

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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COMMUNICATION FROM SWITZERLAND

Draft Schedule of Switzerland concerning
Initial Commitments on Trade in Services

Revision

The attached communication is circulated at the request of Switzerland to members of the Group of Negotiations on Services.

Switzerland hereby submits its revised draft schedule on initial commitments concerning trade in services presented in a format in line with the document on scheduling of initial commitments on trade in services, established by the Secretariat (MTN. GNS/W/164, 3. Sept. 1993).

Switzerland reserves its right to modify or withdraw its draft schedule in whole or in part inter alia depending on the degree to which other parties are ready to undertake satisfactory and mutually acceptable specific commitments on market access and national treatment, and on the strength of MFN-discipline to which the parties are willing to submit themselves. Swiss legislation contains specific reciprocity provisions on market access in the area of financial services. The commitments offered by Switzerland in the financial services sector are conditional on adequate commitments from other parties in the same sector.

Switzerland further reserves the possibility to make technical changes to its draft schedule and to correct omissions and inaccuracies.

Attached to the present revised draft schedule of Switzerland on initial commitments on trade in services is the revised draft schedule on initial commitments on trade in services submitted by the Principality of Liechtenstein. The commitments offered by the Principality of Liechtenstein remain conditional upon the final outcome of the negotiations. The Principality of Liechtenstein assumes the entire responsibility for its commitments taken under the Agreement. Switzerland however is negotiating on behalf of the authorities of the Principality of Liechtenstein.

Draft schedule of Switzerland concerning initial commitments on trade in services

The Swiss schedule on initial commitments on trade in services is based on the following assumptions:

1. References to the UN Provisional Central Product Classification (indicated in square brackets where corresponding in the Swiss offer) are based on the 1991 version of said classification.
2. The level of commitments in a particular services sector/subsector shall not be affected by the level of commitments taken with respect to other services sectors/subsectors to which such service is an input or to which it is otherwise related, except for the case provided in Art. XXXIV, paragraph c (ii) of GATS.
3. Modes of delivery are distinct, in particular modes 1 and 3 do not include any commitment with respect to movement of natural persons.
4. There is no obligation to extend subsidies, tax incentives and tax credits, granted to services suppliers established or having domicile in a Member of GATS and located in a particular locality, to services suppliers located elsewhere.

The Swiss schedule on initial commitments on trade in services consists of two parts, Part I stating horizontal conditions pertaining to all sectors listed in Part II of the draft schedule and all modes of delivery where applicable, and Part II containing commitments concerning specific sectors. The indication of "none" on particular sectors in Part II (Sectoral Commitments) means that no other conditions apply than those mentioned in Part I (Horizontal Provisions).

PART I: HORIZONTAL COMMITMENTS APPLICABLE TO ALL SECTORS LISTED IN THE SECTORAL PART OF THE SCHEDULE (PART II below)

1. Commercial presence:

A majority of the board of directors of a "joint stock company" (société anonyme/Aktiengesellschaft or société en commandite par actions/Kommanditaktiengesellschaft) must be Swiss citizens with domicile in Switzerland (except for holding companies). At least one manager of a "corporation with limited liability" (société à responsabilité limitée/Gesellschaft mit beschränkter Haftung) must have his domicile in Switzerland. The administrators of a "co-operative society" (société coopérative/Genossenschaft) must be composed of a majority of Swiss citizens with domicile in Switzerland. Joint stock companies are not prohibited to foresee in their articles of incorporation that shareholders can be denied registration in the shareholder register, inter alia in case federal law requires a certain composition of shareholders.

The establishment of a branch requires a representative (natural person) with domicile in Switzerland who is duly authorized by the company to fully represent it.

The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality according to Swiss law (i.e. in a form other than "joint stock company", "cooperation with limited liability" or "co-operative society") is subject to the requirement of a permanent residency permit of the associate(s) by cantonal law.

2. Presence of natural persons:

With respect to movement of natural persons of a Member other than Switzerland under the supply of a service defined in paragraph 2d of Article I of the Agreement: unbound, except for measures regarding the entry and temporary stay of foreign natural persons (hereafter persons) who fall in one of the categories, as defined in paragraphs I and II below, and subject to the limitations and conditions set out in paragraphs III and IV below:

I. Essential persons transferred to Switzerland within a specific business or company (intra-corporate transferees)

Are considered as essential those persons - defined in detail below - who are employees of a business or company (hereafter enterprise) providing services in Switzerland through a branch, subsidiary or affiliate established in Switzerland and who have been beforehand employees of their enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission:

- a) Executives and senior managers : persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise.

Executives and senior managers would not directly perform tasks related to the actual provision of services of the enterprise.

- b) Specialists : highly qualified persons who, within an enterprise, are essential for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.

II. Other essential persons moving to Switzerland

- a) Services sellers : Persons employed or mandated by an enterprise and who stay temporarily in Switzerland in order to conclude the contract for the sale of a service on behalf of the enterprise which employs them or has mandated them. Services sellers may not sell services directly to the general public or supply services themselves.
- b) Other natural persons supplying services : Persons who are employees of an enterprise not having a commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a time period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph I.b) above, and who, under contract with a consumer of services, provide a service in Switzerland on behalf of that enterprise. Individual services providers not employed by such enterprise or entering Switzerland without a contract with a consumer are considered as persons seeking access to the Swiss employment market.
- c) Persons responsible for the setting up of a commercial presence: Persons who are employees of an enterprise not having commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a time period not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph I.a) above, and who are entering Switzerland for the purpose of setting up a commercial presence in Switzerland of that enterprise. Persons responsible for the setting-up of a commercial presence may not engage in making direct sales to the general public or supply services themselves.

- ## III. Entry and stay of foreign service suppliers in Switzerland is subject to authorization (requirement of residency permit and work permit). Authorization is granted subject to measures fixing overall numbers of work permits allocated. For essential personnel as defined in para. I. above, temporary entry is limited to a period of three years, which may be extended to a maximum of four years. For other essential personnel as defined in para. II. above, the period of stay is limited to three months within one year; if an authorization for such a period of stay is renewed the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland. In either case temporary entry under the Agreement does not imply a right to permanent residence under immigration laws, nor does it count as residence period for the application for permanent residential status or citizenship. Persons staying in or entering Switzerland with an open-ended or prolongable residence permit based on an employment contract not limited in time for Switzerland are not considered as persons residing in or entering Switzerland for the purpose of temporary stay or temporary employment in Switzerland.

