

GENERAL AGREEMENT

GATS/SC/83

15 April 1994

(94-1080)

ON TRADE IN SERVICES

SWITZERLAND

Schedule of Specific Commitments

(This is authentic in English and French only)

**SCHEDULES OF COMMITMENTS AND ARTICLE II (MFN)
EXEMPTION LISTS ANNEXED TO THE GENERAL AGREEMENT
ON TRADE IN SERVICES**

**Schedule 83 and Exemption List 83
Switzerland**

The following communication, dated 31 October 1994, has been received from Switzerland.

Switzerland hereby submits the French texts of her Schedule of Specific Commitments (GATS/SC/83) and final list of Article II(MFN) exemptions (GATS/EL/83). Switzerland asks the GATT Secretariat to take the necessary steps, in accordance with agreed procedures, in order to ensure that these French translations be certified as **authentic versions** of the Swiss schedule of specific commitments and final list of Article II (MFN) exemptions. The cover pages of the English version of the Swiss schedule of specific commitments and of the final list of Article II (MFN) exemptions shall be amended accordingly.

If no objection is notified to the Secretariat within thirty days from the date of this document, the French versions of the Schedule of Commitments and the Article II (MFN) exemption list of Switzerland and the modifications suggested in the title of the cover page of both lists referring to the authenticity of the French version, will be deemed to be approved. They will be annexed to the Protocol supplementary to the General Agreement on Trade in Services.

*The English version of this document was distributed in April 1994.

SWITZERLAND - SCHEDULE OF SPECIFIC COMMITMENTS

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|--|--|--|------------------------|
| I. HORIZONTAL COMMITMENTS | | | |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | | | |
| | <p>1) None</p> <p>2) None</p> <p>3) None</p> | <p>1) Unbound for subsidies, tax incentives and tax credits</p> <p>2) Unbound for subsidies, tax incentives and tax credits</p> <p>3) The 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"</p> | |
| | | | |

The level of commitments in a particular services sector shall not be construed to supersede the level of commitments taken with respect to any other services sector to which such service is an input or to which it is otherwise related. CPC numbers indicated in square brackets are references to the UN Provisional Central Product Classification (Statistical Papers Series M No. 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|---------------------|------------------------------|---|------------------------|
| | | <p>Limitations on national treatment</p> <p>(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.</p> <p>Eligibility for subsidies, tax incentives and tax credits may be limited to persons established in a particular geographical sub-division of Switzerland</p> | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---------------------|------------------------------|-----------------------|---|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| | | | <p>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.</p> | |

SWITZERLAND (continued)

| Modes of supply: 1) Sector or subsector | 2) Cross-border supply | 3) Commercial presence | 4) Presence of natural persons |
|---|---|--|--------------------------------|
| | Limitations on market access | Limitations on national treatment | Additional commitments |
| | <p>4) Unbound, except for measures concerning the entry and temporary stay of natural persons (hereafter persons) falling within the following categories, as defined in paragraphs I and II below, and subject to the following limitations and conditions and to the limitation and conditions on national treatment set out under the national treatment column: Entry and stay of foreign service suppliers in Switzerland is subject to authorization (requirement of residency permit and work permit). Authorization is granted subject to measures fixing overall numbers of work permits allocated. For essential personnel as defined in paragraph I below, the period of stay 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 paragraph II below, the period of stay is limited to three months within one year; if an authorization for such a period of stay is renewed the</p> | <p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column, subject to the following limitations and conditions: Working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), measures limiting professional and geographical mobility within Switzerland, regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.), and all other provisions of the legislation relating to immigration, entry, stay and work. The enterprise employing such persons shall co-operate, upon request, with the authorities in charge of the enforcement of these measures. Eligibility for subsidies, tax incentives and tax credits may be limited to persons domiciled in a particular geographical sub-division of Switzerland.</p> | |

