal

Measures: Federal Law on aviation (SR 748.0), Article 40
Federal Ordinance on air traffic control services (SR 748.132.1), Article 2

Description: Air traffic control services may be supplied exclusively by a non-commercial institution designated by the Federal Council.

29. Sector:	Communications Services
Sub-Sector:	Postal and Courier Services
Industry Classification:	CPC 751 Postal and courier services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on postal services (SR 783.0), Article 2 Federal Ordinance on postal services (SR 783.01), Articles 2 and 3 Federal Ordinance on road traffic (SR 741.11), Article 91 As qualified by the Description element
Description:	<p>Swiss Post (Die Schweizerische Post; La Poste Suisse; La Posta Svizzera) has the exclusive mandate to guarantee universal postal service. This covers the pick-up, transport and delivery of domestically and internationally addressed letters up to one kilogram and parcels up to 20 kilograms as well as the pick-up, transport and delivery of subscribed newspapers and periodicals.</p> <p>Unlike other postal services suppliers, Swiss Post is allowed to drive heavy vehicles at night and on Sundays (SR 741.11, Article 91).</p> <p><u>Note for transparency:</u> The exclusive mandate and therefore this reservation do not apply to express delivery services.</p> <p><u>Qualification:</u> This reservation corresponds to the legislation (measures) in force on 1 April 2004.</p>

30. Sector:	Communications Services
Sub-Sector:	Telecommunications Services; Audiovisual Services
Industry Classification:	CPC 7524 Programme transmission services CPC 75300 Radio and television cable services CPC 9613 Radio and television services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on telecommunications (SR 784.10), Article 3 Federal Law on radio and television (SR 784.40), Articles 1 and 2
Description:	<p>According to Swiss Law, telecommunications services are defined as the transport of electromagnetic signals – sound, data, image and combinations thereof – excluding services which are defined as broadcasting services according to the Federal Law on radio and television.</p> <p>Broadcasting services are defined as the production, processing, transmission and reception of radio and television programme services. A programme service is a sequence of programmes which are offered continuously, defined in time and transmitted using telecommunications techniques and which are intended for the public.</p> <p>Consequently, the scope of non-conforming measures contained in this reservation and relating to telecommunications or broadcasting is to be determined on the basis of the above definitions.</p>

31. Sector:	Communications Services
Sub-Sector:	Telecommunications Services; Audiovisual Services
Industry Classification:	CPC 7524 Programme transmission services CPC 75300 Radio and television cable services CPC 9613 Radio and television services (limited to the licensing procedure and financing)
Type of Reservation:	Most-favoured-nation treatment (Article 45) Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on radio and television (SR 784.40), Articles 38, 43, 44, 53 and 59 As qualified by the Description element
Description:	The Law establishes two types of licences: <ol style="list-style-type: none"> 1. licences with a performance mandate and giving right to a share in revenue from reception fees (Article 38); 2. licences with a performance mandate without giving right to a share in revenue from reception fees (Article 43). <p>Licences of type 1 shall be granted to local and regional broadcasters in defined coverage areas. Licensees must be natural persons domiciled in Switzerland or juridical persons having their headquarters in Switzerland. Only one licence is granted per coverage area (Article 38 and 44).</p> <p>Licences of type 2 shall be granted only to a natural person domiciled in Switzerland or to a juridical person having its headquarters in Switzerland (Article 44).</p> <p>A licence may not be granted to a juridical person under foreign control, to a Swiss juridical person with foreign capital participation or to a natural person who does not have Swiss nationality if reciprocity is not granted (Article 44).</p> <p>The maximum number of licences (types 1 and 2 together) per broadcasting company is two for television and two for radio (Article 44).</p> <p>Programmes of the Swiss Broadcasting Corporation (Schweizerische Radio- und Fernsehgesellschaft; Société suisse de radiodiffusion et télévision; Società svizzera di radiotelevisione (SRG/SSR idée suisse)) and of other companies that have been granted a licence benefit from guaranteed and privileged access to wireless terrestrial broadcasting or broadcasting by wire (Articles 53 and 59).</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain,</p>

modify or adopt any measures restricting market access and/or national treatment with respect to broadcasting services.

32. Sector:	Communications Services
Sub-Sector:	Telecommunications Services; Audiovisual Services
Industry Classification:	CPC 75241 Television broadcast transmission services CPC 75300 Radio and television cable services (limited to television services) CPC 96132 Television services (limited to the programming) CPC 96133 Combined programme making and broadcasting services (limited to television services)
Type of Reservation:	Most-favoured-nation treatment (Article 45) Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on radio and television (SR 784.40), Article 7 Federal Ordinance on radio and television (SR 784.401), Articles 5 and 6
Description:	Television broadcasters with a national or regional language programme service are obliged to reserve at least 50 per cent of their broadcasting time for Swiss or European productions and are obliged to reserve at least 10 per cent of their broadcasting time or 10 per cent of their production costs for works from independent Swiss or European producers (SR 784.40, Article 7 and SR 784.401, Article 5). Television broadcasters with a national or regional language programme service which broadcast films in their programme service must spend at least 4 per cent of their gross revenue on purchase, production or co-production of Swiss films or must pay a corresponding support fee of up to 4 per cent. This obligation also applies to foreign television broadcasters which offer windows of national or regional language programme services in Switzerland (SR 784.40, Article 7) and which offer feature, documentary and animation films in their respective programmes (SR 784.401, Article 6).

33. Sector:	Financial Services
Sub-Sector:	Insurance Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46)
	National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations
Description:	A public monopoly on fire and natural damage insurance on buildings exists in the following cantons: Zürich, Bern, Luzern, Nidwalden, Glarus, Zug, Fribourg, Solothurn, Basel-Stadt, Basel-Landschaft, Schaffhausen, Aargau, St. Gallen, Graubünden, Appenzell Innerrhoden, Thurgau, 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.

34. Sector:	Financial Services
Sub-Sector:	Insurance Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the supervision of private insurers (SR 961.01), Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 41, 42 and 44 Federal Ordinance on the supervision of private insurers (SR 961.011), Articles 182, 183, 184, 185, 186 and 187
Description:	<p>Representative offices may not conduct business or act as an agent (Articles 3 to 15 and 41).</p> <p>For insurance companies incorporated in Switzerland, the legal form of a joint-stock company (Aktiengesellschaft; société anonyme; società anonima) or a co-operative society (Genossenschaft; société coopérative; società cooperativa) 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 co-operative society (Articles 7 and 15).</p> <p>Except for maritime, aviation and transport insurance services (MAT) as well as reinsurance services, commercial presence is required in Switzerland (Articles 3 and 15).</p> <p>For insurance intermediation services, such as brokerage and agency, only services supplied by insurance companies established in Switzerland may be supplied with the exception of maritime, aviation and transport insurance services (MAT) as well as reinsurance services. Dependent intermediary insurance suppliers are required to be affiliated to an insurance company domiciled in Switzerland. Independent intermediary insurance suppliers are required to register in the intermediary insurance register (Versicherungsvermittler-Register; Registre des intermédiaires en assurance; Registro degli intermediari assicurativi) (SR 961.01, Articles 7, 15, 41, 42, 43 and 44; SR 961.011, Articles 182 to 187).</p>

35. Sector:	Financial Services
Sub-Sector:	Insurance Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on occupational benefit plans concerning old-age, survivors and invalidity (SR 831.40), Articles 11 and 48
Description:	<p>Pension funds must be established in Switzerland in order to operate in the statutory pension funds scheme (“Berufsvorsorge”; “prévoyance professionnelle”; “previdenza professionale”). Participation in the statutory pension funds scheme requires pension funds to be organised in the form of a co-operative society or of a foundation (Stiftung; fondation; fondazione) (Article 48).</p> <p>Employers employing persons subject to compulsory insurance must be affiliated to a provident institution (“Vorsorgeeinrichtung”; “institution de prévoyance”; “istituto di previdenza”) entered in the Register for occupational benefit plans (“Register für die berufliche Vorsorge”; “registre de la prévoyance professionnelle”; “registro della previdenza professionale”) according to Swiss Law (Article 11).</p>

36. Sector:	Financial Services
Sub-Sector:	Insurance Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on health insurance (SR 832.10), Articles 3 and 4 Federal Ordinance on health insurance (SR 832.102), Article 12
Description:	<p>Participation in the basic health insurance scheme requires health insurance suppliers to be organised in one of the following legal entities: an association (Verein; association; associazione), a co-operative society, a foundation or a joint-stock company with non-profit purposes (SR 832.102, Article 12).</p> <p>Foreign health insurance suppliers must be established in Switzerland in order to operate in the basic health insurance scheme (SR 832.102, Article 12). Persons subject to compulsory health insurance must choose a health insurance participating in the basic health insurance scheme or a private insurer according to Swiss law as their insurance supplier (SR 832.10, Articles 3 and 4).</p>

37. Sector:	Financial Services
Sub-Sector:	Insurance Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on accident insurance (SR 832.20), Article 68
Description:	<p>Foreign insurance suppliers must be established in Switzerland in order to operate in the compulsory accident and occupational disease insurance scheme.</p> <p>Persons subject to compulsory accident and occupational disease insurance but excluded from the scope of the Swiss Accident Insurance Fund (Schweizerische Unfallversicherungsanstalt; Caisse nationale suisse d'assurance en cas d'accidents; Istituto svizzero di assicurazione contro gli infortuni (Suva)) must be affiliated by their employer with a private insurer or a health insurance fund with domicile in Switzerland.</p>

38. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the issuance of specific mortgage bonds (SR 211.423.4), Articles 1, 2, 3, 4, and 5
Description:	Two mortgage bond issuance institutes have been granted an exclusive right to issue specific mortgage bonds (“Pfandbriefe”; “lettres de gage”; “obbligazioni fondiarie”); in case of the first institute only Swiss cantonal banks are accepted as members; in case of the second institute, banks with head offices in Switzerland whose national mortgage loan business amounts to at least 60 per cent of their balance sheet can be members; the issuance of other mortgage-backed bonds is not affected by this regulation.

39. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on stamp duty (SR 641.10), Article 14
Description:	The issuance of foreign collective investment funds is subject to stamp duty.

40. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on banks and savings banks (SR 952.0), Articles <i>3bis</i> and <i>3ter</i> Federal Ordinance on banks and savings banks (SR 952.02), Article 5 Federal Ordinance on foreign banks in Switzerland (SR 952.111), Articles 4, 12 and 14
Description:	<p>I. If the foreign controlling ultimate shareholders and/or beneficial owners are nationals and/or residents of a non-Party, then</p> <ul style="list-style-type: none"> - the licence to establish a bank to be organised under Swiss law; - the licence to establish an office, a branch or an agency of a foreign or foreign-controlled bank; and - the licence to appoint a permanent representative of a foreign bank; <p>are subject to the additional condition that the country of domicile of the foreign bank or of the foreign controlling corporate or individual shareholder shall guarantee reciprocity.</p> <p>II. An additional licence (as described under I.) must be obtained by any bank which falls under foreign control or if a foreign controlled bank undergoes a change of its foreign shareholders holding a qualified participation.</p> <p>A bank organised under Swiss law falls under this provision whenever a foreign person (see below) with a qualified participation directly or indirectly holds more than 50 percent of the voting rights in the bank or a significant influence on it is exercised in another manner.</p> <p>The following shall be deemed foreign persons:</p> <ul style="list-style-type: none"> (a) natural persons who have neither Swiss nationality nor a residence permit conferring the right of establishment in Switzerland; (b) juridical persons and partnerships who have their registered office abroad or, if they have their registered office in Switzerland, are controlled by persons defined under (a).

41. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on banks and savings banks (SR 952.0), Article 3bis Federal Ordinance on foreign banks in Switzerland (SR 952.111), Articles 4 and 12
Description:	<p>The licence</p> <ul style="list-style-type: none"> - to establish a bank to be organised under Swiss law, but with respect to which controlling foreign influence exists; - to establish an office, a branch or an agency of a foreign or foreign-controlled bank; or - to appoint a permanent representative of a foreign bank; <p>is subject to the additional condition that the corporate name of the foreign controlled Swiss bank shall in no way indicate or suggest that the bank is Swiss-controlled.</p> <p>A bank organised under Swiss law falls under this provision whenever a foreign person (see below) with a qualified participation directly or indirectly holds more than 50 percent of the voting rights in the bank or a significant influence on it is exercised in another manner.</p> <p>The following shall be deemed foreign persons:</p> <ul style="list-style-type: none"> (a) natural persons who have neither Swiss nationality nor a residence permit conferring the right of establishment in Switzerland; (b) juridical persons and partnerships who have their registered office abroad or, if they have their registered office in Switzerland, are controlled by persons defined under (a).

42. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Ordinance on foreign banks in Switzerland (SR 952.111), Article 2
Description:	Representative offices of a foreign bank may neither conduct business nor act as an agent.

43. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on collective investment schemes (SR 951.31), Articles 13, 120 and 123 As qualified by the Description element
Description:	Foreign investment funds may be professionally marketed or distributed in or from Switzerland only through a licensed representative agent resident in Switzerland. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures which are not inconsistent with its commitments under the GATS.

44. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on stock exchanges and securities trading (SR 954.1), Article 37 Federal Ordinance on stock exchanges and securities trading (SR 954.11), Articles 14, 41, 49, 53 and 56
Description:	<p>I. If its ultimate shareholders and/or beneficial owners are nationals and/or residents of a non-Party, authorisation of a foreign stock exchange or of a stock exchange controlled by foreign persons domiciled abroad may be refused if the non-Party in which the foreign stock exchange has its registered office or in which the controlling foreign persons are domiciled does not accord Swiss stock exchanges effective access to its markets and does not offer them the same competitive opportunities as to the local stock exchange. The same rule shall apply to the authorisation of securities dealers.</p> <p>II. Stock exchanges and securities dealers which subsequently come under foreign control must obtain the approval of the Swiss Financial Market Supervisory Authority (Eidgenössische Finanzmarktaufsicht (FINMA); Autorité fédérale de surveillance des marchés financiers (FINMA); Autorità federale di vigilanza sui mercati finanziari (FINMA)). The same condition shall apply to foreign-controlled stock exchanges or securities dealers, if there is a change in the foreign persons with significant interests.</p> <p>Stock exchanges and securities dealers organised under Swiss law shall be considered foreign-controlled, if foreign persons (see below) with significant interests in them hold over half the voting rights directly or indirectly, or otherwise exert a controlling influence on them.</p> <p>The following shall be deemed foreign persons:</p> <p>(a) natural persons who have neither Swiss nationality nor a residence permit conferring the right of establishment in Switzerland;</p> <p>(b) juridical persons and partnerships which have their registered office abroad or, if they have their registered office in Switzerland, are controlled by persons mentioned under letter (a).</p>

45. Sector:	Financial Services
Sub-Sector:	Banking and Other Financial Services
Industry Classification:	Part of CPC 81
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Ordinance on stock exchanges and securities trading (SR 954.11), Article 39 Swiss Financial Market Supervisory Authority Circular 2008/5, n. 54-63
Description:	Representative offices of a foreign securities dealer may neither conduct business nor act as an agent.

46. Sector:	Business Services; Community Services
Sub-Sector:	Supervisory audit services
Industry Classification:	CPC 81312 Financial market regulatory services CPC 81409 Other services auxiliary to insurance and pension funding CPC 91112 Financial and fiscal services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on financial market supervision (SR 956.1), Article 26 Federal Ordinance on financial market supervisory audit (SR 956.161), Articles 2 to 7 Federal Law on collective investment schemes (SR 951.31, Article 127 Federal Law on money laundering in the financial sector (SR 955.0), Article 19b As qualified by the Description element
Description:	Financial services suppliers may be obliged to mandate an auditing company to audit compliance with all supervisory provisions (<i>supervisory audit service</i>). The choice of the auditing company is subject to approval by the supervisory authority (SR 956.1) or the Federal Council (SR 951.31, SR 955.0). The auditing company must be supervised according to the the Federal Law on the authorisation and control of auditors (SR 956.1). Note: See reservation No. 54 of this Appendix. Further conditions for approval may apply <i>inter alia</i> with respect to requirements for establishing subsidiaries or the number and years of experience of the senior auditors of the company (SR 956.161, SR 951.31). <u>Qualification:</u> Switzerland reserves the right to adopt any measures with regard to requirements of supervisory auditing services restricting market access and/or national treatment.

47. Sector:	Business Services
Sub-Sector:	Real Estate Services
Industry Classification:	CPC 821 Real estate services involving own or leased property
	CPC 822 Real estate services on a fee or contract basis
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
	Cantonal (Canton of Ticino)
Measures:	Cantonal Law on the exercise of fiduciary activities (Legge sull'esercizio delle professioni di fiduciario, del 18 giugno 1984 (11.1.4.1)), Articles 1, 6 and 11
Description:	The supply of real estate services on a fee or contract basis in the Canton of Ticino is restricted to "fiduciario immobiliare" (professional title) subject to authorisation. Measures contained in reservation No. 5 of this Appendix restrict the supply of services classified under CPC 821.

48. Sector: Business Services; Audiovisual Services

Sub-Sector: Leasing or Rental Services Concerning Personal and Household Goods; Audiovisual Services

Industry Classification: CPC 8320 Leasing or rental services concerning personal and household goods (limited to video tapes and other content carriers)

CPC 96113 Motion picture or video tape distribution services

CPC 9612 Motion picture projection services

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal and cantonal

Measures: As qualified by the Description element

Description: Switzerland reserves the right to maintain, modify or adopt, on the grounds of public morals or protection of individuals, any measures restricting market access or national treatment for services as indicated in the Industry Classification element. This applies in particular to sexual, obscene, or violent contents.

