GENERAL AGREEMENT

ON TARIFFS AND TRADE

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WORKING PARTY ON THE ACCESSION OF BULGARIA

Communication from Bulgaria

The following communication has been received from the Permanent Mission of Bulgaria with the request that it be circulated to the members of the Working Party.

On behalf my Government, in accordance with the process of accession of the Republic of Bulgaria to the GATT/WTO, I enclose herewith the following materials:

- Communication of the Republic of Bulgaria concerning its initial commitments on trade in services;
- Draft Schedule of the Republic of Bulgaria concerning initial commitments on trade in services;
- Draft list of MFN Exemptions of the Republic of Bulgaria.

COMMUNICATION FROM THE REPUBLIC OF BULGARIA

Draft Schedule of the Republic of Bulgaria
Concerning Initial Commitments on Trade in Services

The Republic of Bulgaria submits herewith its draft schedule of initial commitments pursuant to the General Agreement on Trade in Services.

The Republic of Bulgaria remains prepared to consider further additions and improvements in its draft schedule and reserves its right to modify, reduce or extend it, as well as to make technical changes in it prior to the closure of the negotiations.

In general, the sectoral classification is based on GATT Secretariat's Services Sectoral Classification List (MTN.GNS/W/120, dated 10 July 1991). The sectoral coverage of the specific sectoral commitments corresponds to the respective sectors/subsectors as described in the Provisional Central Product Classification List published by the United Nations in 1991 (this correspondence is given in brackets). Where the services specified constitute only a part of the total range of the activities covered by the Provisional Central Product Classification List, it is explicitly indicated in the Draft Schedule. In this case, the sectoral commitments are to be undertaken solely in the subsectors as defined in the Draft Schedule.

The Republic of Bulgaria reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged groups, including limitations on national treatment of services suppliers in industries which are adversely affected by the restructuring of the Bulgarian economy during the transition period.

In cases where a particular mode of supply is not feasible, the term Unbound* shall be inscribed under this mode.

DRAFT SCHEDULE OF THE REPUBLIC OF BULGARIA CONCERNING INITIAL COMMITMENTS ON TRADE IN SERVICES

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Draft Schedule of the Republic of Bulgaria Concerning Initial Commitments on Trade in Services

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Key

(1) Cross-border Supply | (2) Consumption Abroad | (3) Commercial Presence | (4) Presence of Natural Persons

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT

PART I - MEASURES APPLICABLE TO ALL SECTORS AND SUBSECTORS LISTED IN PART II

ALL SECTORS (1)		
Current Payments	(1),(2),(3),(4) The following restrictions apply: (i) Restrictions on the import and export of Bulgarian banknotes and coins in circulation by native and foreign persons. Permission by the Bulgarian National Bank is required for export and import exceeding a fixed amount. (ii) Restrictions on the amount of foreign convertible currency acquired by native persons for private use within one calendar year. (iii) Restrictions on the export in cash of foreign convertible currency by native and foreign persons. Permission issued by the Bulgarian National Bank is required for export by local natural persons, exceeding a fixed amount. (iv) Restrictions on payments in foreign currency on Bulgarian territory. Payments between local persons and between local and foreign persons are to be effectuated in BGL. Cash payments are allowed up to a fixed amount. (v) Restrictions on payments and transfers in foreign currency abroad. Payments and transfers abroad are to be effected by banks, documentary evidence required.	(1),(2),(3),(4) None, except those under (iii) below. (iii) Foreign natural persons may export such currency only in amounts which do not exceed the amount of the same currency, or its equivalent in another foreign currency, which has been imported and declared by them.
Capital Payments	(1),(2),(3),(4) Restrictions on payments and transfers to native and foreign persons abroad, related to investments abroad and to state or state-guaranteed loans.	(1),(2),(3),(4) None.
Services Relating to the Use of Nuclear Energy for Peaceful Purposes	(1),(2),(3),(4) Unbound for services relating to the exploration, extraction, and processing of fissionable and fusionable materials or the materials from which they are derived, as well as to the trade therewith, to the maintenance and repair of equipment and systems in nuclear energy production facilities, to the transportation of such materials and the refuse and waste matter of their processing, to the use of ionising radiation, and on all other services relating to the use of nuclear energy for peaceful purposes (incl. engineering and consulting services and services relating to software, etc.).	(1),(2),(3),(4) None.