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|---------------------|---|-----------------------------------|------------------------|
| | <p>following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland. Persons staying in or entering Switzerland with an open-ended or prolongable residence permit based on an employment contract not limited in time for Switzerland are not considered as persons residing in or entering Switzerland for the purpose of temporary stay or temporary employment in Switzerland.</p> <p>I. <u>Essential persons transferred to Switzerland within a specific business or company</u> (intra-corporate transferees)</p> <p>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:</p> | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---------------------|---|-----------------------|-----------------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| | <p>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 perform tasks related to the actual provision of services of the enterprise.</p> <p>b) Specialists: Highly qualified persons who, within an enterprise, are essential for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.</p> <p>II. Other essential persons moving to Switzerland:</p> <p>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.</p> | | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|--|------------------------|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments | | |
| b) | 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 of that enterprise in Switzerland. Persons responsible for the setting-up of a commercial presence may not engage in making direct sales to the general public or supply services themselves. | | | | |
| II. SECTOR-SPECIFIC COMMITMENTS | | | | | |
| 1. BUSINESS SERVICES | | | | | |
| a) Legal services | | | | | |
| - Consultancy on home country law and international law (part of CPC 861) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) Swiss nationality necessary to open up practice in the canton of St. Gall 4) Unbound except as indicated in Part I | | | |

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | | | |
|--|---|---|---|------------------------|-----------------------------------|------------------------|--|--|
| Sector or subsector | Limitations on market access | | | | Limitations on national treatment | Additional commitments | | |
| b) Accounting, auditing and book-keeping services | | | | | | | | |
| - Accounting (CPC 862 except 86211) | <ul style="list-style-type: none"> 1) None 2) None 3) None | | | | | | | |
| - Auditing services, excluding auditing of banks (part of CPC 86211) | <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | | | | | | |
| | | <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | | | | | |
| | | | <ul style="list-style-type: none"> 1) 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 3) None 4) Unbound except as indicated in Part I; 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 | | | | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|---|--|-----------------------|---|--------------------------------|------------------------|
| Sector or subsector | Limitations on national treatment | | | | Additional commitments |
| c) Taxation services (CPC 863) | 1) None | | 1) None | | |
| | 2) None | | 2) None | | |
| | 3) None | | 3) None | | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | | |
| d) Architectural services (CPC 8671) | 1) None | | 1) Three years of prior professional practice in Switzerland required in canton of Lucerne | | |
| | 2) None | | 2) None | | |
| | 3) None | | 3) Three years of prior professional practice in Switzerland required in canton of Lucerne | | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I; three years of prior professional practice in Switzerland required in canton of Lucerne | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|------------------------------------|--|-----------------------|--|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| e) Engineering services (CPC 8672) | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p> | | <p>1) Three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary for survey activities for official public purposes (however, foreign surveyors can work under the responsibility of a licensed Swiss surveyor)</p> <p>2) None</p> <p>3) Three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary for survey activities for official public purposes (however, foreign surveyors can work under the responsibility of a licensed Swiss surveyor)</p> <p>4) Unbound except as indicated in Part I; three years of prior professional practice in Switzerland required in canton of Lucerne for building engineers; Swiss nationality necessary for survey activities for official public purposes (however, foreign surveyors can work under the responsibility of a licensed Swiss surveyor)</p> | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|----|---------------------------------------|-----------------------|--|--------------------------------|
| Sector or subsector | 1) | Limitations on market access | 2) | Limitations on national treatment | Additional commitments |
| f) Integrated engineering services (CPC 8673) | 1) | None | | 1) None | |
| | 2) | None | | 2) None | |
| | 3) | None | | 3) None | |
| | 4) | Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |
| g) Urban planning and landscape architectural services (CPC 8674) | 1) | None | | 1) None | |
| | 2) | None | | 2) None | |
| | 3) | None | | 3) None | |
| | 4) | Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |
| h) Medical and dental services (CPC 9312) | 1) | None | | 1) None | |
| | 2) | None | | 2) None | |
| | 3) | Unbound | | 3) Swiss nationality necessary to practise independently | |
| | 4) | Unbound | | 4) Swiss nationality necessary to practise independently | |

