

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

**RESTRICTED**

MTN.GNS/W/168  
15 September 1993

Special Distribution

**Group of Negotiations on Services**

Original: English

**COMMUNICATION FROM THE CZECH REPUBLIC**

**Conditional Offer of the Czech Republic Concerning Initial Commitments  
in the Uruguay Round Negotiations on Trade in Services**

The following communication is circulated at the request of the Czech Republic to the members of the Group of Negotiations on Services.

The Czech Republic hereby submits its conditional offer on initial commitments concerning trade in services. The Czech Republic reserves its right to modify, supplement, reduce or withdraw its offer depending on the readiness of the other parties to undertake satisfactory specific commitments on market access and national treatment and on the strength of m.f.n. discipline as well as depending on the overall outcome of the multilateral trade negotiations. The Czech Republic further reserves the possibility to make technical changes to its offer and to correct omissions and inaccuracies.

Since 1989 the Czech Republic has, in the process of transition to market economy, liberalized substantially its trade in services. The Czech Republic considers this liberalization as a credit for which adequate concessions by other signatories are sought. The Czech Republic as a country in the process of transformation into a market economy reserves its right to maintain - justified by its specific situation - a level of liberalization of service trade commensurate to the needs of its economic transition.

The present offer is based on the document established by the Secretariat on "Scheduling of Initial Commitments in Services" dated July 1993.

The offer of the Czech Republic on initial commitments on trade in services consists of two parts, the first stating horizontal commitments pertaining to all sectors and all modes of delivery where applicable, the second containing specific commitments per sectors/sub-sectors.

I. Horizontal Commitments Applicable to Sectors Listed in the Sectoral Part of the Schedule

1.	2.	3.	4.
All Sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(2) Current payments	The acquisition of foreign exchange by resident nationals for personal purposes is presently limited.	None	
(3) Establishment of commercial presence	Access to foreign exchange under capital account transactions of balance of payments other than capital transfers is subject to approval of Czech National Bank.	A foreign natural person whose name is to be registered in the Companies Register as a person authorized to act on behalf of the entrepreneur is required to submit a residence permit for the Czech Republic.	
(3) Acquisition of real property	None	Acquisition of real estate and land is permitted only to Czech juridical persons. Any foreign company with the registered office in the Czech Republic shall be considered for a Czech juridical person.	

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

1. All Sectors	2. Limitations on Market Access	3. Limitations on National Treatment	4. Additional Commitments
(3) Privatization	Privatization projects of public enterprises are subject to approval by government authorities to ensure efficiency and equity of privatization transactions.	In selected cases ("voucher" method and "small privatization") the sale of assets in the privatization process is restricted to Czech nationals. However, the resale of these assets is subject to no restrictions. All privatization projects of public enterprises with foreign participation must be approved by the government.	All foreign natural persons need a work permit if the purpose of entry is to work in the Czech Republic. Permits are issued by local labour offices on the basis of an economic needs test. In addition, foreign natural persons must also have a residence permit. The Czech Republic shall permit without requiring compliance with an economic needs test the temporary entry, stay and work for types of service personnel specified below provided that the service supplier is a juridical person and the persons concerned have been employed or subcontracted by this service supplier for at least one year.

(4) Presence of natural persons

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

1. All Sectors	2. Limitations on Market Access	3. Limitations on National Treatment Commitments	4. Additional Commitments
		<p>a) essential senior executives transferred to the Czech Republic within a specific business or company who primarily direct the management of the organization or one of its departments and who receive only general supervision or direction principally from the board of directors or stockholders. Executives would not directly perform tasks related to the actual provisions of the services of the organization.</p> <p>b) specialists possessing high or uncommon qualifications and knowledge indispensable for a provision of a specific service and essential to the organization's service, research, equipment, techniques or management.</p> <p>c) persons employed or mandated by an organization and who enter temporarily in the Czech Republic in order to conclude the sale of a service on behalf of the organization which employs them or has mandated them. Services sellers may not sell services directly to the general public.</p> <p>d) persons meeting criteria under a) who are responsible for setting up in the Czech Republic of commercial presence of the service provider when they are not engaged in making direct sales or supplying services and when the service provider has no representative branch or subsidiary in the Czech Republic.</p>	All other requirements of the Czech Republic's laws and regulations regarding entry, stay and work shall continue to apply. Temporary entry and stay does not imply a right to permanent residence nor does it count as residence period for the permanent residential status and citizenship.