(1) It is understood that the limitations "all sectors" are applicable to commitments taken in each sector/subsector individually listed in Part II "Specific Commitments Applicable to Individual Sectors and Subsectors" of the Schedule.

The setting up and use of information systems for statistical purposes is subject to the requirement for conformity to concepts, nomenclatures and classifications established by the National Statistical Institute.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Acquisition of Real Estate	(3) None.	(3) Foreign juridical persons cannot acquire ownership of land (incl. through a branch). Juridical persons with foreign participation in their capital exceeding 50 per cent cannot acquire ownership of agricultural land. Foreign citizens cannot acquire ownership of land, except by inheritance in that case they are to transfer it to Bulgarian natural or juridical persons within three years. Foreign juridical persons and foreign citizens with permanent residence abroad may acquire ownership of buildings and limited property rights on real estate subject to permission issued by the Minister of Finance. Foreign citizens with permanent residence abroad, foreign juridical persons and companies in which foreign participation ensures a majority in adopting decisions, may acquire real estate in certain geographic regions of the country, which are determined as such by the Council of Ministers, only subject to permission.
Subsidies	(1) Unbound* (2),(3),(4) Unbound	(1) Unbound* (2),(3),(4) Unbound for granting and availing of subsidies and other forms of public assistance (incl. subsidies for R&D, for regional development, for the consumers of certain services, etc.). Foreign service suppliers (and consumers of their services) delivering public services (such as medical care, educational, social, cultural services, etc.) are not automatically entitled to public subsidies or assistance in different forms.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Commercial Presence	(3) Judicial commercial registration in specific types of legal entitites required. Permanent residence required upon foreign persons' commercial registration as sole traders, participants in co-operatives, general partnerships, and general partners in limited partnerships or partnerships limited by shares.	(3) A foreign person or a company in which foreign participation ensures a majority in adopting decisions or blocks the adoption of decisions - directly or through other companies with foreign participation, is to obtain a special permission for investing in: (i) Distribution of weapons, munitions or military equipment; (ii) Banking or insurance activities, or acquirement of interest in banking or insurance companies; (iii) Prospecting, development or extraction of natural resources from the territorial sea, continental shelf or the exclusive economic zone; (iv) Acquisition of participation which ensures a majority in adopting decisions or blocks the adoption of decisions in a company engaged in any of the activities mentioned above. The establishment of a branch by a foreign natural person or a partnership which is not a juridical person under its national law, requires their entitlement to commercial activity according to their national law. Foreign persons entitled to commercial activity under their national law, may establish commercial agencies upon registration by the Bulgarian Chamber of Industry and Commerce. They are not juridical persons and do not have the right to exercise commercial activity. Particular rules concerning the establishment and operation in the territory of Bulgaria of branches and agencies of foreign persons may be introduced and applied, if necessary, where justified by legal or technical differences between such branches and agencies as compared to branches and agencies of Bulgarian traders. Particular rules concerning the financial services may be introduced and applied when necessary for the conduct of monetary policy, or for prudential grounds in order to ensure the protection of investors, depositors, policy holders, or persons to whom a fiduciary duty is owed, or to ensure the integrity and stability of the financial system. Particular rules concerning the establishment in the territory of Bulgaria of companies, branches and agencies of foreign persons may be introduced and applied, if certain industries: (i) are undergoing restructuring; (ii) are facing serious difficulties, particularly where these entail serious social problems in Bulgaria; (iii) face the elimination or a drastic reduction of the total market share held by Bulgarian companies or nationals in a given sector or industry in Bulgaria; or (iv) are newly emerging industries in Bulgaria. The same applies as well to the financial services and to services relating to the above mentioned sectors and cases where foreign investment is subject to special permission. The acquisition through privatisation deals of ownership rights on whole enterprises or parts thereof, as well as the acquisition of shares and equity capital in state-owned or municipal enterprises is unbound.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Entry and Stay of Foreign Natural Persons	(4) Unbound, other than for temporary entry, stay and work of the following categories of natural persons supplying services: (i) The temporary presence, as intercorporate transferees, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it for at least the year immediately preceding such movement: a) essential senior executives working within a juridical person, who primarily direct the management of the establishment, or of a department (division) of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, supervising and controlling the work of other supervisory, professional or managerial employees, having the authority personally to hire and fire or recommend hiring, firing or other personnel actions, and who do not directly perform tasks concerning the actual supply of the services of the establishment, b) persons working within a juridical person (subject to the requirement that the number of such persons does not exceed 10 per cent of the average annual number of registered employees of the establishment), who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management (for a period of three months, which may be extended, and subject to obtaining a work permit issued by the Ministry of Labour and Social Care). In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession; (ii) The temporary presence for a period of three months of natural persons in the following categories: a) persons not residing in the territory of Bulgaria, who are representatives of a service provider and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves, b) persons working in senior positions, as defined in (i) (a) above, within a juridical person, who are responsible for setting up in Bulgaria of a commercial presence of a service provider of a Party when: - the representatives are not engaged in making direct sales or supplying services, and - the service provider has its principal place of business in the territory of a WTO Member other than the Republic of Bulgaria and has no representative, office, branch or subsidiary in Bulgaria. The CEO of the establishment, or his equivalent, must obtain a special permit if he hasn't got permission to reside in the Republic of Bulgaria.	(4) None, except for those indicated under market access.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT

