



**NOTIFICATION OF SWITZERLAND PURSUANT TO THE MINISTERIAL DECISION
OF 17 DECEMBER 2011 ON PREFERENTIAL TREATMENT TO SERVICES AND
SERVICE SUPPLIERS OF LEAST DEVELOPED COUNTRIES (LDCS)**

The following notification from the delegation of Switzerland, dated 30 July 2015, is being circulated to the Members of the Council for Trade in Services.

1 INTRODUCTION

1.1. In accordance with paragraph 2 of the Ministerial Decision on *Preferential Treatment to Services and Service Suppliers of Least Developed Countries* (document WT/L/847, 19 December 2011) and in relation to the indications given at the high-level meeting held on 5 and 6 February 2015 pursuant to the Bali Ministerial Decision on the *Operationalization of the Waiver Concerning Preferential Treatment to Services and Service Suppliers of Least Developed Countries* (document WT/L/918, 7 December 2013), Switzerland is granting preferences to LDCs as specified in paragraph 2 below.

2 PREFERENTIAL TREATMENT

2.1 Market access and national treatment:

2.1. The preferences granted to WTO Members with LDC status according to United Nations criteria are set out in the Annex. Preferential treatment relating to market access and national treatment is granted for the sectors and subsectors included in the Annex, which forms an integral part of this notification. The Annex does not replace, but complements, Switzerland's GATS schedule of specific commitments.

2.2 Contact point:

2.2. Switzerland has established a contact point (the State Secretariat for Economic Affairs, SECO) to facilitate the access of LDC service suppliers to information on the regulations applicable in Switzerland in relation to entry, temporary stay and work.

3 DURATION OF THE PREFERENTIAL TREATMENT

3.1. Pursuant to paragraph 2 of the Ministerial Decision on *Preferential Treatment to Services and Service Suppliers of Least Developed Countries*, Switzerland will maintain the preferences to LDCs for the duration of the waiver provided for in paragraph 7 of the said decision.

ANNEX TO THE NOTIFICATION OF SWITZERLAND

PURSUANT TO THE MINISTERIAL DECISION OF 17 DECEMBER 2011 ON PREFERENTIAL TREATMENT TO SERVICES AND SERVICE SUPPLIERS OF LEAST DEVELOPED COUNTRIES (LDCS)

Schedule of Specific Commitments for LDCs

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
<ul style="list-style-type: none"> - The level of commitments in a particular services sector shall not supersede the level of commitments undertaken with respect to any other sector the services of which serve as an input for the former or to which they are otherwise related. - CPC numbers indicated in parenthesis 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). - Unless otherwise provided for, requirements under a commitment relate to the territory of Switzerland. - Attachments I, II and III to this Schedule form an integral part thereof. - Preferential treatment is granted to least developed countries designated as such by the United Nations and which are Members of the WTO. 			
PART I. HORIZONTAL COMMITMENTS			
This Part sets out commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Commitments that apply to trade in specific services sectors are listed in Part II.			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(1) None (2) None	(1) None, except unbound for subsidies, tax incentives and tax credits (2) None, except unbound for subsidies, tax incentives and tax credits	

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
	(3) None	<p>(3) None, except for the following:</p> <p><u>I. Composition of governing boards</u></p> <ul style="list-style-type: none"> - for a "joint-stock company" (société anonyme / Aktiengesellschaft) or a "stock company with unlimited partners" (société en commandite par actions / Kommanditaktiengesellschaft): the majority of the members of the board of directors must be domiciled in Switzerland. However, this domicile requirement may be set below this limit; - for a "limited liability company" (société à responsabilité limitée / Gesellschaft mit beschränkter Haftung): at least one manager must be domiciled in Switzerland; - for a "co-operative society" (société cooperative / Genossenschaft): the majority of the administrators must be domiciled in Switzerland. <p><u>II. Shareholder groups</u></p> <p>"Joint-stock companies" and "stock companies with unlimited partners" are not prohibited from providing in their articles of incorporation that the company may reject persons as acquirers of registered shares, insofar as and for as long as their recognition as such by the company might prevent it from providing the proof of shareholder group composition required by federal law.</p> <p><u>III. Establishment of branches</u></p> <p>For a branch: a representative (natural person) who is duly authorized by the company to represent it fully must be domiciled in Switzerland.</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
		<p><u>IV. Commercial presence without juridical personality</u> The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality under Swiss law (i.e. in a form other than a "joint-stock company", "stock company with unlimited partners", "limited liability company" or "co-operative society") is subject to the requirement that they obtain establishment authorization in accordance with cantonal law.</p> <p><u>V. Eligibility for subsidies</u> Eligibility for subsidies, tax incentives and tax credits may be limited to persons established in a particular geographical subdivision of Switzerland.</p> <p><u>VI. Acquisition of real estate</u> The acquisition of real estate by foreigners who do not have permanent residence in Switzerland and by enterprises with headquarters abroad or under foreign control is subject to authorization. However, no authorization is required for:</p> <ul style="list-style-type: none"> (a) the acquisition of premises for professional use and business activities; (b) the acquisition of main residences for the purpose of personal housing needs by foreigners who are domiciled in Switzerland. 	