SWITZERLAND (continued)

| Sector or subsector | Modes of supply: | | Presence of natural persons | |
|---|---|-----------------------|--|--------------------------|
| | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) |
| | Limitations on market access | | Limitations on national treatment | |
| i) Veterinary surgeons (CPC 932) | 1) None 2) None 3) Unbound 4) Unbound | | 1) None 2) None 3) Swiss nationality necessary to practise independently 4) Swiss nationality necessary to practise independently | A Additional commitments |
| B. <u>Computer and Related Services</u> | | | | |
| a) Consultancy services: related to the installation of computer hardware (CPC 841) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| b) Software implementation services (CPC 842) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|---|---|---|---|---|------------------------|
| Sector or subsector | Limitations on market access | | | Limitations on national treatment | Additional commitments |
| c) Data processing services (CPC 843) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| d) Data base services (CPC 844) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| e) Other - Maintenance and repair services of office machinery and equipment including computers (CPC 845) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---------------------|---|---|-----------------------|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| - | Data preparation services (CPC 8491) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| C. | <u>Research and Development Services</u> | | | | |
| - | R&D services on natural sciences, excluding projects financed in whole or in part by public funds (part of CPC 851) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| - | R&D services on social sciences, excluding projects financed in whole or in part by public funds (part of CPC 852) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|---|------------------------------|-----------------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Limitations on market access | Limitations on national treatment | Additional commitments |
| - Interdisciplinary R&D services, excluding projects financed in whole or in part by public funds (part of CPC 853) | <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | | |
| E. <u>Rental/Leasing without Operators</u> | | | | | |
| a) Relating to ships | | | | | |
| - For maritime transport services (part of CPC 83103) | <ul style="list-style-type: none"> 1) Unbound 2) None 3) In order to sail under Swiss flag, vessels must be 100 per cent owned and controlled by Swiss nationals, 3/4 of which having residency in Switzerland 4) Unbound except as indicated in Part I | <ul style="list-style-type: none"> 1) Unbound 2) None 3) Board of directors and management of companies owning ships sailing under Swiss flag must be composed of Swiss nationals, the majority of which having residency in Switzerland 4) Unbound except as indicated in Part I | | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|---|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments | |
| - For internal waterways transport on the Rhine (part of CPC 83103) | 1) Unbound 2) None 3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it | 1) Unbound 2) None 3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of an appropriate managing agency in Switzerland | | |
| b) Relating to aircraft | 1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 1) None 2) None 3) None 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required | | |
| - Relating to aircraft, excluding rental/leasing to companies flying on regular schedule or on charter (part of CPC 83104) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|--|--|--|--|--|--------------------------------|------------------------|
| Sector or subsector | | Limitations on national treatment | | | | Additional commitments |
| c) Relating to other transport equipment (CPC 83101 + (83102 + 83105)) | 1) None | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |
| d) Relating to other machinery and equipment (CPC 83106 - 83109) | 1) None | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption: abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|---|------------------------|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| F. <u>Other Business Services</u> | | | | | |
| a) | Advertising 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 CPC 8711 + part of 8712) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| b) | Market research and public opinion polling (CPC 864) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|--|--|--|--------------------------------|
| Sector or subsector | | Limitations on national treatment | | | Additional commitments |
| c) Management consulting services (CPC 865) | 1) None | 1) None | 1) None | 1) None | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |
| d) Services related to management consulting (CPC 866) | 1) None | 1) None | 1) None | 1) None | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |
| e) Technical testing and analysis services (CPC 8676) | 1) None | 1) None | 1) None | 1) None | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|---|-----------------------|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| f) Services incidental to agriculture, hunting and forestry | | | | | |
| - Consulting services on agriculture, hunting and forestry (part of CPC 881) | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| g) Services incidental to fishing | | | | | |
| - Consulting services relating to fishing (part of CPC 882) | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|--|--|-----------------------|--|-----------------------------------|------------------------|
| Sector or subsector | Limitations on market access | | | Limitations on national treatment | Additional commitments |
| h) Services incidental to mining | 1) None | | 1) None | | |
| - Services incidental to mining, excluding prospection, surveying, exploration and exploitation (part of CPC 883 + part of 5115) | 2) None | | 2) None | | |
| - Services incidental to manufacturing | 3) None | | 3) None | | |
| i) Consulting services relating to manufacturing (part of CPC 884 + part of 885) | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | | |
| - Services incidental to manufacturing | 1) None | | 1) None | | |
| - Consulting services relating to manufacturing (part of CPC 884 + part of 885) | 2) None | | 2) None | | |
| | 3) None | | 3) None | | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|--|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments | |
| m) Related scientific and technical consulting services - Related scientific and technical consulting services, excluding prospection, surveying, exploration and exploitation (part of CPC 8675) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | |
| n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861-8866) | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required for subsector CPC 633 | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I; Commercial presence in Switzerland required for subsector CPC 633 | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|---|---|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | | Additional commitments |
| o) Building cleaning services | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | | |
