Council of the European Union

PUBLIC

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part

ANNEX 17-B

PUBLIC

RESERVATIONS FOR FUTURE MEASURES

Headnotes

1. The schedules of the Parties in Appendices 17-B-1 and 17-B-2 set out, pursuant to Articles 17.14 and 18.8, the reservations taken by the Parties with respect to existing or more restrictive or new measures that do not conform with obligations imposed by:

(a) Article 18.6;

(b) Article 17.9 or 18.4;

(c) Article 17.11 or 18.5;

(d) Article 17.13; or

(e) Article 17.12.

2. The reservations of a Party are without prejudice to the rights and obligations of the Parties under GATS.

3. Each reservation sets out the following elements:

(a) "sector" refers to the general sector in which the reservation is taken;

(b) "sub-sector" refers to the specific sector in which the reservation is taken;

(c) "industry classification" refers, where applicable, to the activity covered by the reservation according to the CPC, ISIC Rev. 3.1, or as expressly otherwise described in the reservation;

(d) "type of reservation" specifies the obligation referred to in paragraph 1 of this Annex for which the reservation is taken;

(e) "description" sets out the scope of the sector, sub-sector or activities covered by the reservation; and

(f) "existing measures" identifies, for transparency purposes, existing measures that apply to the sector, sub-sector or activities covered by the reservation.

4. In the interpretation of a reservation, all elements of the reservation shall be considered. The "description" element shall prevail over all other elements.

5. For the purposes of the schedules of the Parties, "ISIC Rev. 3.1" means the International Standard Industrial Classification of All Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No.4, ISIC Rev. 3.1, 2002.

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6. For the purposes of the schedules of the Parties, a reservation for a requirement to have a local presence in the territory of a Party is taken with respect to Article 18.6 and not with respect to Article 17.9 or 18.4 or, in Annex 17-C, with respect to Article 18.7.

7. A reservation taken at the level of the EU Party applies to a measure of the European Union, to a measure of a Member State at the central level or to a measure of a government within a Member State, unless the reservation excludes a Member State. A reservation taken by a Member State applies to a measure of a government at the central, regional or local level within that Member State. For the purposes of the reservations of Belgium, the central level of government covers the federal government and the governments of the regions and the communities as each of them holds equipollent legislative powers. For the purposes of the reservations of the EU Party, a regional level of government in Finland means the Åland Islands. A reservation taken at the level of Chile applies to a measure of the central government or a local government.

8. The schedules of the Parties do not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures where they do not constitute a limitation within the meaning of Articles 17.9 and 18.4. Those measures may include, in particular, the need to obtain a licence, to satisfy universal service obligations, to have recognised qualifications in regulated sectors, to pass specific examinations, including language examinations, to fulfil a membership requirement of a particular profession, such as membership in a professional organisation, to have a local agent for service, or to maintain a local address, or any other non-discriminatory requirements that certain activities may not be carried out in protected zones or areas. Although they are not listed in this Annex, such measures continue to apply.

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9. For greater certainty, for the EU Party, the obligation to grant national treatment does not entail a requirement to extend to natural or juridical persons of Chile the treatment granted in a Member State, pursuant to the Treaty on the Functioning of the European Union, or any measure adopted pursuant to that Treaty, including their implementation in the Member States, to:

(a) natural persons or residents of another Member State; or

(b) juridical persons constituted or organised under the law of another Member State or of the European Union and having their registered office, central administration or principal place of business in the European Union.

10. Treatment granted to juridical persons established by investors of a Party in accordance with the law of the other Party (including, in the case of the EU Party, the law of a Member State) and having their registered office, central administration or principal place of business within that other Party, is without prejudice to any condition or obligation, pursuant to Chapter 17, which may have been imposed on such juridical person when it was established in that other Party, and which shall continue to apply.

11. The schedules of the Parties apply only to the territories of the Parties in accordance with Article 41.2 and are only relevant in the context of trade relations between the EU Party and Chile. They do not affect the rights and obligations of the Member States under European Union law.

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12. The following abbreviations are used in the schedule of the EU Party:

EU European Union, including all its Member States

AT Austria

BE Belgium

BG Bulgaria

CY Cyprus

CZ Czechia

DE Germany

DK Denmark

EE Estonia

EL Greece

ES Spain

FI Finland

FR France

HR Croatia

PUBLIC

HU Hungary

IE Ireland

IT Italy

LT Lithuania

LU Luxembourg

LV Latvia

MT Malta

NL Netherlands

PL Poland

PT Portugal

RO Romania

SE Sweden

SI Slovenia

SK Slovakia

EEA European Economic Area

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Appendix 17-B-1

PUBLIC

SCHEDULE OF THE EU PARTY

Reservation No. 1 – All sectors

Reservation No. 2 – Professional services – other than health-related services

Reservation No. 3 – Professional services – health related and retail of pharmaceuticals

Reservation No. 4 – Business services – research and development services

Reservation No. 5 – Business services – real estate services

Reservation No. 6 – Business services – rental or leasing services

Reservation No. 7 – Business services – collection agency services and credit reporting services

Reservation No. 8 – Business services – placement services

Reservation No. 9 – Business services – security and investigation services

Reservation No. 10 – Business services – other business services

Reservation No. 11 – Telecommunication

Reservation No. 12 – Construction

Reservation No. 13 – Distribution services

Reservation No. 14 – Education services

Reservation No. 15 – Environmental services

Reservation No. 16 – Health services and social services

Reservation No. 17 – Tourism and travel related services

Reservation No. 18 – Recreational, cultural and sporting services

Reservation No. 19 – Transport services and auxiliary transport services

Reservation No. 20 – Agriculture, fishing and water

Reservation No. 21 – Mining and Energy related activities

Reservation No. 22 – Other services not included elsewhere

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Reservation No. 1 – All sectors

Sector:	All sectors
Type of reservation:	National treatment (Investment and CBTS)
	Most-favoured-nation treatment (Investment and CBTS)
	Performance requirements (Investment)
	Senior management and boards of directors (Investment)
	Local presence (CBTS)
Chapter/Section:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Establishment

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In FI: Restrictions on the right of natural persons who do not enjoy regional citizenship in Åland, and of juridical persons, to acquire and hold real property on the Åland Islands without obtaining permission from the competent authorities of the Åland Islands. Restrictions on the right of establishment and right to carry out economic activities by natural persons who do not enjoy regional citizenship in Åland, or by any enterprise, without obtaining permission from the competent authorities of the Åland Islands.

Existing measures:

FI: Ahvenanmaan maanhankintalaki (Act on land acquisition in Åland) (3/1975), 2 §; and Ahvenanmaan itsehallintolaki (Act on the Autonomy of Åland) (1144/1991), 11 §.

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of directors:

In FR: Pursuant to Articles L151-1 and 153-1 et seq of the financial and monetary code, foreign investments in FR in sectors listed in article R.151-3 of the financial and monetary code are subject to prior approval from the Minister for the Economy.

PUBLIC

Existing measures:

FR: As set out in the description element as indicated above.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors:

In FR: Limiting foreign participation in newly privatised companies to a variable amount, determined by the government of FR on a case-by-case basis, of the equity offered to the public. For establishing in certain commercial, industrial or artisanal activities, a specific authorisation is needed if the managing director is not a holder of a permanent residence permit.

With respect to Investment liberalisation – National treatment:

In BG: Certain economic activities related to the exploitation or use of State or public property are subject to concessions granted under the Concessions Act.

In commercial corporations in which the State or a municipality holds a share in the capital exceeding 50 %, any transactions for disposition of fixed assets of the corporation, to conclude any contracts for acquisition of participating interest, lease, joint activity, credit, securing of receivables, as well as incurring any obligations arising under bills of exchange, are subject to authorisation or permission by the Public Enterprises and Control Agency or other State or regional bodies, whichever is the competent authority. This reservation does not apply to mining and quarrying, which are subject to a separate reservation in the schedule of the EU Party in Annex 17-A to this Agreement.

PUBLIC

In IT: The government may exercise certain special powers in enterprises operating in the areas of defence and national security, and in certain activities of strategic importance in the areas of energy, transport and communications. This applies to all juridical persons carrying out activities considered of strategic importance in the areas of defence and national security, not only to privatised companies.

If there is a threat of serious injury to the essential interests of defence and national security, the government has the following special powers to:

(i) impose specific conditions in the purchase of shares;

(ii) veto the adoption of resolutions relating to special operations such as transfers, mergers, splitting up and changes of activity; or

(iii) reject the acquisition of shares, where the buyer seeks to hold a level of participation in the capital that is likely to prejudice the interests of defence and national security.

Any resolution, act or transaction (such as transfers, mergers, splitting up, change of activity or termination) relating to strategic assets in the areas of energy, transport and communications shall be notified by the concerned company to the Prime Minister's office. In particular, acquisitions by any natural or juridical person outside the European Union that give this person control over the company shall be notified.

PUBLIC

The Prime Minister may exercise the following special powers:

(i) to veto any resolution, act and transaction that constitutes an exceptional threat of serious injury to the public interest in the security and operation of networks and supplies;

(ii) to impose specific conditions in order to guarantee the public interest; or

(iii) to reject an acquisition in exceptional cases of risk to the essential interests of the State.

The criteria on which to evaluate the real or exceptional threat and conditions and procedures for the exercise of the special powers are laid down in the law.

Existing measures:

IT: Law 56/2012 on special powers in companies operating in the field of defence and national security, energy, transport and communications; and Decree of the Prime Minister DPCM 253 of 30 November 2012 defining the activities of strategic importance in the field of defence and national security.

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment, Performance requirements, Senior management and boards of directors:

In LT: Enterprises, sectors, zones, assets and facilities of strategic importance to national security.

PUBLIC

Existing measures:

LT: Law on the Protection of Objects of Importance to Ensuring National Security of the Republic of Lithuania of 10 October 2002 No. IX-1132 (as last amended on 17 September 2020, No XIII-3284).

With respect to Investment liberalisation – National treatment and Senior management and boards of directors:

In SE: Discriminatory requirements for founders, senior management and boards of directors when new forms of legal association are incorporated into Swedish law.

(b) Acquisition of real estate

With respect to Investment liberalisation – National treatment, Senior management and boards of directors:

In HU: The acquisition of state-owned properties.

With respect to Investment liberalisation – National treatment:

In HU: The acquisition of arable land by foreign juridical persons and non-resident natural persons.

PUBLIC

Existing measures:

HU: Act CXXII of 2013 on the circulation of agricultural and forestry land (Chapter II (Paragraph 6-36) and Chapter IV (Paragraph 38-59)); and Act CCXII of 2013 on the transitional measures and certain provisions related to Act CXXII of 2013 on the circulation of agricultural and forestry land (Chapter IV (Paragraph 8-20)).

In LV: The acquisition of rural land by nationals of Chile or of a third country.

Existing measures:

LV: Law on land privatisation in rural areas, ss. 28, 29, 30.

In SK: Foreign companies or natural persons may not acquire agricultural and forest land outside the borders of the built-up area of a municipality and some other land (e.g. natural resources, lakes, rivers, public roads etc.).

Existing measures:

SK: Act No 44/1988 on protection and exploitation of natural resources; Act No 229/1991 on regulation of the ownership of land and other agricultural property; Act No 460/1992 Constitution of the Slovak Republic; Act No 180/1995 on some measures for land ownership arrangements;

Act No 202/1995 on foreign exchange; Act No 503/2003 on restitution of ownership to land; Act No 326/2005 on forests; and Act No 140/2014 on the acquisition of ownership of agricultural land.

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With respect to Investment liberalisation – National treatment; Cross-border trade in services – Local presence:

In BG: Foreign natural and juridical persons cannot acquire land. Juridical persons of BG with foreign participation cannot acquire agricultural land. Foreign juridical persons and foreign natural persons with permanent residence abroad can acquire buildings and real estate property rights (right to use, right to build, right to raise a superstructure and servitudes). Foreign natural persons with permanent residence abroad, foreign juridical persons in which foreign participation ensures a majority in adopting decisions or blocks the adoption of decisions, can acquire real estate property rights in specific geographic regions designated by the Council of Ministers subject to permission.

Existing measures:

BG: Constitution of the Republic of Bulgaria, Article 22; Law on Ownership and Use of Agricultural Land, Article 3; and Law on Forests, Article 10.

In EE: Foreign natural or juridical persons that are not from the EEA or from members of the Organisation for Economic Co-operation and Development ("OECD") can acquire an immovable asset which contains agricultural or forest land only with the authorisation of the county governor and of the municipal council, and must prove as prescribed by law that the immovable asset will, according to its intended purpose, be used efficiently, sustainably and purposefully.

PUBLIC

Existing measures:

EE: Kinnisasja omandamise kitsendamise seadus (Restrictions on Acquisition of Immovables Act) Chapters 2 and 3.

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In LT: Any measure which is consistent with the commitments taken by the European Union and which are applicable in LT in GATS with respect to land acquisition. The land plot acquisition procedure, terms and conditions, as well as restrictions shall be established by the Constitutional Law, the Law on Land and the Law on the Acquisition of Agricultural Land. However, local governments (municipalities) and other national entities of Members of the OECD and North Atlantic Treaty Organization conducting economic activities in LT, which are specified by the constitutional law in compliance with the criteria of European Union and other integration which LT has embarked on, are permitted to acquire into their ownership non-agricultural land plots required for the construction and operation of buildings and facilities necessary for their direct activities.

PUBLIC

Existing measures:

LT: Constitution of the Republic of Lithuania; the Constitutional Law of the Republic of Lithuania on the Implementation of Paragraph 3 of Article 47 of the Constitution of the Republic of Lithuania of 20 June 1996 No. I-1392, new redaction 20 March 2003 No IX-1381, last amendment 12 January 2018 No XIII-981; Law on land 26 April 1994 No I-446, new redaction 27 January 2004 No. IX-1983, last amendment 26 June 2020 No XIII-3165; Law on acquisition of agricultural land of 28 January 2003 No IX-1314, new redaction from 1 January 2018 No XIII-801, last amendment 14 May 2020 No XIII-2935; and Forest Law of 22 November 1994 No I-671, new redaction 10 April 2001 No IX-240, last amendment 25 June 2020 No XIII-3115.

(c) Recognition

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In EU: The European Union directives on mutual recognition of diplomas and other professional qualifications only apply to the citizens of the European Union. The right to practise a regulated professional service in one Member State does not grant the right to practise in another Member State.

PUBLIC

(d) Most-favoured-nation treatment

With respect to Investment liberalisation – Most-favoured-nation treatment and Cross-border trade in services – Most-favoured-nation treatment:

In EU: According differential treatment to a third country pursuant to any international investment treaty or other trade agreement in force or signed prior to the date of entry into force of this Agreement.

In EU: According differential treatment to a third country pursuant to any existing or future bilateral or multilateral agreement which:

(i) creates an internal market in services and investment;

(ii) grants the right of establishment; or

(iii) requires the approximation of legislation in one or more economic sectors;

"internal market in services and investment" means an area without internal frontiers in which the free movement of services, capital and persons is ensured;

"right of establishment" means an obligation to abolish in substance all barriers to establishment among the parties to the bilateral or multilateral agreement by the entry into force of that agreement. The right of establishment shall include the right of nationals of the parties to the bilateral or multilateral agreement to set up and operate enterprises under the same conditions provided for nationals under the law of the party where such establishment takes place;

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"approximation of legislation" means:

(i) the alignment of the legislation of one or more of the parties to the bilateral or multilateral agreement with the legislation of the other party or parties to that agreement; or

(ii) the incorporation of common legislation into the law of the parties to the bilateral or multilateral agreement.

Such alignment or incorporation shall take place, and shall be deemed to have taken place, only at such time that it has been enacted in the law of the party or parties to the bilateral or multilateral agreement.

Existing measures:

EU: Agreement on the European Economic Area[1]; Stabilisation Agreements; EU-Swiss Confederation bilateral agreements; and Deep and Comprehensive Free Trade Agreements.

In EU: According differential treatment relating to the right of establishment to nationals or enterprises through existing or future bilateral agreements between the following Member States: BE, DE, DK, EL, ES, FR, IE, IT, LU, NL, PT and any of the following countries or principalities: Andorra, Monaco, San Marino and the Vatican City State.

1 OJ EC L 1, 3.1.1994, p. 3.

In DK, FI, SE: Measures taken by DK, FI and SE aimed at promoting Nordic cooperation, such as:

(i) financial support to research and development (R&D) projects (the Nordic Industrial Fund);

(ii) funding of feasibility studies for international projects (the Nordic Fund for Project Exports); and

(iii) financial assistance to companies utilising environmental technology (the Nordic Environment Finance Corporation); the purpose of the Nordic Environment Finance Corporation (NEFCO) is to promote investments of Nordic environmental interest, with a focus on Eastern Europe.

This reservation is without prejudice to the exclusion of procurement by a Party or subsidies in subparagraphs (e) and (f) of Article 18.1(2) of this Agreement.

In PL: Preferential conditions for establishment or the cross-border supply of services, which may include the elimination or amendment of certain restrictions embodied in the list of reservations applicable in PL, may be extended through commerce and navigation treaties.

In PT: Waiving nationality requirements for the exercise of certain activities and professions by natural persons supplying services for countries in which Portuguese is the official language (Angola, Brazil, Cabo Verde, Guinea-Bissau, Equatorial Guinea, Mozambique, São Tomé and Príncipe, and Timor-Leste).

PUBLIC

(e) Arms, munition and war material

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Most-favoured-nation treatment, Local presence:

In EU: Production or distribution of, or trade in, arms, munitions and war material. War material is limited to any product which is solely intended and made for military use in connection with the conduct of war or defence activities.

PUBLIC

Reservation No. 2 – Professional services – other than health-related services

Sector:	Professional services – legal services: services of notaries and by bailiffs; accounting and bookkeeping services; auditing services, taxation advisory services; architecture and urban planning services, engineering services, and integrated engineering services
Industry classification:	Part of CPC 861, part of CPC 87902, 862, 863, 8671, 8672, 8673, 8674, and part of CPC 879
Type of reservation:	National treatment
	Most-favoured-nation treatment
	Senior management and board of directors
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Legal services

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment:

In EU, with the exception of SE: The supply of legal advisory and legal authorisation, documentation, and certification services provided by legal professionals entrusted with public functions, such as notaries, "huissiers de justice" or other "officiers publics et ministériels", and with respect to services provided by bailiffs who are appointed by an official act of government (part of CPC 861, part of CPC 87902).

With respect to Investment liberalisation – Most-favoured-nation treatment and Cross-border trade in services – Most-favoured-nation treatment:

In BG: Full national treatment on the establishment and operation of companies, as well as on the supply of services, may be extended only to companies established in, and citizens of, the countries with whom preferential arrangements have been or will be concluded (part of CPC 861).

In LT: Attorneys from foreign countries can participate as advocates in court only in accordance with international agreements (part of CPC 861), including specific provisions regarding legal representation before courts.

PUBLIC

(b) Auditing services (CPC – 86211, 86212 other than accounting and bookkeeping services)

With respect to Cross-border trade in services – National treatment:

In BG: An independent financial audit shall be implemented by registered auditors who are members of the Institute of the Certified Public Accountants. Subject to reciprocity, the Institute of the Certified Public Accountants shall register an audit entity of Chile or of a third country upon the latter furnishing proof that:

(i) three-fourths of the members of the management bodies and the registered auditors carrying out audit on behalf of the entity meet requirements equivalent to those for Bulgarian auditors and have passed successfully the examinations for it;

(ii) the audit entity carries out independent financial audit in accordance with the requirements for independence and objectivity; and

(iii) the audit entity publishes on its website an annual transparency report or performs other equivalent requirements for disclosure in case it audits public-interest entities.

Existing measures:

BG: Independent Financial Audit Act.

PUBLIC

With respect to Investment liberalisation – National treatment, Senior management and boards of directors:

In CZ: Only a juridical person in which at least 60 % of capital interests or voting rights are reserved to nationals of the Czech Republic or of the Member States is authorised to carry out audits in the Czech Republic.

Existing measures:

CZ: Law of 14 April 2009 no. 93/2009 Coll., on Auditors, as amended.

(c) Architecture and urban planning services (CPC 8674)

With respect to Cross-border trade in services – National treatment:

In HR: The cross-border supply of urban planning.

PUBLIC

Reservation No. 3 – Professional services – health-related and retail of pharmaceuticals

Sector:	Health-related professional services and retail sales of pharmaceutical, medical and orthopaedic goods, other services provided by pharmacists
Industry classification:	CPC 63211, 85201, 9312, 9319, 93121, 932
Type of reservation:	National treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Medical and dental services; services provided by midwives, nurses, physiotherapists, psychologists and paramedical personnel (CPC 63211, 85201, 9312, 9319, 932)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment:

In FI: The supply of all health-related professional services, whether publicly or privately funded, including medical and dental services, services provided by midwives, physiotherapists and paramedical personnel and services provided by psychologists, excluding services provided by nurses (CPC 9312, 93191).

Existing measures:

FI: Laki yksityisestä terveydenhuollosta (Act on Private Health Care) (152/1990).

In BG: The supply of all health-related professional services, whether publicly or privately funded, including medical and dental services, services provided by nurses, midwives, physiotherapists and paramedical personnel and services provided by psychologists (CPC 9312, part of 9319).

PUBLIC

Existing measures:

BG: Law for Medical Establishment, Professional Organisation of Medical Nurses, Midwives and Associated Medical Specialists Guild Act.

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In CZ, MT: The supply of all health-related professional services, whether publicly or privately funded, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, psychologists, as well as other related services (CPC 9312, part of 9319).

Existing measures:

CZ: Act No 296/2008 Coll., on Safeguarding the Quality and Safety of Human Tissues and Cells Intended for Use in Man ("Act on Human Tissues and Cells"); Act No 378/2007 Coll., on Pharmaceuticals and on Amendments to Some Related Acts (Act on Pharmaceuticals); Act No. 268/2014 Coll. on medical devices and amending Act No 634/2004 Coll. on administrative fees, as subsequently amended; Act No. 285/2002 Coll., on the Donating, Taking and Transplanting of Tissues and Organs and on Amendment to Certain Acts (Transplantation Act); Act No. 372/2011 Coll., on health services and on conditions of their provision; and Act No. 373/2011 Coll., on specific health services.

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With respect to Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of NL and SE: The supply of all health-related professional services, whether publicly or privately funded, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, requires residency. These services may only be provided by natural persons physically present in the territory of the European Union (CPC 9312, part of 93191).

In BE: The cross-border supply whether publicly or privately funded of all health-related professional services, including medical, dental and midwives services and services provided by nurses, physiotherapists, psychologists and paramedical personnel (part of CPC 85201, 9312, part of 93191).

With respect to Cross-border trade in services – National treatment, Most-favoured-nation treatment:

In PT: Concerning the professions of physiotherapists, paramedical personnel and podiatrists, foreign professionals may be allowed to practice based on reciprocity.

(b) Veterinary services (CPC 932)

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment, Local presence:

In BG: A veterinary medical establishment may be established by a natural or a juridical person.

PUBLIC

The practice of veterinary medicine is only allowed for nationals of the EEA and for permanent residents (physical presence is required for permanent residents).

With respect to Cross-border trade in services – National treatment:

In BE, LV: Cross-border supply of veterinary services.

(c) Retail sales of pharmaceutical, medical and orthopaedic goods, other services provided by pharmacists (CPC 63211)

With respect to Cross-border trade in services – Local presence:

In EU, with the exception of BE, BG, EE, ES, IE and IT: Mail order is only possible from Member States of the EEA, thus establishment in any of those countries is required for the retail of pharmaceuticals and specific medical goods to the general public in the European Union.

In CZ: Retail sales are only possible from Member States.

In BE: The retail sales of pharmaceuticals and specific medical goods are only possible from a pharmacy established in BE.

In BG, EE, ES, IT and LT: Cross-border retail sales of pharmaceuticals.

In IE and LT: Cross-border retail of pharmaceuticals requiring a prescription.

PUBLIC

In PL: Intermediaries in the trade of medicinal products must be registered and have a place of residence or registered office in the territory of PL.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment:

In FI: Retail sales of pharmaceutical products and of medical and orthopaedic goods.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment:

In SE: Retail sales of pharmaceutical goods and the supply of pharmaceutical goods to the general public.

Existing measures:

AT: Arzneimittelgesetz (Medication Act), BGBl. Nr. 185/1983, §§ 57, 59, 59a; and

Medizinproduktegesetz (Medical Products Law), BGBl. Nr. 657/1996 as amended, § 99.

BE: Arrêté royal du 21 janvier 2009 portant instructions pour les pharmaciens; and Arrêté royal du 10 novembre 1967 relatif à l'exercice des professions des soins de santé.

CZ: Act No. 378/2007 Coll., on Pharmaceuticals, as amended; and Act No. 372/2011 Coll., on Health services, as amended.

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FI: Lääkelaki (Medicine Act) (395/1987).

PL: Pharmaceutical Law, Art. 73a (Journal of Laws of 2020, item 944, 1493).

SE: Law on trade with pharmaceuticals (2009:336); Regulation on trade with pharmaceuticals (2009:659); and the Swedish Medical Products Agency has adopted further regulations, the details can be found at (LVFS 2009:9).

PUBLIC

Reservation No. 4 – Business services – research and development services

Sector:	Research and development services
Industry classification:	CPC 851, 852, 853
Type of reservation:	National treatment
Chapter:	Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In RO: Cross-border supply of research and development services.

Existing measures:

RO: Governmental Ordinance no. 6 / 2011; Order of Minister of Education and Research no. 3548 / 2006; and Governmental Decision no. 134 / 2011.

PUBLIC

Reservation No. 5 – Business services – real estate services

Sector:	Real estate services
Industry classification:	CPC 821, 822
Type of reservation:	National treatment
Chapter:	Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In CZ and HU: Cross-border supply of real estate services.

PUBLIC

Reservation No. 6 – Business services – rental or leasing services

Sector:	Rental or leasing services without operators
Industry classification:	CPC 832
Type of reservation:	National treatment
Chapter:	Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In BE and FR: Cross-border supply of leasing or rental services without operator concerning personal and household goods.

PUBLIC

Reservation No. 7 – Business services – collection agency services and credit reporting services

Sector:	Collection agency services, credit reporting services
Industry classification:	CPC 87901, 87902
Type of reservation:	National treatment
	Local presence
Chapter:	Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In EU, with the exception of ES, LV and SE: with regard to the supply of collection agency services and credit reporting services.

PUBLIC

Reservation No. 8 – Business services – placement services

Sector – sub-sector:	Business services – placement services
Industry classification:	CPC 87201, 87202, 87203, 87204, 87205, 87206, 87209
Type of reservation:	National treatment
	Senior management and boards of directors
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of HU and SE: Supply services of domestic help personnel, other commercial or industrial workers, nursing and other personnel (CPC 87204, 87205, 87206, 87209).