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) Unbound, except as indicated in Switzerland's commitments under the GATS.</p>	<p>With regard to the acquisition of holiday residences and secondary residences for the purpose of personal housing needs, authorization is granted upon verification of the purpose.</p> <p>Purely financial investments and trade in apartments are prohibited, with the following exceptions:</p> <ul style="list-style-type: none"> (a) foreigners can invest without authorization in the equity stakes (i.e. shares) of juridical persons that own and trade residential properties, provided that such stakes are quoted on a stock exchange in Switzerland; (b) foreign and foreign-controlled banks and insurance companies are granted authorization to acquire property that serves as security for mortgage loans in the event of bankruptcy or liquidation; (c) foreign and foreign-controlled insurance companies are granted authorization to invest in real estate, provided that the total value of the buyer's property does not exceed the technical reserves required for the company's activities in Switzerland. <p>(4) Unbound, except as indicated in Switzerland's commitments under the GATS.</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
(c) Taxation services (CPC 863)	(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) Architectural services (CPC 8671)	(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) Engineering services (CPC 8672)	(1) None (2) None (3) None (4) Unbound, except as indicated in Part I	(1) None, except that a Swiss licence, issued to qualified surveyors who have passed the State exam, is required for survey activities for official public purposes ¹ (2) None (3) None, except that a Swiss licence, issued to qualified surveyors who have passed the State exam, is required for survey activities for official public purposes (4) Unbound, except as indicated in Part I; a Swiss licence, issued to qualified surveyors who have passed the State exam, is required for survey activities for official public purposes	
(f) Integrated engineering services (CPC 8673)	(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 "Survey activities for official public purposes" means cadastral and related activities.

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
(g) Urban planning and landscape architectural services (CPC 8674)	(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	
(h) Medical and dental services (CPC 9312)	(1) None (2) None (3) Unbound (4) Unbound	(1) None (2) None (3) None, except that Swiss nationality is required in order to practise independently (4) Unbound, except as indicated in Part I; Swiss nationality is required in order to practise independently	
(i) Veterinary services (CPC 932)	(1) None (2) None (3) Unbound (4) Unbound	(1) None (2) None (3) None, except that Swiss nationality is required in order to practise independently (4) Unbound, except as indicated in Part I; Swiss nationality is required in order to practise independently	
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	

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) 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	
(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	
(d) Database 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	
(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	
- 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	

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
- Services for the analysis and diagnosis of addictive and compulsive Internet-related behaviour; Internet addiction treatment services (part of CPC 8499)	(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> Excluding projects financed in whole or in part by public funds			
(a) R&D services on natural sciences (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	
(b) R&D services on social sciences (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	
(c) Interdisciplinary R&D services (part of CPC 853)	(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	