Key:

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

Sector - Specific Commitments

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>BUSINESS SERVICES</b>			
Professional Services			
- Legal Services (861)	(1) None (2) None (3) No limitations for activities involving foreign law.  For activities involving national law acceptance in the Czech Bar Association or in the Czech Chamber of Commercial Lawyers is required, membership based on professional qualification.	(1) None (2) None (3) Barristers and commercial lawyers in Czech law are required to be graduates of Czech universities  (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None
- Accounting and Bookkeeping Services (862 except 86211)			
		(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Auditing Services (86211)	<p>(1) None</p> <p>(2) None</p> <p>(3) Auditing may be provided by natural or juridical persons registered in the auditors list of the Chamber of Auditors and subject to complying with professional qualification requirements.</p> <p>(4) Unbound except as indicated in horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) In case of juridical persons at least 60% of capital share or voting rights are reserved for Czech nationals.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) In case of juridical persons at least 60% of capital share or voting rights are reserved for Czech nationals.</p>
- Taxation Services (863)	<p>(1) None</p> <p>(2) None</p> <p>(3) Taxation services may be provided by natural or juridical persons registered in the list of the Chamber of Tax Consultants or in the Chamber of Auditors and subject to complying with professional qualification requirements.</p> <p>(4) Unbound except as indicated in horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>

Key: (1) Gross-border supply (3) Commercial presence  
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Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Architectural Services (8671)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Authorization by and registration with the Czech Chamber of Architects and subject to complying with professional qualification requirements. Condition of citizenship and residents (exceptions may be considered).</li> <li>(4) Unbound except as indicated in horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	
- Urban Planning and Landscape (8674)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Authorization by and registration with the Czech Chamber of Engineers and subject to complying with professional qualification requirements. Condition of citizenship and residence (exceptions may be considered).</li> <li>(4) Unbound except as indicated in horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	

Key: (1) Cross-border supply (3) Commercial presence  
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Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Medical and Dental Services (9312)	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) None</li> <li>(3) Professional licence, membership in the Czech Chambers of Doctors or Dentists, and permission of Health Ministry required for commercial presence and presence of natural persons. Reciprocity may be required.</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) None</li> <li>(3) None</li> </ul>	
- Veterinary Services (932)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Professional licence, membership in the Czech Veterinary Chamber, and permit of veterinary administration required for commercial presence and presence of natural persons.</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	<ul style="list-style-type: none"> <li>(3) Commercial presence</li> <li>(4) Presence of natural persons</li> </ul>

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

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>Computer and Related Services</b>			
- Consultancy Services Related to the Installation of Computer Hardware (841)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Software Implementation Services (842)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Data Processing Services (843)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Data Base Services (844)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Other (845 + 849)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
Research and Development Services (851, 852, 853)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
Rental/Leasing Services without Operators			
- Relating to Ships (83103)	(1) None (2) None (3) Unbound (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) Unbound (4) None	
- Relating to Other Transport Equipment (83101, 83102)			
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>Other Business Services</b>			
- Advertising Services (871)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Market Research and Public Opinion Public Services (864)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Management Consulting Services (865)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Services Related to Management Consulting (866)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
<b>Key:</b>	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Related Scientific and Technical Consulting Services (8675)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Maintenance and Repair of Equipment (not including maritime vessels, aircraft or other transport equipment)(633, 8861-8865)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Building-Cleaning Services (874)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
- Photographic Services (875)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Packaging services (876)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
<b>COMMUNICATION SERVICES</b>			
Courier Services (7512 except as specified for Transportation Services)	(1) Unbound (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) Unbound (2) None (3) None (4) None	
Telecommunication Services (excluding voice telephone services)			
General Remark: Monopoly of network infrastructure and its setting up. Services to be provided over the public network over leased lines. Connection with public network possible. Authorisation required from government authorities.			
	(1) None (2) None (3) Licence is required. Limitation on majority ownership is under consideration. (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Audiovisual services			
- Motion Picture and Video Tape Production and Distribution Service (9611)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Registration with the Ministry of Culture is required. Service providers have to comply with professional qualification requirements. Limitation on majority ownership.</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Limitation on access to government subsidies and grants for motion picture production.</li> </ul>	
- Radio and Television Services (9613)	<ul style="list-style-type: none"> <li>(1) Unbound except for direct reception within national territory.</li> <li>(2) None</li> <li>(3) Licence and residence required. Allocation of licences respects the requirements to maintain and promote the pluralism, quality and diversity of cultural services, balanced availability and dissemination of cultural values, information and news and development of cultural identity of nationalities and ethnic groups in the Czech Republic.</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	