| - Building-cleaning services (CPC 874 except 87409) | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | | |
| p) Photographic services (CPC 875) | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|------------------------------|--|-----------------------------------|--|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | | Additional commitments |
| q) Packaging services (CPC 876) | 1) | Unbound due to lack of technical feasibility | 1) | Unbound due to lack of technical feasibility | |
| | 2) | None | 2) | None | |
| | 3) | None | 3) | None | |
| | 4) | Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) | Unbound except as indicated in Part I; commercial presence in Switzerland required | |
| r) Printing, publishing (CPC 88442) | 1) | None | 1) | None | |
| | 2) | None | 2) | None | |
| | 3) | None | 3) | None | |
| | 4) | Unbound except as indicated in Part I | 4) | Unbound except as indicated in Part I | |
| s) Convention services (part of CPC 87909) | 1) | None | 1) | None | |
| | 2) | None | 2) | None | |
| | 3) | None | 3) | None | |
| | 4) | Unbound except as indicated in Part I | 4) | Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|---|-----------------------------------|---|--------------------------------|
| Sector or subsector | | Limitations on market access | Limitations on national treatment | Additional commitments | |
| 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 CPC 7523) | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| Voice mail (part of CPC 7523) | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|--|--|--|--|--|-----------------------------------|------------------------|
| Sector or subsector | Limitations on market access | | | | Limitations on national treatment | Additional commitments |
| On-line information and data base retrieval (part of CPC 7523) | 1) None | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |
| Electronic data interchange (EDI) (part of CPC 7523) | 1) None | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Notes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|-----------------------|--|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| Enhanced/value-added facsimile service (part of CPC 7523) | 1) None | | 1) None | |
| | 2) None | | 2) None | |
| | 3) None | | 3) None | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |
| Code and protocol conversion | 1) None | | 1) None | |
| | 2) None | | 2) None | |
| | 3) None | | 3) None | |
| On-line information and/or data processing (part of CPC 843) | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |
| | 1) None | | 1) None | |
| | 2) None | | 2) None | |
| | 3) None | | 3) None | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|---|---|------------------------|--------------------------------|
| Sector or subsector | | Limitations on market access | Limitations on national treatment | | Additional commitments |
| Videotext | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | i) None 2) None 3) None 4) Unbound except as indicated in Part I | | |
| Enhanced/value added services based on license; wireless networks including paging services, except for voice transmission | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | |
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | | | |
| A. <u>General Construction Work for Buildings</u> (CPC 512) | | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|---|---|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| B. <u>General Construction Work for Civil Engineering</u> General Construction Work for Civil Engineering (CPC 5131 + 5132) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |
| C. <u>Installation and Assembly Work</u> (CPC 514 + 516) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) Unbound for installations in the area of energy, heating, water, communications and elevators | 3) Unbound for installations in the area of energy, heating, water, communications and elevators | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I; unbound for installations in the area of energy, heating, water, communications and elevators | 4) Unbound except as indicated in Part I; unbound for installations in the area of energy, heating, water, communications and elevators | |
| D. <u>Building Completion and Finishing Work</u> (CPC 517) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|---|-----------------------|---|--------------------------------|
| Sector or subsector | 1) | Limitations on market access | 2) | Limitations on national treatment | Additional commitments |
| E. <u>Other</u> | | | | | |
| - Pre-erection work at construction sites (CPC 511) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | | 2) None | |
| | 3) None | 3) None | | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |
| 4. DISTRIBUTION SERVICES | | | | | |
| A. <u>Commission Agents' Services</u> | | | | | |
| - Commission Agents' Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 6211) | 1) None | 1) None | | 1) None | |
| | 2) None | 2) None | | 2) None | |
| | 3) Some cantons have restrictions on sales area | 3) Some cantons have restrictions on sales area | | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|---|--|-----------------------|--|--------------------------------|--|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | | |
| | | | | Additional commitments | |
| B. <u>Wholesale Trade Services</u> | | | | | |
| - Wholesale Trade | 1) None | | 1) None | | |
| - Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 622) | 2) None 3) Some cantons have restrictions on sales area 4) Unbound except as indicated in Part I | | 2) None 3) None 4) Unbound except as indicated in Part I | | |
| C. <u>Retailing Services</u> | | | | | |
| - Retailing Services excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals; not covered is retailing through mobile sales unit (part of CPC 631 + part of 632 + part of 6113 + part of 6121) | 1) None 2) None 3) Some cantons have restrictions on sales area 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | | 1) None 2) None 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|--|--|--|--------------------------------|
| Sector or subsector | Limitations on market access | | | | Additional commitments |
| D. Franchising (CPC 8929) | 1) None | 1) None | 1) None | 1) None | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |
| 5. EDUCATIONAL SERVICES | | | | | |
| | Private Educational Services: | | | | |
| | Compulsory education services (primary & secondary I) | 1) Unbound | 1) Unbound | 1) Unbound | |
| | | 2) Unbound | 2) Unbound | 2) Unbound | |
| - Non-compulsory secondary education services (secondary II) | | 3) None | 3) None | 3) None | |
| | | 4) Unbound | 4) Unbound | 4) Unbound | |
| | | 1) None | 1) None | 1) None | |
| | | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|---|---|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on market access | Limitations on national treatment | Additional commitments |
| - Higher Education Services (CPC 923) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| - Adult Education Services (CPC 924) | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | 1) None 2) None 3) None 4) Unbound except as indicated in Part I | |
| 6. ENVIRONMENTAL SERVICES ¹ | | | | |
| A. <u>Sewage Services</u> (CPC 9401) | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | |

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

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|---|---|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| B. <u>Refuse Disposal Services</u> (CPC 9402) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None except unbound for garbage dump | 3) None except unbound for garbage dump | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | |
| C. <u>Sanitation and Similar Services</u> (CPC 9403) | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| D. <u>Other Environmental Services</u> (CPC 9404 + 9405 + 9406 + part of 9409) | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |
| | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | 1) Unbound due to lack of technical feasibility | |
| | 2) None | 2) None | 2) None | 2) None | |
| | 3) None | 3) None | 3) None | 3) None | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|---|--|-----------------------------------|------------------------|
| <p>7. FINANCIAL SERVICES</p> <p>Commitments on banking, securities and insurance services in accordance with the "Understanding on Commitments in Financial Services" (hereafter "Understanding") and subject to limitations and conditions as contained in Part I (horizontal commitments) and as listed below. It is understood that paragraph B.4 of the "Understanding" does not impose any obligation to allow non-resident financial services suppliers to solicit business.</p> | <p><u>Insurance and Insurance Related Services</u></p> <p>Monopoly rights as indicated in paragraph B.1 of the "Understanding": a public monopoly on fire and natural damage insurance on buildings exists in 19 cantons (Zurich, Berne, Lucerne, Nidwalden, Glaris, Zoug, Fribourg, Soleure, Bâle-Ville, Bâle-Campagne, Schaffhouse, Argovie, St-Gall, Grisons, Appenzell Rhodes Extérieures, Thurgovie, Vaud, Neuchâtel, Jura)</p> | | |

SWITZERLAND (continued)

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

| Sector or subsector | 1) Limitations on market access | 2) Limitations on national treatment | Additional commitments |
|---------------------|---|--|------------------------|
| | <p>1) Transactions as indicated in paragraph B.3 of the "Understanding": The underwriting of aircraft liability insurance requires commercial presence in Switzerland</p> <p>2) Transactions as indicated in paragraph B.4 of the "Understanding": The underwriting of aircraft liability insurance requires commercial presence in Switzerland</p> | <p>1) Acquisition of real estate by foreigners is limited as indicated in Part I; in addition 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.</p> <p>2) None</p> | |

SWITZERLAND (continued)

| Modes of supply: Sector or subsector | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|--|--|---|--------------------------------|
| | Limitations on market access | Limitations on national treatment | Additional commitments | |
| 3) | <p>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 provision of insurance services; to be recognized for participation in the basic health insurance scheme, health insurance suppliers must be organized in the form of mutual association (société coopérative, association/Genossenschaft, Verein) or foundation (fondation/Stiftung); no new health insurance supplier shall be recognized for participation in the basic health scheme until December 31st 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)</p> | <p>3) 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; acquisition of real estate by foreigners is limited as indicated in Part I. In addition 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</p> | <p>4) Unbound except as indicated in Part I</p> | |
| 4) | <p>4) Unbound except as indicated in Part I</p> | <p>4) Unbound except as indicated in Part I</p> | <p>4) Unbound except as indicated in Part I</p> | |