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>E. <u>Rental/leasing services without operators</u></p> <p>(a) Relating to ships</p> <p>- For maritime transport (part of CPC 83103)</p> <p>- For internal waterway transport on the Rhine (part of CPC 83103)</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) None, except that in order to sail under the Swiss flag, vessels must be 100% owned and controlled by Swiss nationals, three-quarters of whom are resident in Switzerland</p> <p>(4) Unbound, except as indicated in Part I</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) None, except that, in order to sail under the Swiss flag, vessels must be owned by a company which is majority-controlled (at least 66% of equity or voting rights) by persons domiciled in Switzerland or in one of the countries specified in the Mannheim Convention and related protocols</p> <p>(4) Unbound, except as indicated in Part I</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) None, except that the board of directors and management of companies owning vessels sailing under the Swiss flag must be composed of Swiss nationals, the majority of whom are resident in Switzerland</p> <p>(4) Unbound, except as indicated in Part I</p> <p>(1) Unbound</p> <p>(2) None</p> <p>(3) None, except that traffic rights, including cabotage, are limited in accordance with the Mannheim Convention and related protocols; vessel owners must have an appropriate managing agency in Switzerland</p> <p>(4) Unbound, except as indicated in Part I; traffic rights, including cabotage, are limited in accordance with the Mannheim Convention and related protocols</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
(b) Relating to aircraft			
- Relating to aircraft, excluding leasing or rental to companies operating regular scheduled and charter flights (part of CPC 83104)	(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) Relating to other transport equipment (CPC 83101 + 83102 + 83105)	(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) Relating to other machinery and equipment (CPC 83106-83109)	(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			
- Leasing or rental services concerning personal and household goods, excluding goods of a sexual or violent nature (part of CPC 832)	(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	

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, excluding advertising for goods subject to import authorization and advertising for pharmaceutical products, alcoholic beverages, tobacco products and electronic cigarettes/ ENDS ² , 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	

² Electronic cigarettes (e-cigarettes) or electronic nicotine delivery systems (ENDS): Battery-operated products designed to deliver nicotine, flavour and other chemicals. Chemicals, including highly addictive nicotine, are turned into an aerosol that is inhaled by the user. The exclusion under this footnote also includes e-cigarettes/ENDS marketed for therapeutic purposes.

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
- Outdoor advertising services, excluding advertising for goods subject to import authorization and advertising for pharmaceutical products, alcoholic beverages, tobacco products and electronic cigarettes/ ³ ENDS, toxics, explosives, weapons and ammunition (part of CPC 8719)	(1) Unbound due to lack of technical feasibility (2) None (3) None, except that outdoor advertising services in public areas are permitted only when contracted out by cantons and municipalities through long-term exclusive supplier agreements (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) Market research and public opinion polling services (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	
(c) Management consulting services (CPC 865)	(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 Electronic cigarettes (e-cigarettes) or ENDS (electronic nicotine delivery systems): Battery-operated products designed to deliver nicotine, flavour and other chemicals. Chemicals, including highly addictive nicotine, are turned into an aerosol that is inhaled by the user. The exclusion under this footnote does also include e-cigarettes/ENDS marketed for therapeutic purposes.

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 related to management consulting (CPC 866)	(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) Technical testing and analysis services (CPC 8676)	(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	
(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	

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			
- Services incidental to mining, excluding prospection, geodetic surveying, exploration and exploitation (part of CPC 883 + part of 5115)	(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	
(i) Services incidental to manufacturing (CPC 884 + 885 except 88442)	(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	
(m) Related scientific and technical consulting services			
- Related scientific and technical consulting services, excluding prospection, geodetic 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	

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
(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 is required for group 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 is required for group CPC 633	
(o) Building-cleaning services - Building-cleaning services (CPC 874 except 87409)	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required	
(p) Photographic services (CPC 875)	(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	
(q) Packaging services (CPC 876)	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required	

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
(r) Printing, publishing (CPC 88442)	(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	
(s) Convention services (part of CPC 87909)	(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	
(t) Other			
- Translation and interpretation services (CPC 87905)	(1) None (2) None (3) None (4) Unbound, except as indicated in Part I	(1), (2), (3) All cantons except Zurich and Geneva: None; Zürich: None, except requirement of residency in the canton for translation for official purposes; Geneva: None, except unbound for translation for official purposes. (4) All cantons except Zurich and Geneva: Unbound, except as indicated in Part I; Zürich: Unbound, except as indicated in Part I and requirement of residency in the canton for translation for official purposes; Geneva: Unbound, except as indicated in Part I and unbound for translation for official purposes.	