49. Sector:	Business Services
Sub-Sector:	Research and Development Services
Industry Classification:	CPC 85 Research and Development Services (limited to the participation in Swiss national and European research programs)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Bylaws of the Swiss National Science Foundation (Schweizer Nationalfonds zur Förderung der wissenschaftlichen Forschung (SNF); Fonds national suisse de la recherche scientifique (FNS); Fondo nazionale svizzero per la ricerca scientifica (FNS)), approved by the Federal Council on 2 May 2001, Article 8
Description:	To apply as a natural person for participation in national and European research programs, a researcher needs to be resident in Switzerland (independents) or be employed by an institution established in Switzerland. The Swiss National Science Foundation (SNSF) may authorise, either in individual cases or for whole programs, juridical persons to apply (<i>i.e.</i> restriction to market access for enterprises).

50. Sector:	Business Services
Sub-Sector:	Legal Services
Industry Classification:	CPC 861 Legal services (limited to representation services in courts)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations
Description:	All cantons maintain measures restricting market access and/or national treatment with respect to legal representation services in courts. Such measures include, but are not limited to, exams and practical experience in the canton where admission is sought and registration in the register of the same canton.

51. Sector:	Business Services
Sub-Sector:	Legal Services
Industry Classification:	CPC 861 Legal services (limited to notary public services)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations Law by the Canton of Zürich on notary public services (Notariatsgesetz vom 9. Juni 1985 <i>LS 242</i> (NotG)), Sections 1 and 2 Law by the Canton of Fribourg on notary public services (Loi du 20 septembre 1967 sur le notariat <i>RSF 261.1</i> (LN); Gesetz vom 20. September 1967 über das Notariat <i>SGF 261.1</i> (NG)), Article 2
Description:	Cantons may maintain measures for the supply of notary public services. In particular, services such as authentication of documents and notarisations (<i>i.e.</i> sales acts, donations, inheritance, corporate and foundation charters, <i>etc.</i>) may only be supplied by a registered notary public or other expressly authorised commissioners for oaths. The Canton of Zürich fixes a ceiling of 44 notaries public authorised to practice in its territory. The Canton of Fribourg fixes a ceiling of 42 notaries public authorised to practice in its territory. The legislation also requires Swiss nationality. Other cantons maintain similar measures. Some cantonal laws also provide that notaries public be elected by popular vote.

52. Sector:	Business Services
Sub-Sector:	Legal Services
Industry Classification:	CPC 861 Legal services (limited to legal advisory services on Swiss fiscal law)
Type of Reservation:	National treatment (Article 47)
Level of Government:	Cantonal (Canton of Ticino)
Measures:	Cantonal Law on the exercise of fiduciary activities (Legge sull'esercizio delle professioni di fiduciario, del 18 giugno 1984 (11.1.4.1)), Articles 1, 5 and 10
Description:	The supply of legal advisory services on Swiss fiscal law in the Canton of Ticino is restricted to "fiduciario commercialista" (professional title) subject to authorisation.

53. Sector:	Business Services
Sub-Sector:	Legal Services
Industry Classification:	CPC 861 Legal services (limited to patent attorneys)
Type of Reservation:	National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on patent attorneys (Bill as of 7 December 2007), Articles 2 and 9. This measure shall apply as at the date of entry into force of the Law. Federal trademark Law (SR 232.11), Article 42 Federal Law on designs (SR 232.12), Article 18 Federal patent Law (SR 232.14), Article 13
Description:	To act as a patent attorney (“Patentanwalt”; “conseil en brevets”; “consulente in brevetti”) a permanent postal address in Switzerland is required, as well as one year of professional experience in Switzerland under the supervision of a patent attorney admitted by the Swiss Federal Institute of Intellectual Property (Eidg. Institut für Geistiges Eigentum (IGE); Institut fédéral de la propriété intellectuelle (IPI); Istituto federale della proprietà intellettuale (IPI)).

54. Sector:	Business Services
Sub-Sector:	Accounting and Auditing Services
Industry Classification:	CPC 8621 Accounting and auditing services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Swiss Code of Obligations (SR 220), Articles 730 and 740 Federal Law on the authorisation and control of auditors (SR 221.302), Article 4
Description:	<p>For auditing companies (“Revisionsstelle”; “organe de révision”; “ufficio di revisione”), at least one auditor must be domiciled in Switzerland or have a registered office or principal or branch office in Switzerland (SR 220, Article 730).</p> <p>For liquidation companies (“Liquidatoren”; “liquidateurs”; “liquidatori”), at least one of the liquidators must be domiciled in Switzerland (SR 220, Article 740).</p> <p>Foreign titles that may be required to practice in Switzerland will be recognised, provided the foreign diploma is considered to be equivalent. Moreover, the competence in one national language will be required (SR 221.302, Article 4).</p>

55. Sector: Business Services
Sub-Sector: Engineering Services
Industry Classification: CPC 8672 Engineering services (limited to official land measurements (cadastral and related activities))
Type of Reservation: National treatment (Article 47)
Level of Government: Federal
Measures: Federal Ordinance on federal diploma for land surveyors (SR 211.432.261), Articles 1, 2 and following
Description: Official land measurements (cadastral surveying) may only be carried out by licensed surveyors. A licence is granted to qualified surveyors after they have passed an exam. Theoretical knowledge and practical experience in the home country will be taken into account in the assessment of subject matters for which an exam is necessary.

56. Sector: Business Services

Sub-Sector: Advertising Services

Industry Classification: CPC 871 Advertising services

Type of Reservation: Market access (Article 46)

Level of Government: Federal

Measures: Federal Law on medicinal products and medical devices (Law on therapeutic products) (SR 812.21), Article 32

Federal Law on narcotics and psychotropic substances (SR 812.121), Articles 1 and 17

Federal Law on the transplantation of organs, tissues and cells (SR 810.21), Article 49

Federal Ordinance on advertisement for medicinal products (SR 812.212.5), Article 14

Federal Ordinance on medicinal products (SR 812.212.21), Articles 23 and 24

Federal Ordinance on narcotics and psychotropic substances (SR 812.121.1), Article 56

Description: Advertising is prohibited for transplant products (SR 810.21 Article 49; SR 812.21, Article 32), for narcotics and psychotropic substances (SR 812.121, Articles 1 and 17; SR 812.121.1, Article 56) and for medicinal products only available on prescription (SR 812.21, Article 32; SR 812.212.5, Article 14; SR 812.212.21, Articles 23 and 24).

57. Sector:	Business Services; Audiovisual Services
Sub-Sector:	Advertising Services; Promotion Services; Audiovisual Services
Industry Classification:	<p>CPC 7524 Programme transmission services (limited to the broadcasting of promotional material)</p> <p>CPC 75300 Radio and television cable services (limited to the broadcasting of promotional material)</p> <p>CPC 87110 Sale or leasing services of advertising space or time (limited to radio and television programmes)</p> <p>CPC 87120 Planning, creating and placement services of advertisements to be displayed through the advertising media (limited to radio and television programmes).</p> <p>CPC 96111 Promotion or advertising services (limited to the programming and broadcasting of promotional material)</p> <p>CPC 9613 Radio and television services (limited to the programming and broadcasting of promotional material)</p>
Type of Reservation:	Market access (Article 46)
Level of Government:	Federal
Measures:	<p>Federal Law on radio and television (SR 784.40), Articles 10 and 12</p> <p>As qualified by the Description element</p>
Description:	<p>The Law bans the advertisement of tobacco products and medicinal products only available on prescription and restricts the advertisement of alcoholic beverages (Article 10).</p> <p>Companies whose main activity is the production or sale of the abovementioned products or which mainly supply services to such companies may not sponsor broadcasts (Article 12).</p> <p><u>Qualification:</u> Switzerland reserves the right to ban advertising for alcoholic beverages or to introduce any restrictions.</p> <p><u>Note for transparency:</u> The promotion of political and religious material may not be broadcast as advertising.</p>

58. Sector:	Business Services
Sub-Sector:	Advertising Services
Industry Classification:	CPC 8719 Other advertising services (limited to outdoor advertising services)
Type of Reservation:	Market access (Article 46)
Level of Government:	Cantonal and municipal
Measures:	Cantonal and municipal legislations, as qualified by the Description element
Description:	Outdoor advertising on public ground is subject to long-term exclusive supplier's contracts by tender through cantons and municipalities. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures relating to outdoor advertising on public or private ground for certain products judged to be detrimental to human health or public morals (<i>e.g.</i> tobacco products), including prohibition thereof.