- IV. The following measures apply to persons entering Switzerland under the terms and conditions of the Agreement: working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), measures limiting professional and geographical mobility within Switzerland, regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.), and all other provisions of the legislation relating to immigration, entry, stay and work. The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures.

3. Real estate

The acquisition of real estate by foreigners who are not permanently established in Switzerland and by enterprises with headquarters abroad and/or under foreign control is subject to authorization. For the purpose of personal housing needs (except the acquisition of holiday residences), professional use and business activities, authorization is granted upon verification of the purpose. Prohibited are purely financial investments, real estate business operations, acquisition, on a professional basis, of holiday apartments and facilities other than hotels (e.g. apartment houses, camps, sport areas) and acquisition of agricultural real estate.

PART II: SECTORAL COMMITMENTS

Sector/Subsector:	Mode *	Market Access: terms, limitations, conditions (Art. XVI GATS)	National Treatment: conditions, qualifications (Art. XVII GATS)	Additional Commitments (Art. XVIII GATS)
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BUSINESS SERVICES

Professional services

Legal services: Consultancy on home country law and international law [part of 861]

1	none	none	none
2	none	none	none
3	none	Swiss nationality necessary to open up practice in the canton of St. Gall	Swiss nationality necessary to open up practice in the canton of St. Gall
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Accounting [862 except 86211]

1	none	none	none
2	none	none	none

* modes of delivery:

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

3	none	unbound except as indicated in Part I (provision number 2)	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must have a commercial presence in Switzerland	at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must have a commercial presence in Switzerland
2	none	none	none
3	at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must be either a natural person having domicile in Switzerland or a juridical person having registered office in Switzerland	at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must be either a natural person having domicile in Switzerland or a juridical person having registered office in Switzerland	at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must be either a natural person having domicile in Switzerland or a juridical person having registered office in Switzerland
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2); at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must	unbound except as indicated in Part I (provision number 2); at least one person supplying auditing services to a joint stock company (société anonyme/Aktiengesellschaft) or a société en commandite par actions/Kommanditaktiengesellschaft must

			have a commercial presence in Switzerland
Taxation Services [863]			
1	none		none
2	none		none
3	none		none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Architectural services [8671]			
1	none		three years of prior profes- sional practice in Switzer- land required in canton of Lucerne
2	none		none
3	none		three years of prior profes- sional practice in Switzer- land required in canton of Lucerne
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2); three years of prior professional practice in Switzerland required in can- ton of Lucerne
Engineering services [8672]			
1	none		three years of prior profes- sional practice in Switzer- land required in canton of Lucerne for building engi- neers
2	none		none

3	none	three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2); three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; survey activities by foreigners for official public purposes are subject to authorization, such authorization is only granted to foreign surveyors working under the responsibility of a licensed Swiss surveyor
Integrated engineering services [8673]		
1	none	none
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Urban planning and landscape architectural services [8674]		
1	none	none
2	none	none
3	none	none

		unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Medical and dental services [9312]			
4	1	none	none
	2	none	none
	3	unbound	Swiss nationality necessary to practise independently
	4	unbound	Swiss nationality necessary to practise independently
Veterinary surgeons [932]			
	1	none	none
	2	none	none
	3	unbound	Swiss nationality necessary to practise independently
	4	unbound	Swiss nationality necessary to practise independently
Computer and related services			
Consult. for install. of hardware [841]			
	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Software implementation services [842]			
1	none	none	
2	none	none	
3	none	none	
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
Data processing services [843]			
1	none	none	
2	none	none	
3	none	none	
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
Data base services [844]			
1	none	none	
2	none	none	
3	none	none	
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
Maintenance and repair services of office machinery and equipment including computers [845]			
1	none	none	
2	none	none	

3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Data preparation services (8491)

Research and development services

R&D services on natural sciences, excluding projects financed in whole or in part by public funds (part of 851)

1	none	none
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

R&D services on social sciences, excluding projects financed in whole or in part by public funds (part of 852)

1	none	none
2	none	none

	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Interdisciplinary R&D services, excluding projects financed in whole or in part by public funds (part of 853)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Rental/leasing without operators			
Relating to ships (83103)	1	same conditions as specified for subsectors 7211 and 7212	same conditions as specified for subsectors 7211 and 7212
	2	same conditions as specified for subsectors 7211 and 7212	same conditions as specified for subsectors 7211 and 7212
	3	same conditions as specified for subsectors 7211 and 7212	same conditions as specified for subsectors 7211 and 7212
	4	same conditions as specified for subsectors 7211 and 7212	same conditions as specified for subsectors 7211 and 7212
Relating to aircraft excluding rental/leasing to companies flying on regular schedule or on charter (part of 83104)	1	none	none
	2	none	none

	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Relating to other transport equip. [83101 + 83102 + 83105]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Relating to other mach. and equip. [83106 - 83109]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Other business services

Advertising services (including direct mail advertising), excluding outdoor advertising and excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcohol, tobacco, tox.cs, explosives, weapons and ammunition [part of 8711 + part of 8712]

2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
Market research and public opinion polling [864]		
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
Management consulting services [865]		
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
Services related to management consulting [866]		
2	none	none
3	none	none

Technical testing and analysis services [8676]	1	none	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
	2	none		none
	3	none		none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
Consulting services on agric., hunting and forestry [part of 881]	1	none		none
	2	none		none
	3	none		none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
Consulting services relating to fishing [part of 882]	1	none		none
	2	none		none
	3	none		none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	

Services incidental to mining (part of 883 + part of 5115) excluding prospection, surveying, exploration and exploitation	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Consulting services relating to manufacturing (part of 884 + part of 885)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Related scient. and tech. consulting (part of 8675) excluding prospection, surveying, exploration and exploitation	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Maint. and repair of equipment not including maritime vessels, aircraft of other transport equipment [633 + 8861-8866]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required for subsector 633	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required for subsector 633
Building-cleaning services [874 except 87409]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required
Photographic services [875]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

		unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
Packaging services [876]			
	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required
Printing, publishing [88442]			
	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Convention services [87909]			
	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