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. COMMUNICATION SERVICES</p> <p>A./B. <u>Postal/courier services</u></p> <p>- Express delivery services⁴ (part of CPC 7511 + part of 7512)</p> <p>C. <u>Telecommunications services</u></p> <p>For the purposes of the commitments below, telecommunications services are the transport of electro-magnetic signals – sound, data, image and combinations thereof – excluding broadcasting.⁵</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in Part I</p>	

⁴ Under Swiss law, "express delivery services" are deliveries of letters at five times the price charged by Swiss Post (La Poste Suisse / Die Schweizerische Post) for the delivery of a priority letter in the first weight and format category, and deliveries of parcels at double the basic tariff charged by Swiss Post for the delivery of a parcel in the first weight category.

⁵ "Broadcasting" is defined as the uninterrupted chain of transmission required for the distribution of television and radio programme signals to the general public, but does not cover contribution links between operators.

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
<u>Basic telecommunications services</u>			Switzerland undertakes additional commitments on basic telecommunications services, as contained in Attachment I to this Schedule.
(a) Voice telephone services (CPC 7521)	(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) Packet-switched data transmission services (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	
(c) Circuit-switched data transmission services (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	
(d) Telex services (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	
(e) Telegraph services (CPC 7522)	(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	

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) Facsimile services (part of CPC 7521 + 7529)	(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) Private leased circuit services (part of CPC 7522 + 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	
<u>Enhanced/value-added telecommunications services</u>			
(h) 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	
(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	
(j) On-line information and database retrieval (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	

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
(k) Electronic data interchange (EDI) (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	
(l) Enhanced/value-added facsimile service, incl. store and forward, store and retrieve (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	
(m) Code and protocol conversion	(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) Online information and/or data processing (incl. transaction processing) (part of 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	
(o) Other			
- Videotext	(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	

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
- Enhanced/value-added services, based on licensed wireless networks, including enhanced/value-added paging services	(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	
B. <u>General construction work for civil engineering</u>			
- Construction work for civil engineering (CPC 5131-5137)	(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	

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</u> (CPC 514 + 516)	(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, except unbound for gas, water and electricity meters, gas pipelines, electricity and main water lines, which are reserved exclusively to cantons or municipalities or to specific operators (4) Unbound, except as indicated in Part I	
D. <u>Building completion and finishing work</u> (CPC 517)	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I		
E. <u>Other</u> - Pre-erection work at construction sites (CPC 511)	(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	

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</p> <p>A. <u>Commission agents' services</u></p> <p>- Commission agents' services, excluding services related to goods subject to import authorization, pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 621)</p> <p>B. <u>Wholesale trade services</u></p> <p>- Wholesale trade services, excluding services related to goods subject to import authorization, to pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals (part of CPC 622)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in Part I</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None, except for large-scale distribution facilities, which are subject to authorization procedures at cantonal and/or municipal level that may lead to rejection of the authorization; no economic needs tests or other market access restrictions are applicable</p> <p>(4) Unbound, except as indicated in Part I</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in Part I</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in Part I</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
<p>C. <u>Retailing Services</u></p> <p>- Retailing services, excluding services related to goods subject to import authorization, pharmaceutical products, toxics, explosives, weapons and ammunition, and precious metals; and excluding retailing through mobile sales units (part of CPC 631 + part of 632 + CPC 6111 + 6113 + 6121)⁶</p>	<p>(1) None (2) None (3) None, except for large-scale distribution facilities, which are subject to authorization procedures at cantonal and/or municipal level that may lead to rejection of the authorization; no economic needs tests or other market access restrictions are applicable (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required</p>	
<p>D. <u>Franchising</u> (CPC 8929)</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in Part I</p>	

⁶ This subsector includes wholesale distribution services related to motor vehicles and parts thereof contained in CPC 6111 + 6113 + 6121.

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
5. EDUCATIONAL SERVICES			
Private education services			
A. <u>Compulsory education services (primary & secondary I)</u> (part of CPC 921 + part of 922)	(1) Unbound (2) Unbound (3) None (4) Unbound	(1) Unbound (2) Unbound (3) None (4) Unbound	
B. <u>Non-compulsory secondary education services (secondary II)</u> (part of CPC 922)	(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>Higher education services</u> (part of 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	
D. <u>Adult education services</u> (part of 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	

