

**GENERAL AGREEMENT**

GATS/SC/72

15 April 1994

**ON TRADE IN SERVICES**

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(94-1069)

**ROMANIA**

**Schedule of Specific Commitments**

(This is authentic in English only)

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## ROMANIA - 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	
<b>I. HORIZONTAL COMMITMENTS</b>				
<b>ALL SECTORS INCLUDED IN SCHEDULE</b>				
a) The right to own land	3), 4) Natural persons not having Romanian citizenship and residence in Romania, as well as legal persons not having Romanian nationality and their headquarters in Romania, cannot acquire ownership over any kind of land plots, through <u>inter vivos</u> acts			
b) Legislation on commercial companies		3) The sole administrator or the Chairman of the Board of Administration as well as half of the total number of administrators of the commercial companies shall be Romanian citizens unless otherwise stipulated in the company contract or in its statutes. The majority of the commercial companies' auditors and their deputies shall be Romanian citizens.		

**ROMANIA (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) Participation of foreign investors in privatization of commercial companies!	Unbound	Unbound			
d) Presence of personnel	4) Unbound, except for the entry and temporary stay in Romania of natural persons serving in management and expert jobs? necessary to operate the foreign investment	4) None, only for those categories of natural persons indicated in the market access column			

1 Thirty per cent of the capital of the State-owned commercial companies has been distributed free of charge to Romanian citizens through "Ownership Certificates" which cannot be sold to foreign legal and natural persons.

The remaining 70 per cent of the capital of these companies is to be put on sale.

Within the privatization process the foreign investors can buy assets and shares of commercial companies. Romanian legal and natural persons have a priority right in this respect. Under privatization through the MEBO method (Management-Employee-Buy-Out) the right to purchase a commercial company is reserved for its employees.

2 Natural persons serving in management jobs are those persons with relevant higher education who, within an organization, have the task to manage this organization or one of its departments or divisions.

Natural persons serving in expert jobs are those persons who have university degrees in the speciality of the position they occupy.

**ROMANIA (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>II. SECTOR-SPECIFIC COMMITMENTS*</b>					
1. BUSINESS SERVICES					
A. <u>Professional Services</u>					
a) Legal services (861)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound			
d) and g) Architectural and urban planning services (8671-8674)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) None 2) None 3) None 4) None, only as indicated in the horizontal measures section			

\* Commitments are generally classified in accordance with the Services Sectoral Classification (GATT document MTN/GNS/W/120 of 10 July 1991). The correspondence with the Provisional Central Product Classification List published by the United Nations in 1991, provided in brackets, is an indicative one.

ROMANIA (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: Advisory and consultative engineering services (86721)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section		1) None 2) None 3) None 4) None, only as indicated in the horizontal measures section	
Engineering design services for mechanical and electrical installations for buildings (86723)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section		1) None 2) None 3) None 4) None, only as indicated in the horizontal measures section	

**ROMANIA (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><b>B. <u>Computer and related services</u></b></p> <p>a) Consultancy services related to the installation of computer hardware (841)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, only as indicated in the horizontal measures section</p>	
<p>b) Software development and implementation services (842)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, only as indicated in the horizontal measures section</p>	
<p>c) Data processing services and data-entry (843)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, only as indicated in the horizontal measures section</p>	

ROMANIA (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) Data-base services (844)	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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	
d) and e) Computer services which are an integral part of the delivery of services of other categories (845 + 849)	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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	
F. <u>Other business services</u>					
c) and d) Consultancy services on management and services related to consultancy services on management (865 + 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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	

ROMANIA (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	
2. COMMUNICATION SERVICES				
C. <u>Telecommunications value-added services</u> (except vocal telephony, telegraph, telex)				
f) Facsimile services	1) None		1) None	
	2) None		2) None	
	3) None		3) None	
	4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
h) Electronic mail	1) None		1) None	
	2) None		2) None	
	3) None		3) None	
	4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	