59. Sector:	Business Services; Agricultural Services
Sub-Sector:	Placement and Supply Services of Personnel; Agency Services; Services Incidental to Agriculture and Forestry
Industry Classification:	<p>CPC 872 Placement and supply services of personnel</p> <p>CPC 87909 Other business services n.e.c. (limited to agency services on behalf of individual performers)</p> <p>CPC 8811 Services incidental to agriculture (limited to services of farm labour contractors)</p> <p>CPC 8814 Services incidental to forestry and logging (limited to services of forest labour contractors)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Federal
Measures:	Federal Law on employment services and the hiring of services (SR 823.11), Articles 2, 3, 12, 13 and 14
Description:	<p>The placement and hiring of services from abroad to Switzerland by a foreign company offering services for hire is not allowed (<i>i.e.</i> cross-border supply is not allowed).</p> <p>A placement and/or hiring agency must be registered in a cantonal Commercial Register.</p> <p>The placement and hiring of services within Switzerland requires a cantonal licence. Companies providing staff from Switzerland for hire or placement abroad or providing newly arriving foreign staff for hire in Switzerland additionally require a federal licence. Natural persons responsible for management of a placement and/or hiring agency must be Swiss nationals or foreigners with a residence permit.</p> <p>Additional conditions apply to the placement and/or hiring of services, for example: sufficient business expertise, lodging of a deposit as a guarantee, natural persons responsible for management must be qualified to offer services for hire on a professional basis and be of proven good repute, etc.</p> <p>These measures apply to all types of placement and hiring, including for example “head-hunter” services, placement and casting of artists, photo models or fashion models, athletes, hiring of household personnel, maids or au pairs, harvesting, logging and other services of farm or forest labour contractors.</p> <p>These measures apply to all types of placement and hiring including in connection with rental services of machinery</p>

or vehicles with operator, driver or crew.

60. Sector:	Business Services
Sub-Sector:	Investigation and Security Services
Industry Classification:	<p>CPC 873 Investigation and security services (limited to forensic analysis of human DNA-profiles)</p> <p>Note: "DNA" refers to deoxyribonucleic acid.</p> <p>CPC 873 Investigation and security services (limited to security services excluding security consultation services CPC 87302)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	<p>Federal</p> <p>Cantonal</p>
Measures:	<p>Federal Ordinance on the use of DNA-profiles in criminal proceedings and for the identification of unknown or missing persons (SR 363.1), Article 2</p> <p>Federal Constitution (SR 101), Articles 178, 5 and 36, as qualified by the Description element</p>
Description:	<p>Investigation services as indicated in the Industry Classification element:</p> <p>The competent authorities may delegate certain investigation activities to competent private laboratories. Legal domicile in Switzerland is required, and the production and supply of the services must take place in Swiss territory (SR 363.1, Article 2) (no cross-border trade or outsourcing abroad allowed).</p> <p><u>Note for transparency:</u> requirements are set out in the federal Ordinance on quality and service requirements for forensic analysis of DNA (SR 363.11).</p> <p>Security services as indicated in the Industry Classification element:</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures relating to the delegation by the government of certain security services to private entities.</p>

61. Sector:	Business Services
Sub-Sector:	Investigation and Security Services
Industry Classification:	CPC 873 Investigation and security services (excluding security consultation services CPC 87302)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations, including intercantonal agreements, as qualified by the Description element Intercantonal Agreement on security enterprises (Concordat concernant les entreprises de sécurité du 18 octobre 1996 (RO 2001 2587), as amended on 5 October 2004 (RO 2004 4303)), Articles 8, 9 and 10
Description:	Switzerland reserves the right to maintain, modify or adopt any measures relating to investigation and security services, including through intercantonal agreements. The Intercantonal Agreement on security enterprises adhered to by Western cantons sets out a requirement of Swiss nationality or permanent residency and passing of a cantonal exam in the canton where establishment is sought (Article 8). Security enterprises from a canton not party to the Intercantonal Agreement may not supply services unless authorisation to do so is granted (Article 10).

62. Sector:	Business Services
Sub-Sector:	Building Cleaning Services
Industry Classification:	CPC 87409 Other building cleaning services (limited to furnace and chimney cleaning services)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations
Description:	Some cantons maintain a monopoly or an exclusive service suppliers scheme for furnace and chimney cleaning services.

63. Sector:	Business Services
Sub-Sector:	Collection Agency Services
Industry Classification:	CPC 87902 Collection agency services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations Cantonal Law of Ticino on the exercise of fiduciary activities (Legge sull'esercizio delle professioni di fiduciario, del 18 giugno 1984) (11.1.4.1), Articles 1, 5 and 10
Description:	As qualified by the Description element The supply of collection agency services in the Canton of Ticino is restricted to "fiduciario commercialista" (professional title) subject to authorisation. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measure relating to collection agency services. This applies to collection services related to any type of claim in respect of, for example, financial assets, real assets, intangible assets (such as intellectual property rights) or any type of debt instruments.

64. Sector:	Business Services
Sub-Sector:	Translation and Interpretation Services
Industry Classification:	CPC 87905 Translation and interpretation services (limited to translation for official purposes)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal (Cantons of Zürich and Genève)
Measures:	Regulation of the Canton of Zürich relating to interpreters, (Dolmetscherverordnung, vom 26./27. November 2003) (LS 211.17), Article 10 Regulation by the Canton of Genève relating to sworn translators, (Règlement relatif aux traducteurs-jurés du 6 décembre 2004) (I 2 46.03), Article 2
Description:	Swiss nationality or possession of a residence permit for several years may be required in the Canton of Zürich for interpretation and translation services for judicial and administrative purposes (LS 211.17). Domicile for at least three years in Switzerland is required in the Canton of Genève for translation services for official purposes (I 2 46.03).

65. Sector:	Business Services
Sub-Sector:	Other Business Services
Industry Classification:	CPC 87909 Other business services n.e.c. (limited to the management of copyrights)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on copyrights and neighbouring rights (SR 231.1), Articles 41 and 42
Description:	Enterprises acting in the management of copyrights and neighbouring rights where collective exploitation is required by law must be approved by the Federal Institute of Intellectual Property (Eidg. Institut für Geistiges Eigentum (IGE); Institut fédéral de la propriété intellectuelle (IPI); Istituto federale della proprietà intellettuale (IPI)) (Article 41).

Note: Copyrights is to be understood as defined in CPC 89230.

Only one authorisation is granted per category of works and the collecting enterprises must have their headquarters and management in Switzerland (Article 42).

Note for transparency: At the date of signing of the Agreement, the following five collecting enterprises are approved by the Federal Institute of Intellectual Property: SUISA, SUISSIMAGE, ProLitteris, Société Suisse des Auteurs (SSA) and SWISSPERFORM.

66. Sector:	Agricultural Services
Sub-Sector:	Services Incidental to Agriculture
Industry Classification:	CPC 8811 Services incidental to agriculture (limited to slaughter services and on artificial insemination)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on animal protection (SR 455), Article 21 Federal Ordinance on animal protection (SR 455.1), Articles 178, 179, 184, 185 and 187 Federal Ordinance on epizooties (SR 916.401), Articles 51, 52, 53 and 54
Description:	<p>Slaughter services (Market Access restriction) :</p> <p>Slaughter of mammals without stunning prior to drawing of blood is prohibited (SR 455, Article 21; SR 455.1, Article 178). Stunning has to be immediate and cause no pain (SR 455.1, Article 185).</p> <p>Stunning methods and their application are prescribed by the Ordinance on animal protection (SR 455.1, Article 184). Blood may be drawn only once the animal is unconscious (SR 455.1, Article 187).</p> <p>Artificial insemination :</p> <p>Provisions applicable to artificial insemination may <i>de facto</i> restrict cross-border supply of services. The inseminator needs to be certified by the canton (SR 916.401, Articles 51 and 53). The semen has to be obtained from a facility that meets the criteria set by the Swiss authorities (SR 916.401, Articles 52 and 54). If the above provisions are not met, the authorities may take any measures regarding an inseminated animal for prevention of epizooties in particular upon re-entry of the animal into Swiss territory. In addition, any conditions regarding registration in a national herd-book apply.</p>

67. Sector: Agricultural Services

Sub-Sector: Services Incidental to Agriculture and Forestry

Industry Classification: CPC 8811 Services incidental to agriculture (limited to activities involving dissemination of genetically modified organisms)

CPC 8814 Services incidental to forestry and logging (limited to activities involving dissemination of genetically modified organisms)

Type of Reservation: Market access (Article 46)

Level of Government: Federal

Measures: Federal Constitution (SR 101), Articles 120 and 197

Description: The use of genetically modified organisms (GMOs) in agriculture and forestry and their dissemination into the environment are prohibited.