COMMUNICATION SERVICES

Enhanced/value-added telecommunication services:

General condition applicable to all telecommunication sectors: federal monopoly on network infrastructure, services have to be provided over the public network or over leased lines; wireless networks subject to licensing; pricing of leased lines not volume-sensitive, connection with the public network possible

Electronic mail [part of 7523]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Voice mail [part of 7523]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
On-line info. and database retrieval [part of 7523]	1	none	none
	2	none	none
	3	none	none

				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
				none	none
				none	none
				unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Electronic data interchange (EDI) [part of 7523]

Enhanced/value-added facsimile serv. [part of 7523]

Code and protocol conversion

On-line info. and/or data processing (part of 843)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Videotex	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Enhanced/value added services based on licensed wireless networks including enhanced/value added paging services, except for voice transmission	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Audiovisual services:

Radio and television services [9613]	1	unbound, except for direct reception of non-encrypted services within national territory	unbound, except for direct reception of non-encrypted services within national territory
	2	none	none
	3	unbound	unbound
	4	unbound	unbound
Motion picture production, production and rental/leasing of video tapes [96112 + 83202]	1	none	production subsidies for audiovisual works granted only to Swiss films (defined as films whose artistic and technical personnel is composed of a majority of Swiss nationals, and produced by an enterprise with corporate seat in Switzerland and majority Swiss ownership and whose management is composed of a majority of Swiss nationals)
	2	none	production subsidies for audiovisual works granted only to Swiss films (as defined in mode 1)
	3	none	production subsidies for audiovisual works granted only to Swiss films (as defined in mode 1)

4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2); production subsidies for audiovisual works granted only to Swiss films (as defined in mode 1)
Motion picture projection services (9612)		
1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
2	none	none
3	domicile in Switzerland for natural persons, corporate seat in Switzerland (juridical person according to Swiss law) for juridical persons required; conditions on operation or limitations on the expansion of services operation or services output may be imposed in order to avoid abuse of a dominant market position in order to preserve diversity of supply and independence of distribution policies	domicile in Switzerland for natural persons, corporate seat in Switzerland (juridical person according to Swiss law) for juridical persons required
4	unbound except as indicated in Part I (provision number 2); conditions on operation or limitations on the expansion of services operation or services output may be imposed in order to avoid abuse of a dominant market position in order to preserve diversity of supply and independence of distribution policies; commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required

Sound recording	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

CONSTR. AND RELATED ENGINEERING SERVICES

Pre-erection work at construction sites [511]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
General construction work for buildings [512]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Gen. constr. work for civil engineering [5131 + 5132]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility

	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Installation and assembly work (514 + 516)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	unbound for installations in the area of energy, heating, water, communications and elevators
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2); unbound for installations in the area of energy, heating, water, communications and elevators
Building completion and finishing work (517)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

DISTRIBUTION SERVICES

Commission agents' services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of 6211)	1	none	none	none
	2	none	none	none
	3	some cantons have restrictions on sales area	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Wholesale trade services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of 622)	1	none	none	none
	2	none	none	none
	3	some cantons have restrictions on sales area	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Retailing services, excluding services related to goods subject to import authorization, to pharmaceutical products,	1	none	none	none

toxics, explosives, weapons and ammunition, and precious metals; not covered is retailing through mobile sales unit (part of 631 + part of 632 + part of 6111 + part of 6113 + part of 6121)

2	none	none	none
3	some cantons have restrictions on sales area	none	none
4	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required
1	none	none	none
2	none	none	none
3	none	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Franchising (8929)

PRIVATE EDUCATIONAL SERVICES

Compulsory education services (primary and secondary I)	1	unbound	unbound
	2	unbound	unbound
	3	none	none
	4	unbound	unbound

Non compulsory secondary education services (secondary II)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Higher education services [923]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Adult education services [924]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

ENVIRONMENTAL SERVICES 1

	Sewage services (CPC 9401)		
1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility	
2	none	none	
3	none	none	
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	
	Refuse disposal services (CPC 9402)		
1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility	
2	none	none	
3	domicile in Switzerland for natural persons, corporate seat in Switzerland for juridical persons required for transportation of dangerous materials; unbound for garbage dump	domicile in Switzerland for natural persons, corporate seat in Switzerland for juridical persons required for transportation of dangerous materials	
4	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required	

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

Sanitation and similar services (CPC 9403)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Other environmental services (CPC 9404 + 9405 + 9406 + part of 9409)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

FINANCIAL SERVICES

Banking, securities and insurance services, in accordance with the "Understanding on Commitments in Financial Services" (hereafter "Understanding") and subject to reservations as contained in Part I (horizontal commitments) and as listed below. Switzerland will not maintain restrictions to National Treatment other than those listed below, without prejudice to the limitations or conditions listed under Market Access. It is understood that paragraph 4 of the "Understanding" does not impose any obligation to allow non-resident financial services suppliers to solicit business.

Banking and other financial services (excluding insurance)

monopoly rights as indicated in number 1 of the "Understanding": two mortgage bonds issuance institutes have been granted a monopoly for the issuance of specific mortgage bonds (*schweizer Pfandbrief*); only Swiss

cantonal banks and Swiss-controlled banks whose mortgage loans amount to at least 60% of the balance sheet can be members of the institutes; the issue of other mortgage-backed bonds is not affected by this regulation

- 1 the following limitations relate to the crossborder provision of the whole range of banking and other financial services (excluding insurance), including those defined in number 3 of the "Understanding": membership in stock and options and futures exchanges requires a commercial presence in Switzerland; participation in settlement and clearing networks is subject to a commercial presence in Switzerland; mutual funds (collective investments) have to be lead-marketed through banks having a commercial presence in Switzerland
- 2 Swiss franc denominated issues can be lead managed only by a bank having a commercial presence (registered office or branch office) in Switzerland
- 3 Commercial presence of foreign financial institutions is subject to specific acquisition of real estate by foreigners is limited as indicated in Part I (provision number 3); the following specific restrictions apply: foreign or foreign-controlled banks are authorized to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation on condition that the acquirer sells the property within two years from date of acquisition

acquisition of real estate by foreigners is limited as indicated in Part I (provision number 3)

licensing requirements relating to the name of firm, duties towards the Swiss national bank and regulations on financial institutions in the country of origin; commercial presence may be denied to financial institutions whose ultimate shareholders and/or beneficial owners are persons of a non-Member; representative offices can neither conclude or deal business nor acts as an agent

tion number 3); the following specific restrictions apply: Foreign or foreign controlled banks are authorized to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation on condition that the acquirer sells the property within two years from date of acquisition