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>6. ENVIRONMENTAL SERVICES</p> <p>Excluding public utilities whether owned and operated by municipalities, cantons or the federal government or contracted out by them</p>			
<p>A. <u>Sewage services</u> (part of CPC 9401)</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p>	
<p>B. <u>Refuse disposal services</u> (part of CPC 9402)</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None, except unbound for garbage dumps (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required</p>	
<p>C. <u>Sanitation and similar services</u> (part of CPC 9403)</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</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
<p>D. <u>Other</u></p> <ul style="list-style-type: none"> - Cleaning services of exhaust gases (part of CPC 9404) - Noise abatement services (part of CPC 9405) - Nature and landscape protection services (part of CPC 9406) - Other environmental and ancillary services, excluding mandatory environmental impact assessments and services associated with toxins or radioactivity (part of CPC 9409) 	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</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
7. FINANCIAL SERVICES			
<p>Commitments on financial services (insurance, banking and other financial services) are in accordance with the "Understanding on Commitments in Financial Services" prepared under the GATS (hereinafter the "Understanding") and are subject to limitations and conditions as contained in Part I (horizontal commitments) and as listed below. The commitments in this sector do not impose any obligation to allow non-resident financial service 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 for buildings exists in the following cantons: Zürich, Bern, Luzern, Nidwalden, Glarus, Zug, Fribourg, Solothurn, Basel-Stadt, Basel-Landschaft, Schaffhausen, Aargau, St. Gallen, Graubünden, Appenzell Ausserrhoden, Thurgau, Vaud, Neuchâtel and Jura. In the cantons of Nidwalden and Vaud, the public monopoly on fire and natural damage insurance for buildings also covers movable property located in the buildings.</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
	<p>(3) Representative offices cannot conduct business or act as an agent;</p> <p>for insurance companies incorporated in Switzerland, the legal form of a "joint-stock company" (société anonyme / Aktiengesellschaft) or a "co-operative society" (société cooperative / Genossenschaft) is required;</p> <p>for branches of foreign insurance companies, the legal form of the insurance company in the head office country must be comparable to a Swiss "joint-stock company" or a Swiss "co-operative society";</p> <p>participation in the basic health insurance scheme requires health insurance service suppliers to be organized in one of the following forms of legal entity: "association" (association / Verein), "co-operative society", "foundation" (fondation / Stiftung) or "joint-stock company";</p> <p>participation in the statutory pension fund scheme (prévoyance professionnelle / berufliche Vorsorge) requires pension funds to be organized in the form of a "foundation"</p> <p>(4) Unbound, except as indicated in Part I</p>	<p>(2) None</p> <p>(3) A minimum of three years' experience in the direct insurance business in the head office country is required</p> <p>(4) Unbound, except as indicated in Part I</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
<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 bond issuance institutes have been granted an exclusive right for the issuance of specific mortgage bonds (lettre de gage / Pfandbrief). With regard to the first institute, only Swiss cantonal banks are accepted as members; in the case of the second institute, banks with a head office in Switzerland whose national mortgage loan business amounts to at least 60% of their balance sheet can be members. The issue of other mortgage-backed bonds is not affected by this regulation.</p> <p>(1)⁷ Foreign investment funds can only be marketed or distributed through a licensed representative agent resident in Switzerland</p> <p>(3) Commercial presence may be denied to financial service suppliers whose ultimate shareholders and/or beneficial owners are persons of a non-Party to the Agreement; representative offices can neither conclude deals or do business nor act as an agent</p> <p>(4) Unbound, except as indicated in Part I</p>	<p>(1) The issue of foreign collective investment funds is subject to stamp duty</p> <p>(2) None</p> <p>(3) Commercial presence of foreign financial service suppliers is subject to specific requirements relating to the name of the firm and the regulations on financial institutions in the country of origin</p> <p>(4) Unbound, except as indicated in Part I</p>	

⁷ Not only the transactions indicated in paragraph B.3 of the "Understanding", but the whole range of banking and other financial services transactions are covered (excluding insurance).