PART II - SPECIFIC COMMITMENTS APPLICABLE TO INDIVIDUAL SECTORS AND SUBSECTORS

BUSINESS SERVICES		
Professional Services		
Accounting services (CPC 86212 other than "auditing services", 86213, 86219)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Bookkeeping services (CPC 86220)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Architectural services (CPC 8671)	(1) None (2) None (3) The actual provision of the services supplied ie restricted to natural persons of technical qualification duly recognized in Bulgaria, who are members of a professional association. Foreign persons are allowed to provide these services only in partnership with, or as subcontractors of, native persons where the project is of national or regional significance, exception being made for projects which have been put up for international auction won by the foreign person. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Integrated engineering services (CPC 8673)	(1) None (2) None (3) The actual provision of the services supplied ie restricted to natural persons of technical qualification duly recognized in Bulgaria, who are members of a professional association. Foreign persons are allowed to provide these services only in partnership with, or as subcontractors of, native persons where the project is of national or regional significance, exception being made for projects which have been put up for international auction won by the foreign person. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Computer and Related Services		
Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Systems and software consulting services (CPC 84210)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
System analysis services (CPC 84220)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
System design services (CPC 84230)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Programming services (CPC 84240)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
System maintenance services (CPC 84250)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Data processing services (CPC 843)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Database services (CPC 84400)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Maintenance and repair services of office machinery and equipment including computers (CPC 84500)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Data preparation services (CPC 84910)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Research and Development Services (CPC 85)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Other Business Services		
Advertising services (CPC 871) (2)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Market research and opinion polling services (CPC 864)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Management consulting services (CPC 865)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Consulting services incidental to agriculture, hunting and forestry, to fishing, and to manufacturing (part of CPC 88)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

(2) Advertising tobacco and tobacco products outside the premises of a producer or a whole-sale trader is prohibited. Prohibition on advertising alcohol, alcoholic beverages and drugs.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Repair services of personal and household goods (CPC 633)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Building cleaning services (CPC 874)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Photographic services, except for passport photography, photography using special reconnaissance means, and aerial photography (part of CPC 875)	(1) None (2) None (3) None, except for the setting up of X-ray photo labs which is subject to licensing. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Packaging services (CPC 876)	(1) Unbound* (2) None (3) The packaging of ready-made medicine forms requires use of mandatory denotations and directions on application, and the packaging of foodstuffs requires use of labelling. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
COMMUNICATION SERVICES (3)		
Telecommunication services		
Code and protocolconversion (part of CPC 75231)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.

(3) The setting up and the operation of national public fixed telephone, telegraph and telex networks and the provision of basic telecommunications services (voice telephony, telegraph and telex services) over the mentioned networks are excluded (state monopoly).

The setting up and operation of national television and broadcasting networks are excluded.