4

temporary entry as indicated in number 9 of the "Understanding"; unbound except as indicated in Part I (provision number 2)

unbound except as indicated in Part I (provision number 2); the majority of the management board of a bank must be domiciled in Switzerland; those members of the management board not domiciled in Switzerland can only sign collectively with an other member of the management board domiciled in Switzerland

Insurance and insurance related services

monopoly rights as indicated in number 1 of the "Understanding": a public monopoly on fire and natural damage insurance on buildings exists in 19 cantons (Zurich, Berne, Lucerne, Nidwalden, Glaris, Zoug, Fribourg, Soleure, Bâle-Ville, Bâle-Campagne, Schaffhouse, Argovie, St-Gall, Grisons, Appenzell Rhodes Exté-

tion number 3); the following specific restrictions apply: Foreign or foreign controlled banks are authorized to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation on condition that the acquirer sells the property within two years from date of acquisition

rieures, Thurgovie, Vaud,
Neuchâtel, Jura)

- 1 transactions as indicated in number 3 of the "Understanding": the underwriting of aircraft liability insurance requires commercial presence in Switzerland
acquisition of real estate by foreigners is limited as indicated in Part I (provision number 3); the following specific restrictions apply: foreign or foreign controlled insurance companies are authorized to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation on condition that the acquirer sells the property within two years from date of acquisition; foreign or foreign controlled insurance companies are authorized to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves necessary for the company's Swiss activities, according to Swiss law.
- 2 transactions as indicated in number 4 of the "Understanding": the underwriting of aircraft liability insurance requires commercial presence in Switzerland
none
- 3 commercial presence does not cover the setting up of representative offices; the legal form of a joint-stock company or mutual association is required for the
before setting up a commercial presence to provide specific classes of insurance services, a foreign insurer must have been authorised to operate in the

provision of insurance services; to be recognized for participation in the basic health insurance scheme, health insurance providers must be organized in the form of mutual association (société coopérative, association/ Genossenschaft, Verein) or foundation (fondation/ Stiftung); no new health insurance provider shall be recognized for participation in the basic health scheme until December 31, 1994; to be recognized for participation in the statutory pension funds scheme (prévoyance professionnelle / Berufsvorsorge), pension funds must be organized in the form of mutual associations (société coopérative / Genossenschaft) or foundations (fondation Stiftung)

same classes of insurance in its country of origin for at least three years; acquisition of real estate by foreigners is limited as indicated in Part I (provision number 3). The following specific restrictions apply: foreign or foreign controlled insurance companies are authorized to acquire property that serves as a security for mortgage loans in case of bankruptcy or liquidation on condition that the acquirer sells the property within two years from date of acquisition; foreign or foreign controlled insurance companies are authorized to invest in real estate, provided the total value of the buyer's property does not exceed the technical reserves necessary for the company's Swiss activities, according to Swiss law

temporary entry as indicated in number 9 of the "Understanding"; unbound except as indicated in Part I (provision number 2)

unbound except as indicated in Part I (provision number 2)

TOURISM AND TRAVEL RELATED SERVICES

Hotels and restaurants (incl. catering) [641 - 643]

unbound due to lack of technical feasibility, except unbound for catering (6423)

1

unbound due to lack of technical feasibility, except unbound for catering (6423)

2

none

none

- 3 federal law enables cantons to grant licence for restaurants based on economic needs
- residency of licence holder in same canton may be required in some cantons; passing an examination in same canton may be required
- 4 unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required
- unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required; residency of licence holder in same canton may be required in some cantons

Travel agencies and tour operators services [7471]

- 1 none
- 2 none
- 3 none
- 4 unbound except as indicated in Part I (provision number 2)

Tourist guides services [7472]

- 1 unbound due to lack of technical feasibility
- 2 none
- 3 none
- unbound due to lack of technical feasibility
- none
- In order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict foreign mountain guides, and ski instructors,

to practise independently; residency in same canton may be required in some cantons

unbound except as indicated in Part I (provision number 2); in order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict foreign mountain guides, and ski instructors, to practise independently; in some cantons commercial presence may be required

unbound except as indicated in Part I (provision number 2); in some cantons commercial presence may be required

1	none	none
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
2	none	none
3	none	none

CULTURAL AND SPORTING SERVICES

News agency services [962]

Sporting services [964]

4 unbound except as indicated in Part I (provision number 2) unbound except as indicated in Part I (provision number 2)

TRANSPORT SERVICES

Maritime transport services

1 Passenger and freight transportation [7211 + 7212] excluding cabotage due to lack of technical feasibility unbound due to lack of technical feasibility

2 none none

3 in order to sail under Swiss flag, vessels must be 100% owned and controlled by Swiss nationals, 3/4 of which having residency in Switzerland board of directors & management of companies owning ships sailing under Swiss flag must be composed of Swiss nationals, the majority of which having residency in Switzerland

4 unbound except as indicated in Part I (provision number 2) unbound except as indicated in Part I (provision number 2); board of directors & management of companies owning ships sailing under Swiss flag must be composed of Swiss nationals, the majority of which having residency in Switzerland

1 Rental of vessels with crew [7213] same conditions as specified for subsectors 7211 and 7212

- 2 same conditions as specified for subsectors 7211 and 7212 same conditions as specified for subsectors 7211 and 7212
- 3 same conditions as specified for subsectors 7211 and 7212 same conditions as specified for subsectors 7211 and 7212
- 4 same conditions as specified for subsectors 7211 and 7212 same conditions as specified for subsectors 7211 and 7212

Maintenance and repair of vessels [part of 8868]; pushing and towing services [7214]; supporting services for maritime transport [part of 745]