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|--|--|---|------------------------|
| <p><u>Banking and Other Financial Services</u> (excluding insurance)</p> | <p>Monopoly rights as indicated in paragraph B.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 per cent of the balance sheet can be members of the institutes; the issue of other mortgage-backed bonds is not affected by this regulation</p> <p>1) 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; Swiss franc denominated issues can be lead managed only by a bank having a commercial presence (registered office or branch office) in Switzerland</p> | <p>1) Acquisition of real estate by foreigners is limited as indicated in Part I; in addition 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</p> | |

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

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|---------------------|--|---|------------------------|
| | <p>2) Swiss franc denominated issues can be lead managed only by a bank having a commercial presence (registered office or branch office) in Switzerland</p> <p>3) Commercial presence of foreign financial institutions is subject to specific 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 act as an agent</p> <p>4) Unbound except as indicated in Part I</p> | <p>2) None</p> <p>3) Acquisition of real estate by foreigners is limited as indicated in Part I; in addition 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 acquired sells the property within two years from date of acquisition</p> <p>4) Unbound except as indicated in Part I; 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 another member of the management board domiciled in Switzerland</p> | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|--|------------------------|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments | | |
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | | | |
| A. <u>Hotels and Restaurants</u> (includes catering) (CPC 641 - 643) | <p>1) Unbound due to lack of technical feasibility, except unbound for catering (CPC 6423)</p> <p>2) None</p> <p>3) Federal law enables cantons to grant licence for restaurants based on economic needs (assessment of economic needs is based on criteria such as population, degree of built-up area, type of neighbourhood, touristical interests, number of existing restaurants)</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p> | <p>1) Unbound due to lack of technical feasibility, except unbound for catering (CPC 6423)</p> <p>2) None</p> <p>3) Residency of licence holder in same canton may be required in some cantons; passing an examination in same canton may be required</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required; residency of licence holder in same canton may be required in some cantons</p> | | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|--|--|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471) | <ol style="list-style-type: none"> 1) None 2) None 3) None | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I | <ol style="list-style-type: none"> 1) None 2) None 3) None | |
| C. <u>Tourist Guides Services</u> (CPC 7472) | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) In order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict the ability of foreign mountain guides, and ski instructors, to practise independently; residency in same canton may be required in some cantons | |
| | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I; in some cantons commercial presence may be required | | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I; in order to work as a mountain guide or ski instructor, passing of an examination is required; cantons may restrict access to such exams for foreigners and may restrict the ability of foreign mountain guides, and ski instructors, to practise independently; in some cantons commercial presence may be required | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|--|--|-----------------------|--|--------------------------------|------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | | Additional commitments |
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services) | | | | | |
| B. <u>News Agency Services</u> (CPC 962) | 1) None | | 1) None | | |
| | 2) None | | 2) None | | |
| | 3) None | | 3) None | | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | | |
| D. <u>Sporting and other recreational services</u> | | | | | |
| - <u>Sporting Services</u> (CPC 9641) | 1) None | | 1) None | | |
| | 2) None | | 2) None | | |
| | 3) None | | 3) None | | |
| | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|--|--|-----------------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | Additional commitments |
| <p>11. TRANSPORT SERVICES</p> <p>B. <u>Internal Waterways Transport</u> Internal Waterways Transport on the Rhine:</p> <p>- Passenger and freight transportation (part of CPC 7221 + part of 7222)</p> | <p>1) Unbound</p> <p>2) None</p> <p>3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it</p> <p>4) Unbound except as indicated in Part I; commercial presence in Switzerland required</p> | <p>1) Unbound</p> <p>2) None</p> <p>3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of an appropriate managing agency in Switzerland</p> <p>4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required</p> | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|---|--|------------------------|------------------------|--------------------------------|
| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments | | |
| - Rental of vessels with crew (part of CPC 7223) | <ol style="list-style-type: none"> 1) Unbound 2) None 3) In order to sail under Swiss flag, vessels must be owned by a company which is substantially influenced (66 per cent of capital and vote) by persons domiciled in Switzerland or in a country according to the Mannheim Convention and the protocols related to it 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | <ol style="list-style-type: none"> 1) Unbound 2) None 3) Traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; owner of vessels must dispose of an appropriate managing agency in Switzerland; 4) Unbound except as indicated in Part I; traffic rights including cabotage are limited on the basis of the Mannheim Convention and the protocols related to it; commercial presence in Switzerland required | | | |
| - Maintenance and repair of vessels (part of CPC 8868) | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---------------------|---|---|---|------------------------|--------------------------------|
| Sector or subsector | | Limitations on market access | Limitations on national treatment | | Additional commitments |
| - | Pushing and towing services (part of CPC 7224) | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | | |
| - | Supporting services for internal waterway transport (part of CPC 745) | <ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | <ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in Part I | | |
| C. | <u>Air Transport Services</u> Aircraft repair and maintenance services | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) Unbound 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | <ol style="list-style-type: none"> 1) Unbound due to lack of technical feasibility 2) Unbound 3) None 4) Unbound except as indicated in Part I; commercial presence in Switzerland required | | |