In BG, CY, CZ, DE, EE, FI, MT, LT, LV, PL, PT, RO, SI and SK: Executive search services (CPC 87201).

PUBLIC

In AT, BG, CY, CZ, EE, FI, LT, LV MT, PL, PT, RO, SI and SK: The establishment of placement services of office support personnel and other workers (CPC 87202).

In AT, BG, CY, CZ, DE, EE, FI, MT, LT, LV, PL, PT, RO, SI and SK: Supply services of office support personnel (CPC 87203).

With respect to Cross-border trade in services – National treatment, Local presence:

In EU with the exception of BE, HU and SE: The cross-border supply of placement services of office support personnel and other workers (CPC 87202).

In IE: The cross-border supply of executive search services (CPC 87201).

In FR, IE, IT and NL: The cross-border supply of services of office personnel (CPC 87203).

With respect to Investment liberalisation – National treatment:

In DE: The Federal Ministry of Labour and Social Affairs may issue a regulation concerning the placement and recruitment of non-European Union and non-EEA personnel for specified professions (CPC 87201, 87202, 87203, 87204, 87205, 87206, 87209).

Existing measures:

AT: §§97 and 135 of the Austrian Trade Act (Gewerbeordnung), Federal Law Gazette Nr. 194/1994 as amended; and Temporary Employment Act (Arbeitskräfteüberlassungsgesetz/AÜG), Federal Law Gazette Nr. 196/1988 as amended.

PUBLIC

BG: Employment Promotion Act, Articles 26, 27, 27a and 28.

CY: Private Employment Agency Law N. 126(I)/2012 as amended; and Law N.174(I)/2012 as amended.

CZ: Act on Employment (435/2004).

DE: Gesetz zur Regelung der Arbeitnehmerüberlassung (AÜG); Sozialgesetzbuch Drittes Buch (SGB III; Social Code, Book Three) – Employment Promotion; and Verordnung über die Beschäftigung von Ausländerinnen und Ausländern (BeschV; Ordinance on the Employment of Foreigners).

DK: §§ 8a – 8f in law decree no. 73 of 17 January 2014 and specified in decree no. 228 of 7 March 2013 (employment of seafarers); and Employment Permits Act 2006. S1(2) and (3).

EL: Law 4052/2012 (Official Government Gazette 41 A) as amended by the Law 4093/2012 (Official Government Gazette 222 A).

FI: Laki julkisesta työvoima-ja yrityspalvelusta (Act on Public Employment and Enterprise Service) (916/2012).

HR: Labour Market Act (OG 118/18, 32/20); Labour Act (OG 93/14, 127/17, 98/19); and Aliens Act (OG 130/11, 74/13, 67/17, 46/18, 53/20).

IE: Employment Permits Act 2006. S1(2) and (3).

PUBLIC

IT: Legislative Decree 276/2003 Articles 4, 5.

LT: Lithuanian Labour Code of the Republic of Lithuania approved by Law No XII-2603 of 14 September 2016 of the Republic of Lithuania, last amendment 15 October 2020 No XIII-3334; and the Law on the Legal Status of Aliens of the Republic of Lithuania of 29 April 2004 No. IX-2206, last amendment 10 November 2020 No XIII-3412.

LU: Loi du 18 janvier 2012 portant création de l'Agence pour le développement de l'emploi (Law of 18 January 2012 concerning the creation of an agency for employment development – ADEM).

MT: Employment and Training Services Act, (Cap 343) (Articles 23 to 25); and Employment Agencies Regulations (S.L. 343.24).

PL: Article 18 of the Act of 20 April 2004 on the promotion of employment and labour market institutions (Dz. U. of 2015, Item. 149, as amended).

PT: Decree-Law No 260/2009 of 25 September, as amended by Law No. 5/2014 of 12 February; Law No. 28/2016 of the 23 August 2016, and Law No. 146/2015 of 9 September 2015 (access and provision of services by placement agencies).

PUBLIC

RO: Law no. 156/2000 on the protection of Romanian citizens working abroad, republished, and Government Decision no. 384/2001 for approving the methodological norms for applying the Law no. 156/2000, with subsequent amendments; Ordinance of the Government no. 277/2002, as modified by Government Ordinance No. 790/2004 and Government Ordinance No. 1122/2010; and Law no. 53/2003 – Labour Code, republished, with subsequent amendments and supplement and the Government Decision no 1256/2011 on the operating conditions and authorisation procedure for temporary work agency.

SI: Labour market regulation act (Official Gazette of RS, No. 80/2010, 21/2013, 63/2013, 55/2017); and Employment, Self-employment and Work of Aliens Act – ZZSDT (Official Gazette of RS, No. 47/2015), ZZSDT-UPB2 (Official Gazette of RS, No. 1/2018).

SK: Act No 5/2004 on Employment Services; and Act No 455/1991on Trade Licensing.

PUBLIC

Reservation No. 9 – Business services – security and investigation services

Sector – sub-sector:	Business services – security and investigation services
Industry classification:	CPC 87301, 87302, 87303, 87304, 87305, 87309
Type of reservation:	National treatment
	Senior management and boards of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Security services (CPC 87302, 87303, 87304, 87305, 87309)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Local presence:

In BG, CY, CZ, EE, LT, LV, MT, PL, RO, SI and SK: The supply of security services.

In DK, HR and HU: The supply of the following subsectors: guard services (87305) in HR and HU, security consultation services (87302) in HR, airport guard services (part of 87305) in DK and armoured car services (87304) in HU.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In BE: Nationality of a Member State is required for boards of directors of enterprises supplying guard and security services (87305) as well as consultancy and training relating to security services (87302). The senior management of companies providing guard and security consultancy services required to be resident nationals of a Member State.

In FI: Licences to supply security services may be granted only to natural persons resident in the EEA or juridical persons established in the EEA.

PUBLIC

In ES: The cross-border supply of security services. Nationality requirements exist for private security personnel.

With respect to Cross-border trade in services – National treatment, Local presence:

In BE, FI, FR and PT: The supply of security services by a foreign provider on a cross-border basis is not allowed. Nationality requirements exist for specialised personnel in PT and for managing directors and directors in FR.

Existing measures:

BE: Loi réglementant la sécurité privée et particulière, 2 octobre 2017.

BG: Private Security Business Act.

CZ: Trade Licensing Act.

DK: Regulation on aviation security.

FI: Laki yksityisistä turvallisuuspalveluista 282/2002 (Private Security Services Act).

LT: Law on security of Persons and Assets 8 July 2004 No. IX-2327.

LV: Security Guard Activities Law (Sections 6, 7, 14).

PL: Act of 22 August 1997 on the protection of persons and property (Journal of Laws of 2016, item 1432 as amended).

PUBLIC

PT: Law 34/2013 alterada p/ Lei 46/2019, 16 maio 2019; and Ordinance 273/2013 alterada p/ Portaria 106/2015, 13 abril 2015.

SI: Zakon o zasebnem varovanju (Law on private security).

(b) Investigation services (CPC 87301)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of AT and SE: The supply of investigation services.

PUBLIC

Reservation No. 10 – Business services – other business services

Sector– sub-sector:	Business services – other business services (translation and interpretation services, duplicating services, services incidental to energy distribution and services incidental to manufacturing)
Industry classification:	CPC 86764, 86769, 87905, 87904, 884, 8868, 887
Type of reservation:	National treatment
	Most-favoured-nation treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Translation and interpretation services (CPC 87905)

With respect to Cross-border trade in services – Local presence:

In HR: Cross-border supply of translation and interpretation of official documents.

(b) Duplicating services (CPC 87904)

With respect to Cross-border trade in services – National treatment, Local presence:

In HU: Cross-border supply of duplicating services.

(c) Services incidental to energy distribution and services incidental to manufacturing (part of CPC 884, 887 other than advisory and consulting services)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In HU: Services incidental to energy distribution, and cross-border supply of services incidental to manufacturing, with the exception of advisory and consulting services relating to these sectors.

PUBLIC

(d) Maintenance and repair of vessels, rail transport equipment and aircraft and parts thereof (part of CPC 86764, 86769, 8868)

With respect to Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of DE, EE and HU: The cross-border supply of maintenance and repair services of rail transport equipment.

In EU, with the exception of CZ, EE, HU, LU and SK: Cross-border supply of maintenance and repair services of inland waterway transport vessels.

In EU, with the exception of EE, HU and LV: The cross-border supply of maintenance and repair services of maritime vessels.

In EU, with the exception of AT, EE, HU, LV, and PL: The cross-border supply of maintenance and repair services of aircraft and parts thereof (part of CPC 86764, 86769, 8868).

In EU: The cross-border supply of services of statutory surveys and certification of ships.

Existing measures:

EU: Regulation (EC) No 391/2009 of the European Parliament and of the Council[1].

[1] Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (OJ EU L 131, 28.5.2009, p. 11).

(e) Other business services related to aviation

With respect to Investment liberalisation – Most-favoured-nation treatment and Cross-border trade in services – Most-favoured-nation treatment:

In EU: According differential treatment to a third country pursuant to existing or future bilateral agreements relating to the following services:

(i) selling and marketing of air transport services;

(ii) computer reservation system (CRS) services;

(iii) maintenance and repair of aircraft and parts;

(iv) rental or leasing of aircraft without crew.

PUBLIC

Reservation No. 11 – Telecommunication

Sector:	Satellite broadcast transmission services
Type of reservation:	National treatment
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In BE: Satellite broadcast transmission services.

PUBLIC

Reservation No. 12 – Construction

Sector:	Construction services
Industry classification:	CPC 51
Type of reservation:	National treatment
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In LT: The right to prepare design documentation for construction works of exceptional significance is only given to a design enterprise registered in Lithuania or a foreign design enterprise which has been approved by an institution authorised by the government for those activities. The right to perform technical activities in the main areas of construction may be granted to a non-Lithuanian person who has been approved by an institution authorised by the government of Lithuania.

PUBLIC

Reservation No. 13 – Distribution services

Sector:	Distribution services
Industry classification:	CPC 621, 62117, 62251, 62228, 62251, 62271, 8929, part of 62112, 62226, part of 62272, 62276, part of 631, 63108, part of 6329
Type of reservation:	National treatment
	Senior management and boards of directors
	Performance requirements
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Distribution of pharmaceuticals

With respect to Cross-border trade in services – Local presence:

In BG: Cross-border wholesale distribution of pharmaceuticals (CPC 62251).

PUBLIC

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of director, and Cross-border trade in services – National treatment:

In FI: Distribution of pharmaceutical products (CPC 62117, 62251, 8929).

Existing measures:

BG: Law on Medicinal Products in Human Medicine; and Law on Medical Devices.

FI: Lääkelaki (Medicine Act) (395/1987).

(b) Distribution of alcoholic beverages

In FI: Distribution of alcoholic beverages (part of CPC 62112, 62226, 63107, 8929).

Existing measures:

FI: Alkoholilaki (Alcohol Act) (1102/2017).

PUBLIC

(c) Other distribution (part of CPC 621, 62228, 62251, 62271, part of 62272, 62276, 63108, part of 6329)

With respect to Cross-border trade in services – National treatment, Local presence:

In BG: Wholesale distribution of chemical products, precious metals and stones, medical substances and products and objects for medical use; tobacco and tobacco products and alcoholic beverages.

BG reserves the right to adopt or maintain any measure with respect to the services provided by commodity brokers.

Existing measures:

In BG: Law on Medicinal Products in Human Medicine; Law on Medical Devices; Law of Veterinary Activity; Law for Prohibition of Chemical Weapons and for Control over Toxic Chemical Substances and Their Precursors; Law for Tobacco and Tobacco Products; Law on excise duties and tax warehouses; and Law on wine and spirits.

PUBLIC

Reservation No. 14 – Education services

Sector:	Education services
Industry classification:	CPC 92
Type of reservation:	National treatment
	Senior management and boards of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of director, and Cross-border trade in services – National treatment, Local presence:

In EU: Educational services which receive public funding or State support in any form. Where the supply of privately funded education services by a foreign provider is permitted, participation of private operators in the education system may be subject to concession allocated on a non-discriminatory basis.

In EU, with the exception of CZ, NL, SE and SK: With respect to the supply of privately funded other education services, which means other than those classified as being primary, secondary, higher and adult education services (CPC 929).

In CY, FI, MT and RO: The supply of privately funded primary, secondary, and adult education services (CPC 921, 922, 924).

In AT, BG, CY, FI, MT and RO: The supply of privately funded higher education services (CPC 923).

In CZ and SK: The majority of the members of the board of directors of an establishment providing privately funded education services must be nationals of that country (CPC 921, 922, 923 for SK other than 92310, 924).

PUBLIC

In SI: Privately funded elementary schools may be founded by Slovenian natural or juridical persons only. The service supplier must establish a registered office or a branch. The majority of the members of the board of directors of an establishment providing privately funded secondary or higher education services must be Slovenian nationals (CPC 922, 923).

In SE: Educational services suppliers that are approved by public authorities to provide education. This reservation applies to privately funded educational services suppliers with some form of State support, *inter alia*, educational service suppliers recognised by the State, educational services suppliers under State supervision or education which entitles to study support (CPC 92).

In SK: EEA residency is required for suppliers of all privately funded education services other than post-secondary technical and vocational education services. (CPC 921, 922, 923 other than 92310, 924).

With respect to Cross-border trade in services – National treatment, Local presence:

In BG, IT and SI: To restrict the cross-border supply of privately funded primary education services (CPC 921).

In BG and IT: To restrict the cross-border supply of privately funded secondary education services (CPC 922).

In AT: To restrict the cross-border supply of privately funded adult education services by means of radio or television broadcasting (CPC 924).

PUBLIC

Existing measures:

BG: Public Education Act, Article 12; Law for the Higher Education, paragraph 4 of the additional provisions; and Vocational Education and Training Act, Article 22.

FI: Perusopetuslaki (Basic Education Act) (628/1998); Lukiolaki (General Upper Secondary Schools Act) (629/1998); Laki ammatillisesta koulutuksesta (Vocational Training and Education Act) (630/1998); Laki ammatillisesta aikuiskoulutuksesta (Vocational Adult Education Act) (631/1998); Ammattikorkeakoululaki (Polytechnics Act) (351/2003); and Yliopistolaki (Universities Act) (558/2009).

IT: Royal Decree 1592/1933 (Law on secondary education); Law 243/1991 (Occasional public contribution for private universities); Resolution 20/2003 of CNVSU (Comitato nazionale per la valutazione del sistema universitario); and Decree of the President of the Republic (DPR) 25/1998.

SK: Act 245/2008 on education; Act 131/2002 on Universities; and Act 596/2003 on State Administration in Education and School Self-Administration.

PUBLIC

Reservation No. 15 – Environmental services

Sector– sub-sector:	Environmental services – waste and soil management
Industry classification:	CPC 9401, 9402, 9403, 94060
Type of reservation:	Local presence
Chapter:	Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

In DE: The supply of waste management services other than advisory services, and with respect to services relating to the protection of soil and the management of contaminated soils, other than advisory services.

PUBLIC

Reservation No. 16 – Health services and social services

Sector:	Health services and social services
Industry classification:	CPC 93, 931, other than 9312, part of 93191, 9311, 93192, 93193, 93199
Type of reservation:	National treatment
	Most-favoured-nation treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Health services – hospital, ambulance, residential health services (CPC 93, 931, other than 9312, part of 93191, 9311, 93192, 93193, 93199)

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of directors:

In EU: For the supply of all health services which receive public funding or State support in any form.

In EU: For all privately funded health services, other than privately funded hospital, ambulance, and residential health facilities services other than hospital services.

This reservation does not relate to the supply of all health-related professional services, including the services supplied by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, which are covered by other reservations (CPC 931 other than 9312, part of 93191).

In AT, PL and SI: The supply of privately funded ambulance services (CPC 93192).

In BE: the establishment of privately funded ambulance and residential health facilities services other than hospital services (CPC 93192, 93193).

PUBLIC

In BG, CY, CZ, FI, MT and SK: The supply of privately-funded hospital, ambulance, and residential health services other than hospital services (CPC 9311, 93192, 93193).

In FI: Supply of other human health services (CPC 93199).

Existing measures:

CZ: Act No. 372/2011 Coll. on Health Care Services and Conditions of Their Provision.

FI: Laki yksityisestä terveydenhuollosta (Act on Private Health Care) (152/1990).

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment, Senior management and boards of directors, Performance requirements:

In DE: The supply of the Social Security System of Germany, where services may be provided by different companies or entities involving competitive elements which are thus not "activities performed in the exercise of governmental authority". To accord better treatment in the context of a bilateral trade agreement with regard to the supply of health and social services (CPC 93).

With respect to Investment liberalisation – National treatment:

In DE: The ownership of privately funded hospitals run by the German Forces.

The nationalisation of other key privately funded hospitals (CPC 93110).

In FR: To the supply of privately funded laboratory analysis and testing services.

PUBLIC

With respect to Cross-border trade in services – National treatment:

In FR: The supply of privately funded laboratory analysis and testing services (part of CPC 9311).

Existing measures:

FR: Code de la Santé Publique.

(b) Health and social services, including pension insurance

With respect to Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of HU: The cross-border supply of health services, social services and activities or services forming part of a public retirement plan or statutory system of social security. This reservation does not relate to the supply of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, which are covered by other reservations (CPC 931 other than 9312, part of 93191).

In HU: The cross-border supply of all hospital, ambulance, and residential health services, other than hospital services, which receive public funding (CPC 9311, 93192, 93193).

PUBLIC

(c) Social services, including pension insurance

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements:

In EU: The supply of all social services which receive public funding or State support in any form and activities or services forming part of a public retirement plan or statutory system of social security.

In BE, CY, DE, DK, EL, ES, FR, IE, IT and PT: The supply of privately funded social services other than services relating to convalescent and rest houses and old people's homes.

In CZ, FI, HU, MT, PL, RO, SK, and SI: The supply of privately funded social services.

In DE: The Social Security System of Germany, where services are provided by different companies or entities involving competitive elements and might therefore not fall under the definition of "activities performed in the exercise of governmental authority".

Existing measures:

FI: Laki yksityisistä sosiaalipalveluista (Private Social Services Act) (922/2011).

IE: Health Act 2004 (S. 39); and Health Act 1970 (as amended –S.61A).

IT: Law 833/1978 Institution of the public health system; Legislative Decree 502/1992 Organisation and discipline of the health field; and Law 328/2000 Reform of social services.

PUBLIC

Reservation No. 17 – Tourism and travel related services

Sector:	Tourist guides services, health and social services
Industry classification:	CPC 7472
Type of reservation:	National treatment
	Most-favoured-nation treatment
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In FR: To require nationality of a Member State for the supply of tourist guide services.

With respect to Investment liberalisation – Most-favoured-nation treatment and Cross-border trade in services – Most-favoured-nation treatment:

In LT: In so far as Chile allows nationals of LT to provide tourist guide services, LT will allow nationals of Chile to provide tourist guide services under the same conditions.

PUBLIC

Reservation No. 18 – Recreational, cultural and sporting services

Sector:	Recreational, cultural and sporting services
Industry classification:	CPC 962, 963, 9619, 964
Type of reservation:	National treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Libraries, archives, museums and other cultural services (CPC 963)

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of director, and Cross-border trade in services – National treatment, Local presence:

In EU, with the exception of AT and, for investment liberalisation, in LT: The supply of library, archive, museum and other cultural services.

In AT and LT: A licence or concession may be required for establishment.

(b) Entertainment services, theatre, live bands and circus services (CPC 9619, 964 other than 96492)

With respect to Cross-border trade in services – National treatment:

In EU, with the exception of AT and SE: The cross-border supply of entertainment services, including theatre, live bands, circus and discotheque services.

PUBLIC

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of director, and Cross-border trade in services – National treatment, Local presence:

In CY, CZ, FI, MT, PL, RO, SI and SK: With respect to the supply of entertainment services, including theatre, live bands, circus and discotheque services.

In BG: The supply of the following entertainment services: circus, amusement park and similar attraction services, ballroom, discotheque and dance instructor services, and other entertainment services.

In EE: The supply of other entertainment services except for cinema theatre services.

In LT and LV: The supply of all entertainment services other than cinema theatre operation services.

In CY, CZ, LV, PL, RO and SK: The cross-border supply of sporting and other recreational services.

PUBLIC

(c) News and press agencies (CPC 962)

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment:

In FR: Foreign participation in existing companies publishing publications in the French language may not exceed 20 % of the capital or of voting rights in the company. The establishment of press agencies of Chile is subject to conditions set out in domestic regulation. The establishment of press agencies by foreign investors is subject to reciprocity.

Existing measures:

FR: Ordonnance n° 45-2646 du 2 novembre 1945 portant règlementation provisoire des agences de presse; and Loi n° 86-897 du 1 août 1986 portant réforme du régime juridique de la presse.

(d) Gambling and betting services (CPC 96492)

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of director, and Cross-border trade in services – National treatment, Local presence:

In EU: The supply of gambling activities, which involve wagering a stake with pecuniary value in games of chance, including in particular lotteries, scratch cards, gambling services offered in casinos, gambling arcades or licensed premises, betting services, bingo services and gambling services operated by and for the benefit of charities or non-profit-making organisations.

PUBLIC

Reservation No. 19 – Transport services and auxiliary transport services

Sector:	Transport services
Type of reservation:	National treatment
	Most-favoured-nation treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Maritime transport – any other commercial activity undertaken from a ship

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment:

In EU: The nationality of the crew on a seagoing or non-seagoing vessel.

PUBLIC

With respect to Investment liberalisation –National treatment, Most-favoured-nation treatment, Senior management and boards of directors:

In EU, except LV and MT: Only EU natural or juridical persons may register a vessel and operate a fleet under the national flag of the state of establishment (applies to all commercial marine activity undertaken from a seagoing ship, including fishing, aquaculture, and services incidental to fishing; international passenger and freight transportation (CPC 721); and services auxiliary to maritime transport).

In EU: For feeder services, and for repositioning owned or leased containers on a non-revenue basis by European Union shipping companies, for the part of these services which does not fall under the exclusion of national maritime cabotage.

With respect to Cross-border trade in services – National treatment, Local presence:

In SK: Foreign investors must have their principal office in SK in order to apply for a licence enabling them to provide a service (CPC 722).

(b) Auxiliary services to maritime transport

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In EU: The supply of pilotage and berthing services. For greater certainty, regardless of the criteria which may apply to the registration of ships in a Member State, the European Union reserves the right to require that only ships registered on the national registers of Member States may provide pilotage and berthing services (CPC 7452).

PUBLIC

In EU, with the exception of LT and LV: Only vessels carrying the flag of a Member State may provide pushing and towing services (CPC 7214).

With respect to Cross-border trade in services –National treatment, Local presence:

In LT: Only juridical persons of LT or juridical persons of a Member State with branches in LT that have a certificate issued by the Lithuanian Maritime Safety Administration may provide pilotage and berthing, pushing and towing services (CPC 7214, 7452).

With respect to Cross-border trade in services – National treatment, Local presence:

In BE: Cargo handling services can only be operated by accredited workers, eligible to work in port areas designated by royal decree (CPC 741).

Existing measures:

BE: Loi du 8 juin 1972 organisant le travail portuaire; Arrêté royal du 12 janvier 1973 instituant une Commission paritaire des ports et fixant sa dénomination et sa compétence; Arrêté royal du 4 septembre 1985 portant agrément d'une organisation d'employeur (Anvers); Arrêté royal du 29 janvier 1986 portant agrément d'une organisation d'employeur (Gand); Arrêté royal du 10 juillet 1986 portant agrément d'une organisation d'employeur (Zeebrugge); Arrêté royal du 1er mars 1989 portant agrément d'une organisation d'employeur (Ostende); and Arrêté royal du 5 juillet 2004 relatif à la reconnaissance des ouvriers portuaires dans les zones portuaires tombant dans le champ d'application de la loi du 8 juin 1972 organisant le travail portuaire, tel que modifié.

PUBLIC

(c) Inland waterways transport and auxiliary services to inland waterways transport

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Local presence, Most-favoured-nation treatment:

In EU: Inland waterways passenger and freight transportation (CPC 722); and services auxiliary to inland waterways transportation.

(d) Rail transport and auxiliary services to rail transport

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment and Cross-border trade in services – National treatment, Most-favoured-nation treatment, Local presence:

In EU: Railway passenger transportation (CPC 7111).

With respect to Investment liberalisation – Most-favoured-nation treatment and Cross-border trade in services – Most-favoured-nation treatment, Local presence:

In EU: Railway freight transportation (CPC 7112). Subject to conditions of reciprocity.

In LT: Maintenance and repair services of rail transport equipment are subject to a state monopoly (CPC 86764, 86769, part of 8868).

PUBLIC

Existing measures:

EU: Directive 2012/34/EU of the European Parliament and of the Council[1].

(e) Road transport (passenger transportation, freight transportation, international truck transport services) and services auxiliary to road transport

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment:

In EU:

(i) to require establishment and to limit the cross-border supply of road transport services (CPC 712); and

(ii) to limit the supply of cabotage within a Member State by foreign investors established in another Member State (CPC 712).

With respect to Investment liberalisation – National treatment and Cross-border trade in services – Local presence

In BG: For passenger and freight transportation, exclusive rights or authorisations may only be granted to nationals of a Member State and to juridical persons of the European Union having their headquarters in the European Union. Incorporation is required (CPC 712).

[1] Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ EU L 343 14.12.2012, p. 32).

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In FI: Authorisation is required to provide road transport services, which is not extended to foreign registered vehicles (CPC 712).

With respect to Investment liberalisation – National treatment:

In FR: The supply of intercity bussing services (CPC 712).

With respect to Cross-border trade in services – Local presence:

In BG: To require establishment for supporting services to road transport (CPC 744).

Existing measures:

EU: Regulation (EC) No 1071/2009 of the European Parliament and of the Council[1]; Regulation (EC) No 1072/2009 of the European Parliament and of the Council[2]; and Regulation (EC) No 1073/2009 of the European Parliament and of the Council[3].

PUBLIC

1 Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14.11.2009, p. 51).

2 Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ EU L 300, 14.11.2009, p. 72).

3 Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ EU L 300 14.11.2009, p. 88).

FI: Laki kaupallisista tavarankuljetuksista tiellä (Act on Commercial Road Transport) 693/2006; Laki liikenteen palveluista (Act on Transport Services) 320/2017; and Ajoneuvolaki (Vehicles Act) 1090/2002.

(f) Space transport and rental of space craft

With respect to Investment liberalisation – National treatment, Performance requirements, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In EU: The supply of space transport services and the supply of rental of space craft services (CPC 733, part of 734).