- 1 unbound due to lack of technical feasibility unbound due to lack of technical feasibility
- 2 none none
- 3 unbound due to lack of technical feasibility unbound due to lack of technical feasibility
- 4 unbound due to lack of technical feasibility unbound due to lack of technical feasibility

Internal waterways transport on the Rhine

Passenger and freight transportation [7221 + 7222]

- 1 unbound unbound
- 2 none none
- 3 in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (68% traffic rights including cabotage are limited on the basis of the Rhine Convention and the protocols

		of capital and vote) by persons domiciled in Switzerland or in a country according to the Rhine Convention and the protocols related to it	related to it; owner of vessels must dispose of an appropriate managing agency in Switzerland
4		Unbound except as indicated in Part I (provision number 2); in order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66% of capital and vote) by persons domiciled in Switzerland or in a country according to the Rhine Convention and the protocols related to it	Unbound except as indicated in Part I (provision number 2); traffic rights including cabotage are limited on the basis of the Rhine Convention and the protocols related to it; owner of vessels must dispose of an appropriate managing agency in Switzerland
	Rental of vessels with crew (7223)	1	same conditions as specified for subsectors 7221 and 7222
		2	same conditions as specified for subsectors 7221 and 7222
		3	same conditions as specified for subsectors 7221 and 7222
		4	same conditions as specified for subsectors 7221 and 7222
	Maintenance and repair of vessels (part of 8868)	1	unbound due to lack of technical feasibility
		2	none
		3	none

4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
1	none	none
2	none	none
3	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Support. serv. for internal waterway trsp. [part of 745]

Air transport services

1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
2	unbound	unbound
3	registered office in Switzerland required	none

Maintenance and repair of aircraft [part of 8868]

4 unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required

1 none
 2 none
 3 none
 4 Unbound except as indicated in Part I (provision number 2)

1 unbound due to lack of technical feasibility
 2 none
 3 unbound
 4 unbound

1 unbound
 2 none
 3 concession required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in a ecological

Sales and marketing including CRS

Space transport [733]

Rail transport services

Passenger transportation [7111]

unbound except as indicated in Part I (provision number 2); commercial presence in Switzerland required

none
 none
 none
 Unbound except as indicated in Part I (provision number 2)

unbound due to lack of technical feasibility
 none
 unbound
 unbound

unbound
 none
 none

	cally and economically more reasonable way		
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Freight transportation, incl. pushing and towing [7112 + 7113]			
1	unbound	unbound	unbound
2	none	none	none
3	concession required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in a ecologically and economically more reasonable way	concession required, for granting of concession there has to be a need for such a railways undertaking and there is no other means of transport which could handle that service in a ecologically and economically more reasonable way	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Maint. and repair of rail trsp equipment [part of 8868]			
1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
2	none	none	none
3	none	none	none
4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Road transport services

Passenger transportation regular, "closed-door" tours only [part of 7121]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Passenger transportation occasional, excluding empty entrance, cabotage and taxi services [7122]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Rental of commercial vehicles with operator [7124]	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Maint. and repair of road trsp equipment (6112 + 8867)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Services auxiliary to all modes of transport

Cargo-handling services [741]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Storage and warehouse services [742]	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Freight transport agency services (748 + 749)	1	none	none
2	none	none	none
3	none	none	none
4	Unbound except as indicated in Part I (provision number 2)	Unbound except as indicated in Part I (provision number 2)	Unbound except as indicated in Part I (provision number 2)

Draft Schedule of the Principality of Liechtenstein concerning Initial Commitments on Trade in Services (revision)

Liechtenstein hereby submits its revised draft schedule on initial commitments concerning trade in services presented in a format in line with the document on scheduling of initial commitments on trade in services, established by the Secretariat (MTN.GNS/W/164, 3. Sept. 1993).

Liechtenstein reserves its right to modify or withdraw its draft schedule in whole or in part *inter alia* depending on the degree to which other parties are ready to undertake satisfactory and mutually acceptable specific commitments on market access and national treatment, and on the strength of MFN-discipline to which the parties are willing to submit themselves. According to Liechtenstein legislation the right of commercial presence and the right of presence of natural persons in all sectors is dependent on reciprocity for service providers from Liechtenstein. The commitments offered by Liechtenstein are conditional on adequate commitments from other parties.

Liechtenstein further reserves the possibility to make technical changes to its draft schedule and to correct omissions and inaccuracies.

The Liechtenstein schedule on initial commitments on trade in services is based on the following assumptions:

1. References to the UN Provisional Central Product Classification (indicated in brackets where corresponding in the Liechtenstein offer) are based on the 1991 version of the said classification.
2. The level of commitments in a particular services sector/subsector shall not be affected by the level of commitments taken with respect to other services sectors/subsectors to which such service is an input or to which it is otherwise related, except for the case provided in Art. XXXIV, paragraph c (ii).
3. Modes of delivery are distinct, in particular modes 1 and 3 do not include any commitment with respect to movement of natural persons.
4. There is no obligation to extend subsidies, tax incentives and tax credits, granted to services suppliers established or having domicile in a Member of GATS and located in a particular locality, to services suppliers located elsewhere.

The Liechtenstein schedule on initial commitments on trade in services consists of two parts, Part I stating horizontal conditions pertaining to all sectors listed in Part II of the draft schedule and all modes of delivery where applicable, and Part II containing commitments concerning specific sectors. The indication of 'none' on particular sectors in Part

II (Sectoral Commitments) means that no other conditions apply than those mentioned in Part I (Horizontal Provisions).

Liechtenstein makes reference to the specific geographic situation of the country, to its limited resources and to the small labour market. Therefore, Liechtenstein is in a position to bind its services sector only with the reservations mentioned in Part I and Part II.

PART I: HORIZONTAL COMMITMENTS APPLICABLE TO ALL SECTORS LISTED IN THE
SECTORAL PART OF THE SCHEDULE (PART II below)

1. Commercial Presence

The establishment of a commercial presence by an individual is subject to the requirement of prior residence during a certain period of time and of permanent domicile in Liechtenstein. He/she must possess sector specific government-recognized professional qualifications.