68. Sector:	Agricultural Services
Sub-Sector:	Services Incidental to Agriculture and Hunting
Industry Classification:	CPC 8813 Services incidental to hunting
Type of Reservation:	Market access (Article 46)
Level of Government:	Federal and cantonal
Measures:	Federal Law on animal protection (SR 455), Article 26 Cantonal legislations
Description:	<p>Killing of animals in any cruel way is prohibited, including, for instance, types of hunting activities involving protracted cruel treatment of prey (SR 455, Article 26).</p> <p>Services related to the enforcement of the cantonal regulations on hunting and related activities may not be supplied on a commercial basis. These services are either supplied by the cantonal administration or by other persons assigned by that administration (usually volunteers or non-profit organisations).</p> <p><u>Note for transparency:</u> Cantons may ban hunting, or specific types of hunting, on their territory.</p>

69. Sector: Agricultural Services;
Entertainment Services

Sub-Sector: Services Incidental to Agriculture and Hunting;
Entertainment Services

Industry Classification: CPC 8813 Services incidental to hunting
CPC 96199 Other entertainment services n.e.c. (limited to entertainment services involving animals)

Type of Reservation: Market access (Article 46)

Level of Government: Federal

Measures: Federal Law on animal protection (SR 455), Article 26

Description: The Law bans the organisation of fights between animals or with animals where these are mistreated or killed.
The Law bans the killing of animals for entertainment or on perverse purposes, such as shooting at tame animals.
The Law bans the killing of animals in any cruel way.

70. Sector:	Construction Work and Mining Services
Sub-Sector:	Construction Work For Engineering Works; Services Incidental to Mining (Limited to the Oil Sector)
Industry Classification:	CPC 5139 For engineering works n.e.c. CPC 883 Services incidental to mining
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Intercantonal Agreement on the prospecting and exploitation of oil (Konkordat vom 24. September 1955 betreffend die Schürfung und Ausbeutung von Erdöl; Concordat du 24 septembre 1955 concernant la prospection et l'exploitation du pétrole), Articles 1, 3, 4 and 8 Cantonal legislations, as qualified by the Description element
Description:	A concession issued by cantons is required for the prospecting and exploitation of oil. Cantons may grant such concession on a case-by-case and discretionary basis. In the cantons of Zürich, Schwyz, Glarus, Zug, Schaffhausen, Appenzell Innerrhoden, Appenzell Ausserrhoden, St. Gallen, Aargau and Thurgau foreign capital participation in an enterprise holding such a concession is restricted to not more than 25 per cent (Intercantonal Agreement on the prospecting and exploitation of oil, Article 3). Other cantons apply similar measures. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment in respect of the prospecting and exploitation of oil.

71. Sector:	Services Related to Energy
Sub-Sector:	Energy Distribution
Industry Classification:	CPC 887 Services incidental to energy distribution Services related to the activities covered by CPC 887
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	All
Measures:	Federal Law on electricity supply (SR 734.7), Article 18 Cantonal and municipal legislations, as qualified by the Description element
Description:	The electricity transmission network is operated solely by the national electricity distribution network company and owned by at least 50 per cent by the cantons and municipalities (SR 734.7, Article 18). <u>Qualification:</u> Switzerland reserves the right for the cantons and municipalities to maintain, modify or adopt any measures restricting market access and/or national treatment for services as indicated in the Industry Classification element.

72. Sector: Community and Social Services

Sub-Sector: Public Administration and Other Services to the Community as a Whole

Industry Classification: CPC 91260 Police and fire protection services

Type of Reservation: Market access (Article 46)
National treatment (Article 47)

Level of Government: All

Measures: Federal, cantonal and municipal legislations, as qualified by the Description element

Description: Switzerland reserves the right to maintain, modify or adopt any measures relating to police and fire protection services.

73. Sector: Community and Social Services

Sub-Sector: Public Administration and Other Services to the Community as a Whole

Industry Classification: CPC 91270 Law courts related administrative services
CPC 91280 Administrative services related to detention or rehabilitation of criminals

Type of Reservation: Market access (Article 46)
National treatment (Article 47)

Level of Government: All

Measures: Federal, cantonal and municipal legislations

Description: Administrative services relating to courts of law and relating to detention or rehabilitation of criminals are reserved to the Confederation, the cantons and the municipalities.

74. Sector:	Community and Social Services
Sub-Sector:	Education Services
Industry Classification:	<p>CPC 921 Primary education services (limited to public services)</p> <p>CPC 922 Secondary education services (limited to public services)</p> <p>CPC 923 Higher education services (limited to public services)</p> <p>CPC 924 Adult education services n.e.c. (limited to public services)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	All
Measures:	<p>Federal Constitution (SR 101), Articles 62 and 63a</p> <p>Federal Law on federal institutes (SR 414.110)</p> <p>Cantonal and municipal legislations, as qualified by the Description element</p>
Description:	<p>FEDERAL LEVEL:</p> <p>Operation of the Federal Institutes of Technology (Eidgenössische Technische Hochschulen (ETH); écoles polytechniques fédérales (EPF); politecnici federali (PF)) is reserved to the Confederation (SR 101, Article 63a; SR 414.110).</p> <p><u>Note for transparency:</u> The Confederation applies no restrictions on market access or national treatment for universities of applied sciences (Fachhochschulen; hautes écoles spécialisées; scuole universitarie professionali) (see Federal Law on the universities of applied sciences, SR 414.71).</p> <p>CANTONAL LEVEL:</p> <p>Public education falls within the competence of the cantons (SR 101, Articles 62 and 63a).</p> <p><u>Qualification:</u> Switzerland reserves the right for the cantons and municipalities to maintain, modify or adopt any measures restricting market access and/or national treatment for public education services.</p> <p><u>Note for transparency:</u> Public education services are understood as education services where:</p> <p>(a) the Government or an agency mandated by governmental authorities issues a title or a curriculum or other form of specification of the education service indicating that this education service forms an integral</p>

part of the greater system of public education; and

- (b) there is a public mandate corresponding to the overall education policy of the canton or the Confederation and enshrined in a legal act. The provision of a subsidy or the permission by governmental authorities to deliver a certain type of education service is not sufficient in itself to determine that a mandate exists; and
- (c) public education services correspond to a public need for the supply of the service. This need is to be understood in the sense that there is a political will to achieve certain goals by means of particular education services. This may or may not be reflected in any laws. The question here is whether public action to supply such a service would be required if it did not already exist. The third criterion is unrelated to market access.

75. Sector:	Community and Social Services
Sub-Sector:	Education Services
Industry Classification:	CPC 921 Primary education services (limited to private services)
	CPC 922 Secondary education services (limited to private services)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	All
Measures:	Federal Constitution (SR 101), Article 62 Cantonal and municipal legislations, as qualified by the Description element
Description:	Compulsory education may only be attended in the territory of Switzerland in schools established in a given canton (prohibition of consumption abroad). <u>Qualification:</u> Switzerland reserves the right for the cantons and municipalities to maintain, modify or adopt any measures restricting market access and/or national treatment for private education services as indicated in the Industry Classification element under the modes of supply “cross-border supply” and “consumption abroad”.

76. Sector: Community and Social Services
Sub-Sector: Education Services
Industry Classification: CPC 929 Other education services (excluding private foreign language teaching services and private cooking teaching services)
Type of Reservation: Market access (Article 46)
National treatment (Article 47)
Level of Government: All
Measures: As qualified by the Description element
Description: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for education services as indicated in the Industry Classification element.

77. Sector:	Community and Social Services
Sub-Sector:	Health and Social Services
Industry Classification:	CPC 93199 Other human health services n.e.c. (limited to blood collection and storage services)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Law on medicinal products and medical devices (Law on therapeutic products) (SR 812.21), Articles 2, 10 and 34 Cantonal legislations
Description:	<p>FEDERAL LEVEL:</p> <p>Collecting human blood from donors for transfusion, for the manufacture of therapeutic products, or for supply to a third party, including the import of blood products, is subject to authorisation. Only juridical persons domiciled in Switzerland and registered in a cantonal Commercial Register as well as natural persons residing in Switzerland may be granted such authorisation (SR 812.21, Articles 2, 10 and 34).</p> <p>CANTONAL LEVEL:</p> <p>Authorisation issued by the cantons is required for operating establishments such as hospitals which do not collect, but stock blood or blood products (SR 812.21, Article 34). Cantons have and may maintain measures restricting market access and/or national treatment.</p>

78. Sector:	Trade Services; Community and Social Services
Sub-Sector:	Retail Trade Services; Health and Social Services
Industry Classification:	CPC 63211 Non-food retailing services (limited to pharmacists and opticians) CPC 931 Human health services CPC 932 Veterinary Services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Law on medical professions requiring a university degree (SR 811.11), Article 2, 12, 15, 34, 36 Federal Ordinance on diplomas, university education, post-graduate education and the exercise of medical professions requiring a university degree (SR 811.112.0), Article 14 Federal Law on health insurance (SR 832.10), Articles 34 and 55a Federal Ordinance on health insurance (SR 832.102) Articles 36, 44, 45, 46, 47, 48, 49, 50, 50a, and 54 Federal Ordinance on the limitation of the admission of service suppliers practicing on account of the compulsory medical and health insurance (SR 832.103), all Articles Federal Ordinance on the components of the compulsory health care insurance (SR 832.112.31), Articles 5, 6, 9b, 9c, 11 and 40 Federal Law on accident insurance (SR 832.20), Article 10 Federal Ordinance on accident insurance (SR 832.202), Article 17 Cantonal legislations
Description:	The number of service suppliers admitted to practice on account of the compulsory medical and health insurance is limited per canton and per occupation (quantitative ceiling). Cantons may exclude any further admission if the density of service suppliers in the canton is above the regional or the national average (SR 832.10, Article 55a and SR 832.103, all Articles). Swiss nationality is required to practice a medical profession independently. However, a foreign natural person may exercise the medical profession in a practice provided the practice is located in a region where the number of professionals is proven to be insufficient

(economic needs test), and if its diploma is recognised as equivalent and the foreign natural person speaks a national language. Moreover, a foreign natural person may be allowed to practice independently a medical profession in a specific hospital in the case where that person is allowed to teach within accredited course programmes in that hospital, and if his or her diploma is recognised as equivalent. (SR 811.11, Articles 2, 12, 15, 34, 36; SR 811.112.0, Article 14).