The setting up of public or private telecommunications networks is subject to licensing. The services have to be provided over licensed networks or over leased lines as part of licensed networks. Licenses are issued to the applicant personally and cannot be transferred to a third party. Simple resale of services is forbidden.

The connection to a public network is permitted according to the licence conditions for the public network and depending on technical possibilities. Terminal equipment intended for direct or indirect connection to a public or private telecommunications network can be connected to a network termination point if it is type-approved by a Bulgarian authorized body.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
On-line information and data base retrieval (part of 75232)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.
Enhanced/ value-added facsimile services, incl. store and forward, store and retrieve (part of CPC 75232)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.
Telecommunications related services		
Equipment rental services (CPC 7541)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.
Equipment sales services (CPC 7542)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.
Consulting services (CPC 7544)	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.
CONSTRUCTION AND RELATED ENGINEERING SERVICES		
Construction work, except for building completion and finishing work (CPC 511 to 516 + 518)	(1) Unbound (2) None (3) The actual provision of the services supplied ie restricted to natural persons of technical qualification duly recognized in Bulgaria, who are members of a professional association. Foreign persons are allowed to provide these services only in partnership with, or as subcontractors of, native persons where the project is of national or regional significance, exception being made for projects which have been put up for international auction won by the foreign person. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Building completion and finishing work (CPC 517)	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
DISTRIBUTION SERVICES (4)		
Commission Agents Services		
Sales on a fee or contract basis of building materials and industrial and technical chemicals (part of CPC 62112 - with the exception of fuels, metals, ores and timber)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Sales on a fee or contract basis of machinery, industrial equipment (except for medical and surgical equipment and orthopedical devices) and vehicles other than motor vehicles, bicycles and motorcycles (part of CPC 62114)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Sales on a fee or contract basis of furniture, household goods, hardware and ironmogery (CPC 62114)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Sales on a fee or contract basis of textiles, clothing and footwear (CPC 62114)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

(4) Commitments apply to services relating to trade in the boundaries of the Republic of Bulgaria only.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
EDUCATION SERVICES		
PRIVATELY FUNDED PRIMARY EDUCATION SERVICES (part of CPC 921)	(1) None (2) None (3) The establishment of a private primary school requires licensing. The issuance and validity of the licence is subject to the school's abiding to a programme of education which conforms to the state educational requirements. Foreign citizens permanently residing in Bulgaria may teach on the codition of legalization of their graduation diploma and the approval of their teacher's qualification. (4) Unbound, except as indicated in the horizontal section and in (3) above.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
PRIVATELY FUNDED SECONDARY EDUCATION SERVICES (part of CPC 922)	(1) None (2) None (3) The establishment of a private secondary school requires licensing. The issuance and validity of the licence is subject to the school's abiding to a programme of education which conforms to the state educational requirements. Foreign citizens permanently residing in Bulgaria may teach on the codition of legalization of their graduation diploma and the approval of their teacher's qualification. (4) Unbound, except as indicated in the horizontal section and in (3) above.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
PRIVATELY FUNDED HIGHER EDUCATION SERVICES (part of CPC 923)	(1) None (2) None (3) Higher education institutions are established by the National Assembly. Teaching personnel is recruited by the faculty council of the institution on competitive basis subject to age and professional requirements. The programme of education must meet the respective state educational requirements. (4) Unbound, except as indicated in the horizontal section and in (3) above. Professors, associate professors, and senior research fellows may be involved in teaching at a higher education institution as "supernumerary" professors on a term contract.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
PRIVATELY FUNDED ADULT EDUCATION SERVICES (part of CPC 924)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
ENVIRONMENTAL SERVICES		
SEWAGE SERVICES (CPC 9401)	(1) Unbound* (2) None (3) Supply of services relating to collection, transportation, storage, secondary use, recycling, restoration, use in the production of energy and materials, and disposal of dangerous waste and refuse, is subject to licensing. The services are to be effected in compliance with a project which is approved in advance. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
REFUSE DIPOSAL SERVICES (CPC 9402)	(1) Unbound* (2) None (3) Supply of services relating to collection, transportation, storage, secondary use, recycling, restoration, use in the production of energy and materials, and disposal of dangerous waste and refuse, is subject to licensing. The services are to be effected in compliance with a project which is approved in advance. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
SANITATION AND SIMILAR SERVICES (CPC 9403)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT

FINANCIAL SERVICES

Measures applicable to all sectors in financial services:

1) Commitments in this sector are based on the Agreement on Trade in Services and the Annex on Financial Services;

2) The purchase or acquisition of financial services by public entities of the Republic of Bulgaria is governed in this Schedule of Commitments by Article XIII of the Agreement. Consequently, obligations under Articles II, XVI and XVII of GATS do not apply to such purchases or acquisitions;

3) Insurance or banking activities, as well as activity relating to securities trading, are to be conducted only by companies which are granted a special licence for supply of financial services;

4) Banks and insuranance companies incorporated in the Republic of Bulgaria have to be established as joint-stock companies.

5) The conduct of financial activities of any kind in the cases where such activities are exercised by foreign persons or by companies in which foreign participation ensures a majority in adopting decisions or blocks the adoption of decisions - directly or through other companies with foreign participation - is subject to licensing by the Bulgarian National Bank.

6) The admission to the market of new financial services and instruments may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Article 2.1. of the Annex on Financial Services;

7) Commitments on presence of natural persons in this sector are bound to the same extent as stipulated in Part I - Measures Applicable to All Sectors and Subsectors Listed in Part II in this Schedule;

8) Commitments in this sector are subject to the general conditions or limitations stipulated in Part I - Measures Applicable to All Sectors and Subsectors Listed in Part II in this Schedule;

9) Commitments undertaken with respect to certain sectors shall not preclude in any way the temporary introduction on a reasonable and non-discriminatory basis of particular rules where necessary for the conduct of monetary policy, or for prudential grounds in order to ensure the protection of investors, depositors, policy holders, or persons to whom a fiduciary duty is owed, or to ensure the integrity and stability of the financial system.

10) The supply of services by foreign banks in the territory of the Republic of Bulgaria is effected only through local branches licensed by the Bulgarian National Bank.

11) In sectors specified below, the Republic of Bulgaria undertakes special commitments subject to conditions, limitations and qualifications as listed below.