Key: (1) Cross-border supply (3) Commercial presence  
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Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Radio and Television Transmission Services (7524)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) Authorisation required from government authorities</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> <li>(4) None</li> </ul>	
- Sound Recording	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> <li>(4) None</li> </ul>	
<b>CONSTRUCTION AND RELATED ENGINEERING SERVICES (511, 512, 513, 514, 516, 517)</b>	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) None</li> <li>(3) Licence required and economic needs test applied.</li> <li>(4) Unbound except as indicated in horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) None</li> <li>(3) None</li> <li>(4) Unbound</li> </ul>	
<b>DISTRIBUTION SERVICES (excluding trade in arms, ammunition, explosive, some chemical products, and drugs and precious metals)</b>			
Wholesale trade services (622)	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> <li>(4) Unbound except as indicated in horizontal section.</li> </ul>	<ul style="list-style-type: none"> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> <li>(4) None</li> </ul>	
<b>Key:</b>	<ul style="list-style-type: none"> <li>(1) Cross-border supply</li> <li>(2) Consumption abroad</li> </ul>	<ul style="list-style-type: none"> <li>(3) Commercial presence</li> <li>(4) Presence of natural persons</li> </ul>	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Retailing Services (631, 632)	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section	(1) None (2) None (3) None (4) None	
<b>EDUCATIONAL SERVICES</b>			
Non-Compulsory Education Services (922, 923, 924, 929)	(1) None (2) None (3) Service providers to be authorised on the basis of state recognised diplomas and other professional tests. The recognition is based on condition specified in agreements relating to degree equivalence.	(1) None (2) None (3) None	
			Commercial presence can be established through licence and subject to complying with qualification and material requirements on establishment of schools.
			(4) Unbound except as indicated in horizontal section.
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>ENVIRONMENTAL SERVICES</b>			
Environmental Services	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None (4) None	
<b>FINANCIAL SERVICES</b>			
All Insurance and Insurance-Related Services (812)	(1) Commercial presence is required for certain kinds of supply of direct insurance: the life insurance of persons with permanent residence in the Czech Republic, the insurance of property on the territory of the Czech Republic and liability for loss or damage caused by the activity of natural persons and juridical persons on the territory of the Czech Republic.	(1) None	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

With the limitations listed below, this offer regarding financial services is based on the "Understanding on Commitments in Financial Services" (MTN.TNC/W/FA Pages 51-55):