Chiropractors are required to pass the federal exam for chiropractors (diploma and postgraduate title). Applicants are requested to have successfully completed professional training in one of the institutions listed in Article 40 paragraph 1 of SR 832.112.31 (see also SR 832.102, Article 44). Cantons may, on a case-by-case and discretionary basis, admit institutions additional to those listed in Article 40, paragraph 1, of SR 832.112.31. Osteopaths are required to pass the intercantonal exam for osteopaths.

For reimbursement by compulsory (and additional) health and medical insurance, certain occupations (CPC 93191, nursing services, physiotherapeutic and para-medical services) require registration at the cantonal level (SR 811.11, Articles 2 and 15; SR 832.112.31, Articles 5, 6, 9b, 9c and 11).

Medical services supplied abroad are covered by compulsory health insurance or by accident and occupational disease insurance in emergency cases only if the treatment cannot be provided in Switzerland (SR 832.10 Article 34; SR 832.102, Article 36; SR 832.20, Article 10; SR 832.202, Article 17).

Medical laboratories may be subject to an exclusive service suppliers scheme (SR 832.102, Article 54).

Note for transparency: Reimbursement is capped at twice the amount of the costs that would be reimbursed in Switzerland.

Note for transparency: Medical services supplied in adjacent countries may be covered by compulsory health insurance under specific conditions as defined by the Federal Council.

79. Sector:	Trade Services; Community and Social Services
Sub-Sector:	Retail Trade Services; Health and Social Services
Industry Classification:	CPC 63211 Non-food retailing services (limited to pharmacists and opticians) <p style="margin-left: 40px;">Note: "Opticians" refers to Persons qualified to examine the eyes and prescribe glasses.</p> CPC 931 Human health services CPC 932 Veterinary services CPC 933 Social services Intermediation of social services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations As qualified by the Description element
Description:	Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment with respect to human health, veterinary, social services or intermediation services relating to social services, as well as related retailing services.

80. Sector:	Community and Social Services
Sub-Sector:	Sewage and Refuse Disposal, Sanitation and other Environmental Protection Services
Industry Classification:	<p>CPC 9401 Sewage services (limited to public utilities)</p> <p>CPC 9402 Refuse disposal services (limited to public utilities)</p> <p>CPC 9403 Sanitation and similar services (limited to public utilities)</p> <p>CPC 9404 Cleaning services of exhaust gases (limited to public utilities)</p> <p>CPC 9405 Noise abatement services (limited to public utilities)</p> <p>CPC 9406 Nature and landscape protection services (limited to public utilities)</p> <p>CPC 9409 Other environmental protection services n.e.c. (limited to public utilities)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	Cantonal and municipal
Measures:	<p>Cantonal and municipal legislations</p> <p>As qualified by the Description element</p>
Description:	<p>Public utilities in the environmental services sector, whether owned and operated by cantons or municipalities or contracted out by them to third parties, are subject to monopolies or exclusive service suppliers rights at the cantonal or municipal level.</p> <p>Exclusive rights to operate public utilities in the environmental sector are not necessarily granted on a national treatment basis.</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures of the type described.</p>

81. Sector: Community and Social Services

Sub-Sector: Sewage and Refuse Disposal, Sanitation and other Environmental Protection Services

Industry Classification: CPC 9409 Other environmental protection services n.e.c. (limited to radiation surveillance)

Type of Reservation: National treatment (Article 47)

Level of Government: Federal

Measures: Radiation protection Law (SR 814.50), Article 17

Description: The Federal Council designates institutions responsible for radiation surveillance services for official purposes. The designation of responsible institutions is not necessarily on a national treatment basis.

82. Sector:	Communications Services
Sub-Sector:	Audiovisual Services
Industry Classification:	CPC 96112 Motion picture or video tape production services
	CPC 96113 Motion picture or video tape distribution services
	CPC 9612 Motion picture projection services
Type of Reservation:	Most-favoured-nation treatment (Article 45)
	National treatment (Article 47)
Level of Government:	Federal
Measures:	<p>International agreements on cinematographic and audiovisual relationships with third countries or within the Council of Europe, existing (SR 0.443.913.6, SR 0.443.916.3, SR 0.443.917.2, SR 0.443.923.2, SR 0.443.934.9 and SR 0.443.945.4) or future</p> <p>European Convention of 2 October 1992 on cinematographic co-production (SR 0.443.2), as may be amended in the future</p> <p>Agreement of 11 October 2007 between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programmes MEDIA 2007 (SR 0.784.405.226.8), including future MEDIA programmes or programmes of a similar kind</p> <p>European Convention of 5 May 1989 on transfrontier television (SR 0.784.405), as may be amended in the future</p>
Description:	<p>Switzerland confers national treatment to audiovisual works covered by bilateral or plurilateral agreements on co-production in the field of audiovisual works, in particular in relation to access, funding and distribution.</p> <p>Co-productions with other countries are treated the same as Swiss films when Swiss involvement is at least equivalent to foreign involvement or, when Swiss involvement is less substantial, subject to reciprocity or a co-production agreement between Switzerland and the country concerned.</p> <p>Measures granting benefits under support programmes, such as MEDIA and EURIMAGES.</p> <p>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.</p>

83. Sector: Communications Services
Sub-Sector: Audiovisual Services
Industry Classification: CPC 96113 Motion picture or video tape distribution services
Type of Reservation: Market access (Article 46)
National treatment (Article 47)
Level of Government: Federal
Measures: Federal Law on the film industry (SR 443.1), Article 19
Description: In order to guarantee linguistic diversity, the Law stipulates that a same film may only be distributed by a film distribution enterprise once it possesses the rights for all language versions of the film for the entire territory of Switzerland.

84. Sector:	Communications Services
Sub-Sector:	Audiovisual Services
Industry Classification:	CPC 96113 Motion picture or video tape distribution services CPC 9612 Motion picture projection services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal
Measures:	Federal Law on the film industry (SR 443.1), Articles 21 and 23 As qualified by the Description element
Description:	<p>If the cinematic offerings in a given region are not sufficiently diverse, the Confederation may levy incentive fees in order to promote the diversity of the cinematic offerings (SR 443.1, Article 21).</p> <p>Only natural persons domiciled in Switzerland or juridical persons established in Switzerland may show or distribute films intended for public exhibition or projection. All members of the board of a juridical person must be domiciled in Switzerland (SR 443.1, Article 23).</p> <p><u>Note for transparency:</u> The public exhibition or projection of films or the distribution of films for public exhibition or projection requires registration of the distributor and the exhibitor in a public register.</p> <p><u>Qualification:</u> Switzerland reserves the right to adopt any measures restricting market access and/or national treatment with respect to motion picture distribution and exhibition or projection services, in order to encourage the diversity as well as the quality of the cinematic offerings pursuant to paragraph 2 of Article 71 of the Federal Constitution (SR 101).</p>

85. Sector:	Communications Services
Sub-Sector:	Audiovisual Services
Industry Classification:	CPC 9612 Motion picture projection services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal and municipal
Measures:	Cantonal and municipal legislations
Description:	<p>The exhibition or projection of films in cafés, restaurants, discotheques, nightclubs and similar premises may be prohibited or subject to authorisation.</p> <p>Cantons and municipalities may restrict the number of licences per natural or juridical person for projection services.</p>

86. Sector: Recreational, Cultural and Sporting Services
Sub-Sector: Cultural Services
Industry Classification: CPC 963 Library, archive, museum and other cultural services (excluding archive services)
Type of Reservation: Market access (Article 46)
National treatment (Article 47)
Level of Government: All
Measures: Federal Constitution (SR 101), Article 69
Cantonal and municipal legislations
As qualified by the Description element
Description: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment relating to cultural services.