12) Permanent residence requirement for personnel managing and representing a banks or a foreign bank's branch.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Insurance and Insurance-related Services		
Non-life insurance services (incl. reinsurance) (CPC 8129)	(1) Unbound, except for insurance services supplied by foreign operators to foreign persons in Bulgarian territory. (2) Bulgarian natural and juridical persons, as well as foreign persons who conduct business activity in the territory of the Republic of Bulgaria, conclude insurance contracts only with local suppliers. (3) Insurance operators are to take the legal form of joint-stock companies with capital distributed in personal shares, or mutual insurance funds (co-operatives by their legal form). Foreign operators supply insurance services in Bulgarian territory only through local branches and subject to the requirement for their entitlement to insurance activity in the country of their seat. Books and registers must be in Bulgarian and must be kept in the office of the branch at its seat in Bulgaria. Brokers are not allowed to enter into insurance contracts with local natural and juridical persons on behalf of foreign insurers. The supply of insurance services in the territory of Bulgaria is subject to licensing. Insurance operators cannot be set up for the supply of both life insurance and non-life insurance services. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) None (3) Insurance funds raised by virtue of insurance contracts, as well as own capital, must be invested in Bulgaria and may be transferred abroad only subject to a permission of the Ministry of Finance. A foreign person's purchase of shares in a Bulgarian insurance company or the transfer of such shares to a foreign person may requires permission. (4) Unbound, except as indicated in the horizontal section.
Banking and Other Financial Services (Excluding Insurance)		
Financial consultancy services (CPC 81332)	(1), (2) None, except for the restrictions and conditions relating to the use of telecommunications networks, which are listed above in the respective sector of the Schedule. (3) None, except for the restrictions and conditions relating to the use of telecommunications networks, which are listed above in that sector of the Schedule. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
HEALTH RELATED AND SOCIAL SERVICES		
Privately funded social services (part of CPC 933)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
TOURISM AND TRAVEL RELATED SERVICES		
Hotels and restaurants (incl. catering, except for catering in the means of transportation by air, land, and sea) (CPC 641, and part of 642 and 643)	(1) Unbound* (2) None (3) Licensing required. The number of foreign managers must not exceed one. However, in all cases, except for commercial representative offices, foreign managers cannot be appointed as CEO. (4) Unbound, except as indicated in the horizontal section, but taking into account the restrictions in (3) above.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section, but taking into account the restrictions on market access in (3) herein.
Travel agencies and tour operators' services (CPC 7471)	(1) None (2) None (3) Licensing requirement. The number of foreign managers must not exceed one. However, in all cases, except for commercial representative offices, foreign managers cannot be appointed as CEO. (4) Unbound, except as indicated in the horizontal section, but taking into account the restrictions in (3) above.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section, but taking into account the restrictions on market access in (3) herein.
RECREATIONAL, CULTURAL AND SPORTING SERVICES (OTHER THAN AUDIO-VISUAL SERVICES)		
Entertainment services (other than audio-visual services, circus, amusement park an similar attraction services, ballroom, discotheque and dance instructor services, gambling and gambling related services, lotteries and other not specified elsewhere services) (CPC 96191, 96192, 96193)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
TRANSPORT SERVICES (5)		
Air Transport Services		
Rental services of aircraft with crew (CPC 734)	(1) None (2) None (3) The crew must comprise Bulgarian citizens with special aeronautical qualifications. (4) Unbound, except as indicated in the horizontal section. Manning with foreign citizens requires prior permission which is to be issued by the Minister of Transport.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section, but taking into account the restrictions on market access in (3) herein.
Maintenance and repair of aircraft (part of CPC 88)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Sales and marketing, incl. CRS (part of 7469)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Rail Transport Services		
Maintenance and repair of rail transport equipment (part of CPC 88)	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Road Transport Services		
Passenger transportation by road, incl. taxi services and transportation by man- or animal-drawn vehicles (CPC 7121, 71221, 71224)	(1) Entry into Bulgaria and use of its road network requires licensing. (2) None (3) Transportation over routes and on a time schedule, which are predetermined and fixed by the state or municipal authorities, requires licensing. The avtual provision of taxi services is restricted to licensed natural persons. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

(5) The transportation (incl. transit transportation) of waste and refuse, dangerous goods, substances and materials, military or paramilitary equipment, drugs and similar goods is governed by special rules and is excluded from the range of services that are subject of commitments in this sector. The same applies also to all services relating to such transportation.

SECTOR / SUBSECTOR	LIMITATIONS ON MARKET ACCESS	LIMITATIONS ON NATIONAL TREATMENT
Freight transportation by road (CPC 7123)	(1) Entry into Bulgaria and use of its road network requires licensing. (2) None (3) Transportation over routes and on a time schedule, which are predetermined and fixed by the state or municipal authorities, requires licensing. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Maintenance and repair of road transport equipment (6112 + part of CPC 88)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Services Auxiliary to All Modes of Transport		
Storage and warehouse services auxiliary to road transport (part of CPC 742)	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

List of MFN Exemptions of the Republic of Bulgaria

SECTOR OR SUBSECTOR	DESCRIPTION OF THE MEASURE INDICATING ITS INCONSISTENCY WITH ARTICLE II	COUNTRIES TO WHICH THE MEASURE APPLIES	INTENDED DURATION	CONDITIONS CREATING THE NEED FOR THE EXEMPTION
1	2	3	4	5
Audiovisual Services - Production and Distribution of Cinematographic Works and Television Programmes	Measures based upon government-to-government framework agreements and bilateral and plurilateral agreements on co-production of audiovisual works, which confer national treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding.	All countries with which cultural co-operation may be desirable or already exists, and with which such agreements are already concluded or in the process of conclusion.	Indefinite.	Promotion of cultural links between the countries concerned, as well as promotion of greater diversity of foreign audiovisual works in the Bulgarian market.
Audiovisual Services - Production and Distribution of Cinematographic and Other Audiovisual Works, and Radio and Television Programmes.	Measures taken for the implementation of, and in conformity with, preferential agreements and financial and/or other support programmes such as the Convention on Transfrontier Television of the Council of Europe, the Action Plan for Advanced Television Services, MEDIA or EURIMAGES, which treat works and programmes of European origin, where these works or programmes meet certain linguistic and origin criteria, in such a way that they enjoy national treatment with respect to support and/or access to broadcasting or similar forms of transmission.	European countries.	Indefinite.	Promotion of cultural exchanges within Europe, which are based upon traditional cultural links.
Passenger and Freight Transportation on Internal Waterways	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of this kind of economic activity in the territory of the Republic of Bulgaria or between the countries which are parties to the corresponding agreements including agreements relating to the use of the Rhine-Main-Danube system.	All countries with which agreements are or will be in force.	Indefinite.	Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of the Republic of Bulgaria and between the countries concerned.