(g) Most-favoured-nation exemptions

With respect to Investment liberalisation – Most-favoured-nation treatment, and Cross-border trade in services – Most-favoured-nation treatment:

– Transport (cabotage) other than maritime transport

In FI: According differential treatment to a country pursuant to existing or future bilateral agreements exempting vessels registered under the foreign flag of a specified other country or foreign registered vehicles from the general prohibition from providing cabotage transport (including combined transport, road and rail) in FI on the basis of reciprocity (part of CPC 711, part of 712, part of 722).

PUBLIC

– Supporting services for maritime transport

In BG: In so far as Chile allows service suppliers from BG to supply cargo-handling services and storage and warehouse services in sea and river harbours, including services relating to containers and goods in containers, BG will allow service suppliers from Chile to supply cargo-handling services and storage and warehouse services in sea and river harbours, including services relating to containers and goods in containers under the same conditions (part of CPC 741, part of 742).

– Rental or leasing of vessels

In DE: Chartering-in of foreign ships by consumers resident in DE may be subject to a condition of reciprocity (CPC 7213, 7223, 83103).

– Road and rail transport

In EU: To accord differential treatment to a third country pursuant to existing or future bilateral agreements relating to international road haulage (including combined transport – road or rail) and passenger transport, concluded between the European Union or the Member States and a third country (CPC 7111, 7112, 7121, 7122, 7123). That treatment may:

(i) reserve or limit the supply of the relevant transport services between the contracting parties or across the territory of the contracting parties to vehicles registered in each contracting party[1]; or

[1] With regard to Austria the part of the most-favoured-nation treatment exemption regarding traffic rights covers all countries with which bilateral agreements on road transport or other arrangements relating to road transport exist or may be considered in future.

(ii) provide for tax exemptions for such vehicles.

– Road transport

In BG: Measures taken under existing or future agreements, which reserve or restrict the supply of these kinds of transportation services and specify the terms and conditions of this supply, including transit permits or preferential road taxes, in the territory of Bulgaria or across the borders of Bulgaria (CPC 7121, 7122, 7123).

In CZ: Measures that are taken under existing or future agreements, and which reserve or limit the supply of transport services and specify operating conditions, including transit permits or preferential road taxes of a transport services into, in, across and out of CZ to the contracting parties concerned (CPC 7121, 7122, 7123).

In ES: Authorisation for the establishment of a commercial presence in ES may be refused for service suppliers whose country of origin does not accord effective market access to service suppliers of ES (CPC 7123).

Existing measures:

Ley 16/1987, de 30 de julio, de Ordenación de los Transportes Terrestres.

PUBLIC

In HR: Measures applied under existing or future agreements on international road transport and which reserve or limit the supply of transport services and specify operating conditions, including transit permits or preferential road taxes of transport services into, in, across and out of Croatia to the parties concerned (CPC 7121, 7122, 7123).

In LT: Measures that are taken under bilateral agreements and which set the provisions for transport services and specify operating conditions, including bilateral transit and other transport permits for transport services into, through and out of the territory of Lithuania to the contracting parties concerned, and road taxes and levies (CPC 7121, 7122, 7123).

In SK: Measures that are taken under existing or future agreements, and which reserve or limit the supply of transport services and specify operating conditions, including transit permits or preferential road taxes of a transport services into, in, across and out of Slovakia to the contracting parties concerned (CPC 7121, 7122, 7123).

– Rail transport

In BG, CZ and SK: For existing or future agreements, and which regulate traffic rights and operating conditions, and the supply of transport services in the territory of Bulgaria, Czech Republic and Slovakia and between the countries concerned (CPC 7111, 7112).

PUBLIC

– Air transport – Services auxiliary to air transport

In EU: According differential treatment to a third country pursuant to existing or future bilateral agreements relating to ground-handling services.

– Road and rail transport

In EE: When according differential treatment to a country pursuant to existing or future bilateral agreements on international road transport (including combined transport-road or rail), reserving or limiting the supply of a transport services into, in, across and out of Estonia to the contracting parties to vehicles registered in each contracting party, and providing for tax exemption for such vehicles (part of CPC 711, part of 712, part of 721).

– All passenger and freight transport services other than maritime and air transport

In PL: In so far as Chile allows the supply of transport services into and across the territory of Chile by passenger and freight transport suppliers of Poland, Poland will allow the supply of transport services by passenger and freight transport suppliers of Chile into and across the territory of Poland under the same conditions.

PUBLIC

Reservation No. 20 – Agriculture, fishing and water

Sector:	Agriculture, hunting, forestry; fishing, aquaculture, services incidental to fishing; collection, purification and distribution of water
Industry classification:	ISIC Rev. 3.1 011, 012, 013, 014, 015, CPC 8811, 8812, 8813 other than advisory and consultancy services; 0501, 0502, CPC 882
Type of reservation:	National treatment
	Most-favoured-nation treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Agriculture, hunting and forestry

With respect to Investment liberalisation – National treatment:

In HR: Agricultural and hunting activities.

In HU: Agricultural activities (ISIC Rev. 3.1 011, 012, 013, 014, 015, CPC 8811, 8812, 8813 other than advisory and consultancy services).

Existing measures:

HR: Agricultural Land Act (OG 20/18, 115/18, 98/19).

PUBLIC

(b) Fishing, aquaculture and services incidental to fishing (ISIC Rev. 3.1 0501, 0502, CPC 882)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements, Most-favoured-nation treatment and Cross-border trade in services – National treatment, Most-favoured-nation treatment, Local presence:

In EU:

1. In particular within the framework of the Common Fisheries Policy, and of fishing agreements with a third country, access to and use of the biological resources and fishing grounds situated in maritime waters coming under the sovereignty or the jurisdiction of Member States, or entitlements for fishing under a Member State fishing licence, including:

   (a) regulating the landing of catches by vessels flying the flag of Chile or a third country with respect to the quotas allocated to them or, only with respect to vessels flying the flag of a Member State, requiring that a proportion of the total catch is landed in European Union ports;

   (b) determining a minimum size for a company in order to preserve both artisanal and coastal fishing vessels;

   (c) according differential treatment pursuant to existing or future bilateral agreements relating to fisheries; and

PUBLIC

(d) requiring the crew of a vessel flying the flag of a Member State to be nationals of Member States.

2. A fishing vessel shall only be entitled to fly the flag of a Member State if:

(a) it is wholly owned by:

(i) companies incorporated in the European Union; or

(ii) nationals of Member States;

(b) its day-to-day operations are directed and controlled from within the European Union; and

(c) any charterer, manager or operator of the vessel is a company incorporated in the European Union or a national of a Member State.

3. A commercial fishing licence granting the right to fish in the territorial waters of a Member State may only be granted to vessels flying the flag of a Member State.

4. The establishment of marine or inland aquaculture facilities.

5. Subparagraphs (a), (b), (c) (other than with respect to most-favoured-nation treatment) and (d) of paragraph 1, subparagraphs (a)(i), (b) and (c) of paragraph 2, and paragraph 3 only apply to measures which are applicable to vessels or to enterprises irrespective of the nationality of their beneficial owners.

PUBLIC

The nationality of the crew of a fishing vessel flying the flag of a Member State.

The establishment of marine or inland aquaculture facilities.

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment and Cross-border trade in services – National treatment:

In BG: The taking of marine and river-living resources, performed by vessels in the internal marine waters, and the territorial sea of BG, shall be performed by vessels flying the flag of BG. A foreign ship may not engage in commercial fishing in the exclusive economic zone save on the basis of an agreement between BG and the flag State. While passing through the exclusive economic zone, foreign fishing ships may not maintain their fishing gear in operational mode.

(c) Collection, purification and distribution of water

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment, Local presence:

In EU: For activities, including services relating to the collection, purification and distribution of water to household, industrial, commercial or other users, including the supply of drinking water, and water management.

PUBLIC

Reservation No. 21 – Mining and Energy related activities

Sector:	Mining and quarrying – energy producing materials; mining and quarrying – metal ores and other mining; Energy related activities – production, transmission and distribution on own account of electricity, gas, steam and hot water; pipeline transportation of fuels; storage and warehouse of fuels transported through pipelines; and services incidental to energy distribution
Industry classification:	ISIC Rev. 3.1 10, 1110, 12, 120, 1200, 13, 14, 232, 233, 2330, 40, 401, 4010, 402, 4020, part of 4030, CPC 613, 62271, 63297, 7131, 71310, 742, 7422, part of 88, 887.
Type of reservation:	National treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

PUBLIC

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Mining and Energy related activities – general (ISIC Rev. 3.1 10, 1110, 13, 14, 232, 40, 401, 402, part of 403, 41; CPC 613, 62271, 63297, 7131, 742, 7422, 887 (other than advisory and consulting services))

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Local presence:

In EU: Where a Member State permits foreign ownership of a gas or electricity transmission system, or an oil and gas pipeline transport system, with respect to enterprises of Chile controlled by natural or juridical persons of a third country which accounts for more than 5 % of the European Union's oil, natural gas or electricity imports, in order to guarantee the security of the energy supply of the European Union as a whole, or of an individual Member State. This reservation does not apply to advisory and consultancy services provided as services incidental to energy distribution.

This reservation does not apply to HR, HU and LT (for LT, only CPC 7131) with regard to the pipeline transport of fuels, nor to LV with regard to services incidental to energy distribution, nor to SI with regard to services incidental to the distribution of gas (ISIC Rev. 3.1 401, 402, CPC 7131, 887 other than advisory and consultancy services).

PUBLIC

In CY: For the manufacture of refined petroleum products in so far as the investor is controlled by a natural or juridical person of a third country which accounts for more than 5 % of the European Union's oil or natural gas imports, as well as to the manufacture of gas, distribution of gaseous fuels through mains on own account, the production, transmission and distribution of electricity, the pipeline transportation of fuels, services incidental to electricity and natural gas distribution other than advisory and consulting services, wholesale services of electricity, retailing services of motor fuel, electricity and non-bottled gas. Nationality and residency conditions applies for electricity related services. (ISIC Rev. 3.1 232, 4010, 4020, CPC 613, 62271, 63297, 7131, and 887 other than advisory and consulting services).

In FI: The transmission and distribution networks and systems of energy and of steam and hot water.

In FI: The quantitative restrictions in the form of monopolies or exclusive rights for the importation of natural gas, and for the production and distribution of steam and hot water. Currently, natural monopolies and exclusive rights exist (ISIC Rev. 3.1 40, CPC 7131, 887 other than advisory and consultancy services).

In FR: The electricity and gas transmission systems and oil and gas pipeline transport (CPC 7131).

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In BE: The energy distribution services, and services incidental to energy distribution (CPC 887 other than consultancy services).

PUBLIC

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment, Local presence:

In BE: For energy transmission services, regarding the types of legal entities and to the treatment of public or private operators to whom BE has conferred exclusive rights. Establishment is required within the European Union (ISIC Rev. 3.1 4010, CPC 71310).

In BG: For services incidental to energy distribution (part of CPC 88).

In PT: For the production, transmission and distribution of electricity, the manufacturing of gas, the pipeline transportation of fuels, wholesale services of electricity, retailing services of electricity and non-bottled gas, and services incidental to electricity and natural gas distribution. Concessions for electricity and gas sectors are assigned only to limited companies with their headquarters and effective management in PT (ISIC Rev. 3.1 232, 4010, 4020, CPC 7131, 7422, 887 other than advisory and consulting services).

In SK: An authorisation is required for the production, transmission and distribution of electricity, manufacture of gas and distribution of gaseous fuels, production and distribution of steam and hot water, pipeline transportation of fuels, wholesale and retail of electricity, steam and hot water, and services incidental to energy distribution, including services in the area of energy efficiency, energy savings and energy audit. For all those activities, an authorisation may only be granted to a natural person with permanent residency in the EEA or a juridical person of the EEA.

PUBLIC

With respect to Investment liberalisation – National treatment, Local presence:

In BE: With the exception of the mining of metal ores and other mining and quarrying, enterprises controlled by natural or juridical persons of a third country which accounts for more than 5 % of the European Union's oil or natural gas or electricity imports may be prohibited from obtaining control of the activity. Incorporation is required (no branching) (ISIC Rev. 3.1 10, 1110, 13, 14, 232, part of 4010, part of 4020, part of 4030).

Existing measures:

EU: Directive (EU) 2019/944 of the European Parliament and of the Council[1]; and Directive 2009/73/EC of the European Parliament and of the Council[2].

BG: Energy Act.

CY: The Regulation of the Electricity Market Law of 2003 Law, as amended or replaced; the Regulating of the Gas Market Laws of 2004, as amended or replaced; the Petroleum (Pipelines) Law, Chapter 273; the Petroleum Law L.64(I)/1975, as amended or replaced; and the Petroleum and Fuel Specifications Laws of 2003, as amended or replaced.

FI: Sähkömarkkinalaki (Electricity Market Act) (386/1995); and Maakaasumarkkinalaki (Natural Gas Market Act) (587/2017).

[1] Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ EU L 158, 14.6.2019, p. 125).

[2] Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ EU L 211, 14.8.2009, p. 94).

FR: Code de l'énergie.

PT: Decree-Law 230/2012 and Decree-Law 231/2012, 26 October 2012 – Natural Gas; Decree-Law 215-A/2012, and Decree-Law 215-B/2012, 8 October 2012 – Electricity; and Decree-Law 31/2006, 15 February 2006 – Crude oil/Petroleum products.

SK: Act 51/1988 on Mining, Explosives and State Mining Administration; Act 569/2007 on Geological Works; Act 251/2012 on Energy; and Act 657/2004 on Thermal Energy.

(b) Electricity (ISIC Rev. 3.1 40, 401; CPC 62271, 887 (other than advisory and consulting services))

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment:

In FI: The importation of electricity. With respect to cross-border trade, the wholesale and retail of electricity.

In FR: Only companies where 100 % of the capital is held by the French State, by another public sector organisation or by Electricité de France (EDF), may own and operate electricity transmission or distribution systems.

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In BG: For the production of electricity and the production of heat.

PUBLIC

In LT: Wholesale and retail services and trading of electricity that originates from non-safe nuclear sources.

In PT: The activities of electricity transmission and distribution are carried out through exclusive concessions of public service.

With respect to Investment liberalisation – National treatment, Most-favoured-nation treatment and Cross-border trade in services – Local presence:

In BE: An individual authorisation for the production of electricity of a capacity of 25 MW or above requires establishment in the European Union, or in another State which has a regime similar to that provided for by Directive (EU) 2019/944 in place, and where the company has an effective and continuous link with the economy.

The production of electricity within the offshore territory of BE is subject to concession and a joint venture obligation with a juridical person of the European Union, or with a juridical person of a country having a regime similar to that provided for by Directive (EU) 2019/944, particularly with regard to conditions relating to the authorisation and selection.

Additionally, the juridical person should have its central administration or its head office in a Member State or a country meeting the above criteria, where it has an effective and continuous link with the economy.

The construction of electrical power lines which link offshore production to the transmission network of Elia requires authorisation and the company must meet the previously specified conditions, except for the joint venture requirement.

PUBLIC

With respect to Cross-border trade in services – National treatment, Local presence:

In BE: An authorisation is necessary for the supply of electricity by an intermediary having customers established in BE who are connected to the national grid system or to a direct line whose nominal voltage is higher than 70 000 volts. That authorisation may only be granted to a natural or juridical person of the EEA.

Existing measures:

BE: Arrêté Royal du 11 octobre 2000 fixant les critères et la procédure d'octroi des autorisations individuelles préalables à la construction de lignes directes; Arrêté Royal du 20 décembre 2000 relatif aux conditions et à la procédure d'octroi des concessions domaniales pour la construction et l'exploitation d'installations de production d'électricité à partir de l'eau, des courants ou des vents, dans les espaces marins sur lesquels la Belgique peut exercer sa juridiction conformément au droit international de la mer; and Arrêté Royal du 12 mars 2002 relatif aux modalités de pose de câbles d'énergie électrique qui pénètrent dans la mer territoriale ou dans le territoire national ou qui sont installés ou utilisés dans le cadre de l'exploration du plateau continental, de l'exploitation des ressources minérales et autres ressources non vivantes ou de l'exploitation d'îles artificielles, d'installations ou d'ouvrages relevant de la juridiction belge; Arrêté royal relatif aux autorisations de fourniture d'électricité par des intermédiaires et aux règles de conduite applicables à ceux-ci; and Arrêté royal du 12 juin 2001 relatif aux conditions générales de fourniture de gaz naturel et aux conditions d'octroi des autorisations de fourniture de gaz naturel.

PUBLIC

FI: Sähkömarkkinalaki (Electricity Market Act) (588/2013); and Maakaasumarkkinalaki (Natural Gas Market Act) (587/2017)

LT: Law on Necessary measures to protect against non-safe nuclear electrical threats from third countries of 20 April 2017 No XIII-306 (last amendment 19 December 2019, No XIII-2705).

PT: Decree-Law 215-A/2012; and Decree-Law 215-B/2012, 8 October 2012 – Electricity.

(c) Fuels, gas, crude oil or petroleum products (ISIC Rev. 3.1 232, 40, 402; CPC 613, 62271, 63297, 7131, 71310, 742, 7422, part of 88, 887 (other than advisory and consulting services))

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment:

In FI: To prevent control or ownership of a liquefied natural gas (LNG) terminal (including those parts of the LNG terminal used for storage or re-gasification of LNG) by foreign natural or juridical persons for energy security reasons.

In FR: Only companies where 100 % of the capital is held by the French State, by another public sector organisation or by ENGIE, may own and operate gas transmission or distribution systems for reasons of national energy security.

PUBLIC

With respect to Investment liberalisation – National treatment and Cross-border trade in services – Local presence:

In BE: For bulk storage services of gas, regarding the types of legal entities and the treatment of public or private operators to whom BE has conferred exclusive rights. Establishment is required within the European Union for bulk storage services of gas (part of CPC 742).

In BG: For pipeline transportation, storage and warehousing of petroleum and natural gas, including transit transmission (CPC 71310, part of 742).

In PT: For the cross-border supply of storage and warehousing services of fuels transported through pipelines (natural gas). Also, concessions relating to the transmission, distribution and underground storage of natural gas and the reception, storage and regasification terminal of LNG are awarded through contracts concession, following public calls for tenders (CPC 7131, 7422).

With respect to Cross-border trade in services – Local presence:

In BE: The pipeline transport of natural gas and other fuels is subject to an authorisation requirement. An authorisation may only be granted to a natural or juridical person established in a Member State (in accordance with Article 3 of the AR of 14 May 2002).

PUBLIC

Where the authorisation is requested by a company:

(i) the company must be established in accordance with Belgian law, or the law of another Member State, or the law of a third country, which has undertaken commitments to maintain a regulatory framework similar to the common requirements specified in Directive 2009/73/EC of the European Parliament and of the Council[1]; and

(ii) the company must hold its administrative seat, its principal establishment or its head office within a Member State, or a third country, which has undertaken commitments to maintain a regulatory framework similar to the common requirements specified in Directive 2009/73/EC, provided that the activity of this establishment or head office represents an effective and continuous link with the economy of the country concerned (CPC 7131).

In BE: In general the supply of natural gas to customers (customers being both distribution companies and consumers whose overall combined consumption of gas arising from all points of supply attains a minimum level of one million cubic metres per year) established in BE is subject to an individual authorisation provided by the minister, except where the supplier is a distribution company using its own distribution network. Such an authorisation may only be granted to natural or juridical persons of the European Union.

[1] Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ EU L 211, 14.8.2009, p. 94).

With respect to Cross-border trade in services – Local presence:

In CY: For the cross-border supply of storage and warehousing services of fuels transported through pipelines, and the retail sales of fuel oil and bottled gas other than by mail order (CPC 613, 62271, 63297, 7131, 742).

Existing measures:

BE: Arrêté Royal du 14 mai 2002 relatif à l'autorisation de transport de produits gazeux et autres par canalisations; and Loi du 12 avril 1965 relative au transport de produits gazeux et autres par canalisations, Article 8.2).

BG: Energy Act.

CY: The Regulation of the Electricity Market Law of 2003, Law 122(I)/2003 as amended; the Regulating of the Gas Market Laws of 2004, Law 183(I)/2004 as amended; the Petroleum (Pipelines) Law, Chapter 273; the Petroleum Law Chapter 272 as amended; and the Petroleum and Fuel Specifications Laws of 2003, Law 148(I)/2003 as amended.

FI: Maakaasumarkkinalaki (Natural Gas Market Act) (587/2017).

FR: Code de l'énergie.

HU: Act XVI of 1991 about Concessions.

PUBLIC

LT: Law on Natural Gas of the Republic of Lithuania of 10 October 2000 No VIII-1973.

PT: Decree-Law 230/2012 and Decree-Law 231/2012, 26 October 2012 – Natural Gas; Decree-Law 215-A/2012, and Decree-Law 215-B/2012, 8 October 2012 – Electricity; and Decree-Law 31/2006, 15 February 2006 – Crude oil/Petroleum products.

(d) Nuclear (ISIC Rev. 3.1 12, 23, 120, 1200, 233, 2330, 40, part of 4010, CPC 887)

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment:

In DE: For the production, processing or transportation of nuclear material and generation or distribution of nuclear-based energy.

With respect to Investment liberalisation – National treatment and Cross-border trade in services – National treatment:

In AT and FI: For the production, processing distribution or transportation of nuclear material and generation or distribution of nuclear-based energy.

In BE: For the production, processing or transportation of nuclear material and generation or distribution of nuclear-based energy.

PUBLIC

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements:

In HU and SE: For the processing of nuclear fuel and nuclear-based electricity generation.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors:

In BG: For the processing of fissionable and fusionable materials or the materials from which they are derived, as well as to the trade thereof, to the maintenance and repair of equipment and systems in nuclear energy production facilities, to the transportation of those 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 (including engineering and consulting services and services relating to software etc.).

With respect to Investment liberalisation – National treatment:

In FR: The manufacturing, production, processing, generation, distribution or transportation of nuclear material must respect the obligations of a Euratom Agreement.

PUBLIC

Existing measures:

AT: Bundesverfassungsgesetz für ein atomfreies Österreich (Constitutional Act for a Non-nuclear Austria) BGBl. I Nr. 149/1999.

BG: Safe Use of Nuclear Energy Act.

FI: Ydinenergialaki (Nuclear Energy Act) (990/1987).

HU: Act CXVI of 1996 on Nuclear Energy; and Government Decree Nr. 72/2000 on Nuclear Energy.

SE: The Swedish Environmental Code (1998:808); and Law on Nuclear Technology Activities (1984:3).

PUBLIC

Reservation No. 22 – Other services not included elsewhere

Sector:	Other services not included elsewhere
Industry classification:	CPC 9703, part of 612, part of 621, part of 625, part of 85990
Type of reservation:	National treatment
	Senior management and board of directors
	Performance requirements
	Local presence
Chapter:	Investment liberalisation and Cross-border trade in services

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

(a) Funeral, cremation services and undertaking services (CPC 9703)

With respect to Investment liberalisation – National treatment:

PUBLIC

In FI: Cremation services and operation/maintenance of cemeteries and graveyards can only be performed by the state, municipalities, parishes, religious communities or non-profit foundations or societies.

With respect to Investment liberalisation – National treatment, Senior management and boards of directors and Cross-border trade in services – National treatment, Local presence:

In DE: Only juridical persons established under public law may operate a cemetery. The creation and operation of cemeteries and services related to funerals.

In PT: Commercial presence is required to provide funeral and undertaking services. EEA nationality is required in order to become a technical manager for entities providing funeral and undertaking services.

In SE: Church of Sweden or local authority monopoly on cremation and funeral services.

In CY, SI: Funeral, cremation and undertaking services.

PUBLIC

Existing measures:

FI: Hautaustoimilaki (Act on Burial Service) (457/2003).

PT: Decree-Law 10/2015, of 16 January alterado p/ Lei 15/2018, 27 março.

SE: Begravningslag (1990:1144) (Act of Burials); and Begravningsförordningen (1990:1147) (Ordinance of Burials).

(b) New services

With respect to Investment liberalisation – National treatment, Senior management and boards of directors, Performance requirements and Cross-border trade in services – National treatment, Local presence:

In EU: For the provision of new services other than those classified in the CPC.

PUBLIC

Appendix 17-B-2

PUBLIC

SCHEDULE OF CHILE

Sector:	All
Sub-Sector:	
Obligations Concerned:	National treatment (Investment) Most-favoured-nation treatment (Investment)
Description:	Investment Chile reserves the right to adopt or maintain any measure relating to the ownership or control of land within five kilometres of the coastline that is used for agricultural activities. Such measure could include a requirement that the majority of each class of stock of a Chilean juridical person that seeks to own or control such land be held by Chilean persons or by persons residing in Chile for 183 days or more per year.
Existing Measures:	Decree Law 1.939, Official Gazette, 10 November 1977, Rules for acquisition, administration and disposal of State-owned assets, Title I (Decreto Ley 1.939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I)

Sector:	All
Sub-Sector:	
Obligations Concerned:	National treatment (Investment) Senior management and boards of directors (Investment)
Description:	Investment In the transfer or disposal of any interest in stock or asset held in an existing state enterprise or governmental entity, Chile reserves the right to prohibit or impose limitations on the ownership of that interest or asset and on the right of foreign investors or their investments to control any State company created thereby or investments made by the same. In connection with any such transfer or disposal, Chile may adopt or maintain any measure related to the nationality of senior management and members of the board of directors. A "State company"[1] means any company owned or controlled by Chile by means of an interest share in the ownership thereof, and includes any company created after the date of entry into force of this Agreement for the sole purpose of selling or disposing of its interest share in the capital or assets of an existing state company or governmental entity.

PUBLIC

[1] A list of existing state companies in Chile can be found on the following website: http://www.dipres.gob.cl.

Sector: All

Sub-Sector:

Obligations Concerned: Most-favoured-nation treatment (Investment and CBTS)

Description: Investment and Cross-border trade in services

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force on, or signed prior to, the date of entry into force of this Agreement.

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force on, or signed after, the date of entry into force of this Agreement involving:

(a) aviation;

(b) fisheries; or

(c) maritime matters, including salvage.