87. Sector:	Recreational, Cultural and Sporting Services
Sub-Sector:	Cultural Services
Industry Classification:	CPC 96312 Archive services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	All
Measures:	Federal Law on archiving (SR 152.1), Article 4 Cantonal and municipal legislations
Description:	Documents of the Confederation are archived by the Federal Archives (Das Schweizerische Bundesarchiv (BAR); Les Archives fédérales suisses (AFS); L'Archivio federale svizzero (AFS)). Documents of cantons and municipalities are archived by the cantons' and municipalities' archives. Cantons maintain measures regarding archiving of specific sources that are considered public functions, such as notary sources or churches.

88. Sector:	Recreational, Cultural and Sporting Services
Sub-Sector:	Recreational Services
Industry Classification:	CPC 96331 Botanical and zoological garden services CPC 96332 Nature reserve services including wildlife preservation services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations, as qualified by the Description element
Description:	Cantons may maintain any measures relating to botanical and zoological garden services, including monopolies and exclusive service suppliers rights. Nature reserve services, including wildlife preservation services, are normally reserved to cantons. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment with respect to nature reserve services, including wildlife preservation services.

89. Sector: Recreational, Cultural and Sporting Services
Sub-Sector: Sporting Services
Industry Classification: CPC 9641 Sporting services (limited to circuit races)
Type of Reservation: Market access (Article 46)
Level of Government: Federal
Measures: Federal Law on road traffic (SR 741.01), Article 52
Description: Circuit races are prohibited.

90. Sector:	Recreational, Cultural and Sporting Services
Sub-Sector:	Recreational Services
Industry Classification:	CPC 96492 Gambling and betting services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	All
Measures:	Federal Constitution (SR 101), Article 106 Federal Law on games of chance and casinos (SR 935.52), Articles 4, 5, 10, 11 and 13 As qualified by the Description element
Description:	<p>Concessions are required for both the establishment and the operation of casinos. Gambling services other than gambling services supplied in a casino are prohibited (SR 101, Article 106; SR 935.52, Articles 4 and 10).</p> <p>Concessions may be granted only to:</p> <ul style="list-style-type: none"> (a) juridical persons established under Swiss public law; (b) joint-stock companies established under Swiss law whose joint-stock capital is issued in the form of registered shares, and whose members of the board of directors have their residence in Switzerland; and (c) co-operative societies established under Swiss law whose members of the board of directors have their residence in Switzerland (SR 935.52, Article 11). <p>The establishment of a casino is subject to cantonal approval. Cantons and municipalities may approve casinos on a case-by-case and discretionary basis (SR 935.52, Article 13).</p> <p>Dexterity games fall within the competence of the cantons (SR 101, Article 106).</p> <p>The supply of any gambling service through any means of telecommunication, including the Internet, is prohibited (SR 935.52, Article 5).</p> <p><u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment in respect of gambling.</p>

91. Sector:	Recreational, Cultural and Sporting Services; Business Services
Sub-Sector:	Recreational Services; Advertising Services
Industry Classification:	CPC 871 Advertising services (limited to advertising services for commercial betting) CPC 96492 Gambling and betting services (limited to lotteries, mixed lotteries or premium bonds and commercial betting)
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Federal and cantonal
Measures:	Federal Constitution (SR 101), Article 106 Federal Law on lotteries and commercial betting (SR 935.51), Articles 1, 2, 5, 15, 16, 17, 18, 24, 25, 28, 32, 33, 34 and 35 Federal Ordinance to the federal lotteries and commercial betting (SR 935.511), Articles 43 and 44 Cantonal legislations, as qualified by the Description element
Description:	FEDERAL LEVEL: Lotteries and commercial betting services and similar services are prohibited (SR 935.51, Articles 1, 2 and 33; SR 935.511, Article 43), subject to the following exceptions: An authorisation by the Federal Council is needed to issue Swiss premium bonds (“inländische Prämienanleihen”; “emprunts à primes Suisses”; “prestiti svizzeri a premi”) (SR 935.51, Article 17). Only Swiss public entities on the federal, cantonal or municipal level may obtain such authorisation (SR 935.51, Article 18). Foreign premium bonds (“ausländische Prämienanleihen”; “emprunts à primes étrangers”; “prestiti esteri a premi svizzeri”) are subject to authorisation by the Federal Department of Finance. Authorisation is granted on a case-by-case and discretionary basis. Only natural persons having their residence in Switzerland and juridical persons having their domicile in Switzerland are allowed to submit foreign premium bond lots for stamping to the Federal Department of Finance. Only stamped foreign premium bond lots may be bought, sold or accepted (SR 935.51, Articles 24 and 25). The following activities are prohibited: the selling of premium bond lots on an instalment plan; the selling of expected earnings from premium bonds in any form; the

door-to-door selling of premium bond lots; and the taking of orders for premium bond lots (SR 935.51, Article 32).

Advertising services, including through mailing, for commercial betting (“gewerbsmässiges Wetten”; “paris professionnels”; “scommesse professionalmente organizzate”) are prohibited (SR 935.51, Article 33).

The sender of lots, coupons, drawing lists, and other lottery related mail by post or by courier must prove that authorisation for the lottery in question has been granted. Otherwise, such mail, including incoming mail from abroad, is not delivered, but returned to the sender. Post and courier services suppliers must ensure that such mail is not delivered to the addressee (SR 935.51, Article 35; SR 935.511, Article 44).

CANTONAL LEVEL:

Authorisation by the competent canton is required for the commercial trading of premium bond lots. Natural persons seeking such authorisation must be resident in the same canton, and enterprises must be domiciled in the same canton and registered in the cantonal Commercial Register (SR 935.51, Article 28).

Authorisation by the competent canton is required for public welfare lotteries (“gemeinnützige Lotterien nach Bundesrecht”; “loteries d’utilité publique selon la législation fédérale”; “lotterie di utilità pubblica secondo la legislazione federale”) (SR 935.51, Article 5). Only natural persons having their residence in Switzerland and associations having their domicile in Switzerland may seek such authorisation (SR 935.51, Article 6). Welfare lottery procedures may be regulated in greater detail by the cantons (SR 935.51, Article 15). The latter may restrict or prohibit public welfare lotteries (SR 935.51, Article 16).

Cantons may allow certain commercial betting services with variable quotes, *e.g.* in respect of horse and boat races, football matches and similar events (SR 935.51, Article 34).

Tombolas fall within the competence of the cantons. Cantons may allow, restrict or prohibit tombolas (SR 935.51, Article 2).

Qualification: Switzerland reserves the right for the cantons to maintain, modify or adopt any measures restricting market access and/or national treatment in respect of commercial trading of premium bond lots, public welfare lotteries, commercial betting and tombolas.

92. Sector:	Other Services
Sub-Sector:	Other Services
Industry Classification:	CPC 9703 Funeral, cremation and undertaking services
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	Cantonal
Measures:	Cantonal legislations
Description:	Cantons maintain a monopoly or an exclusive service suppliers scheme or require authorisations for funeral, cremation and undertaking services, including the carriage of corpses.

93. Sector:

Sub-Sector: Services Related to Nuclear Energy

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal

Measures: Federal Law on nuclear energy (SR 732.1), Articles 12, 13,19 and 20

As qualified by the Description element

Description: Authorisations are required to construct and/or operate a nuclear plant. Such authorisations are granted or rejected on a case-by-case and discretionary basis (Articles 12 and 19).

Only joint-stock companies (Aktiengesellschaft; société anonyme; società anonima), co-operative societies (Genossenschaft; société cooperative; società cooperativa) or public entities may obtain such authorisation (Article 13).

A foreign enterprise must have a subsidiary in Switzerland that is registered in a cantonal Commercial Register (Article 13).

Only the owner of a nuclear plant may be authorised to operate the nuclear plant (Article 20).

Qualification: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for the construction or operation of nuclear plants.

94. Sector:

Sub-Sector: Services Related to Hydropower

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: All

Measures: Federal Law on the use of hydropower (SR 721.80), Article 38

Cantonal and municipal legislations

As qualified by the Description element

Description:

Concession or authorisation is required for the use of water. Such concession or authorisation may be granted or rejected on a case-by-case and discretionary basis.

The attribution of rights for the use of water normally falls within the competence of the cantons (SR 721.80, Article 38).

Qualification: Switzerland reserves the right to maintain, modify or adopt discriminatory measures such as nationality, residence or domicile requirements.

95. Sector:

Sub-Sector: Specialty Air Services : Airborne search and rescue services

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal

Measures: Federal Ordinance on search and rescuing by civil aviation (SR 748.126.1), Articles 1 and 2

Description: National monopoly for airborne search and rescue services, including coordination of such services as defined in the Law (Article 1).

The Federal Office of Civil Aviation (Bundesamt für Zivilluftfahrt (BAZL); Office fédéral de l'aviation civile (OFAC); Ufficio federale dell'aviazione civile (UFAC)) may on a case-by-case and discretionary basis, mandate private enterprises to supply such services (Article 2).