SECTOR OR SUBSECTOR	DESCRIPTION OF THE MEASURE INDICATING ITS INCONSISTENCY WITH ARTICLE II	COUNTRIES TO WHICH THE MEASURE APPLIES	INTENDED DURATION	CONDITIONS CREATING THE NEED FOR THE EXEMPTION
1	2	3	4	5
Passenger and Freight Transportation by Rail	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of this kind of economic activity in the territory of the Republic of Bulgaria or between the countries which are parties to the corresponding agreements.	All countries with which agreements are or will be in force.	Indefinite.	Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of the Republic of Bulgaria and between the countries concerned, taking account the regional specificity of this kinds of services.
Road Passenger and Freight Transportation	Measures taken under existing or future agreements which reserve and/or restrict the supply of these kinds of transportation services and specify the terms and conditions of this supply, incl. transit permits and/or preferential road taxes, in the territory of the Republic of Bulgaria or across the borders of the Republic of Bulgaria.	All countries with which agreements are or will be in force.	Indefinite.	Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of the Republic of Bulgaria and between the countries concerned.
Maritime Transport	Preferential treatment of national lines belonging to countries which are parties to the UN Convention on a Code of Conduct on Liner Conference.	The parties to the UN Convention on a Code of Conduct on Liner Conference.	Indefinite.	International agreement.
Sales and Marketing Services for Air Transport, Including CRS	The right to supply these kinds of services is granted upon a reciprocity basis.	All countries.	Indefinite.	The aim of the application of such a measure is to guarantee equal access to the market of other countries for Bulgarian suppliers of such kinds of services.
Cargo-Handling Services and Storage and Warehouse Services in Sea and River Harbours, Including Services Relating to Containers and Goods in Containers	The right to supply these kinds of services is granted upon a reciprocity basis and under bilateral agreements with the countries concerned.	All countries.	Indefinite.	The aim of the application of such a measure is to guarantee equal access to the market of other countries for Bulgarian suppliers of such kinds of services.

SECTOR OR SUBSECTOR	DESCRIPTION OF THE MEASURE INDICATING ITS INCONSISTENCY WITH ARTICLE II	COUNTRIES TO WHICH THE MEASURE APPLIES	INTENDED DURATION	CONDITIONS CREATING THE NEED FOR THE EXEMPTION
1	2	3	4	5
Financial Services	The granting of a licence for the establishment of commercial presence or the supply of new kinds of such services by a foreign financial services supplier is subject to the granting by the country of origin of that foreign supplier to Bulgarian financial services suppliers of similar access to its market or a similar treatment.	All countries.	Indefinite.	The aim of the application of such a measure is to guarantee equal access to the market of other countries for Bulgarian suppliers of such kinds of services.
Financial Services	Full national treatment on the establishment and operation of companies may be extended only to companies established in the countries listed in column 3.	Countries with which preferential arrangements are or will be concluded.	Indefinite.	Obligations under international agreements.
Legal Services	Full national treatment on the establishment and operation of companies, as well as on the provision of services by foreign citizens, may be extended only to companies established in, and citizens of, the countries listed in column 3.	Countries with which preferential arrangements are or will be concluded.	Indefinite.	Obligations under international agreements.
Insurance and Insurance-related Services	Reciprocal market access to a foreign operator's country of seat is required.	All countries.	Indefinite.	The aim of the application of such a measure is to guarantee equal access to the market of other countries for Bulgarian suppliers of such kinds of services.