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>9. TOURISM AND TRAVEL-RELATED SERVICES</p> <p>A. <u>Hotels and restaurants</u> (including catering) (CPC 641-643)</p> <p>B. <u>Travel agency and tour operator services</u> (CPC 7471)</p>	<p>(1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423)</p> <p>(2) None</p> <p>(3) Federal law allows cantons to grant restaurant licences on the basis of economic needs (an assessment of economic needs is based on criteria such as population, urban density, type of neighbourhood, tourist attractions, number of existing restaurants)</p> <p>(4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in Part I</p>	<p>(1) Unbound due to lack of technical feasibility, except none for catering (CPC 6423)</p> <p>(2) None</p> <p>(3) Certain cantons may subject licence holders to a residency requirement in their canton; the canton of Jura requires licence holders to pass an examination in the canton</p> <p>(4) Unbound, except as indicated in Part I; commercial presence in Switzerland is required; the canton of Jura requires licence holders to be resident in the canton</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in Part I</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
C. <u>Tourist guide services</u> (CPC 7472)	(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I; commercial presence may be required in some cantons	(1) Unbound due to lack of technical feasibility (2) None (3) A qualifying examination is a requirement to work as a mountain guide or ski instructor; cantons may restrict the access of foreigners to such exams and limit the possibilities for foreign mountain guides and ski instructors to practice independently; some cantons may require residency in the same canton (4) Unbound, except as indicated in Part I; a qualifying examination is a requirement to work as a mountain guide or ski instructor; cantons may restrict the access of foreigners to such exams and limit the possibilities for foreign mountain guides and ski instructors to practice independently; some cantons may have a commercial presence requirement	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual)			
B. <u>News agency services</u> (CPC 962)	(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	

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>Sporting and other recreational services</u> - Sporting services (CPC 9641)	(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	
11. TRANSPORT SERVICES			
A. <u>Maritime transport services</u> (a/b) Passenger and freight transportation (CPC 7211 + 7212)	(1) Unbound due to lack of technical feasibility (2) None (3) None, except that the financing by foreign funds of a vessel under the Swiss flag must in no way jeopardize the influence of Swiss interests on the shipping company and on the operation of the vessel	(1) Unbound due to lack of technical feasibility (2) None (3) None, except that - the following forms of legal entity may own or operate a vessel under the Swiss flag under the following conditions (vessel owner and/or shipping company):	Services at sea ports: unbound due to lack of technical feasibility

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) the head office and real centre of activities must be located in Switzerland;</p> <p>(b) at least two thirds of the shares with voting rights and representing at least the majority of the share capital of a "joint-stock company" (société anonyme / Aktiengesellschaft) or a "stock company with unlimited partners" (société en commandite par actions / Kommanditaktiengesellschaft) must be owned by Swiss nationals domiciled in Switzerland and/or by substantially Swiss-owned and effectively Swiss-controlled enterprises with a registered office in Switzerland;</p> <p>(c) all of the share capital of a "joint-stock company" or a "stock company with unlimited partners" must be issued in the form of registered shares;</p> <p>(d) at least three-quarters of the associates or other partners who account for at least three-quarters of the capital of a "general partnership" (société en nom collectif / Kollektivgesellschaft), a "limited partnership" (société en commandite / Kommanditgesellschaft) or a "limited liability company" (société à responsabilité limitée / Gesellschaft mit beschränkter Haftung) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with a registered office in Switzerland;</p> <p>(e) at least two thirds of the members who account for at least two thirds of the capital of a "co-operative society" (société cooperative / Genossenschaft) must be Swiss nationals domiciled in Switzerland and/or substantially Swiss-owned and effectively Swiss-controlled enterprises with a registered office in Switzerland;</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
		<p>- to own and/or operate a vessel under the Swiss flag:</p> <p>(a) for all forms of legal entity mentioned above:</p> <p>(i) the majority of the members of the board of directors and the management team must be domiciled in Switzerland;</p> <p>(ii) if the board of directors or management is constituted by a single person, this person must be a Swiss national domiciled in Switzerland;</p> <p>(iii) the Swiss Maritime Navigation Office may require other executives and/or senior managers of the enterprise to be Swiss nationals domiciled in Switzerland if necessary to ensure the substantially Swiss-owned and effectively Swiss-controlled character of the enterprise;</p> <p>(b) for sole proprietorships (entreprise individuelle / Einzelfirma), the proprietor must be a Swiss national domiciled in Switzerland;</p> <p>(c) at least two thirds of the members of the board of directors and the management team of a "joint-stock company", a "stock company with unlimited partners", a "limited liability company" or a "co-operative society" must be Swiss nationals;</p> <p>(d) auditing reports must be drawn up by auditing companies with a registered office in Switzerland or a branch which is registered in the Swiss commercial register.</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
<p>MARITIME AUXILIARY SERVICES</p> <p>- Maritime cargo-handling services (as defined in Attachment II - definition No. 1) (part of CPC 741)</p> <p>- Storage and warehousing services (part of CPC 742)</p> <p>- Customs clearance services (as defined in Attachment II - definition No. 2) (part of CPC 748)</p>	<p>(4) Unbound, except as indicated in Part I; unbound for vessel crews</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p>	<p>- eligibility for public guarantee of loans for the financing of seagoing vessels is reserved for vessels sailing under the Swiss flag.</p> <p>(4) Unbound, except as indicated in Part I; unbound for vessel crews; unbound for eligibility for subsidies</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</p> <p>(1) Unbound due to lack of technical feasibility (2) None (3) None (4) Unbound, except as indicated in Part I</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
- Container station and depot services (as defined in Attachment II - definition No. 3) (part of 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	
- Maritime agency services (as defined in Attachment II - definition No. 4) (part of CPC 748 + 749)	(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	
- Maritime freight-forwarding services (as defined in Attachment II - definition No. 5) (part of CPC 748 + 749)	(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	