96. Sector:

Sub-Sector: Official homologation, verification, control and official punching

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal and cantonal

Measures: Federal Law on metrology (SR 941.20), Articles 13, 15 and 16

Federal Ordinance on measuring instruments (941.210), Articles 16, 17, 18 and 19

Federal Ordinance on the tasks and competences of the Cantons in the field of metrology (SR 941.292), Articles 2, 3 and 7

Federal Ordinance on verification laboratories (SR 941.293), Articles 2, 3 and 4

Federal Law on precious metal control (SR 941.31), Articles 36, 37, 38 and 41

Cantonal legislations

Description: FEDERAL LEVEL:

Services in these sub-sectors are currently supplied by the competent governmental authorities (SR 941.20 and SR 941.31).

Competences for official verification are split between the federal and cantonal authorities (SR 941.20, Articles 13 and 15; SR 941.292, Articles 3 and 7). Activities falling within federal competence may be delegated to the private sector. For this purpose, the competent authorities recognise private laboratories (SR 941.293, Articles 2 and 3; SR 941.210, Article 19). The cantonal authorities apply an economic needs test (SR 941.293, Article 4). Legal domicile in Switzerland and facilities in Switzerland to supply the service in Switzerland are required. The federal authorities may authorise exceptions to the latter obligation (SR 941.293, Article 3).

The exercise of the profession of a commercial assayer requires the authorisation of the competent federal authorities, a relevant federal diploma (“eidgenössisches Diplom für Edelmetallprüfer”; “diplôme fédéral d’essayeur-juré”; “diploma federale di saggiatore”) as well as residence in Switzerland. Legal domicile and service supply in Switzerland are required. Commercial assayers are not allowed to supply official control or punching

services for precious metals (SR 941.31, Articles 36, 37, 38 and 41).

Note for transparency: For all these services the federal authorities fix the fees to be charged to consumers for the service supplied.

CANTONAL LEVEL:

The control of road vehicles is implemented by cantonal legislation and reserved to cantonal offices or delegated entities designated by them.

97. Sector:

Sub-Sector: Official certification for construction authorisations

Industry Classification:

Type of Reservation: National treatment (Article 47)

Level of Government: Cantonal

Measures: Cantonal legislations

Description: Applications for construction authorisations may require the signature of a natural person registered in the Swiss Registers of Engineers, Architects and Technicians (REG) (Schweizerische Register für Ingenieure, Architekten und Techniker; Registres suisses des ingénieurs, des architectes et des techniciens; registri svizzeri degli ingegneri, degli architetti e dei tecnici). In general, foreign professionals may register after two years of practice in Switzerland.

98. Sector:

Sub-Sector: Archaeology

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: All

Measures: As qualified by the Description element

Description: Switzerland reserves the right to maintain, modify or adopt any measures in respect of the exploitation of archaeological digs and excavation of archaeological finds.

99. Sector:

Sub-Sector: Services related to the sex trade and other activities involving moral or sexual integrity of individuals

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal and cantonal

Measures: As qualified by the Description element

Description: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for services such as, for example, so-called “escort” services, “hostess” services, dating or partnership services, prostitution and related activities, cabaret shows and cabaret personnel services, striptease services, entertainment services supplied by bars, clubs, discotheques and similar facilities (excluding beverage serving service *per se*, covered by CPC 6432), production of erotic and other sex-related material (images and videos), services via telecommunications (such as “phone sex” or Internet), or “massage services”. Switzerland reserves the right to maintain, modify or adopt any measures related to services such as search for, recruitment and transfer of persons with a view to involving them in the production or supply of the services described above. This reservation covers all modes of supply and covers direct supply of services as well as intermediation, soliciting of potential clients, promotion and marketing, and similar activities.

100. Sector:

Sub-Sector: Internet-based services

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Federal and cantonal

Measures: As qualified by the Description element

Description: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for the protection of youth or for the prevention of addiction or compulsive behaviour and other mental health hazards.

101. Sector:

Sub-Sector: Services for indebted persons

Industry Classification:

Type of Reservation: Market access (Article 46)

National treatment (Article 47)

Level of Government: Cantonal

Measures: Cantonal legislations

As qualified by the Description element

Description:

Advisory services to indebted persons, debt-reshuffling assistance to indebted persons or advice on debt for particular groups of natural persons (such as young persons) may be reserved to cantonal entities.

Qualification: Switzerland reserves the right to maintain, modify or adopt any such measures.

102. Sector:	Various Sectors
Sub-Sector:	Limited to activities that are not mentioned explicitly in the CPC classification
Industry Classification:	
Type of Reservation:	Market access (Article 46) National treatment (Article 47)
Level of Government:	All
Measures:	Federal, cantonal and municipal legislations As qualified by the Description element
Description:	Whenever a specific service activity within a sub-sector is not mentioned explicitly in the CPC classification but is deemed to be subsumed under “n.e.c.” or under any type of residual formulation, then possible measures may not necessarily appear in this List of Reservations. <u>Qualification:</u> Switzerland reserves the right to maintain, modify or adopt any such measures.

103. Sector:	Various Sectors
Sub-Sector:	New Services
Industry Classification:	<p>CPC 7524 Programme transmission services (limited to new audiovisual services)</p> <p>CPC 75300 Radio and television cable services (limited to new audiovisual services)</p> <p>CPC 752 Telecommunications services (limited to new telecommunications services)</p> <p>CPC 8499 Other computer services n.e.c. (limited to new computer services)</p> <p>CPC 8719 Other advertising services (limited to new advertising services)</p> <p>CPC 87909 Other business services n.e.c. (limited to new auctioneering services)</p> <p>CPC 9611 Motion picture and video production and distribution services (limited to new audiovisual services)</p> <p>CPC 9612 Motion picture projection services (limited to new audiovisual services)</p> <p>CPC 9613 Radio and television services (limited to new audiovisual services)</p> <p>CPC 96199 Other entertainment services n.e.c. (limited to new entertainment services)</p> <p>CPC 96499 Other recreational services n.e.c. (limited to new recreational services)</p> <p>Internet-based services (limited to new services)</p>
Type of Reservation:	<p>Market access (Article 46)</p> <p>National treatment (Article 47)</p>
Level of Government:	All
Measures:	As qualified by the Description element
Description:	<p>Switzerland reserves the right to adopt any measures in respect of new services referred to in the Industry Classification element.</p> <p>In respect of commercial presence, such restrictive measures shall grant national treatment. As regards cross-border trade, Switzerland reserves the right to introduce any new discriminatory measures.</p> <p>For the purpose of this reservation, the term “new services” means services that are not currently delivered on the Swiss market. It includes services related to existing or new products or the manner in which a product or service is</p>

supplied.

Attachment I
ENGLISH TRANSLATIONS USED IN THIS LIST OF RESERVATIONS
(MODE 3 – FORMS OF LEGAL ENTITIES)

The list below compiles the translations into English of forms of legal entities as, and to the extent that, they are used in this list of reservations:

Note: These are unofficial translations based on the ones prevailing in the literature.

“Association” :	Verein, association, associazione
“Co-operative society” :	Genossenschaft, société coopérative, società cooperativa
“Foundation” :	Stiftung, fondation, fondazione
“General partnership” :	Kollektivgesellschaft, société en nom collectif, società in nome collettivo
“Joint-stock company” :	Aktiengesellschaft (AG), société anonyme (SA), società anonima (SA)
“Limited liability company” :	Gesellschaft mit beschränkter Haftung (GmbH), société à responsabilité limitée (sàrl), società a garanzia limitata (Sagl)
“Limited partnership” :	Kommanditgesellschaft, société en commandite, società in accomandita
“Sole proprietorship” :	Einzelfirma, entreprise individuelle, ditta individuale
“Stock company with unlimited partners” :	Kommanditaktiengesellschaft, société en commandite par actions, società in accomandita per azioni

Attachment II
LIST OF SWISS CANTONS

The list below contains all cantons forming the Swiss Confederation :

Kanton Zürich (ZH)

Kanton Bern (BE); Canton de Berne

Kanton Luzern (LU)

Kanton Uri (UR)

Kanton Schwyz (SZ)

Kanton Obwalden (OW)

Kanton Nidwalden (NW)

Kanton Glarus (GL)

Kanton Zug (ZG)

Canton de Fribourg (FR); Kanton Freiburg

Kanton Solothurn (SO)

Kanton Basel-Stadt (BS)

Kanton Basel-Landschaft (BL)

Kanton Schaffhausen (SH)

Kanton Appenzell Ausserrhoden (AR)

Kanton Appenzell Innerrhoden (AI)

Kanton St. Gallen (SG)

Kanton Graubünden (GR); Cantone dei Grigioni

Kanton Aargau (AR)

Kanton Thurgau (TG)

Cantone Ticino (TI)

Canton de Vaud (VD)

Canton du Valais (VS); Kanton Wallis

Canton de Neuchâtel (NE)

Canton de Genève (GE)

Canton du Jura (JU)