

## DISCLAIMER

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The Handbook on Notification Requirements does not constitute a legal interpretation of the notification obligations under the respective Agreement(s) or relevant legal provision(s). It has been prepared by the Secretariat to assist Members in complying with their notification obligations.

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# TECHNICAL COOPERATION HANDBOOK ON NOTIFICATION REQUIREMENTS

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GENERAL AGREEMENT  
ON TRADE IN SERVICES

This section of the Handbook on Notification Requirements covers the notification obligations under the **GENERAL AGREEMENT ON TRADE IN SERVICES**. It consists of the following five parts:

## PART 1

OVERVIEW OF  
NOTIFICATION  
REQUIREMENTS

## PART 2

LISTING OF THE  
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## PART 3

RELEVANT  
DOCUMENT(S)  
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## PART 4

LIST OF  
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SINCE 1995

## PART 5

TEXT OF THE  
AGREEMENT

**For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.**

## PART 1

## OVERVIEW OF NOTIFICATION REQUIREMENTS

## WHAT MUST BE NOTIFIED?

General notification requirements are defined in [Article III:3](#).

It provides that each Member shall promptly inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services and which concern services covered by the specific commitments of the Member.

Any Member may counter-notify any measure taken by another Member which it considers affects the operation of the Agreement ([Article III:5](#)).

Specific measures have to be notified according to the requirements of the various Articles of the GATS:

- Establishment of enquiry/contact points ([Article III:4](#) and/or [Article IV:2, S/L/23](#))
- Economic Integration Agreements and their enlargement or significant modifications ([Article V:7 \(a\)](#))
- Labour markets integration Agreements ([Article V bis](#))
- Existing recognition measures ([Article VII:4\(a\)](#))
- Opening of negotiations on recognition ([Article VII:4\(b\)](#))
- Adoption of new recognition measures or significant modification of existing ones ([Article VII:4\(c\)](#))
- Granting of new monopoly rights ([Article VIII:4](#))
- Exclusive service suppliers ([Article VIII:5](#))
- Emergency safeguard measures ([Article X:2](#))
- Restrictions to safeguard the balance of payments ([Article XII:4](#))
- Security exceptions ([Article XIV bis:2](#))
- Modification of schedules ([Article XXI:1\(b\)](#))
- Permanent residents substantially treated like nationals ([Article XXVIII\(k\)\(ii\)\(2\)](#))

- MFN exemptions' termination ([Annex on Article II Exemptions](#))
- Modification of rules affecting the use of public telecommunication and transport networks and services ([Annex on Telecommunications paragraph 5\(c\)](#))

## WHICH MEMBERS MUST NOTIFY?

All WTO Members.

## WHEN TO NOTIFY?

Notifications are to be made *ad hoc*, i.e. when the circumstances giving rise to the need for notification arise. In principle, notifications should be done **promptly, i.e. without undue delay** (Articles [III:3](#), [V](#), [VII:4\(b\)](#), [VII:4\(c\)](#), [XII:4](#)).

In some cases, however, specific time limits and other variations to the ad hoc principle are provided:

- For introduction of any new, or any changes to existing, laws, regulations or administrative guidelines, notification is to take place promptly and at least annually ([Article III:3](#)).
- For enquiry/contact points ([Article III:4/Article IV:2](#)), notification should have taken place by 31 December 96 for existing Members (not defined in the GATS for Members acceding afterwards).
- For recognition Agreements ([Article VII:4\(a\)](#)) notification should take place within 12 months from the date on which the WTO Agreement takes effect for a Member.
- For recognition agreements or arrangements, notification should be promptly as far as advance as possible of the opening of negotiations ([Article VII:4\(b\)](#)).
- For the treatment of permanent residents as nationals for GATS purposes ([Article XXVIII\(k\)\(ii\)\(2\)](#)) notification should take place upon accession.
- Three (3) months before implementation of the provisions that have to be notified (Articles [VIII:4](#), [VIII:5](#), [XXI:1\(b\)](#)).

## PART 1

## OVERVIEW OF NOTIFICATION REQUIREMENTS

## HOW TO NOTIFY?<sup>1</sup>

Notifications should be submitted using the form provided on the fourth page of document [S/L/5](#). The completed form has to be submitted to the Central Registry of Notification at [crn@wto.org](mailto:crn@wto.org), and copies can be submitted to the Trade in Services and Investment Division at [GATSNotifications@wto.org](mailto:GATSNotifications@wto.org), except for restrictions to safeguard the balance of payments ([Article XII:4](#)) which may be copied to the [Council and TNC Division](#). The form must be completed in one of the three official languages of the WTO. An essential element is the complete description of the measure notified and its effect on trade in services. The text of the measure should be made available at the enquiry point ([Article III:4](#)) or at the WTO Secretariat, except for economic integration Agreements ([Article V:7](#)) and labour market integration Agreements ([Article V bis\(b\)](#)) whose full text has to be notified.

Unlike other notifications, the establishment of enquiry points ([Article III:4](#)) and/or contact points ([Article IV:2](#)) and any changes to their contact details need not be notified through the standardized form, see [S/L/23](#). They can be notified formlessly to the WTO Secretariat at [GATSNotifications@wto.org](mailto:GATSNotifications@wto.org). An inventory of Enquiry and Contact Points is shared with Members at regular intervals in the S/ENQ/ series.

Any questions regarding notifications related to the GATS can be sent to the Secretariat at [GATSNotifications@wto.org](mailto:GATSNotifications@wto.org).