The establishment of a commercial presence by a juridical person is subject to the following requirements:

- a) No objection for reasons of national economy (labour market situation, proportion of national and foreign capital) exists.
- b) At least one of the managers has to fulfill the requirements of prior residence during a certain period of time and of permanent domicile in Liechtenstein. He must possess sector specific government-recognized professional qualifications.
- c) The majority of the administrators (authorized to manage and represent the juridical person) must be resident in Liechtenstein and have either to be Liechtenstein citizens or have prior residence during a certain period of time in Liechtenstein.
- d) The general and the limited partnership have to fulfill the same conditions as corporations with limited liability (juridical person). In addition the majority of the associates have to be Liechtenstein citizens or to have prior residence during a certain period of time in Liechtenstein.
- e) Branches in Liechtenstein of juridical and natural persons domiciled abroad have to fulfill the conditions a) to d).

The Liechtenstein company law does not prohibit joint stock companies from foreseeing in their articles of incorporation the preclusion or limitation of the transfer of registered shares.

2. Presence of Natural Persons

With respect to movement of natural persons of a Member other than Liechtenstein under the supply of a service defined in paragraph 2d of Article I of the Agreement: unbound, except for measures regarding the entry and temporary stay of foreign natural persons (hereafter persons) who fall in the category, as defined in paragraph 3 below, and subject to the limitations and conditions set out in paragraphs II and III below.

I. Essential persons transferred to Liechtenstein within a specific business or company (intra-corporate transferees)

Are considered as essential those persons - defined in detail below - who are employees of a business or company (hereafter enterprise) providing services in Liechtenstein through a branch or subsidiary established in Liechtenstein and who have been beforehand employees of their enterprise outside Liechtenstein for a period of not less than one year immediately preceding their application for admission:

a) **Executives and senior managers:** persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise.

Executives and senior managers would not directly perform tasks related to the actual provision of services of the enterprise.

b) **Specialists:** highly qualified persons who, within an enterprise, are essential for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.

II. Entry and stay of foreign services suppliers in Liechtenstein is subject to authorization (requirement of residency permit and work permit). Authorization is granted subject to measures fixing overall numbers of work permits allocated. For essential personnel as defined in para. I. above, temporary entry is limited to a period of three years. Temporary entry under the Agreement does not imply a right to permanent residence under immigration laws, nor does it count as residence period for the application for permanent residential status or citizenship. Persons staying in or entering Liechtenstein with an open-ended or prolongable residence permit based on an employment contract not limited in time for Liechtenstein are not considered as persons residing in or entering Liechtenstein for the purpose of temporary stay or temporary employment in Liechtenstein.

III. The following measures apply to persons entering Liechtenstein under the terms and conditions of the Agreement: working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), measures limiting professional mobility, regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc) and all other provisions of the legislation relating to immigration, entry, stay and work. The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures.

3. Real Estate

All acquisitions of real estate are subject to authorization. Such authorization is granted only if an actual and proven requirement for living or business purposes is given and a certain period of residence has been completed. Non-residents are excluded from the acquisition of real estate.

PART II: SECTORAL COMMITMENTS

Sector/Subsector	Mode ¹	Market Access: terms, limitations, conditions (Art. XVI GATS)	National Treatment conditions, qualifications (Art. XVII GATS)
BUSINESS SERVICES			
Professional services			
Legal Service: Consultancy on home country law and international law (except for consulting on Liechtenstein law) (part of 861)	1	none	none
	2	none	none
	3	unbound	unbound
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Accounting and auditing services (8621)	1	none	none
	2	none	none
	3	Foreign equity ceiling of 49%. Foreign voting rights may not exceed 49%. At least one member of the administration body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional license to act as an auditor and must work full-time for the juridical persons. The majority of the members of the administrative body must be in possession of the professional license to act as an auditor.	unbound
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Bookkeeping services, except tax returns (8622)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Taxation services (863)	<ol style="list-style-type: none"> 1 2 3 	<p>some some some</p> <p>Foreign equity ceiling of 49%. Foreign voting rights may not exceed 49%. At least one member of the administrative body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional license to act as an auditor or trustee and must work full-time for the juridical person.</p>	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>
Architectural services (8671)	<ol style="list-style-type: none"> 1 2 3 4 	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>
Engineering services (8672)	<ol style="list-style-type: none"> 1 2 3 4 	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2); survey activities by foreigners for official public purposes are subject to authorization, such authorization is only granted to foreign surveyors working under the responsibility of a licensed Liechtenstein surveyor.</p>
Integrated engineering services (8673)	<ol style="list-style-type: none"> 1 2 3 4 	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>
Urban planning and landscape architectural services (8674)	<ol style="list-style-type: none"> 1 2 3 4 	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>	<p>some some some</p> <p>unbound except as indicated in Part I (provision number 2)</p>

Computer and Related Services (841 - 845, 8491)	1	none	none	none
	2	none	subvented except as indicated in Part I (provision number 2)	none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)
Research and Development Services				
R&D services on natural sciences, excluding projects financed in whole or in part by public funds (part of 851)	1	none	none	none
	2	none		none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)
R&D services on social sciences, excluding projects financed in whole or in part by public funds (part of 852)	1	none	none	none
	2	none		none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)
Interdisciplinary R&D sciences, excluding projects financed in whole or in part by public funds (part of 853)	1	none	none	none
	2	none		none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)
Rentals/Lending Services without Operators				
Relating to other transport equipment (83101 + 83102 + 83105)	1	none	none	none
	2	none		none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)
Relating to other machinery and equipment (83106 - 83109)	1	none	none	none
	2	none		none
	3	none		none
	4	subvented except as indicated in Part I (provision number 2)		subvented except as indicated in Part I (provision number 2)

Other Business Services					
Advertising services (including direct mail advertising), excluding outdoor advertising and excluding advertising for goods subject to import authorization and excluding pharmaceutical products, alcohol, tobacco, toxics, explosives, weapons and ammunition (part of 8711 + part of 8712)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			
Market research and public opinion polling services (864)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			
Management consulting services (865)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			
Services related to management consulting (866)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			
Technical testing and analysis services (8676)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			
Consulting services on agriculture, hunting and forestry (part of 881)	1	none	unbound except as indicated in Part I (provision number 2)	none	unbound except as indicated in Part I (provision number 2)
	2	none			
	3	none			
	4	none			