Existing Measures:

PUBLIC

Sector:	Communications
Sub-Sector:	Satellite broadcasting of digital telecommunication services
Obligations Concerned:	Local presence (CBTS)
Description:	Cross-border trade in services Chile reserves the right to adopt or maintain any measure related to cross-border trade in one-way satellite broadcasting of digital telecommunication services.
Existing Measures:	Law 18.168, Official Gazette, 2 October 1982, General Telecommunications Law, Titles I, II, III, V and VI (Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI)

PUBLIC

Sector:	Communications
Sub-Sector:	Satellite broadcasting of digital telecommunication services
Obligations Concerned:	National treatment (Investment) Most-favoured-nation treatment (Investment) Performance requirements (Investment) Senior management and boards of directors (Investment)
Description:	Investment Chile reserves the right to adopt or maintain any measure related to the investors of the other Party or to their investments in one-way satellite broadcasting of digital telecommunication services.
Existing Measures:	Law 18.168, Official Gazette, 2 October 1982, General Telecommunications Law, Titles I, II, III, V and VI (Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI)

PUBLIC

Sector:	Issues involving minorities
Sub-Sector:	
Obligations Concerned:	National treatment (Investment and CBTS)
	Most-favoured-nation treatment (Investment and CBTS)
	Performance requirements (Investment)
	Senior management and boards of directors (Investment)
	Local presence (CBTS)
Description:	Investment and Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.
Existing Measures:	

PUBLIC

Sector:	Issues involving indigenous peoples
Sub-Sector:	
Obligations Concerned:	National treatment (Investment and CBTS)
	Most-favoured-nation treatment (Investment and CBTS)
	Performance requirements (Investment)
	Senior management and boards of directors (Investment)
	Local presence (CBTS)
Description:	Investment and Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure according rights or preferences to indigenous peoples.
Existing Measures:	

PUBLIC

Sector:	Education
Sub-Sector:	
Obligations Concerned:	National treatment (Investment and CBTS)
	Most-favoured-nation treatment (Investment and CBTS)
	Performance requirements (Investment)
	Senior management and boards of directors (Investment)
	Local presence (CBTS)
Description:	Investment and Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure relating to:
	(a) investors and an investment of an investor of the other Party in education; and
	(b) natural persons who supply educational services in Chile.

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Subparagraph (b) includes teachers and auxiliary personnel supplying educational services in pre-school, kindergarten, special education, elementary, secondary or higher education, professional, technical or university education, and all other persons that supply services related to education, including sponsors of educational institutions of any kind, schools, lyceums, academies, training centres, professional and technical institutes or universities.

This reservation does not apply to investors and an investment of an investor of the other Party in kindergarten, pre-school, elementary or secondary private education institutions, that do not receive public resources, or to the supply of services related to second-language training, corporate, business, and industrial training and skills upgrading, which include consulting services relating to technical support, advice, curriculum, and programme development in education.

Existing Measures:

PUBLIC

Sector:	Government finances
Sub-Sector:	
Obligations Concerned:	National treatment (Investment)
Description:	Investment Chile reserves the right to adopt or maintain any measure related to the acquisition, sale or disposal by the other Party's nationals of bonds, treasury securities or any other type of debt instruments issued by the Central Bank of Chile (Banco Central de Chile) or the Government of Chile. This entry is not intended to affect the rights of the other Party's financial institutions (banks) established in Chile to acquire, sell or dispose of such instruments when required for the purposes of regulatory capital.
Existing Measures:	

PUBLIC

Sector:	Fisheries
Sub-Sector:	Fishing-related activities
Obligations Concerned:	National treatment (Investment and CBTS) Most-favoured-nation treatment (Investment and CBTS)
Description:	Investment and Cross-border trade in services Chile reserves the right to control the activities of foreign fishing, including fish landing, first landing of fish processed at sea and access to Chilean ports (port privileges). Chile reserves the right to control the use of beaches, land adjacent to beaches (*terrenos de playas*), water-columns (*porciones de agua*) and sea-bed lots (*fondos marinos*) for the issuance of maritime concessions. For greater certainty, "maritime concessions" do not cover aquaculture.
Existing Measures:	Decree Law 2.222, Official Gazette, 31 May 1978, Navigation Law, Titles I, II, III, IV and V (Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación Títulos I, II, III, IV y V)

PUBLIC

D.F.L. 340, Official Gazette, 6 April 1960, about Maritime Concessions (D.F.L. 340, Diario Oficial, abril 6, 1960, sobre Concesiones Marítimas)

Supreme Decree 660, Official Gazette, 28 November 1988, Maritime Concession Act (Decreto Supremo 660, Diario Oficial, noviembre 28, 1988, Reglamento de Concesiones Marítimas)

Supreme Decree 123 of the Ministry of Economic Affairs, Development and Reconstruction, Vice-Ministry of Fishing, Official Gazette, 23 August 2004, On Use of Ports (Decreto Supremo 123 del Ministerio de Economía, Fomento y Reconstrucción, Subsecretaría de Pesca, Diario Oficial, agosto 23, 2004, Sobre Uso de Puertos)

PUBLIC

Sector:	Arts industries and cultural industries
Sub-Sector:	
Obligations Concerned:	Most-favoured-nation treatment (Investment and CBTS)
Description:	Investment and Cross-border trade in services

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any existing or future bilateral or multilateral international agreement, with respect to arts and cultural industries, such as audio-visual cooperation agreements.

For greater certainty, government-supported subsidy programmes for the promotion of cultural activities are not subject to the limitations or obligations of this Agreement.

For the purposes of this entry, "arts and cultural industries" includes:

(a) books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing;

(b) recordings of movies or videos;

(c) music recordings in audio or video format;

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(d) printed music scores or scores readable by machines;

(e) visual arts, artistic photography and new media;

(f) performing arts, including theatre, dance and circus arts; and

(g) media services or multimedia.

Existing Measures:

PUBLIC

Sector:	Entertainment and broadcasting services
Sub-Sector:	
Obligations Concerned:	National treatment (Investment and CBTS) Most-favoured-nation treatment (Investment and CBTS) Performance requirements (Investment)
Description:	Investment and Cross-border trade in services Chile reserves the right to adopt or maintain any measure relating to: (a) the organisation and presentation in Chile of concerts and musical performances; or (b) radio broadcasts aimed at the public in general, as well as all radio, television and cable television-related activities, satellite programming services and broadcasting networks. Notwithstanding the above, Chile shall extend to the persons and investors of the other Party, and their investments, treatment no less favourable than that Party accords persons and investors of Chile, and their investments.
Existing Measures:	

PUBLIC

Sector:	Social services
Sub-Sector:	
Obligations Concerned:	National treatment (Investment and CBTS)
	Most-favoured-nation Treatment (Investment and CBTS)
	Performance requirements (Investment)
	Senior management and boards of directors (Investment)
	Local presence (CBTS)
Description:	Investment and Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure with respect to the supply of public law enforcement and correctional services, and the following services to the extent that they are social services established or maintained for reasons of public interest: income security or insurance, social security or insurance, social welfare, education, public training, health care and child care.
Existing Measures:	

PUBLIC

Sector:	Environmental services
Sub-Sector:	
Obligations Concerned:	National treatment (CBTS)
	Most-favoured-nation treatment (CBTS)
	Local presence (CBTS)
Description:	Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure imposing the requirement that the production and distribution of drinking water, the collection and disposal of waste water and sanitation services, such as sewage systems, waste disposal and waste-water treatment, shall only be supplied by juridical persons incorporated under Chilean law or created in accordance with the requirements established by Chilean law.
	This entry does not apply to consultancy services retained by such juridical persons.
Existing Measures:	

PUBLIC

Sector:	Construction services
Sub-Sector:	
Obligations Concerned:	National treatment (CBTS)
	Local presence (CBTS)
Description:	Cross-border trade in services
	Chile reserves the right to adopt or maintain any measure with respect to the supply of construction services by foreign juridical persons or legal entities.
	Such measures may include requirements such as residency, registration or any other form of local presence.
Existing Measures:	

PUBLIC

Sector:	Transportation
Sub-Sector:	International road transportation
Obligations Concerned:	National treatment (Investment and CBTS)
	Most-favoured-nation treatment (Investment and CBTS)
	Local presence (CBTS)
Description:	Investment and Cross-border trade in services

Chile reserves the right to adopt or maintain any measure relating to the international land transportation of cargo or passengers in border areas.

Additionally, Chile reserves the right to adopt or maintain the following limitations for the supply of international land transportation from Chile:

(a) the service supplier must be a Chilean natural or juridical person;

(b) the service supplier must have a real and effective domicile in Chile; and

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(c) in the case of juridical persons, the service supplier must be legally constituted in Chile and more than 50 % of its capital stock must be owned by Chilean nationals and its effective control must be by Chilean nationals.

Existing Measures:

PUBLIC

Sector:	Transportation services
Sub-Sector:	Road transportation services
Obligations Concerned:	National treatment (CBTS)
Description:	Cross-border trade in services

Chile reserves the right to adopt or maintain any measure that authorises only Chilean natural or juridical persons to supply land transportation of persons or merchandise inside the territory of Chile (cabotage). For this, the enterprises shall use vehicles registered in Chile.

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ANNEX 17-C

PUBLIC

MARKET ACCESS COMMITMENTS

Headnotes

1. The schedules of the Parties in Appendices 17-C-1 and 17-C-2 set out the market access commitments which each Party undertakes pursuant to Article 17.8 or 18.7 and the reservations taken by that Party with respect to existing or more restrictive or new measures that do not conform with obligations imposed by such provisions, under Article 17.14 or 18.8.

2. For the purposes of this Annex, "ISIC" means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 4, ISIC REV 3.1, 2002.

3. The economic activities in the sectors or subsectors covered by Chapters 17 and 18 and not inscribed in the schedules of the Parties are not covered by the market access commitments referred to in paragraph 1.

4. The schedule of a Party is without prejudice to the rights and obligations of the Parties under GATS.

5. Each entry in the schedules sets out the following elements:

(a) "sector" refers to the general sector in which the entry is made;

(b) "subsector" refers to the specific sector or activity in which commitments are undertaken in accordance with, if applicable, the CPC or ISIC; and

(c) "limitations on market access" specifies the applicable limitations, including the possibility to maintain existing measures if so specified, or to adopt new or more restrictive measures if market access is unbound, that do not conform to the obligations set out in Article 17.8 or 18.7.

6. A reservation taken at the level of the EU Party applies to a measure of the European Union, to a measure of a Member State at the central level or to a measure of a government within a Member State, unless the reservation excludes a Member State. A commitment or a reservation taken by a Member State applies to a measure of a government at the central, regional or local level within that Member State. For the purposes of the reservations of Belgium, the central level of government covers the federal government and the governments of the regions and the communities as each of them holds equipollent legislative powers. For the purposes of the reservations of the EU Party, a regional level of government in Finland means the Åland Islands. A reservation taken at the level of Chile applies to a measure of the central government or a local government.

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7. The schedules of the Parties only contain limitations on market access which are non-discriminatory. Discriminatory measures and requirements are set out in Annexes 17-A and 17-B.

8. For greater certainty, non-discriminatory measures do not constitute a market access limitation within the meaning of Articles 17.8 or 18.7 for any measure:

(a) requiring the separation of the ownership of infrastructure from the ownership of the goods or services provided through that infrastructure to ensure fair competition, for example in the fields of energy, transportation and telecommunications;

(b) restricting the concentration of ownership to ensure fair competition;

(c) seeking to ensure the conservation and protection of natural resources and the environment, including a limitation on the availability, number and scope of concessions granted, and the imposition of a moratorium or ban;

(d) limiting the number of authorisations granted because of technical or physical constraints, for example telecommunications spectra and frequencies; or

(e) requiring that a certain percentage of the shareholders, owners, partners, or directors of an enterprise be qualified or practice a certain profession such as lawyers or accountants.

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9. The list of reservations below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures where they do not constitute a limitation within the meaning of Article 17.8 or 18.7. Those measures may include, in particular, the need to obtain a licence, to satisfy universal service obligations, to have recognised qualifications in regulated sectors, to pass specific examinations, including language examinations, to fulfil a membership requirement of a particular profession, such as membership in a professional organisation, to have a local agent for service, or to maintain a local address, or any other non-discriminatory requirements that certain activities may not be carried out in protected zones or areas. Although they are not listed in this Annex, such measures continue to apply.

10. Treatment granted to juridical persons established by investors of a Party in accordance with the law of the other Party (including, in the case of the EU Party, the law of a Member State) and having their registered office, central administration or principal place of business within that other Party, is without prejudice to any condition or obligation, pursuant to Chapter 17, which may have been imposed on such juridical person when it was established in that other Party, and which shall continue to apply.

11. The schedules of the Parties apply only to the territories of the Parties in accordance with Article 41.2 and are only relevant in the context of trade relations between the EU Party and Chile. They do not affect the rights and obligations of the Member States under European Union law.

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12. The following abbreviations are used in the schedule of the EU Party:

EU European Union, including all its Member States

AT Austria

BE Belgium

BG Bulgaria

CY Cyprus

CZ Czechia

DE Germany

DK Denmark

EE Estonia

EL Greece

ES Spain

FI Finland

FR France

HR Croatia

PUBLIC

HU Hungary

IE Ireland

IT Italy

LT Lithuania

LU Luxembourg

LV Latvia

MT Malta

NL Netherlands

PL Poland

PT Portugal

RO Romania

SE Sweden

SI Slovenia

SK Slovakia

EEA European Economic Area

PUBLIC

Appendix 17-C-1

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SCHEDULE OF THE EU PARTY

Sector or Subsector	Limitations on Market Access
III-EU-1 All sectors	
(a) Commercial presence	
	With respect to Investment: In the EU: Services considered as public utilities at national or local level may be subject to public monopolies or to exclusive rights granted to private operators. Public utilities exist in sectors such as related scientific and technical consulting services, research and development (R&D) services on social sciences and humanities, technical testing and analysis services, environmental services, health services, transport services and services auxiliary to all modes of transport. Exclusive rights on those services are often granted to private operators, for instance operators with concessions from public authorities, subject to specific service obligations. Given that public utilities often also exist at the sub-central level, detailed and exhaustive sector-specific scheduling is not practical. This reservation does not apply to telecommunications and to computer and related services. In HU: Establishment should take a form of limited liability company, joint-stock company or representative office. Initial entry as a branch is not permitted except for financial services. In IT: Unbound for the acquisition of equity stakes of companies operating in the fields of defence and national security. The acquisition of strategic assets in the fields of transport services, telecommunications and energy may be subject to the approval of the Presidency of the Council of Ministers' Office. In LT: Unbound for enterprises, sectors, zones, assets and facilities of strategic importance to national security.

Sector or Subsector	Limitations on Market Access
(b) Acquisition of real estate	With respect to Investment: In the EU, with the exception of HU: None. In HU: Unbound for the acquisition of State-owned properties.
(c) Arms, munition and war material	With respect to Investment and Cross-border trade in services: In the EU: Unbound for the production or distribution of, or trade in, arms, munitions and war material. War material is limited to any product which is solely intended and made for military use in connection with the conduct of war or defence activities.

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Sector or Subsector	Limitations on Market Access
III-EU-2 – Professional services (all professions except health-related)	
(a) Legal services (part of CPC 861), including patent agent services For greater certainty, consistent with the Headnotes, in particular headnote 9, requirements to register with a Bar may include a requirement to have obtained a law degree in the host country or its equivalent, or to have completed some training under the supervision of a licensed lawyer, or to have an office or a postal address within the jurisdiction of a specific Bar in order to be eligible to apply for membership in that Bar. Some Member States may impose the requirement of having the right to practise host-jurisdiction law on those natural persons holding certain positions within a law firm, company or enterprise or for shareholders.	With respect to Investment and Cross-border trade in services: In the EU, with the exception of SE: Unbound for the supply of legal advisory and legal authorisation, documentation, and certification services provided by legal professionals entrusted with public functions, such as notaries, *huissiers de justice* or other *officiers publics et ministériels*, and with respect to services provided by bailiffs who are appointed by an official act of government (part of CPC 861, part of 87902). In SE: None. In the EU: Specific non-discriminatory legal form requirements apply in each Member State (some examples are listed below for transparency purposes). In BE: Quotas apply for representation before the *Cour de cassation* in non-criminal cases. In FR: Representation before the *Cour de Cassation* and *Conseil d'Etat* is subject to quotas. For fully admitted lawyers, company must take one of the following legal form authorised under French law on a non-discriminatory basis: SCP (*société civile professionnelle*), SEL (*société d'exercice libéral*), SEP (*société en participation*), SARL (*société à responsabilité limitée*), SAS (*société par actions simplifiée*), SA (*société anonyme*), SPE (*société pluriprofessionnelle d'exercice*) and *association*, under certain conditions. In a law firm providing services in respect of French or European Union law, shareholding and voting rights may be subject to quantitative restrictions related to the professional activity of the partners. In SI: Commercial presence for appointed attorneys by the Slovene Bar Association is restricted to sole proprietorship, law firm with limited liability (partnership) or law firm with unlimited liability (partnership) only. The activities of a law firm shall be restricted to the practice of law. Only attorneys may be partners in a law firm.

Sector or Subsector	Limitations on Market Access
(b) Patent agents, industrial property agents, intellectual property attorneys (part of CPC 879, 861, 8613)	With respect to Investment: In the EU, with the exception of FR: None. In FR: Provision only through SCP (*société civile professionnelle*), SEL (*société d'exercice libéral*) or any other legal form, under certain conditions.
(c) Accounting and book-keeping services (CPC 8621 other than auditing services, 86213, 86219, 86220)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FR and HU: None.
	With respect to Investment: In FR: Provision through any company form except SNC (*Société en nom collectif*) and SCS (*Société en commandite simple*). Specific conditions apply to SEL (*sociétés d'exercice libéral*), AGC (*Association de gestion et comptabilité*) and SPE (*Société pluri-professionnelle d'exercice*) (CPC 86213, 86219, 86220).
	With respect to Cross-border trade in services: In HU: Unbound for cross-border activities for accounting and bookkeeping.
(d) Auditing services (CPC – 86211, 86212 other than accounting services)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of DE, EE, BG, FR, HU, PL and PT: None. In EE: Non-discriminatory legal form requirements apply. With respect to Investment: In BG: Non-discriminatory legal form requirements apply. In FR: Provision through any company form except those in which partners are considered to be traders (*commerçants*), such as SNC (*Société en nom collectif*) and SCS (*Société en commandite simple*). In PL: Legal form requirements apply.

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Sector or Subsector	Limitations on Market Access
	With respect to Cross-border trade in services: In DE: Auditing companies (*Wirtschaftsprüfungsgesellschaften*) may only adopt legal forms admissible within the EEA. General partnerships and limited commercial partnerships may be recognised as *Wirtschaftsprüfungsgesellschaften* if they are listed as trading partnerships in the commercial register on the basis of their fiduciary activities. In HU and PT: Unbound for cross-border supply of auditing services.
(e) Taxation advisory services (CPC 863, not including legal advisory and legal representational services on tax matters, which are to be found under legal services)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of DE, FR and PL: None. In DE, PL: Legal form requirements apply.
	With respect to Investment: In FR: Provision through any company form except SNC (*Société en nom collectif*) and SCS (*Société en commandite simple*). Specific conditions apply to SEL (*sociétés d'exercice libéral*), AGC (*Association de gestion et comptabilité*) and SPE (*Société pluri-professionnelle d'exercice*).
(f) Architecture and urban planning services, engineering and integrated engineering services (CPC 8671, 8672, 8673, 8674)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FR and HR: None. With respect to Investment: In FR: An architect may only establish in FR in order to provide architectural services using one of the following legal forms (on a non-discriminatory basis): SA et SARL (*sociétés anonymes*, *à responsabilité limitée*), EURL (*Entreprise unipersonnelle à responsabilité limitée*), SCP (*en commandite par actions*), SCOP (*Société coopérative et participative*), SELARL (*société d'exercice libéral à responsabilité limitée*), SELAFA (*société d'exercice libéral à forme anonyme*), SELAS (*société d'exercice libéral*) or SAS (*Société par actions simplifiée*), or as individual or as a partner in an architectural firm (CPC 8671).

Sector or Subsector	Limitations on Market Access
	With respect to Cross-border trade in services: In HR: Unbound for the cross-border supply of urban planning.
III-EU-3 – Professional services – health-related and retail of pharmaceuticals	
(a) Medical and dental services; and services provided by midwives, nurses, physiotherapists, psychologists and paramedical personnel (CPC 85201, 9312, 9319)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT, BE, BG, CZ, DE, FI and MT: None. In CZ and MT: Unbound for the supply of all health-related professional services, whether publicly or privately funded, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, psychologists, as well as other related services (CPC 9312, part of 9319). In FI: Unbound for the supply of all health-related professional services, whether publicly or privately funded, including medical and dental services, services provided by midwives, physiotherapists and paramedical personnel, and services provided by psychologists, excluding services provided by nurses (CPC 9312, 93191). In BG: Unbound for the supply of all health-related professional services, whether publicly or privately funded, including medical and dental services, services provided by nurses, midwives, physiotherapists and paramedical personnel, and services provided by psychologists (CPC 9312, part of 9319).

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Sector or Subsector	Limitations on Market Access
	With respect to Investment: In AT: Specific non-discriminatory legal form requirements may apply (CPC 9312, part of 9319). Cooperation of physicians for the purpose of ambulatory public healthcare, so-called group practices, can take place only under the legal form of *Offene Gesellschaft/OG* or *Gesellschaft mit beschränkter Haftung/GmbH*. Only physicians may act as associates of such a group practice. They must be entitled to independent medical practice, registered with the Austrian Medical Chamber and actively pursue the medical profession in the practice. Other natural or juridical persons may not act as associates of the group practice and may not take a share in its revenues or profits (part of CPC 9312). In DE: Geographical restrictions may be imposed on professional registration, which apply to nationals and non-nationals alike. Non-discriminatory restrictions on the legal form to provide these services may exist (§ 95 SGB V). For doctors (including psychologists, and psychotherapists) registration can be subject to quantitative restrictions based on the regional distribution of doctors. Registration is necessary only for doctors participating in the public health scheme.
	With respect to Cross-border trade in services: In BE: Unbound for the cross-border supply, whether publicly or privately funded, of all health-related professional services, including medical, dental and midwives services and services provided by nurses, physiotherapists, psychologists and paramedical personnel (part of CPC 85201, 9312, part of 93191).

Sector or Subsector	Limitations on Market Access
(b) Veterinary services (CPC 932)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BE, BG, DE, DK, ES, FR, IE, HU, LV, NL and SK: None. In DE: Telemedicine may only be provided in the context of a primary treatment involving the prior physical presence of a veterinary. In DE, DK, ES, LV, NL and SK: The supply of veterinary services is restricted to natural persons. In IE: The supply of veterinary services is restricted to natural persons or partnerships. In HU: Authorisation is subject to an economic needs test. Main criteria: labour market conditions in the sector.
	With respect to Investment: In FR: The legal forms available to a company providing veterinary services are limited to SEP (*société en participation*), SCP (*société civile professionnelle*) and SEL (*société d'exercice liberal*).
	With respect to Cross-border trade in services: In BE, BG and LV: Unbound for cross-border supply of veterinary services.

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Sector or Subsector	Limitations on Market Access
(c) Retail sales of pharmaceutical, medical and orthopaedic goods, other services provided by pharmacists (CPC 63211)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BG, LT: The retail of pharmaceuticals and specific medical goods to the public may only be carried out through a pharmacy. The mail order of pharmaceuticals is prohibited, with the exception of non-prescription medicines. In EE: The retail of pharmaceuticals and specific medical goods to the public may only be carried out through a pharmacy. Mail order of medicinal products as well as delivery by post or express service of medicinal products ordered through the internet is prohibited. Establishment authorisation is subject to an economic needs test. Main criteria: density conditions in the area. In EL: Only natural persons, who are licensed pharmacists, and companies founded by licensed pharmacists, are permitted to provide retail services of pharmaceuticals and specific medical goods to the public. In ES: Only natural persons, who are licensed pharmacists, are permitted to provide retail services of pharmaceuticals and specific medical goods to the public. Each pharmacist cannot obtain more than one licence. Mail order of pharmaceuticals is prohibited. In FI: Unbound for retail sales of pharmaceutical products and of medical and orthopaedic goods. In IE: The mail order of pharmaceuticals is prohibited, with the exception of non-prescription medicines. In IT: The practice of the profession is possible only for natural persons enrolled in the register, as well as for juridical persons in the form of partnerships, where every partner of the company must be an enrolled pharmacist. Establishment authorisation is subject to an economic needs test. Main criteria: population and density conditions in the area. In LU: Only natural persons are permitted to provide retail services of pharmaceuticals and specific medical goods to the public. In NL: Unbound for mail order of medicine. In PL: The practice of the profession is possible only for natural persons enrolled in the register, as well as for juridical persons in the form of partnerships, where every partner of the company must be an enrolled pharmacist. In SE: Unbound for retail sales of pharmaceutical goods and the supply of pharmaceutical goods to the general public.

Sector or Subsector	Limitations on Market Access
	With respect to Investment: In the EU, with the exception of EL, IE, LU, LT and NL: For restricting the number of suppliers entitled to provide a particular service in a specific local zone or area on a non-discriminatory basis. An economic needs test may therefore be applied, taking into account such factors as the number of and impact on existing establishments, transport infrastructure, population density or geographic spread. In BG: Managers of pharmacies must be qualified pharmacists and may only manage one pharmacy in which they themselves work. A quota (not more than four 4) exists for the number of pharmacies which may be owned per person in BG. In DE: Only natural persons (pharmacists) are permitted to operate a pharmacy. The total number of pharmacies per person is restricted to one pharmacy and up to three branch pharmacies. In DK: Only natural persons who have been granted a pharmacist licence from the Danish Health and Medicines Authority are permitted to provide retail services of pharmaceuticals and specific medical goods to the public. In FR: Pharmacy opening must be authorised and commercial presence, including sale at a distance of medicinal products to the public by means of information society services, must take one of the legal forms which are allowed under national law on a non-discriminatory basis: *société d'exercice libéral* (SEL) *anonyme*, *par actions simplifiée*, *à responsabilité limitée unipersonnelle* or *pluripersonnelle*, *en commandite par actions*, *société en noms collectifs* (SNC) or *société à responsabilité limitée* (SARL) *unipersonnelle* or *pluripersonnelle* only. In ES, HR, HU, and PT: Establishment authorisation is subject to an economic needs test. Main criteria: population and density conditions in the area. In MT: Issuance of pharmacy licences under specific restrictions. A person shall not have more than one licence in their name in any town or village (Regulation 5(1) of the Pharmacy Licence Regulations (LN279/07)), except in the case where there are no further applications for that town or village (Regulation 5(2) of the Pharmacy Licence Regulations (LN279/07)). In PT: In commercial companies where the capital is represented by shares, these shall be nominative. A person shall not hold or exercise, at the same time, directly or indirectly, ownership, operation or management of more than four pharmacies. In SI: The network of pharmacies in SI consists of public pharmacy institutions, owned by municipalities, and of private pharmacists with concession where the majority owner must be a pharmacist by profession. Mail order of pharmaceuticals requiring a prescription is prohibited. Mail order of non-prescription medicines requires special State permission.