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<sup>1</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

# PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom <sup>2</sup>	Notification Symbol
1.	General Agreement on Trade in Services, <a href="#">Article III:3</a> .	Change in regulation affecting trade in scheduled sectors.	All WTO Members	Ad hoc	At least annually when the condition is met.	Yes ( <a href="#">S/L/5</a> )	Council for Trade in Services.	S/C/N/*
2.	General Agreement on Trade in Services, <a href="#">Article III:4</a> .	References of enquiry point.	All WTO Members	Ad hoc	Changes to references ad hoc.	No	Council for Trade in Services.	S/ENQ/*
3.	General Agreement on Trade in Services, <a href="#">Article IV:2</a> .	References of contact point.	Developed WTO Members	Ad hoc	Changes to references ad hoc.	No	Council for Trade in Services.	S/ENQ/*
4.	General Agreement on Trade in Services <a href="#">Article V:7(a)</a> ; <a href="#">Transparency Mechanism for RTAs</a> , paragraphs 3 and 4.	Conclusion of, or accession to an Economic Integration Agreement.	In principle each Member Party to an RTA. In practice joint notifications are made.	One time	As early as possible, and no later than directly following the Parties' ratification of an RTA or any Party's decision on application of the relevant parts of an RTA, and before the application of preferential treatment between the Parties.	Yes ( <a href="#">S/L/310</a> )	The CTS, though, in practice to the CRTA.	S/C/N/*

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5.	General Agreement on Trade in Services <a href="#">Article V:7(a)</a> ; <a href="#">Transparency Mechanism for RTAs</a> , paragraph 14.	Significant modification of an RTA liberalizing trade in services.  Changes to be notified include, inter alia, modifications to the preferential treatment between the Parties and to the RTA's disciplines.	In principle each Member Party to an RTA. In practice joint notifications are made.	Ad hoc	As soon as possible after the changes occur.	Yes <a href="#">(S/L/418)</a>	The CTS, though, in practice to the CRTA.	S/C/N/*
6.	General Agreement on Trade in Services, <a href="#">Article V bis (b)</a> .	Labour market integration Agreements.	All WTO Members	Ad hoc		Yes <a href="#">(S/L/5)</a>	Council for Trade in Services.	S/C/N/*
7.	General Agreement on Trade in Services, <a href="#">Article VII:4 (a)</a> .	Existing or new recognition measures and their modifications.	All WTO Members	One time	Within 12 months of accession to WTO for existing recognition measures.	Yes <a href="#">(S/L/5)</a>	Council for Trade in Services.	S/C/N/*

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8.	General Agreement on Trade in Services, <a href="#">Article VII:4 (b)</a> .	Opening of negotiation on recognition.	All WTO Members	Ad hoc	Promptly, as far in advance as possible.	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
9.	General Agreement on Trade in Services, <a href="#">Article VII:4 (c)</a> .	Adoption of new recognition measures or significant modification of existing ones.	All WTO Members	Ad hoc	Promptly	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
10.	General Agreement on Trade in Services, <a href="#">Article VIII:4</a> .	Granting of new monopoly rights.	All WTO Members	Ad hoc	3 months before implementation of the provisions that have to be notified.	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
11.	General Agreement on Trade in Services, <a href="#">Article VIII:5</a> .	Exclusive service suppliers.	All WTO Members	Ad hoc	3 months before implementation of the provisions that have to be notified.	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*

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12.	General Agreement on Trade in Services, <a href="#">Article X:2</a> .	Emergency safeguard measures.	All WTO Members	Ad hoc		Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
13.	General Agreement on Trade in Services, <a href="#">Article XII:4</a> .	Restrictions to safeguard the balance of payments.	All WTO Members	Ad hoc		Yes (S/L/5)	General Council.	S/C/N/*
14.	General Agreement on Trade in Services, <a href="#">Article XIV bis:2</a> .	Security exceptions.	All WTO Members	Ad hoc		Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
15.	General Agreement on Trade in Services, <a href="#">Article XXI:1(b)</a> .	Intention to modify the schedule of specific commitments.	All WTO Members	Ad hoc	3 months before implementation of the provisions that have to be notified.	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
16.	General Agreement on Trade in Services, <a href="#">Article XXVIII (k)(ii):2</a> .	Treatment of permanent residents as nationals for GATS purposes.	All WTO Members	One time	On accession to WTO for the Members concerned.	Yes (S/L/5)	WTO Secretariat.	S/C/N/*

<sup>2</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.



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17.	General Agreement on Trade in Services, <a href="#">Annex on Article II Exemptions:7.</a>	MFN exemption termination.	All WTO Members	One time	Once upon termination of the MFN exemption for the Members concerned.	Yes (S/L/5)	Council for Trade in Services.	S/C/N/*
18.	General Agreement on Trade in Services, <a href="#">Annex on Telecommunications paragraph 5 (c).</a>	Modification of rules affecting the use of public telecommunications transport networks and services.	All WTO Members	Ad hoc		Yes (S/L/5)	Council for Trade in Services.	S/C/N/*

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## PART 3

## RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS

Guidelines for notifications under the General Agreement on Trade in Services [S/L/5](#).

Decision on the notification of the establishment of enquiry and contact points [S/L/23](#).

Notification format for Regional Trade Agreement [S/L/310](#).

Template for notifying changes to an existing Regional Trade Agreement [S/L/418](#).

## PART 4

## LIST OF NOTIFICATIONS SINCE 1995

[Integrated Trade Intelligence Portal \(I-TIP\) Services](#) is a joint initiative of the World Trade Organization and the World Bank. It is a set of linked databases that provides information on Members' commitments under the WTO's General Agreement on Trade in Services (GATS), services commitments in Regional Trade Agreements (RTA), applied measures in services, and services statistics.

List of [ALL NOTIFICATIONS](#) submitted by Members since 1995.

# PART 5

## TEXT OF THE AGREEMENT

General Agreement on Trade in Services (Article I-XXVI) [LT/UR/A-1B/S/1](#).