Consulting services relating to fishing (part of 882)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Services incidental to mining (part of 883 + part of 5115) excluding prospecting, surveying, exploration and exploitation	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Consulting services relating to manufacturing (part of 884 + part of 885)	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Related scient. and tech. consulting (part of 8675) excluding prospecting, surveying, exploration and exploitation	1	none	none
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Maintenance and repair of equipment not including maritime vessels, aircraft of other transport equipment (633 + 8861-8866)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required for subsector 633	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required for subsector 633
Building-cleaning services (874 except 87409)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none
	3	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required

Photographic services (875)	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Packaging services (876)	1	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility	unbound due to lack of technical feasibility
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required	unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required
Printing publishing (884/2)	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
COMMUNICATION SERVICES				
Enhanced/value-added telecommunication services	General condition applicable to all telecommunication services: national monopoly on network infrastructure, services have to be provided over the public network or over leased lines; wireless networks subject to licensing; pricing of leased lines not volume-sensitive, connections with the public network possible			
	1	none	none	none
	2	none	none	none
	3	none	none	none
Electronic mail (part of 7523)	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
	1	none	none	none
	2	none	none	none
	3	none	none	none
Voice mail (part of 7523)	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
	1	none	none	none
	2	none	none	none
	3	none	none	none
On-line info. and database retrieval (part of 7523)	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
	1	none	none	none
	2	none	none	none
	3	none	none	none

Electronic data interchange (EDI) (part of 7523)	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Enhanced/value-added facsimile serv. (part of 7523)	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Code and protocol conventions	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
On-line info. and/or data processing (part of 843)	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Videoex	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Enhanced/value added services based on licensed wireless networks including enhanced/value added paging services, except for voice transmission	1	none	none	none
	2	none	none	none
	3	none	none	none
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
Aerrestrial services				
Radio and television services (9613)	1	unbound, except for direct reception of non-encrypted services within national territory	unbound, except for direct reception of non-encrypted services within national territory	unbound, except for direct reception of non-encrypted services within national territory
	2	none	none	none
	3	unbound	unbound	unbound
	4	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)

Motion picture production, production and rental/leasing of video tapes (96112 + 83202)	1			
	2			
	3			
	4			
Motion picture projection services (9612)	1			
	2			
	3			
	4			
Sound recording	1			
	2			
	3			
	4			
DISTRIBUTION SERVICES				
Commission agents' services, excluding services related to goods subject to import authorization, to pharmaceutical products, trunks, explosives, weapons and ammunition, and precious metals (part of 6211)	1			
	2			
	3			
	4			
Wholesale trade services, excluding services related to goods subject to import authorization, to pharmaceutical products, trunks, explosives, weapons and ammunition, and precious metals (part of 622)	1			
	2			
	3			
	4			

Retailing services, excluding services related to goods subject to import authorization, to pharmaceutical products, services, explosives, weapons and ammunition, and precious metals; not covered is retailing through mobile sales unit (part of 631 + part of 632 + part of 6111 + part of 6113 + part of 6121).	1 2 3 4	none some restrictions on sales area unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required	none some some unbound except as indicated in Part I (provision number 2)
Franchising (8929)	1 2 3 4	none some some unbound except as indicated in Part I (provision number 2)	none some some unbound except as indicated in Part I (provision number 2)
PRIVATE EDUCATIONAL SERVICES			
Compulsory education services (primary and secondary I)	1 2 3 4	unbound unbound Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law. unbound except as indicated in Part I (provision number 2)	unbound unbound none unbound except as indicated in Part I (provision number 2)
Non compulsory secondary education services (secondary II)	1 2 3 4	none none Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law. unbound except as indicated in Part I (provision number 2)	none none some unbound except as indicated in Part I (provision number 2)
Higher education services (923)	1 2 3 4	none some Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law. unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2) none some some unbound except as indicated in Part I (provision number 2)

Adult education services (940)	<p>1 none 2 none 3 none</p>	<p>Foreigners may establish commercial presence only when organized as juridical persons according to Liechtenstein law. unbound except as indicated in Part I (provision number 2)</p>	<p>none none none</p> <p>unbound except as indicated in Part I (provision number 2)</p>
ENVIRONMENTAL SERVICES¹			
Sewage services (9401)	<p>1 unbound due to lack of technical feasibility 2 none 3 none 4 unbound except as indicated in Part I (provision number 2)</p>	<p>unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)</p>	<p>unbound due to lack of technical feasibility none none unbound except as indicated in Part I (provision number 2)</p>
Refuse disposal services (9402)	<p>1 unbound due to lack of technical feasibility 2 none 3 domestic in Liechtenstein for natural persons, corporate seat in Liechtenstein for juridical persons required for transportation of dangerous materials; unbound for garbage dump 4 unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>	<p>unbound due to lack of technical feasibility domestic in Liechtenstein for natural persons, corporate seat in Liechtenstein for juridical persons required for transportation of dangerous materials; unbound for garbage dump unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>	<p>unbound due to lack of technical feasibility none domestic in Liechtenstein for natural persons, corporate seat in Liechtenstein for juridical persons required for transportation of dangerous materials; unbound for garbage dump unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>
Sanitation and similar services (9403)	<p>1 unbound due to lack of technical feasibility 2 none 3 none 4 unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>	<p>unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>	<p>unbound due to lack of technical feasibility none none unbound except as indicated in Part I (provision number 2); commercial presence in Liechtenstein required</p>
Other environmental services (9404 + 9405 + 9406 + part of 9407)	<p>1 unbound due to lack of technical feasibility 2 none 3 none 4 unbound except as indicated in Part I (provision number 2)</p>	<p>unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)</p>	<p>unbound due to lack of technical feasibility none none unbound except as indicated in Part I (provision number 2)</p>

¹Nothing in this offer should be construed to include public work function whether owned and operated by municipalities or Liechtenstein government or contracted out by them.

FINANCIAL SERVICES

Banking, securities and insurance services, in accordance with the 'Understanding on Commitments in Financial Services' (hereafter 'Understanding') and subject to reservations as contained in Part I (horizontal commitments) and as listed below. Liechtenstein will not maintain restrictions to National Treatment other than those listed below, without prejudice to the limitations or conditions listed under Market Access. It is understood that paragraph 4 of the 'Understanding' does not impose any obligation to allow non-resident financial services suppliers to solicit business.