SWITZERLAND (continued)

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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|--|---|--|------------------------|
| D. <u>Space Transport</u> (CPC 733) | 1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound | 1) Unbound due to lack of technical feasibility 2) None 3) Unbound 4) Unbound | |
| E. <u>Rail Transport Services</u> | | | |
| a) <u>Passenger transportation</u> (CPC 7111) | 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 an ecologically and economically more reasonable way 4) Unbound except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons | |
|---|---|-----------------------|---|--------------------------------|------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | | Additional commitments |
| b), c) Freight transportation, including pushing and towing (CPC 7112 + 7113) | <ol style="list-style-type: none"> 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 an ecologically and economically more reasonable way | | <ol style="list-style-type: none"> 1) Unbound 2) None 3) None | | |
| d) Maintenance and repair of rail transport equipment (part of CPC 8868) | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | | <ol style="list-style-type: none"> 4) Unbound except as indicated in Part I 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|-----------------------------------|---|---|-----------------------|---|--------------------------------|
| Sector or subsector | | Limitations on market access | | Limitations on national treatment | Additional commitments |
| F. <u>Road Transport Services</u> | | | | | |
| a) | Passenger transportation | | | | |
| - | regular, "closed-door" tours only (part of CPC 7121) | 1) None 2) None 3) None | | 1) None 2) None 3) None | |
| - | occasional, excluding empty entrance, cabotage and taxi services (part of CPC 7122) | 4) Unbound except as indicated in Part I 1) None 2) None 3) None | | 4) Unbound except as indicated in Part I 1) None 2) None 3) None | |
| c) | Rental of commercial vehicles with operator (CPC 7124) | 4) Unbound except as indicated in Part I 1) None 2) None 3) None | | 4) Unbound except as indicated in Part I 1) None 2) None 3) None | |
| | | 4) Unbound except as indicated in Part I | | 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|---|---|---|---|--------------------------------|
| Sector or subsector | Limitations on market access | | Limitations on national treatment | |
| d) Maintenance and repair of road transport equipment (CPC 6112 + 8867) | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | Additional commitments |
| H. <u>Services Auxiliary to all Modes of Transport</u> | | | | |
| a) Cargo-handling services (CPC 741) | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | |
| b) Storage and warehouse services (CPC 742) | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound due to lack of technical feasibility 2) None 3) None 4) Unbound except as indicated in Part I | |

SWITZERLAND (continued)

| Modes of supply: | | 1) Cross-border supply | 2) Consumption abroad | 3) Commercial presence | 4) Presence of natural persons |
|--|--|--|--|------------------------|--------------------------------|
| Sector or subsector | 1) | Limitations on market access | Limitations on national treatment | Additional commitments | |
| c), d) Freight transport agency services, including other auxiliary transport services, excluding local pick up and delivery (CPC 748 + part of 749) | 1) None | 1) None | 1) None | | |
| | 2) None | 2) None | 2) None | | |
| | 3) None | 3) None | 3) None | | |
| | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | 4) Unbound except as indicated in Part I | | |