Sector or Subsector	Limitations on Market Access
III-EU-4 – Business services – research and development services (CPC 851, 852, 853)	
	With respect to Investment and Cross-border trade in services: In the EU, with the exception of RO: None. With respect only to Cross-border trade in services: In RO: Unbound for the cross-border supply of research and development services.
III-EU-5 – Business services – real estate services (CPC 821, 822)	
	With respect to Investment and Cross-border trade in services: In the EU, with the exception of CZ and HU: None. With respect to Cross-border trade in services: In CZ and HU: Unbound for the cross-border supply of real estate services.
III-EU-6 – Business services – rental or leasing services	
(a) Rental or leasing services without operators (CPC 831)	With respect to Investment and Cross-border trade in services: In the EU: Unbound for rental or leasing of aircraft without crew (dry lease). Aircraft used by an air carrier of the European Union are subject to applicable aircraft registration requirements. A dry lease agreement to which a European Union carrier is a party shall be subject to requirements in the European Union or national law on aviation safety, such as prior approval and other conditions applicable to the use of third countries' registered aircraft (CPC 83104).
(b) Rental or leasing services without operators concerning personal and household goods (CPC 832)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BE and FR: None. With respect to Cross-border trade in services: In BE and FR: Unbound for cross-border supply of leasing or rental services without operator concerning personal and household goods.

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Sector or Subsector	Limitations on Market Access
III-EU-7 – Business services	
(a) Computer and related services (CPC 84)[1]	None.
(b) Market research and public opinion polling services (CPC 864)	None.
(c) Management consulting services (CPC 865) and services related to management consulting (CPC 866)	None.
(d) Related scientific and technical consulting services (CPC 8675)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FR: None. With respect to Investment: In FR: For surveying, access through SEL (*anonyme*, *à responsabilité limitée ou en commandite par actions*), SCP (*Société civile professionnelle*), SA and SARL (*sociétés anonymes*, *à responsabilité limitée*) only.
(e) Technical testing and analysis services (CPC 8676)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FR and PT: None. With respect to Investment and Cross-border trade in services: In FR: The profession of biologist is reserved for natural persons. In PT: The professions of biologist, chemical analyst and agronomist are reserved for natural persons.
(f) Advertising services (CPC 871)	With respect to Investment and Cross-border trade in services: In the EU: None.

[1] The EU subscribes to the "Understanding on the scope of coverage of computer services – CPC 84".

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Sector or Subsector	Limitations on Market Access
(g) Placement services (CPC 87201, 87202, 87203, 87204, 87205, 87206, 87209)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of HU and SE: Unbound for the supply services of domestic help personnel, other commercial or industrial workers, nursing and other personnel. In HU and SE: None (CPC 87204, 87205, 87206, 87209). In the EU for executive search services (CPC 87201): None, except for BG, CY, CZ, DE, EE, FI, MT, LT, LV, PL, PT, RO, SI and SK where: Unbound. In the EU for the establishment of placement services of office support personnel and other workers (CPC 87202): None, except for AT, BG, CY, CZ, EE, FI, LT, LV MT, PL, PT, RO, SI and SK where: Unbound. In the EU for supply services of office support personnel (CPC 87203): None, except for AT, BG, CY, CZ, DE, EE, FI, MT, LT, LV, PL, PT, RO, SI and SK where: Unbound. In DE: Restrictions on the number of suppliers of placement services. In ES: Restrictions the number of suppliers of executive search services and placement services (CPC 87201, 87202). In FR: These services can be subject to a State monopoly (CPC 87202). In IT: Restrictions on the number of suppliers of supply services of office personnel (CPC 87203).
	With respect to Cross-border trade in services: In the EU, with the exception of BE, HU and SE: Unbound for the cross-border supply of placement services of office support personnel and other workers (CPC 87202). In BE: None. In IE: Unbound for the cross-border supply of executive search services (CPC 87201). In FR, IE, IT and NL: Unbound for the cross-border supply of services of office personnel (CPC 87203).
(h) Security services (CPC 87302, 87303, 87304, 87305, 87309)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BG, CY, CZ, DK, EE, ES, FI, HR, HU, LT, LV, MT, PL, RO, SI and SK: None. In BG, CY, CZ, EE, ES, LT, LV, MT, PL, RO, SI and SK: Unbound. In DK, HR and HU: Unbound for the supply of the following subsectors: guard services (87305) in HR and HU, security consultation services (87302) in HR, airport guard services (part of 87305) in DK and armoured car services (87304) in HU.

Sector or Subsector	Limitations on Market Access
	With respect to Investment: In FI: Unbound for licences to supply security services.
(i) Investigation services (CPC 87301)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT and SE: Unbound. In AT and SE: None.
(j) Building-cleaning services (CPC 874)	With respect to Investment and Cross-border trade in services: In the EU: None.
(k) Photographic services (CPC 875)	None.
(l) Packaging services (CPC 876)	None.
(m) Credit reporting services and collection agency services (CPC 87901, 87902)	With respect to Cross-border trade in services: In the EU, with the exception of ES, LV and SE: Unbound for the supply of collection agency services and credit reporting services. In ES, LV and SE: None.
(n) Telephone answering services (CPC 87903)	With respect to Investment and Cross-border trade in services: In the EU: None.
(o) Duplicating services (CPC 87904)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of HU: None. With respect to Cross-Border Trade in Services: In HU: Unbound for the cross-border supply of duplicating services.
(p) Translation and interpretation services (CPC 87905)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of HU and PL: None. In HU: Official translations, official certifications of translations, and certified copies of official documents in foreign languages may only be provided by the Hungarian Office for Translation and Attestation (OFFI). In PL: Only natural persons may be sworn translators.
(q) Mailing list compilation and mailing services (CPC 87906)	With respect to Investment and Cross-border trade in services: In the EU: None.

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Sector or Subsector	Limitations on Market Access
(r) Specialty design services (CPC 87907)	None.
(s) Other business services n.e.c. (CPC 87909)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of SE: None. In SE: The economic plan for a building society must be certified by two persons. These persons must be publicly approved by authorities in the EEA. In SE: Pawn-shops must be established as either a limited liability company or as a branch.
(t) Air transport related business services: – Selling and Marketing – Computer Reservations System (CRS) services	With respect to Investment and Cross-border trade in services: In the EU: None.
(u) Repair services incidental to metal products, machinery and equipment (CPC 886, except 8868)	None.
	With respect to Investment and Cross-border trade in services: In the EU, with the exception of HU: None. In HU: Unbound for services incidental to energy distribution and cross-border supply of services incidental to manufacturing, with the exception of advisory and consulting services relating to these sectors.
(v) Maintenance and repair of vessels, rail transport equipment and aircraft and parts thereof (part of CPC 86764, 86769, 8868)	None.

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Sector or Subsector	Limitations on Market Access
(x) Other business services and hallmarking services (part of CPC 893)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of CZ, LT and NL: None. In LT: Unbound. In NL: The hallmarking of precious metal articles is currently exclusively granted to two Dutch public monopolies.
(y) Packaging (part of CPC 88493, ISIC 37)	With respect to Investment and Cross-border trade in services: In CZ: A packaging company supplying services relating to packaging take back and recovery must be a joint-stock company (part of CPC 88493, ISIC 37).
III-EU-8 – Communication services	
(a) Postal and courier services (part of CPC 71235, part of 73210, part of 751)	With respect to Investment and Cross-border trade in services: In the EU: The organisation of the siting of letter boxes on the public highway, the issuing of postage stamps and the provision of the registered mail service used in the course of judicial or administrative procedures may be restricted in accordance with national legislation. Licensing systems may be established for those services for which a general universal service obligation exists. These licences may be subject to particular universal service obligations or a financial contribution to a compensation fund.
(b) Telecommunications (CPC 752, 753, 754)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BE: None. In BE: Unbound for satellite broadcast transmission services.
III-EU-9 – Construction (CPC 511, 512, 513, 514, 515, 516, 517, 518)	With respect to Investment and Cross-border trade in services: In the EU: None.

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Sector or Subsector	Limitations on Market Access
III-EU-10 – Distribution services	
(a) Distribution services (CPC 3546, 631, 632 except 63211, 63297, 62276, part of 621)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of PT: None. With respect to Investment: In PT: A specific authorisation scheme exists for the installation of certain retail establishments and shopping centres. This relates to shopping centres that have a gross leasable area equal to or greater than 8 000 m^2, and retail establishments having a sales area equal to or exceeding 2 000 m^2, when located outside shopping centres. Main criteria: Contribution to a multiplicity of commercial offers; assessment of services to consumer; quality of employment and corporate social responsibility; integration in urban environment; and contribution to eco-efficiency (CPC 631, 632 except 63211, 63297).
(b) Distribution of pharmaceuticals (CPC 62117, 62251, 8929)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FI: None. In FI: Unbound for the distribution of pharmaceutical products.
(c) Distribution of alcoholic beverages (part of CPC 62112, 62226, 63107, 8929)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of FI and SE: None. In FI: Unbound for the distribution of alcoholic beverages. In SE: Imposing a monopoly on retail sales of liquor, wine and beer (except non-alcoholic beer). Currently Systembolaget AB has such governmental monopoly on retail sales of liquor, wine and beer (except non-alcoholic beer). Alcoholic beverages are beverages with an alcohol content over 2,25 % per volume. For beer, the limit is an alcohol content over 3,5 % per volume (part of CPC 631).
(d) Distribution of tobacco (part of CPC 6222, 62228, part of 6310, 63108)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT, ES, FR and IT: None. In AT: Only natural persons may apply for an authorisation to operate as a tobacconist (CPC 63108). In ES: Only natural persons may operate as a tobacconist. Each tobacconist cannot obtain more than one licence (CPC 63108). There is a State monopoly on retail sales of tobacco. In FR: State monopoly on wholesale and retail sales of tobacco (part of CPC 6222, part of 6310). In IT: In order to distribute and sell tobacco, a licence is needed. The licence is granted through public procedures. The granting of licences is subject to an economic needs test. Main criteria: population and geographical density of existing selling points (part of CPC 6222, part of 6310).

Sector or Subsector	Limitations on Market Access
III-EU-11 – Environmental services (a) Waste water services (CPC 9401) (b) Solid/hazardous waste management, excluding cross-border transport of hazardous waste (i) Refuse disposal services (CPC 9402) (ii) Sanitation and similar services (CPC 9403) (c) Protection of ambient air and climate (CPC 9404)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of DE: None. With respect only to Cross-border trade in services: In DE: Unbound for the cross-border supply of waste management services, other than advisory services and with respect to services relating to the protection of soil and the management of contaminated soils, other than advisory services (CPC 9401, 9402, 9403, 94060).
(d) Remediation and clean-up of soil and waters (i) Treatment, remediation of contaminated or polluted soil and water (part of CPC 9406)	
(e) Noise and vibration abatement (CPC 9405) (f) Protection of biodiversity and landscape (g) Nature and landscape protection services (part of CPC 9406) (h) Other environmental and ancillary services (CPC 9409)	

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Sector or Subsector	Limitations on Market Access
III-EU-12 – Education services (CPC 92) (Only privately funded services)	
	With respect to Investment and Cross-border trade in services: In the EU: Unbound for educational services which receive public funding or State support in any form. Where the supply of privately funded education services by a foreign provider is permitted, participation of private operators in the education system may be subject to concession allocated on a non-discriminatory basis. In the EU, with the exception of CZ, NL, SE and SK: Unbound for the supply of privately funded other education services, which means other than those classified as being primary, secondary, higher and adult education services (CPC 929). In CY, FI, MT and RO: Unbound for the supply of privately funded primary, secondary, and adult education services (CPC 921, 922, 924). In AT, BG, CY, FI, MT and RO: Unbound for the supply of privately funded higher education services (CPC 923). In SE: Unbound for educational services suppliers that are approved by public authorities to provide education. This reservation applies to privately funded educational services suppliers with some form of State support, *inter alia*, educational service suppliers recognised by the State, educational services suppliers under State supervision or education which entitles to study support (CPC 92). In SK: For all privately funded education services other than post-secondary technical and vocational education services: An economic needs test may apply and the number of schools being established may be limited by local authorities (CPC 921, 922, 923 other than 92310, 924).
	With respect to Investment: In the EU, with the exception of ES and IT: For opening of a privately funded university which issues recognised diplomas or degrees an economic needs test is applied. Main criteria: population and density of existing establishments. In ES: The procedure involves obtaining the advice of the Parliament. In IT: This is based on a three-year programme and only Italian juridical persons may be authorised to issue State-recognised diplomas (CPC 923).

Sector or Subsector	Limitations on Market Access
III-EU-13 – Health and social services (Only privately funded services)	
(a) Health services – hospital, ambulance, residential health services (CPC 93, 931, other than 9312, part of 93191, 9311, 93192, 93193, 93199)	With respect to Investment: In the EU: Unbound for the supply of all health services which receive public funding or State support in any form. Unbound for all privately funded health services, other than privately funded hospital, ambulance, and residential health facilities services other than hospital services. The participation of private operators in the privately funded health network may be subject to concession on a non-discriminatory basis. An economic needs test may apply. Main criteria: number of, and impact on, existing establishments, transport infrastructure, population density, geographic spread, and creation of new employment. This reservation does not relate to the supply of all health-related professional services, including the services supplied by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, which are covered by other reservations (CPC 931 other than 9312, part of 93191). In AT, PL and SI: Unbound for the supply of privately funded ambulance services (CPC 93192). In BE: Unbound for the establishment of privately funded ambulance and residential health facilities services other than hospital services (CPC 93192, 93193). In BG, CY, CZ, FI, MT and SK: Unbound for the supply of privately funded hospital, ambulance, and residential health services other than hospital services (CPC 9311, 93192, 93193). In DE: Unbound for the supply of the Social Security System of Germany, where services may be provided by different companies or entities involving competitive elements which are thus not "activities performed in the exercise of governmental authority" (CPC 93). In DE: Unbound for the ownership of privately funded hospitals run by the German Forces. In FI: Unbound for the supply of other human health services (CPC 93199). In FR: Unbound for the supply of privately funded laboratory analysis and testing services.

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Sector or Subsector	Limitations on Market Access
	In DE: (applies also to the regional level of government): Rescue services and "qualified ambulance services" are organised and regulated by the Länder. Most Länder delegate competences in the field of rescue services to municipalities. Municipalities are allowed to give priority to not-for-profit operators. This applies equally to foreign as well as domestic service suppliers (CPC 931, 933). Ambulance services are subject to planning, permission and accreditation. Regarding telemedicine, the number of ICT (information and communications technology) service suppliers may be limited to guarantee interoperability, compatibility and necessary safety standards. This is applied in a non-discriminatory way. In SI: A State monopoly is reserved for the following services: Supply of blood, blood preparations, removal and preservation of human organs for transplant, socio-medical, hygiene, epidemiological and health-ecological services, patho-anatomical services, and biomedically-assisted procreation (CPC 931). In FR: For hospital and ambulance services, residential health facilities (other than hospital services) and social services: Companies can take any legal forms, except those reserved to liberal professions.
(b) Health and social services, including pension insurance	With respect to Cross-border trade in services: In the EU, with the exception of HU: Unbound for the cross-border supply of health services, social services and activities or services forming part of a public retirement plan or statutory system of social security. This reservation does not relate to the supply of all health-related professional services, including the services provided by professionals such as medical doctors, dentists, midwives, nurses, physiotherapists, paramedics, and psychologists, which are covered by other reservations (CPC 931 other than 9312, part of 93191). In HU: Unbound for the cross-border supply from outside its territory of all hospital, ambulance and residential health services other than hospital services, which receive public funding (CPC 9311, 93192, 93193).

Sector or Subsector	Limitations on Market Access
(c) Social services, including pension insurance	With respect to Investment and Cross-border trade in services: In the EU: Unbound for the supply of all social services which receive public funding or State support in any form and activities or services forming part of a public retirement plan or statutory system of social security. The participation of private operators in the privately funded social network may be subject to concession on a non-discriminatory basis. An economic needs test may apply. Main criteria: number of and impact on existing establishments, transport infrastructure, population density, geographic spread, and creation of new employment. In CZ, FI, HU, MT, PL, RO, SK and SI: Unbound for the supply of privately funded social services. In BE, CY, DE, DK, EL, ES, FR, IE, IT, and PT: Unbound for the supply of privately funded social services other than services relating to convalescent and rest houses and old people's homes. In DE: Unbound for the Social Security System of Germany, where services are provided by different companies or entities involving competitive elements and might therefore not fall under the definition of "activities performed in the exercise of governmental authority".
	With respect only to Investment: In HR: Establishment of some privately funded social care facilities may be subject to an economic needs test, in particular, geographical areas (CPC 9311, 93192, 93193, 933).
III-EU-14 Tourism and travel-related services (a) Hotels, restaurants and catering (CPC 641, 642, 643) excluding catering in air transport services, which found under ground-handling services (b) Travel agencies and tour operators services (including tour managers) (CPC 7471) (c) Tourist guides services (CPC 7472)	With respect to Investment: In the EU, with the exception of BG: None. In BG: Incorporation (no branches) is required (CPC 7471, 7472).

Sector or Subsector	Limitations on Market Access
III-EU-15 – Recreational, cultural and sporting services (other than audio-visual services)	
(a) Library, archive, museum and other cultural services (CPC 963)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT and for investment in LT: Unbound for the supply of library, archive, museum and other cultural services. In AT and LT: a licence or concession may be required for establishment.
(b) Entertainment services, theatre, live bands and circus services (CPC 9619, 964 other than 96492)	With respect to Investment: In the EU: None, other than: In CY, CZ, FI, MT, PL, RO, SI and SK: Unbound for the supply of entertainment services, including theatre, live bands, circus and discotheque services. In BG: Unbound for the supply of the following entertainment services: circus, amusement park and similar attraction services, ballroom, discotheque and dance instructor services, and other entertainment services. In EE: Unbound for the supply of other entertainment services except for cinema theatre services. In LT and LV: Unbound for the supply of all entertainment services other than cinema theatre operation services.
	With respect to Cross-border trade in services: In the EU, with the exception of AT and SE: Unbound for the cross-border supply of entertainment services, including theatre, live bands, circus and discotheque services. In AT and SE: None.
(c) News agency services (CPC 962)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of HU: None. In HU: Unbound.
(d) Sporting and other recreational services (CPC 964)	With respect to Investment and Cross-border trade in services: In the EU: None.

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Sector or Subsector	Limitations on Market Access
(e) Gambling and betting services (CPC 96492)	With respect to Investment and Cross-border trade in services: In the EU: Unbound for the supply of gambling activities, which involve wagering a stake with pecuniary value in games of chance, including, in particular, lotteries, scratch cards, gambling services offered in casinos, gambling arcades or licensed premises, betting services, bingo services and gambling services operated by and for the benefit of charities or non-profit-making organisations.
III-EU-16 – Transport services and auxiliary transport services	
(a) Maritime transport. (i) International passenger transportation (CPC 7211 excluding national cabotage transport) (ii) International freight transportation (CPC 7212 excluding national cabotage transport)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of LV and MT: Unbound for the purpose of registering a vessel and operating a fleet under the national flag of the State of establishment (all commercial marine activity undertaken from a seagoing ship, including fishing, aquaculture, and services incidental to fishing, international passenger and freight transportation (CPC 721), and services auxiliary to maritime transport). In the EU: Unbound for feeder services, and for repositioning owned or leased containers on a non-revenue basis by European Union shipping companies, for the part of these services which does not fall under the exclusion of national maritime cabotage. In MT: Exclusive rights exist for the maritime link to mainland Europe through IT with MT (CPC 7213, 7214, part of 742, 745, part of 749). In LV: None

Sector or Subsector	Limitations on Market Access
(b) Auxiliary services to maritime transport and inland waterways transport	With respect to Investment and Cross-border trade in services: In the EU: Unbound for the supply of pilotage and berthing services (CPC 7452). In the EU: Unbound for services auxiliary to inland waterways transportation. In the EU: For port services, the managing body of a port or the competent authority may limit the number of providers of port services for a given port service. In the EU, with the exception of LT and LV: Unbound for pushing and towing services (CPC 7214). In LT and LV: None. In BG: The number of the service suppliers at the ports may be limited depending on the objective capacity of the port, which is decided by an expert commission, set up by the Minister of Transport, Information Technology and Communications (ISIC 0501, 0502, CPC 5133, 5223, 721, 722, 74520, 74540, 74590, 882). In BG: Regarding supporting services for public transport carried out in Bulgarian ports, in ports having national significance, the right to perform supporting activities is granted through a concession contract. In ports having regional significance, this right is granted by a contract with the owner of the port (CPC 74520, 74540 and 74590). With respect to Investment: In the EU, with the exception of EL and IT: None. In EL: Public monopoly imposed in port areas for cargo-handling services (CPC 741). In IT: An economic needs test is applied for maritime cargo-handling services. Main criteria: number of and impact on existing establishments, population density, geographic spread and creation of new employment (CPC 741).

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Sector or Subsector	Limitations on Market Access
(c) Rail transport and auxiliary services to rail transport	With respect to Investment and Cross-border trade in services: In the EU: Unbound for railway passenger and freight transportation (CPC 711). In LT: The exclusive rights for the provision of transit services are granted to railway undertakings which are owned, or whose stock is 100 % owned, by the State (CPC 711). In the EU, with the exception of LT and SE, for auxiliary services to rail transport: None. In LT: Maintenance and repair services of rail transport equipment are subject to a State monopoly (CPC 86764, 86769, part of 8868). In SE: Maintenance and repair services of rail transport equipment are subject to an economic needs test when an investor intends to establish its own terminal infrastructure facilities. Main criteria: space and capacity constraints (CPC 86764, 86769, part of 8868).

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Sector or Subsector	Limitations on Market Access
(d) Road transport (passenger transportation, freight transportation, international truck transport services) and services auxiliary to road transport	With respect to Cross-border trade in services: In the EU: Unbound for road transport (passenger transportation, freight transportation, international truck transport services). With respect to Investment: In the EU: Unbound for cabotage within a Member State by foreign investors established in another Member State (CPC 712). In the EU: An economic needs test may apply to taxi services in the European Union setting a limit on the number of service suppliers. Main criterion: local demand as provided in applicable laws (CPC 71221). In BE: A maximum number of licences may be fixed by law (CPC 71221). In AT, BG and DE: For passenger and freight transportation, exclusive rights or authorisations may only be granted to natural persons of the European Union and to juridical persons of the European Union having their headquarters in the European Union. (CPC 712). In CZ: Incorporation in CZ is required (no branches). In ES: For passenger transportation, an economic needs test applies to services provided under CPC 7122. Main criterion: local demand. An economic needs test applies for intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment. In FR: Unbound for the supply of intercity bussing services (CPC 712). In IE: Economic needs test for intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment (CPC 7121, 7122).

Sector or Subsector	Limitations on Market Access
	In IT: An economic needs test is applied to limousine services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment. An economic needs test is applied to intercity bussing services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment. An economic needs test is applied to the supply of freight transportation services. Main criteria: local demand (CPC 712). In MT: For public bus services: The entire network is subject to a concession which includes a Public Service Obligation agreement to cater for certain social sectors (such as students and the elderly) (CPC 712). In MT: For taxis, numerical restrictions on the number of licences apply. For *Karozzini* (horse-drawn carriages), numerical restrictions on the number of licences apply (CPC 712). In PT: For passenger transportation, an economic needs test is applied to the supply of limousine services. Main criteria: number of and impact on existing establishments, population density, geographical spread, impact on traffic conditions and creation of new employment (CPC 71222). In SE: Maintenance and repair services of road transport equipment are subject to an economic needs test when an investor intends to establish its own terminal infrastructure facilities. Main criteria: space and capacity constraints (CPC 6112, 6122, 86764, 86769, part of 8867). In SE: In order to engage in the occupation of road transport operator, a Swedish licence is needed. Criteria for receiving a taxi licence include that the company has appointed a natural person to act as the transport manager (a de facto residency requirement – see the Swedish reservation on types of establishment) (CPC 712). In SK: For freight transportation, an economic needs test is applied. Main criteria: local demand (CPC 712).
	With respect to Cross-border trade in services: In the EU, with the exception of BG, for the cross-border supply of supporting services to road transport (CPC 744): None. In BG: Unbound.

Sector or Subsector	Limitations on Market Access
(e) Services auxiliary to air transport services (CPC 7461, 7469, 83104)	With respect to Investment and Cross-border trade in services: In the EU: The level of openness of ground-handling services depends on the size of airport. The number of suppliers in each airport may be limited. For big airports, this limit may not be less than two suppliers. With respect to Investment: In PL: For storage services of frozen or refrigerated goods, the possibility to supply certain categories of services will depend on the size of the airport. The number of suppliers in each airport may be limited due to available space constraints, and to not less than two suppliers for other reasons (part of CPC 742).
(f) Space transport and rental of space craft	With respect to Investment and Cross-border trade in services: The EU: Unbound for the transportation services via space and the rental of space craft (CPC 733, part of 734).
III-EU-17 – Agriculture, fishing, water, manufacturing	
(a) Agriculture, hunting, forestry and services incidental to agriculture, hunting and forestry (ISIC 01, 02, CPC 881)	With respect to Investment and Cross-border trade in services: In the EU, with the exceptions of HR, HU, PT and SE: None. In HR: Unbound for agricultural and hunting activities. In HU: Unbound for agricultural activities (ISIC 011, 012, 013, 014, 015, CPC 8811, 8812, 8813 other than advisory and consultancy services). In PT: The professions of biologist, chemical analyst and agronomist are reserved for natural persons (CPC 881). In SE: Unbound for reindeer husbandry (ISIC 014).
(b) Fishing, aquaculture, and services incidental to fishing (ISIC 05, CPC 882)	With respect to Investment and Cross-border trade in services: In the EU: Unbound for fishing, aquaculture, services incidental to fishing. In the EU: Unbound for the establishment of marine or inland aquaculture facilities. In FR: Unbound for participation in French maritime State property for fish, shellfish or algae farming. In BG: Unbound for the taking of marine and river-living resources, performed by vessels in the internal marine waters, and the territorial sea of BG.

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Sector or Subsector	Limitations on Market Access
(c) Collection, purification and distribution of water (ISIC 41)	With respect to Investment and Cross-border trade in services: In the EU: Unbound for activities including services relating to the collection, purification and distribution of water to household, industrial, commercial or other users, including the supply of drinking water, and water management.
(d) Manufacturing (ISIC 16, 17, 18, 19, 20, 21)	With respect to Investment and Cross-border trade in services: In the EU: None.
(e) Publishing, printing and reproduction of recorded media (ISIC 22, CPC 88442)	None.
(f) Manufacturing (ISIC 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37)	None.
III-EU-18 – Mining and energy related activities	
(a) Mining and quarrying (ISIC 10, 11, 12: Mining of energy producing materials, ISIC 13, 14: Mining of metal ores and other mining; CPC 5115, 7131, 8675, 883)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BE, FI, IT and NL: None. In IT: (applies also to the regional level of government for exploration): Mines belonging to the State have specific exploration and mining rules. Prior to any exploitation activity, a permit for exploration is needed (*permesso di ricerca*, Article 4 Royal Decree 1447/1927). This permit has a duration, defines exactly the borders of the ground under exploration and more than one exploration permit may be granted for the same area to different persons or companies (this type of licence is not necessarily exclusive). In order to cultivate and exploit minerals, an authorisation (*concessione*, Article 14) from the regional authority is required (ISIC 10, 11, 12, 13, 14, CPC 8675, 883).