<p>Banking and other financial services (excluding insurance)</p>	<p>1</p>	<p>The following limitations relate to the cross-border provision of the whole range of banking and other financial services (excluding insurance), including those defined in number 3 of the 'Understanding':</p> <p>Participation in settlement and clearing networks is subject to a commercial presence in Liechtenstein.</p> <p>According to the practice in Liechtenstein, mutual funds (collective investments) have to be marketed through banks having a commercial presence in Liechtenstein.</p> <p>Swiss franc denominated issues can be held managed only by a bank having a commercial presence (registered office or branch office) in Liechtenstein.</p>	<p>Subvention for house building is only granted to Liechtenstein citizens, which have to take out the loan for the house building at a domestic bank.</p> <p>Subvention for house building is only granted to Liechtenstein citizens, which have to take out the loan for the house building at a domestic bank.</p>
	<p>2</p>		

3

Licence granted to banks and financial companies according to Liechtenstein Banking and Financial Companies Act has to be approved by the Liechtenstein parliament.

Banks and financial companies must be organized in the form of a limited company.

Financial institutions other than banks and financial companies according to the Liechtenstein Banking and Companies Act are subject to the following licensing requirements: foreign equity ceiling of 49%; foreign voting rights may not exceed 49%; at least one member of the administrative body authorized to manage and represent must be a Liechtenstein citizen domiciled in Liechtenstein, be in possession of the professional licence to act as an auditor or trustee and must work full-time for the juridical person

Commercial presence of foreign financial institutions is subject to licensing requirements relating to the name of firm, duties toward the Swiss national bank and regulations on financial institutions in the country of origin

rebound except as indicated in Part I (provision number 2)

4

One member of the board of directors and the administrators must have domicile in Liechtenstein. They must be duly authorized to fully represent their company.

rebound except as indicated in Part I (provision number 2)

Insurance and insurance related services		
1	<p>Establishment of a commercial presence is required for the provision of insurance services in Liechtenstein. Residents may not purchase insurance services in the territory of another Party.</p>	<p>Establishment of a commercial presence is required for the provision of insurance services in Liechtenstein. Residents may not purchase insurance services in the territory of another Party.</p>
2	<p>Establishment of a commercial presence is required for the provision of insurance services in Liechtenstein. Residents may not purchase insurance services in the territory of another Party.</p>	<p>Establishment of a commercial presence is required for the provision of insurance services in Liechtenstein. Residents may not purchase insurance services in the territory of another Party.</p>
3	<p>Permit for establishment of insurance companies from countries other than Liechtenstein is granted only to companies which are supervised by the Swiss insurance supervision authority: To be recognized for participation in the basic health insurance scheme, health insurance providers must be organized in the form of mutual associations (Genossenschaften, Vereine: <i>Veräinbarungsgemeinschaften und Gegenseitigkeit</i> or <i>Hilfskassen</i>) or foundations (<i>Stiftung</i>); Duty of security for insurance services; Economic need test for accident insurance services; Commercial presence does not cover the setting up of representative offices</p>	<p>Domestic legal entities and the branch or agency establishment of foreign legal entities whose managing or supervising bodies, such as the board of directors and the administrators, are comprised in the main of foreigners or foreign firms, shall appoint in Liechtenstein a Liechtenstein citizen who is permanently resident here either to represent the legal entity towards the authorities as a legal representative or, empowered as an authorized signatory (procurist), to exercise the representation, without the cooperation of others. Before setting up a commercial presence to provide specific classes of insurance services, a foreign insurer must have been authorized to operate in the same classes of insurance in its country of origin for at least three years</p>
4	<p>unbound except as indicated in Part I (provision number 2)</p>	<p>unbound except as indicated in Part I (provision number 2)</p>

TOURISM AND TRAVEL RELATED SERVICES				
Hotel and restaurants (incl. catering) (641-643)	1	unbound due to lack of technical feasibility, except unbound for catering (6423)	unbound due to lack of technical feasibility, except unbound for catering (6423)	unbound due to lack of technical feasibility, except unbound for catering (6423)
	2			
	3			
	4			
Travel agencies and tour operators services (7471)	1	unbound except as indicated in Part I (provision number 2)	license only granted if need for restaurants exists unbound except as indicated in Part I (provision number 2)	unbound except as indicated in Part I (provision number 2)
	2			
	3			
	4			
Tourist guides services (7472)	1	unbound except as indicated in Part I (provision number 2)	unbound due to lack of technical feasibility	unbound except as indicated in Part I (provision number 2)
	2			
	3			
	4			

RECREATIONAL, CULTURAL AND SPORTING SERVICES

News agency services (962)	1	none	none
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)
Sporting services (9641)	1	none	none
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)

TRANSPORT

Road transport services

Passenger transportation regular, 'closed-door' tours only (part of 7121)	1	none	none
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)
Passenger transportation occasional, excluding empty cabs, cabs, cabs and taxi services (7122)	1	none	none
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)
Rental of commercial vehicles with operator (7124)	1	none	none
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)
Maintenance and repair of road transport equipment (6112 + 8867)	1	subsidized due to lack of technical feasibility	subsidized due to lack of technical feasibility
	2	some	some
	3	some	some
	4	subsidized except as indicated in Part I (provision number 2)	subsidized except as indicated in Part I (provision number 2)

Services auxiliary to all modes of transport					
Cargo-handling services (741)	1	unbound due to lack of technical feasibility none some some	unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)	unbound due to lack of technical feasibility none some some	unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)
	2				
	3				
	4				
Storage and warehouse services (742)	1	unbound due to lack of technical feasibility none some some	unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)	unbound due to lack of technical feasibility none some some	unbound due to lack of technical feasibility unbound except as indicated in Part I (provision number 2)
	2				
	3				
	4				
Freight transport agency services (743 + 749)	1	none none some unbound except as indicated in Part I (provision number 2)	none none some unbound except as indicated in Part I (provision number 2)	none none some unbound except as indicated in Part I (provision number 2)	none none some unbound except as indicated in Part I (provision number 2)
	2				
	3				
	4				

1. modes of delivery: 1 = Cross border supply 2 = Consumption abroad
3 = Commercial Presence 4 = Presence of natural persons