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) Rental of vessels with crew (part of CPC 7223)	(1) Unbound (2) None (3) None, except that in order to sail under the Swiss flag, vessels must be owned by a company which is majority-controlled (at least 66% of equity or voting rights) by persons domiciled in Switzerland or in one of the countries specified in the Mannheim Convention and related protocols (4) Unbound, except as indicated in Part I	(1) Unbound (2) None (3) None, except that traffic rights, including cabotage, are limited in accordance with the Mannheim Convention and related protocols; vessel owners must have an appropriate managing agency in Switzerland (4) Unbound, except as indicated in Part I; traffic rights, including cabotage, are limited in accordance with the Mannheim Convention and related protocols	
(d) Maintenance and repair of vessels (part of CPC 8868)	(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) Pushing and towing services (part of CPC 7224)	(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	
(f) Supporting services for internal waterway transport (part of CPC 745)	(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	

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>Air transport services</u> - Airport management services ⁸ (part of CPC 7461)	(1) Unbound (2) None (3) Unbound (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
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) Passenger transportation (CPC 7111)	(1) Unbound (2) None (3) None, except that a concession is required; the granting of a concession is conditional upon the need for such a railway undertaking and the absence of other means of transport which could provide the service in a more ecologically and economically reasonable manner (4) Unbound, except as indicated in Part I	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in Part I	

⁸ This subsector includes airport infrastructure and operation services.

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) Freight transportation (CPC 7112)	(1) Unbound (2) None (3) None, except that a concession is required; the granting of a concession is conditional upon the need for such a railway undertaking and the absence of other means of transport which could provide the service in a more ecologically and economically reasonable manner (4) Unbound, except as indicated in Part I	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in Part I	
(c) Pushing and towing services (CPC 7113)	(1) Unbound (2) None (3) None, except that a concession is required; the granting of a concession is conditional upon the need for such a railway undertaking and the absence of other means of transport which could provide the service in a more ecologically and economically reasonable manner (4) Unbound, except as indicated in Part I	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in Part I	
(d) Maintenance and repair of rail transport equipment (part of CPC 8868)	(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	

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 (4) Unbound, except as indicated in Part I	(1) None (2) None (3) None (4) Unbound, except as indicated in Part I	
- occasional, excluding empty entrance, cabotage and taxi services (part of CPC 7122)	(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) Rental of commercial vehicles with operator (CPC 7124)	(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) Maintenance and repair of road transport equipment (CPC 6112 + 8867)	(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	

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. <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	
(b) Storage and warehousing 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	
(c) Freight transport agency services (CPC 748)	(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) Other auxiliary transport services (part of CPC 749)	(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	

ATTACHMENT I

ADDITIONAL COMMITMENTS ON BASIC TELECOMMUNICATIONS SERVICES

Article 1

Definitions

For the purpose of this Attachment:

- (a) "regulatory authority" means the body or bodies responsible for the regulation of telecommunications in relation to the issues mentioned in this Attachment;
- (b) "essential facilities" means the facilities of a public telecommunications network or service that:
 - (i) are exclusively or predominantly provided by a single or limited number of suppliers; and
 - (ii) cannot feasibly be economically or technically substituted in order to supply a service; and
- (c) "major supplier" means a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:
 - (i) control over essential facilities; or
 - (ii) the use of its position in the market.