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Sector or Subsector	Limitations on Market Access
	With respect to Investment: In BE: The exploration for and exploitation of mineral resources and other non-living resources in territorial waters and the continental shelf are subject to concession. The concessionaire must have an address for service in BE (ISIC 14). In FI: For the mining of nuclear material an authorisation may be subject to an economic needs test. Main criteria: overall economic and social benefits (ISIC Rev. 3.1 120). In NL: The exploration for and exploitation of hydrocarbons in NL is always performed jointly by a private company and the public (limited) company designated by the Minister of Economic Affairs. Articles 81 and 82 of the Mining Act stipulate that all shares in this designated company must be directly or indirectly held by the Dutch State (ISIC Rev. 3.1 10, 3.1 11, 3.1 12, 3.1 13, 3.1 14).
(b) Energy services – general (ISIC 40, CPC 613, 7131, 7139, 742, 7422, 887 (other than advisory and consulting services))	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BE, BG, FR and LT: None. In FR: Unbound for the electricity and gas transmission systems and oil and gas pipeline transport (CPC 7131). In BE: Unbound for the energy distribution services, and services incidental to energy distribution (CPC 887 other than consultancy services). In BE: Unbound for energy transmission services, regarding the types of legal entities and to the treatment of public or private operators to whom BE has conferred exclusive rights (ISIC 4010, CPC 71310). In BG: Unbound for services incidental to energy distribution (part of CPC 88). With respect to Cross-border trade in services: In LT: Unbound for pipeline transportation of fuels and services auxiliary to pipeline transport of goods other than fuel.

Sector or Subsector	Limitations on Market Access
(c) Electricity (ISIC 40, 4010; CPC 62279, 887 (other than advisory and consulting services))	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT, BG, CZ, FI, FR, LT, MT, NL and SK: None. In AT, BG: Unbound for the production of electricity, energy distribution services and services incidental to energy distribution (ISIC 4010, CPC 887 other than advisory and consultancy services). In CZ: Exclusive rights exist with regard to electricity and gas transmission and market operator licences (ISIC 40, CPC 7131, 63297, 742, 887). In FI: Unbound for the importation of electricity. Unbound for cross-border trade relating to the wholesale and retail of electricity. Unbound for electricity transmission and distribution networks and systems (ISIC 4010, CPC 62279, 887 other than advisory and consultancy services). In FR: Unbound for the production of electricity (ISIC 4010). In FR: Unbound for electricity transmission and distribution (ISIC 4010, CPC 887). In LT: Unbound for wholesale and retail services and trading of electricity that originates from non-safe nuclear sources. In SK: For the production, transmission and distribution of electricity, wholesale and retail of electricity, and related services incidental to energy distribution, including services in the area of energy efficiency, energy savings and energy audit. An economic needs test is applied and the application may be denied only if the market is saturated (ISIC 4010, CPC 62279, 887).
	With respect to Investment: In MT: EneMalta plc has a monopoly for the provision of electricity (ISIC 4010; CPC 887). In NL: Unbound for ownership of the electricity network which is exclusively granted to the Dutch government (transmission systems) and other public authorities (distribution systems) (ISIC 4010, CPC 887).

Sector or Subsector	Limitations on Market Access
(d) Fuels, gas, crude oil or petroleum products (ISIC 232, 4020; CPC 62271, 63297, 713, 742, 887 (other than advisory and consulting services))	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT, BG, CZ, DK, FI, FR, HU, NL and SK: None. In AT: Unbound for transportation of gas and goods other than gas (CPC 713). In BG: Unbound for pipeline transportation, storage and warehousing of petroleum and natural gas, including transit transmission (ISIC 4020, CPC 7131, part of CPC 742). In CZ: Unbound for gas generation, transmission, distribution, storage and trading (ISIC 2320, 4020, CPC 7131, 63297, 742, 887). In DK: The owner or user intending to establish a pipeline for the transport of crude or refined petroleum and petroleum products and of natural gas must obtain a permit from the local authority before commencing work. The number of permits issued may be limited (CPC 7131). In FI: Unbound for gas transmission and distribution networks and systems. Quantitative restrictions in the form of monopolies or exclusive rights for the importation of natural gas (ISIC 4020, CPC 887 other than advisory and consultancy services). In FR: Only companies where 100 % of the capital is held by the French State, by another public sector organisation or by ENGIE, may own and operate gas transmission or distribution systems for reasons of national energy security (ISIC 4020, CPC 887). In HU: Unbound for the supply of pipeline transport services. Requires establishment. Services may be provided through a Contract of Concession granted by the State or the local authority. The supply of this service is regulated by the Concession Law (CPC 7131). In NL: Unbound for the ownership of the electricity network and the gas pipeline network are exclusively granted to the Dutch government (transmission systems) and other public authorities (distribution systems) (ISIC 40, CPC 71310). In SK: An authorisation is required for manufacture of gas and distribution of gaseous fuels and the pipeline transportation of fuels. An economic needs test is applied and the application may be denied only if the market is saturated. (ISIC 4020, CPC 62271, 63297, 7131, 742 and 887).

Sector or Subsector	Limitations on Market Access
(e) Nuclear (ISIC 12, 2330, part of 4010, CPC 887)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of AT, BE, BG, DE, FI, FR, HU, and SE: None. In AT and FI: Unbound for the production, processing, distribution or transportation of nuclear material and generation or distribution of nuclear-based energy. In DE: Unbound for the production, processing or transportation of nuclear material and generation or distribution of nuclear-based energy. In BE: Unbound for the production, processing or transportation of nuclear material and generation or distribution of nuclear-based energy.
	With respect to Investment: In BG: Unbound for the processing of fissionable and fusionable materials or the materials from which they are derived, as well as to the trade thereof, to the maintenance and repair of equipment and systems in nuclear energy production facilities, to the transportation of those 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 (including engineering and consulting services and services relating to software, etc.). In FR: Unbound for the manufacturing, production, processing, generation, distribution or transportation of nuclear material for obligations of a Euratom Agreement. In HU and SE: Unbound for the processing of nuclear fuel and nuclear-based electricity generation. (ISIC 2330, part of 4010).
(f) Steam and hot water supply (ISIC 4030, CPC 62271, 887)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of BG, FI and SK: None. In BG: Unbound for the production and distribution of heat (ISIC 4030, CPC 887). In SK: An authorisation is required for production and distribution of steam and hot water, wholesale and retail of steam and hot water, and related services incidental to energy distribution. An economic needs test is applied and the application may be denied only if the market is saturated.

Sector or Subsector	Limitations on Market Access
	With respect to Investment: In FI: Quantitative restrictions in the form of monopolies or exclusive rights exist for the production and distribution of steam and hot water (ISIC 40, CPC 7131). In FI: Unbound for the transmission and distribution networks and systems of steam and hot water (ISIC 4030, CPC 7131 other than advisory and consultancy services).
III-EU-19 – Other services not included elsewhere	
(a) Funeral, cremation services and undertaking services CPC 9703	With respect to Investment and Cross-border trade in services: In the EU, with the exception of CY, DE, FI, PT, SE and SI: None. In CY, DE, FI, PT, SE and SI: Unbound for funeral, cremation and undertaking services.
(b) Other business-related services (part of CPC 612, part of 621, part of 625, part of 85990)	With respect to Investment and Cross-border trade in services: In the EU, with the exception of CZ, LT and FI, for other business-related services (part of CPC 612, part of 621, part of 625, part of 85990): None. With respect to Cross-border trade in services: In CZ: Unbound for auction services (part of CPC 612, part of 621, part of 625, part of 85990). In LT: Unbound for the entity authorised by the government to have exclusive rights to provide the following services: data transmission through secure state data transmission networks. In FI: Unbound for the cross-border provision of electronic identification services.
(c) New services	In the EU: Unbound for the provision of new services other than those classified in the CPC.

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Appendix 17-C-2

SCHEDULE OF CHILE

Sector or subsector	Limitations on Market Access
No. 1 All sectors	
(a) State company	In the transfer or disposal of any interest in stock or asset held in an existing state enterprise or governmental entity, Chile reserves the right to prohibit or impose limitations on the ownership of such interest or asset and on the right of investors or their investments to control any State company created thereby or investments made by the same. A "State company" shall mean any company owned or controlled by Chile by means of an interest share in the ownership thereof, and it shall include any company created after the date of entry into force of this Agreement for the sole purpose of selling or disposing of its interest share in the capital or assets of an existing state enterprise or governmental entity.
(b) Public utilities	Public utilities exist in sectors such as related scientific and technical consulting services, research and development (R&D) services on social sciences and humanities, technical testing and analysis services, water services and treatment, sewage, environmental services, health services, transport services and services auxiliary to all modes of transport. Exclusive rights on those services are often granted to private operators, for instance operators with concessions from public authorities, subject to specific service obligations. This reservation does not apply to telecommunications and to computer and related services.

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Sector or subsector	Limitations on Market Access
(c) Acquisition of real estate	In Chile unbound for the acquisition of "State land", "the borderland zone" and any land within five kilometers of the coastline that is used for agricultural activities as indicated in Annexes 17-A and 17-B. Any Chilean natural person or person residing in Chile or a Chilean juridical person shall be able to acquire or control lands used for agricultural activities. Chile reserves the right to adopt or maintain any measures related to the ownership or control of such lands.
(d) Commercial presence	This schedule does not apply to representative offices.
(e) Indigenous peoples	Chile reserves the right to adopt or maintain any measure regarding indigenous peoples.
(f) Disadvantaged minorities	Chile reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.
No. 2 Manufacturing	
Manufacturing excluding services (ISIC Rev. 3.1 15, 17, 18, 19, 20, 21, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, except for 16, 22, 24, 25, 29, 37)	None.
Manufacturing (ISIC Rev. 3.1 Division 16: Manufacture of tobacco products)	Unbound.
Manufacturing (ISIC Rev. 3.1 Division 22: Publishing, printing and reproduction of recorded media)	None, except for: 222 Printing and service activities related to printing: Unbound for services activities related to printing.

Sector or subsector	Limitations on Market Access
Manufacturing (ISIC Rev. 3.1 Division 24: Manufacture of chemicals and chemical products)	Specific types of legal entities to carry out the economic activity may apply for: 241 Manufacture of basic chemicals; and 242 Manufacture of other chemical products.
Manufacturing (ISIC Rev. 3.1 Division 25: Manufacture of rubber and plastics products)	Specific types of legal entities to carry out the economic activity may apply for: 251 Manufacture of rubber products; and 252 Manufacture of plastics products.
Manufacturing (ISIC Rev. 3.1 Division 29: Manufacture of machinery and equipment n.e.c.)	None, except for: 2927 Manufacture of weapons and ammunition: Unbound.
Manufacturing (ISIC Rev. 3.1 Division 31: Manufacture of electrical machinery and apparatus n.e.c.)	Specific types of legal entities to carry out the economic activity may apply for: 311 Manufacture of electric motors, generators and transformers; and 314 Manufacture of accumulators, primary cells and primary batteries.
Manufacturing (ISIC Rev. 3.1 Division 37: Recycling)	Specific types of legal entities to carry out the economic activity may apply for: 371 Recycling of metal waste and scrap; and 372 Recycling of non-metal waste and scrap.

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Sector or subsector	Limitations on Market Access
No. 3 Mining and quarrying	
Mining and quarrying, excluding services (ISIC Rev. 3.1 10, 11, 12, 13, 14)	Unbound for: Division 11 Extraction of crude petroleum and natural gas; service activities incidental to oil and gas extraction; and Division 12 Mining of uranium and thorium ores. The exploration, exploitation, and treatment (*beneficio*) of lithium, liquid or gaseous hydrocarbons, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and conditions to be determined, in each case by a Supreme Decree. Furthermore, only the Chilean Nuclear Energy Commission (*Comisión Chilena de Energía Nuclear*), or parties authorised by that Commission, may execute or enter into a legal act regarding extracted natural atomic materials and lithium, as well as their concentrates, derivatives and compounds.
No. 4 Agriculture	
Agriculture and hunting, excluding services (ISIC Rev. 3.1 A 01)	None.
Forestry, excluding services (ISIC Rev. 3.1 A 02)	None. For greater certainty, a management plan approved by the Forestry Commission (*Corporación Nacional Forestal*) is required.

Sector or subsector	Limitations on Market Access
No. 5 Energy	
Electricity generation and distribution, excluding services (ISIC Rev. 3.1 E 40, 401, 4010)	(a) None, except for production, transmission, and distribution of electricity for the National Electric System (*Sistema Eléctrico Nacional*). The following limitations shall apply: Only a specific type of public corporations, open or closed (*sociedad anónima abierta o cerrada*) incorporated in Chile is authorised to operate concessions in energy distribution. Such corporation's exclusive line of business must be energy distribution. Only a specific type of public corporations, open or closed (*sociedad anónima abierta o cerrada*) incorporated in Chile is authorised to operate concessions in energy transmission for the National Transmission System (*Sistema Interconectado Central*). Such corporation's exclusive line of business must be energy transmission. Hydroelectrical energy production may be exploited through concessions. Only juridical persons established in accordance with Chilean law can apply for such concessions and public bids for obtaining such concessions. Exploration or exploitation of geothermal energy is subject to concessions. Only juridical persons established in accordance with Chilean law can apply for such concessions and public bids for obtaining such concessions. The production of nuclear energy for peaceful purposes shall only be performed by the Chilean Nuclear Energy Commission or, with its authorisation, in conjunction with third parties. Should the Commission determine it advisable to grant such authorisation, it shall also establish the terms and conditions for operation. (b) Unbound for activities of electric power brokers or agents that arrange the sale of electricity via power distribution systems operated by others.

Sector or subsector	Limitations on Market Access
No. 6 Fishing	
Fishing, operation of fish hatcheries and fish farms, excluding services (ISIC Rev. 3.1 B 05)	Unbound.
No. 7 Services	
Legal services (part of CPC 861)	With respect to Investment and Cross-border trade in services: (1) and (3): None, except in the case of receivers in bankruptcy (*síndicos de quiebra*) who must be duly authorised by the Minister of Justice (*Ministerio de Justicia*), and they can only work in the place where they reside. (2): None.
Accounting, auditing, and bookkeeping services (CPC 86211)	(1) and (3): None, except the external auditors of financial institutions must be inscribed in the Register of External Auditors of the Superintendence of Banks and Financial Institutions (*Superintendencia de Bancos e Instituciones Financieras*) and in the Superintendence of Securities and Insurance (*Superintendencia de Valores y Seguros*). Only firms legally incorporated in Chile as partnerships (*sociedades de personas*) or associations (*asociaciones*), and whose main line of business is auditing services, may be inscribed in the Register. (2): None.
Taxation advisory services (CPC 863)	(1), (2), and (3): None.
Architectural services (CPC 8671)	(1), (2) and (3): None.
Engineering services (CPC 8672)	(1), (2) and (3): None.
Integrated engineering services (CPC 86733)	(1), (2) and (3): None.
Urban planning and landscape architectural service (CPC 8674)	(1), (2) and (3): None.
Veterinary services (CPC 932)	(1), (2) and (3): None.

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Sector or subsector	Limitations on Market Access
Services provided by midwives, nurses, physiotherapists and paramedical personnel (CPC 93191)	(1), (2) and (3): None.
Computer related services (CPC 841, 842, 843, 844 and 845)	(1), (2) and (3): None.
Interdisciplinary research and development services, research and development services on natural sciences, and related scientific and technical consulting services (part of CPC 851, part of CPC 853 and part of CPC 86751)	(1) and (3): None, except: Any exploration of a scientific or technical nature, or related to mountain climbing (*andinismo*), that legal or natural persons domiciled abroad intend to carry out in border areas need to be authorised and supervised by the Directorate of Borders and Frontiers (*Dirección de Fronteras y Límites del Estado*). The Directorate of Borders and Frontiers may stipulate that an expedition include one or more representatives of relevant Chilean activities. These representatives would participate in and learn about the studies and their scope. (2): None.
Research and development services on social sciences and humanities (CPC 852)	(1), (2) and (3): None.
Real estate services: involving owned or leased property or on a fee or contract basis (CPC 821 and 822)	(1), (2) and (3): None.
Rental/leasing services without crew/operators, related to vessels, other transport equipment and relating to other machinery and equipment (CPC 8310, except 83104)	(1), (2) and (3): None.

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Sector or subsector	Limitations on Market Access
Leasing or rental services concerning aircraft (without operator) (CPC 83104)	(1), (2) and (3): None.
Advertising services (CPC 871)	(1), (2) and (3): None.
Market research and public opinion polling services (CPC 864)	(1), (2) and (3): None.
Management consulting services (CPC 865)	(1), (2) and (3): None.
Services related to management consulting (CPC 866, except 86602)	(1), (2) and (3): None.
Technical testing and analysis services (CPC 8676)	(1), (2) and (3): None.
Services related to agriculture, hunting and forestry (CPC 881)	(1), (2) and (3): None.
Services related to mining (CPC 883)	(1), (2) and (3): None.
Placement and supply services of personnel (CPC 87201, 87202, 87203)	(1), (2) and (3): None.
Investigation and security services (CPC 87302, 87303, 87304 and 87305)	(1), (2) and (3): None.
Maintenance and repair of equipment, not including vessels, aircraft, or other transport equipment (CPC 633)	(1), (2) and (3): None.
Building-cleaning services (CPC 874)	(1), (2) and (3): None.

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Sector or subsector	Limitations on Market Access
Photographic services (CPC 875)	(1), (2) and (3): None.
Packing services (CPC 876)	(1), (2) and (3): None.
Credit reporting services, collection agency services (CPC 87901, 87902)	(1), (2) and (3): Unbound.
Telephone answering services (CPC 87903)	(1), (2) and (3): None.
Duplicating services (CPC 87904)	(1), (2) and (3): None.
Translation and interpretation services (CPC 87905)	(1), (2) and (3): None, except official translations, official certifications of translations, and certified copies of official documents in foreign languages may only be provided by official translators registered under Chilean authorities.
Mailing list compilation and mailing services (CPC 87906)	(1), (2) and (3): None.
Specialty design services (CPC 87907)	(1), (2) and (3): None.
Other business services n.e.c. (CPC 87909)	(1), (2) and (3): Unbound.
Printing and publishing services (CPC 88442)	(1), (2) and (3): None.
Convention services (CPC 87909)	(1), (2) and (3): None.
Postal services (CPC 7511)	(1), (2) and (3): Unbound.

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Sector or subsector	Limitations on Market Access
Courier services (CPC 7512) Services relating to the handling[1] of postal items[2] according to the following list of sub-sectors, whether for domestic or foreign destinations: (i) handling of addressed written communications on any kind of physical medium[3], including – hybrid mail service, and – direct mail; (ii) handling of addressed parcels and packages[4];	(1), (2) and (3): None, except: That under *Decreto Supremo Nº 5037* of 4 November 1960 of the Ministry of Internal Affairs (*Ministerio del Interior*) and *Decreto con Fuerza de Ley Nº 10* of 30 January 1982 of the Ministry of Transports and Telecommunications (*Ministerio de Transporte y Telecomunicaciones*) or its successors, the State of Chile may exercise, through the *Empresa de Correos de Chile*, a monopoly on the admission, transport and delivery of postal items (*objetos de correspondencia*). "Postal items" means: letters, simple and postage-paid postcards, business papers, newsletters and printed matters of all kinds, including printed matter in Braille, merchandise samples, small packages up to one kilogram and special postal service consisting in the recording and delivery of sound messages (*fonos postales*).

1 The term "handling" should be understood as including admission (*admisión*), transport (*transporte*) and delivery (*entrega*).

2 "Postal item" refers to items handled by any type of commercial operator, whether public or private.

3 E.g. letter and postcards.

4 Books and catalogues are included hereunder.

Sector or subsector	Limitations on Market Access
(iii) handling of addressed press products[1]; (iv) handling of items referred to in (i) to (iii) above as registered or insured mail; (v) express delivery services[2] for items referred to in (i) to (iii) above; (vi) handling of non-addressed items; and (vii) other services not elsewhere specified.	
International long-distance telecommunications services	(1), (2) and (3): None.
Local basic telecommunication services and networks, intermediate telecommunications services, supplementary telecommunications services, and limited telecommunications services	(1), (2), and (3): None.

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[1] Journals, newspapers and periodicals.

[2] Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit or confirmation of receipt.

Sector or subsector	Limitations on Market Access
Construction services (CPC 511, 512, 513, 514, 515, 516, 517 and 518)	(1), (2), and (3): Unbound.
Commission agents' services (CPC 621)	(1), (2), and (3): None.
Wholesale trade services (CPC 622, 61111, 6113 and 6121)	(1), (2), and (3): None.
Retailing services (CPC 632, 61111, 6113 and 6121)	(1), (2), and (3): None.
Franchising (CPC 8929)	(1), (2), and (3): None.
Environmental services (CPC 940)	(1), (2), and (3): Unbound, except for consultancy services.
Education services (CPC 92)	(1), (2), and (3): Unbound.
Health services – hospital, ambulance, residential health services (CPC 93, 931 other than 9312, part of 93191, 9311, 93192, 93193, 93199)	(1), (2), and (3): Unbound.
Health and social services, including pension insurance	(1), (2), and (3): Unbound.
Social services, including pension insurance	(1), (2), and (3): Unbound.
Hotels and restaurants, including catering (CPC 641, 642 and 643)	(1), (2), and (3): None.
Travel agencies and tour operators services (CPC 74710)	(1), (2), and (3): None.
Tourist guide services (CPC 74720)	(1), (2), and (3): None.

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Sector or subsector	Limitations on Market Access
Entertainment services, including theatre, live bands and circus services (CPC 9619)	(1), (2), and (3): None.
Libraries, archives, museums and other cultural services (CPC 963)	(1), (2), and (3): None.
Entertainment services, theatre, live bands and circus services (CPC 9619, 964 other than 96492)	(1), (2), and (3): Unbound.
News agency services (CPC 962)	(1), (2), and (3): Unbound.
Sporting and other recreational services (CPC 9641)	(1), (2) and (3): None, except that a specific type of legal entity may be required for sporting organisations that develop professional activities. In addition, on a national treatment basis: (a) it is not permitted to participate with more than one team in the same category of a sport competition; (b) specific regulations may be established on equity ownership in sporting companies; and (c) minimal capital requirement may be imposed.
Gambling and betting services (CPC 96492)	(1), (2), and (3): Unbound.

PUBLIC

Sector or subsector	Limitations on Market Access
Other recreational services n.e.c. (CPC 96499)	(1), (2), and (3): None.
Maritime transport services (CPC 721) Passenger transportation (CPC 7211)	(1) and (2): None. (3): (a) Establishment of registered company for the purpose of operating a fleet under the national flag of Chile: Unbound. (b) Other forms of commercial presence for the supply of international maritime transport services[1]: None.

PUBLIC

1 "Other forms of commercial presence for the supply of international maritime transport services" means the ability of international maritime transport service suppliers of the other Party to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service within which the maritime transport constitutes a substantial element. This commitment shall not, however, be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery. These activities include, but are not limited to:

(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;

(b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated services;

(c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;

(d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to this Agreement);

(e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency; and

(f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

Sector or subsector	Limitations on Market Access
Freight transportation (CPC 7212) Rental/Leasing of vessels including crew (CPC 7223) Maintenance and repair of vessels (CPC 8868) Pushing and towing services (CPC 72140) Support services related to maritime transport (CPC 745) Loading and unloading services (CPC 741) Storage and warehouse services (CPC 742)	
Internal waterways transport (CPC 722)	(1), (2), and (3): Unbound.
Rail transport and auxiliary services to rail transport	(1), (2), and (3): Unbound.
Road transport services: Freight transportation (CPC 7123)	(1), (2), and (3): None.
Road transport services: Rental of commercial vehicles with operator (CPC 71222 – Rental services of passenger cars with operator)	(1), (2), and (3): None.
Road transport services: Maintenance and repair of road transport equipment (CPC 6112 – Maintenance and repair services of motor vehicles)	(1), (2), and (3): None.

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Sector or subsector	Limitations on Market Access
Road transport services: Supporting services for road transport services (CPC 7441 – Bus station services)	(1), (2), and (3): None.
Services auxiliary to all modes of transport: Cargo handling services (CPC 741)	(1), (2), and (3): None.
Services auxiliary to all modes of transport: Storage and warehouse services (CPC 742)	(1), (2), and (3): None.
Services auxiliary to all modes of transport: Freight transport agency services (CPC 748)	(1), (2), and (3): None.
Pipeline transport: transportation of fuels and other goods (CPC 7131)	(1), (2) and (3): None, except that the service has to be supplied by juridical persons established under Chilean law and the supply of the service may be subject to a concession on a national treatment basis.
Aircraft repair and maintenance services	(1): Unbound. (2) and (3): None.
Selling and marketing of air transport services	(1), (2) and (3): None.
Computer reservation systems (CRS) services	(1), (2) and (3): None.
Ground handling services	(1), (2) and (3): None.
Specialty air services	(1), (2) and (3): Unbound.
Space transport and rental of space craft	(1), (2) and (3): Unbound.

PUBLIC

ANNEX 17-D

PUBLIC

EXPROPRIATION

The Parties confirm their shared understanding that:

(a) expropriation under Article 17.19 may be either direct or indirect and:

(i) direct expropriation occurs if an investment is nationalised or otherwise directly expropriated through formal transfer of title or outright seizure;

(ii) indirect expropriation occurs if a measure or series of measures of a Party has an effect equivalent to direct expropriation, in that it substantially deprives the investor of the fundamental attributes of property in its investment, including the right to use, enjoy and dispose of its investment, without formal transfer of title or outright seizure;

(b) the determination of whether a measure or series of measures of a Party, in a specific situation, constitutes an indirect expropriation requires a case-by-case, fact-based inquiry that considers, among other factors:

(i) the economic impact of the measure or series of measures of a Party, although the sole fact that a measure or series of measures of a Party has an adverse effect on the economic value of an investment does not establish that an indirect expropriation has occurred;

(ii) the duration of the measure or series of measures of a Party; and

(iii) the character of the measure or series of measures of a Party, including their object, purpose and context;

(c) for greater certainty, non-discriminatory measures of a Party that are designed and applied to achieve legitimate policy objectives, such as the protection of public health, social services, education, safety, the environment, including climate change, public morals, social or consumer protection, privacy and data protection, or the promotion and protection of cultural diversity, do not constitute indirect expropriations unless the impact of a measure or series of measures is so severe in light of its purpose that it is manifestly excessive.