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(2) Life insurance of persons with permanent residence in the Czech Republic, insurance of property on the territory of the Czech Republic and liability for loss or damage caused by the activity of natural persons and juridical persons on the territory of the Czech Republic may not be purchased by the Czech nationals abroad:</p> <p>(3) Licence is required. Foreign nationals may establish an insurance company with headquarters in the Czech Republic as a joint-stock company or may conduct insurance business through their branches with registered office in the Czech Republic under the general conditions established in the Law on Insurance. Insurance business means insurance activity including brokerage and reinsurance activity. The intermediaries selling policies of foreign insurance companies have to apply for license with the Insurance Supervisory Authority and to pay the deposit. The financial resources of specific insurance funds of licensed insurance operators derived from insuring or reinsuring policy holders with residence or registered office in the Czech republic must be deposited in a resident bank or saving institution in the Czech Republic and may not be transferred abroad.</p>	<p>(2) None</p> <p>(3) None</p>	
Key:	<p>(1) Cross-border supply</p> <p>(2) Consumption abroad</p>	<p>(3) Commercial presence</p> <p>(4) Presence of natural persons</p>	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Banking and Other Financial Services	(4) Unbound except as indicated in horizontal section.	(4) None	

The offer covers the following sectors:

- Acceptance of deposits and other repayable funds from the public (81115-81119), (1), (3) Banking services on the territory of the Czech Republic may be provided only by established banks (including subsidiaries and joint ventures) or established branches of foreign banks. The establishment of all banks is subject to licensing and establishment of foreign banks is subject to reciprocity requirement.
- Lending of all types (8113), (2) None
- All payment and money transmission services (81339),
- Guarantees and Commitments (81199),
- Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise as follows:
  - (i) money market instruments (cheques, bills, certificates of deposits, etc.) (81339),
  - (ii) foreign exchange (81333),

Key: (1) Cross-border supply (3) Commercial presence  
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Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(iii) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (81339),		(4) None except as indicated in horizontal issues.	
(iv) transferable securities (81321)	(1) Unbound	(1) Unbound	
(v) participation in issues of all kinds of securities (8132)	(2) None	(2) None	
(vi) asset management (8119, 81323)		(3) Securities may be traded publicly only if relevant authorization has been granted and a prospectus covering the security has been approved by the Ministry of Finance. The business of a security dealer, stockbroker or organizer of an over-the-counter market is subject to approval of the Ministry of Finance.	(3) Foreign natural and juridical persons having their seat in the Czech Republic, with more than 50 per cent of their registered capital contributed by foreign persons may not own in total more than one third of the nominal value of registered capital of the stock exchange concerned.
(vii) settlement and clearing services for financial assets (81319, 81339),			(4) Unbound as indicated in horizontal section.
Key:	(1) Gross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	(4) None

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(viii) advisory and other auxiliary services (8131, 8133),	(4) Unbound except as indicated in horizontal section.	(4) None	
<b>TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotels and Restaurants (641-643)	(1) None (2) None (3) Registration and licence required.  (4) Unbound except as indicated in horizontal section.	(1) None (2) None (3) None  (4) None	
Travel Agencies and Tour Operators (7471)	(1) Unbound (2) None (3) Registration licence and reciprocity required.  (4) Unbound except as indicated in horizontal section	(1) Unbound (2) None (3) None  (4) None	
Key:	(1) Gross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Tourists Guides Services (7472)	(1) Unbound (2) None (3) Registration and licence required (4) Unbound	(1) Unbound (2) None (3) None (4) Unbound	
TRANSPORT SERVICES			
Maritime Transport			
- Freight Transportation (7212)	(1) None (2) None (3) Unbound (4) Unbound	(1) None (2) None (3) Unbound (4) Unbound	
- Maintenance and Repair of Vessels (8868)	(1) Unbound (2) None (3) Unbound (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
Internal Waterways			
- Passenger and freight transportation (7221,7222)	(1) Unbound (2) None (3) Permission required. (4) Unbound except as indicated in horizontal section.	(1) Unbound (2) None (3) None (4) None	
Air transport			
- Maintenance and repair (8868)	(1) Unbound (2) None (3) Unbound (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	

Sector/Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Sales and Marketing	Subject for further consideration.		
- Computer Reservation system	Subject for further consideration.		
Rail transport			
- Maintenance and repair (8868)	(1) Unbound (2) None (3) Unbound (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
Road transport			
- Maintenance and repair (6112, 8867)	(1) Unbound (2) None (3) Unbound (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
Key:	(1) Cross-border supply (2) Consumption abroad	(3) Commercial presence (4) Presence of natural persons	