Article 2

Competitive Safeguards

1. Switzerland shall maintain appropriate measures for the purpose of preventing suppliers which, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.
2. The anti-competitive practices referred to in paragraph 1 shall include, in particular:
 - (a) engaging in anti-competitive cross-subsidization;
 - (b) using information obtained from competitors with anti-competitive results; and
 - (c) not making available to other service suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to supply services.

Article 3

Interconnection

1. This Article applies to linking with suppliers providing public telecommunications networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services supplied by another supplier, where specific commitments are undertaken.
2. Where suppliers are unable to resolve disputes regarding the negotiation of an interconnection agreement with a major supplier by an established deadline, Switzerland shall ensure that the suppliers have recourse to assistance from an independent domestic body, which may be a regulatory authority as referred to in Article 6, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time.

Article 4

Universal Service

1. Switzerland has the right to define the kind of universal service obligation it wishes to have.
2. Such obligations will not be regarded as anti-competitive *per se*, provided that they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by Switzerland.

Article 5

Licensing Procedures

1. Where a licence is required for the supply of a telecommunications service, the competent authority of Switzerland shall make the following publicly available:
 - (a) the terms and conditions for such a licence; and
 - (b) the period of time normally required to reach a decision concerning an application for a licence.
2. The reasons for the denial of a licence will be made known to the applicant upon request.

Article 6

Regulatory Authority

1. Switzerland's regulatory authority for telecommunications services shall be separate from, and not accountable to, any supplier of basic telecommunications services.
2. Switzerland shall ensure that the decisions of, and the procedures used by, its regulatory authority are impartial with respect to all market participants.
3. Switzerland shall ensure that suppliers of a LDC affected by the decision of the Swiss regulatory authority have recourse to an administrative body or a court independent of any supplier, in accordance with its laws and regulations.

Article 7

Scarce Resources

Switzerland shall carry out its procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, in an objective, timely, transparent and non-discriminatory manner. Switzerland shall make publicly available the current state of allocated frequency bands.¹

¹ It is understood that this Article does not require detailed identification of frequencies allocated for specific government uses.

ATTACHMENT II

DEFINITIONS IN RESPECT OF THIS SCHEDULE (MARITIME AUXILIARY SERVICES)

1. "*Maritime cargo-handling services*" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organization and supervision of the loading/discharging of cargo to/from a vessel, the lashing/unlashing of cargo, and the reception/delivery and safekeeping of cargoes before shipment or after discharge.
 2. "*Customs clearance services*" means activities consisting of carrying out on behalf of another party customs formalities concerning import, export or through-transport of cargoes, whether such services are the main activity of the service supplier or a usual complement of its main activity.
 3. "*Container station and depot services*" means activities consisting of storing containers, whether in port areas or inland, with a view to their stuffing/stripping and repair and to making them available for shipments.
 4. "*Maritime agency services*" means activities consisting of representing as an agent, within a given geographic area, the business interests of one or more shipping lines or shipping companies for the following purposes:
 - (a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation and provision of business information;
 - (b) acting on behalf of the companies organizing the call of the vessel or taking over cargoes when required.
 5. "*Maritime freight-forwarding services*" means activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.
-

ATTACHMENT III**SPANISH AND ENGLISH TRANSLATIONS OF FORMS OF LEGAL ENTITY IN SWITZERLAND**

The list below compiles the translations into English and Spanish of forms of legal entity as, and to the extent that, they are used in this Schedule:¹

Association:	Asociación	Association
Entreprise individuelle:	Empresa individual	Sole proprietorship
Fondation:	Fundación	Foundation
Société anonyme (SA):	Sociedad anónima (SA)	Joint-stock company
Société à responsabilité limitée (sàrl):	Sociedad de responsabilidad limitada (SRL)	Limited liability company
Société coopérative:	Sociedad cooperativa	Co-operative society
Société en commandite:	Sociedad comanditaria	Limited partnership
Société en commandite par actions:	Sociedad comanditaria por acciones	Stock company with unlimited partners
Société en nom collectif:	Sociedad en nombre colectivo	General partnership

¹ These unofficial translations are based on those most widely employed in literature.