PUBLIC

ANNEX 17-E

PUBLIC

TRANSFERS – CHILE[1]

1. Notwithstanding Article 17.20, Chile reserves the right of the Central Bank of Chile (*Banco Central de Chile*) to maintain or adopt measures in conformity with Law 18.840, Constitutional Organic Law of the Central Bank of Chile (*Ley 18.840, Ley Orgánica Constitucional del Banco Central de Chile*), Decree Law N°3 of 1997, General Banking Act (*Decreto con Fuerza de Ley N°3 de 1997*, *Ley General de Bancos)* and Law N°18.45, Securities Market Law (*Ley de Mercado de Valores N°18.045)*, in order to ensure currency stability and the normal operation of domestic and foreign payments. Such measures include, *inter alia*, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (*encaje*).

2. Notwithstanding paragraph 1, the reserve requirement that the Central Bank of Chile can apply pursuant to Article 49 Nº2 of Law 18.840, shall not exceed 30 % of the amount transferred and shall not be imposed for a period which exceeds two years.

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[1] For greater certainty, this Annex shall apply to transfers covered by Article 17.20 and by Chapter 27.

ANNEX 17-F

PUBLIC

AGREEMENTS BETWEEN MEMBER STATES
AND CHILE REFERRED TO IN ARTICLE 17.23

1. Agreement between the Belgo-Luxembourg Economic Union and the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done in Brussels on 15 July 1992;

2. Agreement between the Government of the Czech Republic and the Government of the Republic of Chile on the Reciprocal Promotion and Protection of Investments, done in Prague on 24 April 1995;

3. Agreement between the Government of the Kingdom of Denmark and the Government of the Republic of Chile concerning the Promotion and Reciprocal Protection of Investments, done in Copenhagen on 28 May 1993;

4. Treaty between the Republic of Chile and the Federal Republic of Germany on the Promotion and Reciprocal Protection of Investments (*Vertrag zwischen der Bundesrepublik Deutschland und der Republik Chile über die Förderung und den gegenseitigen Schutz von Kapitalanlagen*), done in Santiago de Chile on 21 October 1991;

5. Agreement between the Government of the Hellenic Republic and the Government of the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done in Athens on 10 July 1996;

6. Agreement between the Kingdom of Spain and the Republic of Chile on the Reciprocal Protection and Promotion of Investments, done in Santiago de Chile on 2 October 1991;

7. Agreement between the Government of the Republic of France and the Government of the Republic of Chile on the Reciprocal Promotion and Protection of Investments, done in Paris on 4 July 1992;

8. Agreement between the Government of the Republic of Croatia and the Government of the Republic of Chile on the Reciprocal Promotion and Protection of Investments, done in Santiago de Chile on 28 November 1994;

9. Agreement between the Government of the Republic of Chile and the Government of the Italian Republic on the Promotion and Protection of Investments, done at Santiago de Chile on 8 March 1993;

10. Agreement between the Republic of Austria and the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done in Santiago de Chile on 8 September 1997;

11. Agreement between the Government of the Republic of Poland and the Government of the Republic of Chile on the Reciprocal Promotion and Protection of Investments, done in Warsaw on 5 July 1995;

12. Agreement between the Portuguese Republic and the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done in Lisbon on 28 April 1995;

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13. Agreement between the Government of Romania and the Government of the Republic of Chile on the Reciprocal Promotion and Protection of Investments, done in Bucharest on 4 July 1995;

14. Agreement between the Government of the Republic of Finland and the Government of the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done at Helsinki on 27 May 1993;

15. Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Chile on the Promotion and Reciprocal Protection of Investments, done in Stockholm on 24 May 1993.

PUBLIC

ANNEX 17-G

PUBLIC DEBT

1. No claim that a restructuring of debt of a Party breaches an obligation under Section C of Chapter 17 may be submitted or, if already submitted, be pursued under Section D of that Chapter, if the restructuring is a negotiated restructuring at the time of submission or becomes a negotiated restructuring after such submission.

2. Notwithstanding Article 17.30, and subject to paragraph 1 of this Annex, an investor of the other Party may not submit a claim under Section D of Chapter 17 that a restructuring of debt of a Party breaches Article 17.9 or 17.11[1] or an obligation under Section C of Chapter 17, unless 270 days have elapsed from the date of submission by the claimant of the written request for consultations pursuant to Article 17.27.

[1] For greater certainty, a breach of Article 17.9 or Article 17.11 does not occur merely by virtue of a different treatment provided by a Party to certain categories of investors or investments on grounds of a different macroeconomic impact, for instance to avoid systemic risks or spillover effects, or on grounds of eligibility for debt restructuring.

3. For the purposes of this Annex:

(a) "negotiated restructuring" means the restructuring or rescheduling of debt of a Party that has been effected through (i) a modification or amendment of debt instruments, as provided for under their terms, including their governing law, or (ii) a debt exchange or other similar process in which the holders of no less than 66 % of the aggregate principal amount of the outstanding debt subject to restructuring, excluding debt held by that Party or by entities owned or controlled by it, have consented to such debt exchange or other process;

(b) "governing law of a debt instrument" means the legal and regulatory framework applicable to a debt instrument.

4. For greater certainty, "debt of a Party" includes, in the case of the EU Party, debt of a government of a Member State at the central or at regional or local level.

PUBLIC

ANNEX 17-H

PUBLIC

MEDIATION MECHANISM FOR INVESTOR-TO-STATE DISPUTES

1. Initiation of the procedure

(a) A disputing party may request, at any time, the commencement of a mediation procedure. Such request shall be addressed to the other disputing party in writing. If the request concerns an alleged breach of the provisions referred to in Article 17.25(1) by the authorities of the EU Party, and no respondent has been determined pursuant to Article 17.28, such request shall be addressed to the European Union. If the request is accepted, the response shall specify whether the European Union or the Member State concerned shall be a party to the mediation[1].

(b) The disputing party to which such request is addressed shall give sympathetic consideration to the request and accept or reject it in writing within 20 working days of its receipt.

[1] For greater certainty, where the request concerns an alleged breach by the European Union, the party to the mediation shall be the European Union and any Member State concerned shall be fully associated in the mediation. Where the request concerns exclusively an alleged breach by a Member State, the party to the mediation shall be the Member State concerned, unless it requests the European Union to be party.

2. Rules of the mediation procedure

(a) The disputing parties shall endeavour to reach a mutually agreed solution within 90 days of the appointment of the mediator. Pending a final agreement, the disputing parties may consider possible interim solutions.

(b) Mutually agreed solutions shall be made publicly available. However, the version disclosed to the public may not contain any information that a disputing party has designated as confidential or protected.

3. Relationship to dispute settlement

(a) The procedure under this mediation mechanism is not intended to serve as a basis for dispute settlement procedures under this Agreement or any other agreement. A disputing party shall not rely on or introduce as evidence in such dispute settlement procedures, nor shall any adjudicative body take into consideration, the following:

(i) positions taken by a disputing party in the course of the mediation procedure;

(ii) the fact that a disputing party has indicated its willingness to accept a solution to the measure subject to mediation; or

(iii) advice given or proposals made by the mediator.

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(b) The mediation mechanism is without prejudice to the rights and obligations of the Parties and the disputing parties under Section D of Chapter 17 and under Chapter 38.

(c) Unless the disputing parties agree otherwise, and without prejudice to Article 17.27, all steps of the procedure, including any advice or proposed solution, shall be confidential. The Party engaged in mediation may disclose to the public that mediation is taking place.

PUBLIC

ANNEX 17-I

PUBLIC

CODE OF CONDUCT FOR JUDGES, MEMBERS AND MEDIATORS

1. Scope

This Code of Conduct applies to Judges, Members of the Appeal Tribunal and Candidates, and, *mutatis mutandis*, to mediators, in accordance with Section D of Chapter 17.

2. Definitions

For the purposes of this Code of Conduct:

(a) "Candidate" means a natural person who is under consideration for appointment as a Judge or as a Member of the Appeal Tribunal, but who has not yet been confirmed in such role;

(b) "*ex parte* communication" means any communication by a Judge or a Member of the Appeal Tribunal with a disputing party, its counsel, affiliate, subsidiary or other related person concerning proceedings before the Tribunal or Appeal Tribunal, without the presence or knowledge of the other disputing party or its counsel;

(c) "Judge" means a natural person who has been appointed to the Tribunal of first instance; and

(d) "Member of the Appeal Tribunal" means a natural person who has been appointed to the Appeal Tribunal.

3. Independence and impartiality

(a) Judges and Members of the Appeal Tribunal shall be independent and impartial.

(b) The obligations under subparagraph (a) include the following:

(i) not to be influenced by loyalty to a disputing party or any other person or entity;

(ii) not to take instructions from any government or organisation or person on any matter addressed in proceedings before the Tribunal or the Appeal Tribunal;

(iii) not to be influenced by any past, present or prospective financial, business, professional or personal relationship;

(iv) not to use their position to advance any financial or personal interest they might have in a disputing party or in the outcome of proceedings before the Tribunal or the Appeal Tribunal;

(v) not to assume any function or accept any benefit that would interfere with the performance of their duties; or

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(vi) not to take any action that creates an appearance of a lack of independence or impartiality.

4. Limit on multiple roles

(a) A Judge or a Member of the Appeal Tribunal shall not exercise any political or administrative function. A Judge or a Member of the Appeal Tribunal shall not engage in any other occupation of a professional nature which is incompatible with the obligation of independence and impartiality, or with the demands of the terms of office. In particular, a Judge or a Member of the Appeal Tribunal shall not act as a counsel or party-appointed expert or witness in another proceeding in accordance with Article 17.36(1).

(b) A Judge or a Member of the Appeal Tribunal shall declare any other function or occupation to the Joint Committee and to the President of the Tribunal or President of the Appeal Tribunal, as appropriate. Any question regarding subparagraph (a) shall be settled by the President of the Tribunal or President of the Appeal Tribunal.

(c) A former Judge or Member of the Appeal Tribunal shall not become involved in any manner in any proceedings before the Tribunal or Appeal Tribunal which were pending during that Judge or Member's term of office.

(d) A former Judge or Member of the Appeal Tribunal shall not act as counsel, or as party-appointed expert or witness in any proceedings before the Tribunal or Appeal Tribunal for a period of three years following the end of the term of office of that Judge or Member.

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5. Duty of diligence

A Judge or a Member of the Appeal Tribunal shall perform the duties of that office diligently in accordance with the terms of office.

6. Integrity and competence

(a) A Judge or a Member of the Appeal Tribunal shall:

(i) conduct the proceedings competently and in accordance with high standards of integrity, fairness and civility;

(ii) possess the necessary competence and skills and make all reasonable efforts to maintain and enhance the knowledge, skills and qualities necessary to perform the duties of that office; and

(iii) not delegate the decision-making function.

7. *Ex parte* communication

Ex parte communication is prohibited, unless permitted by the applicable rules on dispute settlement.

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8. Confidentiality

(a) Unless permitted by the applicable rules on dispute settlement, a Judge, a Member of the Appeal Tribunal or a former Judge or Member of the Appeal Tribunal shall not:

(i) disclose or use any information concerning, or acquired in connection with, proceedings before the Tribunal or Appeal Tribunal;

(ii) disclose any draft decision prepared in proceedings before the Tribunal or Appeal Tribunal; or

(iii) disclose the contents of the deliberations in proceedings before the Tribunal or Appeal Tribunal.

(b) Unless permitted by the applicable rules on dispute settlement, a Judge or Member of the Appeal Tribunal shall not comment on a decision rendered in proceedings before the Tribunal or Appeal Tribunal, and a former Judge or Member of the Appeal Tribunal shall not comment on a decision rendered in proceedings before the Tribunal or Appeal Tribunal for a period of three years following the end of the term of office of that Judge or Member.

(c) The obligations laid down in this paragraph shall not apply if and to the extent that a Judge or a Member of the Appeal Tribunal, or a former Judge or Member of the Appeal Tribunal, is legally compelled to disclose the information in a court or other competent body or needs to disclose such information to protect or pursue the legal rights of that Judge or Member or in relation to legal proceedings before a court or other competent body.

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9. Disclosure obligations

(a) A Candidate and a Judge or a Member of the Appeal Tribunal shall disclose any circumstances likely to give rise to justifiable doubts as to the independence or impartiality of that Candidate, Judge or Member of the Appeal Tribunal.

(b) Regardless of whether required under subparagraph (a), a Candidate shall disclose all proceedings in which that Candidate is currently or has been involved in the past five years as an arbitrator, counsel, expert or witness.

(c) Regardless of whether required under subparagraph (a), the following information shall be disclosed by a Judge or a Member of the Appeal Tribunal with regard to proceedings in which that Judge or Member of the Appeal Tribunal is adjudicating or is expected to adjudicate:

(i) any financial, business, professional or close personal relationship in the past five years with:

(A) a disputing party in the proceedings;

(B) the counsel of a disputing party in the proceedings;

(C) an expert or witness in the proceedings; or

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(D) any person or entity identified by a disputing party as being related, or as having a direct or indirect interest in the outcome of the proceedings, including a third-party funder; and

(ii) any financial or personal interest in:

(A) the outcome of the proceedings;

(B) any other proceedings involving the same measure; or

(C) any other proceedings involving a disputing party or a person or an entity identified by a disputing party as being related.

(d) For the purposes of subparagraphs (a), (b) and (c), a Candidate and a Judge or a Member of the Appeal Tribunal shall make all reasonable efforts to become aware of the circumstances or information referred to in those subparagraphs.

(e) A Candidate shall make the disclosure to the Joint Committee referred to in this paragraph prior to confirmation of that Candidate's appointment as a Judge or a Member of the Appeal Tribunal.

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(f) A Judge or a Member of the Appeal Tribunal shall make the disclosure in accordance with the applicable rules on dispute settlement, as soon as that Judge or Member of the Appeal Tribunal becomes aware of the circumstances and information referred to in subparagraphs (a) and (c). Such disclosure shall be made to the President of the Tribunal or President of the Appeal Tribunal, as appropriate. A Judge or a Member of the Appeal Tribunal shall have a continuing duty to make further disclosures based on new or newly discovered circumstances and information.

(g) Any Candidate, Judge or Member of the Appeal Tribunal shall err in favour of disclosure if that Candidate, Judge or Member of the Appeal Tribunal has any doubt as to whether a disclosure shall be made.

(h) The fact of non-disclosure does not in itself necessarily establish a lack of independence or impartiality.

10. Compliance with the Code

Compliance with this Code shall be governed by the rules of Section D of Chapter 17.

PUBLIC

ANNEX 19-A

PUBLIC

BUSINESS VISITORS FOR ESTABLISHMENT PURPOSES,
INTRA-CORPORATE TRANSFEREES, INVESTORS
AND SHORT-TERM BUSINESS VISITORS

1. Any existing non-conforming measure listed in this Annex may be maintained, continued, promptly renewed, or modified, provided that the modification does not decrease the conformity of such measure with Articles 19.3 and 19.4, as it existed immediately before the modification.

2. Articles 19.3 and 19.4 do not apply to any existing non- conforming measure listed in this Annex, to the extent of the non- conformity.

3. In addition to non-conforming measures listed in this Annex, each Party may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements or licensing procedures that does not constitute a limitation within the meaning of Articles 19.3 and 19.4. Those measures may include the need to obtain a licence, obtain recognition of qualifications in regulated sectors or to pass specific examinations, such as language examinations, to fulfil a membership requirement of a particular profession, such as membership in a professional organisation, or any other non-discriminatory requirements under which it is not allowed to carry out certain activities in protected zones or areas. Although they are not listed in this Annex, such measures continue to apply.

4. The schedules in paragraphs 7 and 8 of this Annex apply only to the territories of the EU Party and Chile in accordance with Article 41.2 and are only relevant in the context of trade relations between the EU Party and Chile. Those schedules do not affect the rights and obligations of the Member States under European Union law.

5. For greater certainty, the obligation of the EU Party to grant national treatment does not entail the requirement to extend to natural or juridical persons of Chile the treatment granted in a Member State, pursuant to the Treaty on the Functioning of the European Union, or to any measure adopted pursuant to that Treaty, including their implementation in a Member State, to:

(a) natural persons or residents of another Member State; or

(b) juridical persons constituted or organised under the law of another Member State or of the European Union and having their registered office, central administration or principal place of business in the EU Party.

6. The following abbreviations are used in the paragraphs below:

AT Austria

BE Belgium

BG Bulgaria

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CY Cyprus

CZ Czechia

DE Germany

DK Denmark

EE Estonia

EL Greece

ES Spain

EU European Union, including all its Member States

FI Finland

FR France

HR Croatia

HU Hungary

IE Ireland

PUBLIC

IT Italy

LT Lithuania

LU Luxembourg

LV Latvia

MT Malta

NL The Netherlands

PL Poland

PT Portugal

RO Romania

SE Sweden

SI Slovenia

SK Slovakia

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7. The non-conforming measures of the EU Party are:

Business visitors for establishment purposes

All sectors	AT, CZ: Business visitor for establishment purposes needs to work for an enterprise other than a non-profit organisation, otherwise: Unbound. SK: Business visitor for establishment purposes needs to work for an enterprise other than a non-profit organisation, otherwise: Unbound. Work permit required, including economic needs test. CY: Permissible length of stay: up to 90 days in any 12-month period. Business visitor for establishment purposes needs to work for an enterprise other than a non-profit organisation, otherwise: Unbound.

Intra-corporate transferees

All sectors	AT, CZ, SK: Intra-corporate transferees need to be employed by an enterprise other than a non-profit organisation, otherwise: Unbound. FI: Senior personnel needs to be employed by an enterprise other than a non-profit organisation. HU: Natural persons who have been a partner in an enterprise do not qualify to be transferred as intra-corporate transferees. Trainee employees AT, CZ, DE, FR, ES, HU, LT: Training of the trainee employee must be linked to the university degree which has been obtained.

PUBLIC

Short-term business visitors

All short-term business visitors	CY, DK, HR: Work permit, including economic needs test, required in cases where the short-term business visitor supplies a service. LV: Work permit required for operations or activities to be performed on the basis of a contract. MT: Work permit required. No economic needs tests performed. SI: A single residency and work permit is required for the supply of services exceeding 14 days at a time and for certain activities (research and design; training seminars; purchasing; commercial transactions; translation and interpretation). An economic needs test is not required. SK: In the case of supplying a service in the territory of Slovakia, a work permit, including an economic needs test, is required beyond seven days in a month or 30 days in calendar year.
Installers and maintainers	AT: Work permit required, including economic needs test. Economic needs test is waived for natural persons training workers to supply services and possessing specialised knowledge. CY: Work permit is required beyond seven days in a month or 30 days in calendar year. CZ: Work permit is required if work exceeds seven consecutive calendar days or a total of 30 days in a calendar year. ES: Work permit required. Installers, repair and maintainers shall be employed as such by the juridical person supplying the good or service or by an enterprise which is a member of the same group as the originating juridical person for at least three months immediately preceding the date of submission of an application for entry, and they shall possess at least three years of relevant professional experience, if applicable, obtained after the age of majority. FI: Depending on the activity, a residence permit may be required. SE: Work permit required, except for: (i) natural persons who participate in training, testing, preparation or completion of deliveries, or similar activities within the framework of a business transaction; or (ii) fitters or technical instructors in connection with urgent installation or repair of machinery for up to two months, in the context of an emergency. No economic needs test required.

PUBLIC

Investors

All sectors:	AT: Economic needs test. CY: Maximum stay of 90 days within any six-month period. CZ, SK: Work permit, including economic needs test, required in case of investors employed by an enterprise. DK: Maximum stay of 90 days within any six-month period. If investors wish to establish a business in Denmark as self-employed, a work permit is required. FI: Investors need to be employed by an enterprise other than a non-profit organisation, in a position of middle or top management. HU: Maximum length of stay 90 days if the investor is not employed by an enterprise in Hungary. Economic needs test required if the investor is employed by an enterprise in Hungary. IT: Economic needs test required if the investor is not employed by an enterprise. LT, NL, PL: The category of investors is not recognised with regard to natural persons representing the investor. LV: For pre-investment phase maximum length of stay is limited to 90 days within any six-month period. Extension in post-investment phase to one year, subject to criteria in national legislation such as field and amount of investment made. SE: Work permit required if investor considered to be employed.

PUBLIC

8. The non-conforming measures of Chile are:

Business visitors for establishment purposes

All sectors	None

Intra-corporate transferees

All sectors	None

Short-term business visitors

All sectors	None

Investors

All sectors	None

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The activities that short-term business visitors of the EU Party are permitted to engage in, provided that their principal place of business, actual place of remuneration and predominant place of accrual of profits remain outside Chile, are:

(a) attending meetings or conferences, or engaging in consultations with business colleagues;

(b) taking orders from or negotiating contracts with an enterprise located in Chile but not selling goods or providing services to the general public;

(c) undertaking business consultations concerning the establishment, expansion or winding up of an enterprise or investment in Chile; or

(d) installing, repairing or maintaining equipment or machinery, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of such equipment or machinery, during the life of the warranty or service agreement.

PUBLIC

ANNEX 19-B

PUBLIC

CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS

1. Each Party shall allow the supply of services in its territory by contractual services suppliers or independent professionals of the other Party through the presence of natural persons, in accordance with Article 19.5, for the sectors listed in this Annex and subject to the relevant limitations.

2. The lists in paragraphs 11 and 12 are composed of the following elements:

(a) a first column, indicating the sector or sub-sector for which the category of contractual services suppliers and independent professionals is liberalised; and

(b) a second column, describing the applicable limitations.

3. In addition to the list of reservations in this Annex, each Party may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements or licensing procedures that does not constitute a limitation within the meaning of Article 19.5. Those measures may include the need to obtain a licence, obtain recognition of qualifications in regulated sectors or to pass specific examinations, such as language examinations, to fulfil a membership requirement of a particular profession, such as membership in a professional organisation, or any other non-discriminatory requirements under which it is not allowed to carry out certain activities in protected zones or areas. Although they are not listed in this Annex, such measures continue to apply.

4. The Parties do not undertake any commitment for contractual services suppliers and independent professionals in economic activities which are not listed in this Annex.

5. In the sectors where economic needs tests are applied, their main criteria will be the assessment of:

(a) for Chile, the relevant market situation in Chile; and

(b) for the EU Party, the relevant market situation in the Member State or the region where the service is to be provided, including with respect to the number of, and the impact on, service suppliers who are already supplying a service when the assessment is made.

6. The schedules in paragraphs 11 to 12 of this Annex apply only to the territories of the EU Party and Chile in accordance with Article 41.2 and are only relevant in the context of trade relations between the EU Party and Chile. Those schedules do not affect the rights and obligations of the Member States under European Union law.

7. For greater certainty, the obligation of the EU Party to grant national treatment does not entail the requirement to extend to natural or juridical persons of Chile the treatment granted in a Member State, pursuant to the Treaty on the Functioning of the European Union, or to any measure adopted pursuant to that Treaty, including their implementation in a Member State, to:

(a) natural persons or residents of another Member State; or

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(b) juridical persons constituted or organised under the law of another Member State or of the European Union and having their registered office, central administration or principal place of business in the EU Party.

8. The following abbreviations are used in the lists below:

AT Austria

BE Belgium

BG Bulgaria

CY Cyprus

CZ Czechia

DE Germany

DK Denmark

EE Estonia

EL Greece

ES Spain

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EU European Union, including all its Member States

FI Finland

FR France

HR Croatia

HU Hungary

IE Ireland

IT Italy

LT Lithuania

LU Luxembourg

LV Latvia

MT Malta

NL Netherlands

PL Poland

PUBLIC

PT Portugal

RO Romania

SE Sweden

SI Slovenia

SK Slovakia

CSS Contractual Services Suppliers

IP Independent Professionals

Contractual Services Suppliers

9. Subject to the list of reservations in paragraphs 11 and 12 of this Annex, the Parties undertake commitments in accordance with Article 19.5 with respect to contractual services suppliers in the following sectors or sub-sectors:

(a) Legal services for legal advice in respect of public international law and home jurisdiction law;

(b) Accounting and bookkeeping services;

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(c) Taxation advisory services;

(d) Architectural services and urban planning and landscape architectural services;

(e) Engineering services and integrated engineering services;

(f) Medical and dental services;

(g) Veterinary services;

(h) Midwives services;

(i) Services provided by nurses, physiotherapists and paramedical personnel;

(j) Computer and related services;

(k) Research and development services;

(l) Advertising services;

(m) Market research and opinion polling;

(n) Management consulting services;

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(o) Services related to management consulting;

(p) Technical testing and analysis services;

(q) Related scientific and technical consulting services;

(r) Mining;

(s) Maintenance and repair of vessels;

(t) Maintenance and repair of rail transport equipment;

(u) Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment;

(v) Maintenance and repair of aircrafts and parts thereof;

(w) Maintenance and repair of metal products, of (non-office) machinery, of (non-transport and non-office) equipment and of personal and household goods;

(x) Translation and interpretation services;

(y) Telecommunication services;

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(z) Postal and courier services;

(aa) Construction and related engineering services;

(bb) Site investigation work;

(cc) Higher education services;

(dd) Services relating to agriculture, hunting and forestry;

(ee) Environmental services;

(ff) Insurance and insurance related services (advisory and consulting services);

(gg) Other financial services (advisory and consulting services);

(hh) Other financial services listed in Annex 25 – only for Chile;

(ii) Transport advisory and consulting services;

(jj) Travel agencies and tour operators services;

(kk) Tourist guides services;

(ll) Manufacturing advisory and consulting services.

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Independent Professionals

10. Subject to the list of reservations in paragraphs 11 and 12 of this Annex, the Parties undertake commitments in accordance with Article 19.5 with respect to independent professionals in the following sectors or sub-sectors:

(a) Legal services for legal advice in respect of public international law and home jurisdiction law;

(b) Architectural services and urban planning and landscape architectural services;

(c) Engineering services and integrated engineering services;

(d) Computer and related services;

(e) Research and development services;

(f) Market research and opinion polling;

(g) Management consulting services;

(h) Services related to management consulting;

PUBLIC

(i) Mining;

(j) Translation and interpretation services;

(k) Telecommunication services;

(l) Postal and courier services

(m) Higher education services;

(n) Insurance related services (advisory and consulting services);

(o) Other financial services (advisory and consulting services);

(p) Other financial services listed in Annex 25 – only for Chile;

(q) Transport advisory and consulting services;

(r) Manufacturing advisory and consulting services.