**ROMANIA (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
i) Voice mail	1)	None		1) None	
	2)	None		2) None	
	3)	None		3) None	
	4)	Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
j) On-line information and data base retrieval	1)	None		1) None	
	2)	None		2) None	
	3)	None		3) None	
	4)	Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
k) Electronic data interchange (EDI)	1)	None		1) None	
	2)	None		2) None	
	3)	None		3) None	
	4)	Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	

**ROMANIA (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
l) Enhanced/value-added facsimile services	1) None	1) None		1) None	
	2) None	2) None		2) None	
	3) None	3) None		3) None	
	4) Unbound, except as indicated in the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
m) Code and protocol conversion	1) None	1) None		1) None	
	2) None	2) None		2) None	
	3) None	3) None		3) None	
	4) Unbound, except as indicated in the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
n) On-line information and/or data processing (including transaction processing)	1) None	1) None		1) None	
	2) None	2) None		2) None	
	3) None	3) None		3) None	
	4) Unbound, except as indicated in the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	

ROMANIA (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 national treatment	Limitations on national treatment	Additional commitments
3. CONSTRUCTION SERVICES					
A. <u>General construction work for buildings</u> (512)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) Unbound* 2) None 3) None 4) None, only as indicated in the horizontal measures section	1) Unbound* 2) None 3) None 4) None, only as indicated in the horizontal measures section		
B. <u>General construction works - civil engineering</u> (bridges, roads, etc.) (513)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) Unbound* 2) None 3) None 4) None, only as indicated in the horizontal measures section		

\* Unbound due to lack of technical feasibility.

**ROMANIA (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. <u>Installation and assembly work, erection of prefabricated construction (514+516)</u>	1) Unbound*	1) Unbound*	1) Unbound*	1) Unbound*	
	2) None	2) None	2) None	2) None	
	3) None	3) None	3) None	3) None	
	4) Unbound, except as indicated in the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	
D. <u>Building completion and finishing work (517)</u>	1) Unbound*	1) Unbound*	1) Unbound*	1) Unbound*	
	2) None	2) None	2) None	2) None	
	3) None	3) None	3) None	3) None	
	4) Unbound, except as indicated in the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	

\* Unbound due to lack of technical feasibility.

ROMANIA (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>4. DISTRIBUTION SERVICES (except for the subsectors listed below, distribution services for arms, ammunition, explosives, narcotics and medicines containing narcotics, tobacco products and paper for cigarettes, alcohol and spirits)</p>				
<p>A. <u>Commission agents' services</u> (621)</p>	<p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) None 2) None 3) None 4) None, only as indicated in the horizontal measures section</p>		

**ROMANIA (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
B. <u>Wholesale trade services</u> (622)	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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	
C. <u>Retailing services</u> (631 + 632)	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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	
6. ENVIRONMENTAL SERVICES					
D. <u>Other services</u>	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 the horizontal measures section	4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section	

ROMANIA (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>A. <u>Insurance and insurance-related services</u></p> <p>a) Life insurance services (8121)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) The establishment of companies with foreign participation is allowed only in partnership with Romanian legal or natural persons</p> <p>The representatives of foreign companies and of the associations of foreign insurers have the right to conclude insurance contracts only with foreign legal and natural persons</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>		

**ROMANIA (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) Non-life insurance services (8129)		<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) The establishment of companies with foreign participation is allowed only in partnership with Romanian legal or natural persons  The representatives of foreign companies and of the associations of foreign insurers have the right to conclude insurance contracts only with foreign legal and natural persons and for their goods</li> <li>4) Unbound, except as indicated in the horizontal measures section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) None, only as indicated in the horizontal measures section</li> </ol>		
c) Reinsurance and retrocession services (81299)		<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) The establishment of companies with foreign participation is allowed only in partnership with Romanian legal or natural persons</li> <li>4) Unbound, except as indicated in the horizontal measures section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) None, only as indicated in the horizontal measures section</li> </ol>		



ROMANIA (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) Services auxiliary to insurance (including broking and agency services) (8140)	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) The establishment of companies and intermediation agencies with foreign participation is allowed only in partnership with Romanian legal or natural persons</p> <p>Intermediation agencies are not allowed to conclude insurance contracts for foreign insurance companies with Romanian legal or natural persons or for their goods</p> <p>The representatives of foreign insurance companies and of the associations of foreign insurers have the right to conclude only the following types of insurance contracts:</p> <p>a) insurance and reinsurance contracts with legal and natural foreign persons or for their goods;</p> <p>b) reinsurance contracts with Romanian insurance companies, insurance-reinsurance companies and reinsurance companies</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	

**ROMANIA (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><b>B. Banking and other financial services (excluding insurance)</b></p> <p>a) Acceptance of deposits and other reimbursable funds from the public (81115-81119)</p> <p>b) Lending of all types (8113)</p>	<p>1) None</p> <p>2) The opening of accounts and utilization of foreign currency resources abroad by natural and legal Romanian persons is allowed only with prior permission from the National Bank of Romania</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal measures section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal measures section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, only as indicated in the horizontal measures section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None, only as indicated in the horizontal measures section</p>	

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) All payments and money transmission services (81339)		1) Allowed only through a resident bank 2) The opening of accounts and utilization of foreign currency resources abroad by natural and legal Romanian persons is allowed only with prior permission from the National Bank of Romania	1) None 2) None		
e) Guarantees and commitments (8199)		3) None 4) Unbound, except as indicated in the horizontal measures section	3) None 4) None, only as indicated in the horizontal measures section		
		1) None 2) None 3) None	1) None 2) None 3) None		
		4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section		

**ROMANIA (continued)**

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

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	
h) Money broking (81339)	1) None 2) None 3) None		1) None 2) None 3) None	
k) Consultancy and other auxiliary services (8131)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	1) None 2) None 3) None 4) None, only as indicated in the horizontal measures section	
Additional information for transparency and clarification purposes:				
<p>Normal prudential measures are applied to financial institutions, with a view to protecting the investors, depositors and to ensure the stability of the financial system. The establishment and the activity of banking companies are subject to an authorization from the National Bank of Romania. There are no restrictions for the establishment of a foreign bank in Romania, other than the observance of prudential measures set up by the National Bank of Romania. After the establishment of a commercial presence, the financial institutions have to carry out their transactions with residents only in the national currency of Romania.</p>				

ROMANIA (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	
9. TOURISM AND TRAVEL-RELATED SERVICES <sup>1</sup>					
A. <u>Hotels and restaurants</u> (641-643)		1) Unbound*		1) Unbound*	
		2) None		2) None	
		3) None		3) None	
		4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	
B. and C. <u>Travel agencies, tour operators and tourist guides services</u> (7471-7472)		1) None		1) None	
		2) None		2) None	
		3) None		3) None	
		4) Unbound, except as indicated in the horizontal measures section		4) None, only as indicated in the horizontal measures section	

\* Unbound due to lack of technical feasibility.

1 Including hotels and restaurants, travel agencies and tour operators, recreational and cultural activities (museums, monuments and natural reservations).

**ROMANIA (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		
11. TRANSPORT SERVICES					
C. <u>Air Transport Services</u>					
d) Maintenance and repair of aircrafts (8868)	<ol style="list-style-type: none"> <li>1) Unbound*</li> <li>2) None</li> <li>3) An authorization from the Romanian Aeronautical Authority is required</li> <li>4) Unbound, except as indicated in the horizontal measures section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound*</li> <li>2) None</li> <li>3) None</li> <li>4) None, only as indicated in the horizontal measures section</li> </ol>			
Sales and marketing services for air transport	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound</li> <li>4) Unbound, except as indicated in the horizontal measures section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound</li> <li>4) None, only as indicated in the horizontal measures section.</li> </ol>			

\* Unbound due to lack of technical feasibility.

ROMANIA (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
Computer-reservation services	1) None 2) None 3) None	1) None 2) None 3) None	
F. <u>Road Transport Services</u>  a) and b) Passenger and freight transportation (7121, 7122, 7123, less cabotage services)	4) Unbound, except as indicated in the horizontal measures section  1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal measures section	4) None, only as indicated in the horizontal measures section  1) Unbound 2) None 3) None 4) None, only as indicated in the horizontal measures section	