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11. The reservations of the EU Party are:

Sector or sub-sector	Description of reservations
All sectors	CSS: EU: The number of persons covered by the service contract shall not be larger than the number necessary to fulfil the contract, as may be required by the laws and regulations of the Party where the service is supplied.
Legal services for legal advice in respect of public international law and home jurisdiction law (part of CPC 861)	CSS: In AT, BE, CY, DE, EE, EL, ES, FR, HR, IE, IT, LU, NL, PL, PT, SE: None. In BG, CZ, DK, FI, HU, LT, LV, MT, RO, SI, SK: Economic needs test. IP: In AT, CY, DE, EE, FR, HR, IE, LU, LV, NL, PL, PT, SE: None. In BE, BG, CZ, DK, EL, ES, FI, HU, IT, LT, MT, RO, SI, SK: Economic needs tests.
Accounting and bookkeeping services (CPC 86212 other than "auditing services", 86213, 86219 and 86220)	CSS: In AT, BE, DE, EE, ES, HR, IE, IT, LU, NL, PL, PT, SI, SE: None. In BG, CZ, CY, DK, EL, FI, FR, HU, LT, LV, MT, RO, SK: Economic needs test. IP: EU: Unbound.

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Sector or sub-sector	Description of reservations
Taxation advisory services (CPC 863)[1]	CSS: In AT, BE, DE, EE, ES, FR, HR, IE, IT, LU, NL, PL, SI, SE: None. In BG, CZ, CY, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test. In PT: Unbound. IP: EU: Unbound.
Architectural services and urban planning and landscape architectural services (CPC 8671 and 8674)	CSS: In BE, CY, EE, ES, EL, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses special knowledge relevant to the service being supplied. In BG, CZ, DE, HU, LT, LV, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In AT: Planning services only, where: Economic needs test. IP: In CY, DE, EE, EL, FR, HR, IE, LU, LV, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses special knowledge relevant to the service being supplied. In BE, BG, CZ, DK, ES, HU, IT, LT, RO, SK: Economic needs test. In AT: Planning services only, where: Economic needs test.

[1] Does not include legal advice and legal representation on tax matters, which is covered under legal services in respect of public international law and home jurisdiction law.

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Sector or sub-sector	Description of reservations
Engineering services and integrated engineering services (CPC 8672 and 8673)	CSS: In BE, CY, EE, ES, EL, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses knowledge relevant to the service being supplied. In BG, CZ, DE, HU, LT, LV, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In AT: Planning services only, where: Economic needs test. IP: In CY, DE, EE, EL, FR, HR, IE, LU, LV, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses knowledge relevant to the service being supplied. In BE, BG, CZ, DK, ES, HU, IT, LT, RO, SK: Economic needs test. In AT: Planning services only, where: Economic needs test.
Medical (including psychologists) and dental services (CPC 9312 and part of 85201)	CSS: In SE: None. In CY, CZ, DE, DK, EE, ES, IE, IT, LU, MT, NL, PL, PT, RO, SI: Economic needs test. In FR: Economic needs test, except for psychologists, where: Unbound. In AT: Unbound, except for psychologists and dental services, where: Economic needs test. In BE, BG, EL, FI, HR, HU, LT, LV, SK: Unbound. IP: EU: Unbound.

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Sector or sub-sector	Description of reservations
Veterinary services (CPC 932)	CSS: In SE: None. In CY, CZ, DE, DK, EE, EL, ES, FI, FR, IE, IT, LT, LU, MT, NL, PL, PT, RO, SI: Economic needs test. In AT, BE, BG, HR, HU, LV, SK: Unbound. IP: EU: Unbound.
Midwives services (part of CPC 93191)	CSS: In IE, SE: None. In AT, CY, CZ, DE, DK, EE, EL, ES, FR, IT, LT, LV, LU, MT, NL, PL, PT, RO, SI: Economic needs test. In BE, BG, FI, HR, HU, SK: Unbound. IP: EU: Unbound.
Services provided by nurses, physiotherapists and paramedical personnel (part of CPC 93191)	CSS: In IE, SE: None. In AT, CY, CZ, DE, DK, EE, EL, ES, FR, IT, LT, LV, LU, MT, NL, PL, PT, RO, SI: Economic needs test. In BE, BG, FI, HR, HU, SK: Unbound. IP: EU: Unbound.

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Sector or sub-sector	Description of reservations
Computer and related services (CPC 84)	CSS: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, LV, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses special knowledge relevant to the service being supplied. In AT, BG, CZ, CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test except for CSS stays of up to three months. IP: In DE, EE, EL, FR, IE, LU, LV, MT, NL, PL, PT, SI, SE: None. In FI: None, except: The natural person must demonstrate that it possesses special knowledge relevant to the service being supplied. In AT, BE, BG, CZ, CY, DK, ES, HU, IT, LT, RO, SK: Economic needs test. In HR: Unbound.
Research and development services (CPC 851, 852 excluding psychologists services[1], and 853)	CSS: EU except in NL, SE: A hosting agreement with an approved research organisation is required[2]. EU except in CZ, DK, SK: None. In CZ, DK, SK: Economic needs test. IP: EU except in NL, SE: A hosting agreement with an approved research organisation is required[3]. EU except in BE, CZ, DK, IT, SK: None. In BE, CZ, DK, IT, SK: Economic needs test.

[1] Part of CPC 85201, which is under medical and dental services.

[2] For all Member States except DK, the approval of the research organisation and the hosting agreement must meet the conditions set pursuant to Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ EU L 132, 21.5.2016, p. 21).

[3] For all Member States except DK, the approval of the research organisation and the hosting agreement must meet the conditions set pursuant to Directive (EU) 2016/801.

Sector or sub-sector	Description of reservations
Advertising services (CPC 871)	CSS: In BE, DE, EE, ES, FR, HR, IE, IT, LU, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test. IP: EU: Unbound, except NL. In NL: None.
Market research and opinion polling services (CPC 864)	CSS: In BE, DE, EE, ES, FR, IE, IT, LU, NL, PL, SE: None. In AT, BG, CZ, CY, DK, EL, FI, HR, LV, MT, RO, SI, SK: Economic needs test. In PT: None, except for public opinion polling services (CPC 86402), where: Unbound. In HU, LT: Economic needs test, except for public opinion polling services (CPC 86402), where: Unbound. IP: In DE, EE, FR, IE, LU, NL, PL, SE: None. In AT, BE, BG, CZ, CY, DK, EL, ES, FI, HR, IT, LV, MT, RO, SI, SK: Economic needs test. In PT: None, except for public opinion polling services (CPC 86402), where: Unbound. In HU, LT: Economic needs test, except for public opinion polling services (CPC 86402), where: Unbound.

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Sector or sub-sector	Description of reservations
Management consulting services (CPC 865)	CSS: In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: In CY, DE, EE, EL, FI, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BE, BG, CZ, DK, ES, HR, HU, IT, LT, RO, SK: Economic needs test.
Services related to management consulting (CPC 866)	CSS: In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound. IP: In CY, DE, EE, EL, FI, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BE, BG, CZ, DK, ES, HR, IT, LT, RO, SK: Economic needs test. In HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound.

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Sector or sub-sector	Description of reservations
Technical testing and analysis services (CPC 8676)	CSS: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, NL, PL, SI, SE: None. In AT, BG, CZ, CY, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: EU: Unbound, except NL. In NL: None.
Related scientific and technical consulting services (CPC 8675)	CSS: In BE, EE, EL, ES, HR, IE, IT, LU, NL, PL, SI, SE: None. In AT, CZ, CY, DE, DK, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. In DE: None, except for publicly appointed surveyors, where: Unbound. In FR: None, except for "surveying" operations relating to the establishment of property rights and to land law, where: Unbound. In BG: Unbound. IP: EU: Unbound, except NL. In NL: None.

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Sector or sub-sector	Description of reservations
Mining (CPC 883, advisory and consulting services only)	CSS: In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ,CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: In DE, EE, EL, FI, FR, HR, IE, LV, LU, MT, NL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, HU, IT, LT, PL, RO, SK: Economic needs test.
Maintenance and repair of vessels (part of CPC 8868)	CSS: In BE, EE, EL, ES, FR, HR, IT, LV, LU, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, FI, HU, IE, LT, MT, RO, SK: Economic needs test. IP: EU: Unbound, except NL. In NL: None.
Maintenance and repair of rail transport equipment (part of CPC 8868)	CSS: In BE, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. IP: EU: Unbound, except NL. In NL: None.

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Sector or sub-sector	Description of reservations
Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, 6122, part of 8867 and part of 8868)	CSS: In BE, EE, EL, ES, FR, HR, IT, LV, LU, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, FI, HU, IE, LT, MT, RO, SK: Economic needs test. IP: EU: Unbound, except NL. In NL: None.
Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	CSS: In BE, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. IP: EU: Unbound, except NL. In NL: None.
Maintenance and repair of metal products, of (non-office) machinery, of (non-transport and non-office) equipment and of personal and household goods[1] (CPC 633, 7545, 8861, 8862, 8864, 8865 and 8866)	CSS: In BE, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, HU, IE, LT, RO, SK: Economic needs test. In FI: Unbound, except in the context of an after-sales or after-lease contract; for maintenance and repair of personal and household goods (CPC 633): Economic needs test. IP: EU: Unbound, except NL. In NL: None.

[1] Maintenance and repair services of office machinery and equipment including computers (CPC 845) are under computer services.

PUBLIC

Sector or sub-sector	Description of reservations
Translation and interpretation services (CPC 87905, excluding official or certified activities)	CSS: In BE, CY, DE, EE, EL, ES, FR, HR, IT, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, DK, FI, HU, IE, LT, LV, RO, SK: Economic needs test. IP: In CY, DE, EE, FR, LU, LV, MT, NL, PL, PT, SI, SE: None. In AT, BE, BG, CZ, DK, EL, ES, FI, HU, IE, IT, LT, RO, SK: Economic needs test. In HR: Unbound.
Telecommunication services (CPC 7544, advisory and consulting services only)	CSS: In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: In DE, EE, EL, FI, FR, HR, IE, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, HU, IT, LT, RO, SK: Economic needs test.

PUBLIC

Sector or sub-sector	Description of reservations
Postal and courier services (CPC 751, advisory and consulting services only)	CSS: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, FI, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: In DE, EE, EL, FR, HR, IE, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, FI, HU, IT, LT, RO, SK: Economic needs test.
Construction and related engineering services (CPC 511, 512, 513, 514, 515, 516, 517 and 518. BG: CPC 512, 5131, 5132, 5135, 514, 5161, 5162, 51641, 51643, 51644, 5165 and 517)	CSS: EU: Unbound except in BE, CZ, DK, ES, NL and SE. In BE, DK, ES, NL, SE: None. In CZ: Economic needs test. IP: EU: Unbound, except NL. In NL: None.
Site investigation work (CPC 5111)	CSS: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, FI, HU, LT, LV, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: EU: Unbound.

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Sector or sub-sector	Description of reservations
Higher education services (CPC 923)	CSS: EU except in LU, SE: Unbound. In LU: Unbound, except for university professors, where: None. In SE: None, except for publicly funded and privately funded educational services suppliers with some form of State support, where: Unbound. IP: EU except in SE: Unbound. In SE: None, except for publicly funded and privately funded educational services suppliers with some form of State support, where: Unbound.
Services relating to agriculture, hunting and forestry (CPC 881, advisory and consulting services only)	CSS: EU except in BE, DE, DK, ES, FI, HR and SE: Unbound. In BE, DE, ES, HR, SE: None. In DK: Economic needs test. In FI: Unbound, except for advisory and consulting services relating to forestry, where: None. IP: EU: Unbound.
Environmental services (CPC 9401, 9402, 9403, 9404, part of 94060, 9405, part of 9406 and 9409)	CSS: In BE, EE, ES, FI, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, DE, DK, EL, HU, LT, LV, RO, SK: Economic needs test. IP: EU: Unbound.

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Sector or sub-sector	Description of reservations
Insurance and insurance related services (advisory and consulting services only)	CSS: In BE, DE, EE, EL, ES, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ,CY, FI, LT, RO, SK: Economic needs test. In DK: Economic needs test except for CSS stays of up to three months. In HU: Unbound. IP: In DE, EE, EL, FR, HR, IE, LV, LU, MT, NL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, FI, IT, LT, PL, RO, SK: Economic needs test. In HU: Unbound.
Other financial services (advisory and consulting services only)	CSS: In BE, DE, ES, EE, EL, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, FI, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS that stays of up to three months. In HU: Unbound. IP: In DE, EE, EL, FR, HR, IE, LV, LU, MT, NL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, FI, IT, LT, PL, RO, SK: Economic needs test. In HU: Unbound.

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Sector or sub-sector	Description of reservations
Transport (CPC 71, 72, 73, and 74, advisory and consulting services only)	CSS: In DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In BE: Unbound. IP: In CY, DE, EE, EL, FI, FR, HR, IE, LV, LU, MT, NL, PT, SI, SE: None. In AT, BG, CZ, DK, ES, HU, IT, LT, RO, SK: Economic needs test. In PL: Economic needs test, except for air transport, where: None. In BE: Unbound.
Travel agencies and tour operators services (including tour managers[1]) (CPC 7471)	CSS: In AT, CY, CZ, DE, EE, ES, FR, HR, IT, LU, NL, PL, SI, SE: None. In BG, EL, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. In BE, IE: Unbound, except for tour managers, where: None. IP: EU: Unbound.

[1] Services suppliers whose function is to accompany a tour group of a minimum of ten natural persons, without acting as guides in specific locations.

PUBLIC

Sector or sub-sector	Description of reservations
Tourist guides services (CPC 7472)	CSS: In NL, PT, SE: None. In AT, BE, BG, CY, CZ, DE, DK, EE, FI, FR, EL, HU, IE, IT, LV, LU, MT, RO, SK, SI: Economic needs test. In ES, HR, LT, PL: Unbound. IP: EU: Unbound.
Manufacturing (CPC 884, and 885, advisory and consulting services only)	CSS: In BE, DE, EE, EL, ES, FI, FR, HR, IE, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. In AT, BG, CZ, CY, HU, LT, RO, SK: Economic needs test. In DK: Economic needs test, except for CSS stays of up to three months. IP: In DE, EE, EL, FI, FR, HR, IE, LV, LU, MT, NL, PT, SI, SE: None. In AT, BE, BG, CZ, CY, DK, ES, HU, IT, LT, PL, RO, SK: Economic needs test.

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12. The reservations of Chile are:

Sector or sub-sector	Description of reservations
Legal services for legal advice in respect of public international law and home jurisdiction law (part of CPC 861)	None.
Accounting and bookkeeping services (CPC 86212 other than "auditing services", 86213, 86219 and 86220)	None.
Taxation advisory services (CPC 863)[1]	None.
Architectural services and urban planning and landscape architectural services (CPC 8671 and 8674)	None.
Engineering services and integrated engineering services (CPC 8672 and 8673)	None.
Medical (including psychologists) and dental services (CPC 9312 and part of 85201)	None.
Veterinary services (CPC 932)	None.
Midwives services (part of CPC 93191)	None.
Services provided by nurses, physiotherapists and paramedical personnel (part of CPC 93191)	None.
Computer and related services (CPC 84)	None.
Research and development services (CPC 851, 852 excluding psychologists services[2], and 853)	None.
Advertising services (CPC 871)	None.
Market research and opinion polling services (CPC 864)	None.

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[1] Does not include legal advice and legal representation on tax matters, which is covered under legal services in respect of public international law and home jurisdiction law.

[2] Part of CPC 85201, which is under medical and dental services.

Sector or sub-sector	Description of reservations
Management consulting services (CPC 865)	None.
Services related to management consulting (CPC 866)	None.
Technical testing and analysis services (CPC 8676)	None.
Related scientific and technical consulting services (CPC 8675)	None.
Mining (CPC 883, advisory and consulting services only)	None.
Maintenance and repair of vessels (part of CPC 8868)	None.
Maintenance and repair of rail transport equipment (part of CPC 8868)	None.
Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, 6122, part of 8867 and part of 8868)	None.
Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	None.
Maintenance and repair of metal products, of (non-office) machinery, of (non-transport and non-office) equipment and of personal and household goods[1] (CPC 633, 7545, 8861, 8862, 8864, 8865 and 8866)	None.
Translation and interpretation services (CPC 87905, excluding official or certified activities)	None.
Telecommunication services (CPC 7544, advisory and consulting services only)	None.
Postal and courier services (CPC 751, advisory and consulting services only)	None.

[1] Maintenance and repair services of office machinery and equipment including computers (CPC 845) are under computer services.

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Sector or sub-sector	Description of reservations
Construction and related engineering services (CPC 511, 512, 513, 514, 515, 516, 517 and 518. BG: CPC 512, 5131, 5132, 5135, 514, 5161, 5162, 51641, 51643, 51644, 5165 and 517)	None.
Site investigation work (CPC 5111)	None.
Higher education services (CPC 923)	None.
Agriculture, hunting and forestry (CPC 881, advisory and consulting services only)	None.
Environmental services (CPC 9401, 9402, 9403, 9404, part of 94060, 9405, part of 9406 and 9409)	None.
Insurance and insurance related services (advisory and consulting services only)	None.
Other financial services (advisory and consulting services only)	None.
Other financial services (listed in section B of Appendix 25-2)	None.
Transport (CPC 71, 72, 73, and 74, advisory and consulting services only)	None.
Travel agencies and tour operators services (including tour managers[1]) (CPC 7471)	None.
Tourist guides services (CPC 7472)	None.
Manufacturing (CPC 884, and 885, advisory and consulting services only)	None.

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[1] Service suppliers whose function is to accompany a tour group of a minimum of 10 natural persons, without acting as guides in specific locations.

ANNEX 19-C

PUBLIC

MOVEMENT OF NATURAL PERSONS FOR BUSINESS PURPOSES

Entry and temporary stay-related procedural commitments

1. The Parties should ensure that the processing of applications for entry and temporary stay pursuant to their respective commitments in Part III of this Agreement follows good administrative practice. To that effect:

(a) each Party shall ensure that fees charged by competent authorities for the processing of applications for entry and temporary stay do not unduly impair or delay trade in services under Part III of this Agreement;

(b) subject to the discretion of the competent authorities, the documents required from an applicant for the grant of entry and temporary stay of short-term visitors for business purposes should be commensurate with the purpose for which they are collected;

(c) complete applications for the grant of entry and temporary stay shall be processed as expeditiously as possible;

(d) the competent authorities of a Party shall endeavour to provide, without undue delay, information in response to any reasonable request from an applicant concerning the status of an application for entry and temporary stay;

(e) if the competent authorities of a Party require additional information from the applicant in order to process the application for entry and temporary stay, those authorities shall endeavour to notify, without undue delay, the applicant thereof;

(f) the competent authorities of each Party shall notify the applicant of the outcome of the application for entry and temporary stay promptly after a decision has been taken;

(g) if the application for entry and temporary stay is approved, the competent authorities of each Party shall notify the applicant of the period of stay and other relevant terms and conditions;

(h) if the application for entry and temporary stay is denied, the competent authorities of a Party shall, on request of the applicant or on their own initiative, make available to the applicant information on any available review and appeal procedures;

(i) each Party shall endeavour to accept and process applications in electronic format.

PUBLIC

2. The following additional procedural commitments apply to intra-corporate transferees and their family members[1]:

(a) the competent authorities of each Party shall adopt a decision on the application for entry or temporary stay of an intra-corporate transferee or a renewal of it and notify that decision to the applicant, in accordance with the notification procedures under national law, as soon as possible but not later than 90 days from the date on which the complete application was submitted;

(b) if the information or documentation supplied in support of the application for entry or temporary stay of an intra-corporate transferee or a renewal of it is incomplete, the competent authorities of a Party shall notify the applicant, within a reasonable period of time, of the additional information that is required and set a reasonable deadline for providing it; the period of time referred to in subparagraph (a) shall be suspended until the competent authorities have received the additional information required;

(c) the EU Party shall extend to family members of natural persons of Chile who are intra-corporate transferees to the EU Party the right of temporary entry and stay granted to family members of an intra-corporate transferee under Article 19 of the ICT Directive;

[1] Subparagraphs (a), (b) and (c) do not apply for the Member States that are not subject to the application of Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (OJ EU L 157, 27.5.2014, p.1) ("ICT Directive").

(d) Chile shall grant to family members of natural persons of the EU Party who are business visitors for establishment purposes, investors, intra-corporate transferees, contractual services suppliers and independent professionals, a visa as a dependent, which does not allow such family members to perform remunerated activities in Chile; nevertheless, a family dependent may be permitted to perform a remunerated activity in Chile upon a separate application, under Part III of this Agreement or the general immigration rules, for their own visa as non-dependent; such application can be submitted and processed in Chile.

Cooperation on return and readmission

3. The Parties acknowledge that the enhanced movement of natural persons following from the provisions of paragraphs 1 and 2 requires full cooperation on return and readmission of natural persons who do not fulfil, or no longer fulfil, the conditions for entry to, presence in or residence on the territory of the other Party.

4. For the purposes of paragraph 3, a Party may suspend the application of the provisions of paragraphs 1 and 2 if it assesses that the other Party does not observe its obligation under international law to readmit its nationals without conditions. The Parties reaffirm their understanding that such assessment is not subject to review under Chapter 38.

PUBLIC

ANNEX 21-A

PUBLIC

GUIDELINES FOR ARRANGEMENTS ON THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS

SECTION A

GENERAL PROVISIONS

1. This Annex contains guidelines for arrangements on the conditions for the recognition of professional qualifications ("arrangements"), as laid down in Article 21.1.

2. Pursuant to that Article, these guidelines are to be taken into account in the development of joint recommendations by professional bodies or authorities of the Parties ("joint recommendations").

3. These guidelines are non-binding, non-exhaustive and do not modify or affect the rights and obligations of the Parties under Part III of this Agreement. They set out the typical content of arrangements and provide general indications as to the economic value of an arrangement and the compatibility of the respective professional qualifications regimes.

4. Some of the elements of these guidelines might not be relevant in all cases, and professional bodies and authorities are free to include in their joint recommendations any other element that they consider pertinent for the arrangements of the profession and the professional activities concerned, in accordance with Part III of this Agreement.

5. These guidelines should be taken into account by the Joint Council when deciding whether to develop and adopt arrangements. They are without prejudice to the Joint Council's review of the consistency of joint recommendations with Part III of this Agreement and its discretion to take into account the elements it deems relevant, including those contained in joint recommendations.

PUBLIC

SECTION B

FORM AND CONTENT OF AN ARRANGEMENT

6. This Section sets out the typical content of an arrangement, some of which is not within the remit of the professional bodies or authorities preparing joint recommendations. That content constitutes, nonetheless, useful information to be taken into account in the preparation of joint recommendations so that they are better adapted to the possible scope of an arrangement.

7. Matters addressed specifically in Part III of this Agreement which apply to arrangements, such as the geographical scope of an arrangement, its interaction with scheduled non-conforming measures, the system of dispute resolution, or monitoring and review mechanisms of the arrangement should not be addressed by joint recommendations.

8. An arrangement may specify different mechanisms for the recognition of professional qualifications within a Party. It may also be limited to setting the scope of the arrangement, the procedural provisions, the effects of recognition and additional requirements, and the administrative arrangements.

9. An arrangement which is adopted by the Joint Council should reflect the degree of discretion that is intended to be preserved for competent authorities deciding on recognition.

Scope of an arrangement

10. An arrangement should set out:

(a) the specific regulated profession or professions, the relevant professional title or titles and the activity or group of activities covered by the scope of practice of the regulated profession in the Parties ("scope of practice"); and

(b) whether it covers the recognition of professional qualifications for the purposes of access to professional activities on a fixed-term or an indefinite basis.

PUBLIC

Conditions for recognition

11. An arrangement may specify, in particular:

(a) the professional qualifications necessary for recognition under the arrangement, for example, evidence of formal qualification, professional experience, or other attestation of competence;

(b) the degree of discretion preserved by recognition authorities when assessing requests for recognition of the professional qualifications concerned; and

(c) the procedures to deal with variations and gaps between professional qualifications and the means to bridge the differences, including the possibility of imposing any compensatory measures or any other relevant conditions and limitations.

Procedural provisions

12. An arrangement may set out:

(a) the documents required and the form in which they should be presented, for example, by electronic or other means, or whether they should be supported by translations or certifications of authenticity;

PUBLIC

(b) the steps and procedures in the recognition process, including those relating to possible compensatory measures, corresponding obligations and timelines; and

(c) the availability of information relevant to all aspects of the recognition processes and requirements.

Effects of recognition and additional requirements

13. An arrangement may set out provisions on the effects of recognition and, if relevant, also in respect of different modes of supply.

14. An arrangement may describe any additional requirements for the effective exercise of a regulated profession in the host Party. Such requirements may include:

(a) registration requirements with local authorities;

(b) appropriate language skills;

(c) proof of good character;

(d) compliance with the requirements of the host Party for use of trade or firm names;

PUBLIC

(e) compliance with the rules of ethics, independence and professional conduct requirements of the host Party;

(f) the need to obtain professional indemnity insurance;

(g) rules on disciplinary action, financial responsibility and professional liability; and

(h) requirements for continuous professional development.

Administration of the arrangement

15. An arrangement should set out the terms under which it can be reviewed or revoked, and the effects of any revision or revocation. Consideration may also be given to the inclusion of provisions concerning the effects of any recognition previously accorded.

PUBLIC

SECTION C

ECONOMIC VALUE OF AN ENVISAGED ARRANGEMENT

16. Pursuant to subparagraph (a) of Article 21.1(2), joint recommendations shall be supported by an evidence-based assessment of the economic value of an envisaged arrangement. Such an assessment may consist of an evaluation of the economic benefits that an arrangement is expected to bring to the economies of both Parties and may assist the Joint Council when developing and adopting an arrangement.

17. Aspects such as the existing level of market openness, industry needs, market trends and developments, client expectations and requirements and business opportunities would constitute useful elements for the evaluation referred to in paragraph 16.

18. The evaluation is not required to be a full and detailed economic analysis, but should provide an explanation of the interest of the profession in, and the expected benefits for the Parties ensuing from, the adoption of an arrangement.

PUBLIC

SECTION D

COMPATIBILITY OF RESPECTIVE PROFESSIONAL QUALIFICATION REGIMES

19. Pursuant to subparagraph (b) of Article 21.1(2), joint recommendations shall be supported by an evidence-based assessment of the compatibility of the respective professional qualification regimes. Such an assessment may assist the Joint Council when developing and adopting an arrangement.

20. The following process aims at guiding professional bodies and authorities when assessing the compatibility of the respective professional qualifications and activities with a view to simplifying and facilitating the recognition of professional qualifications.

Step One: Assessment of the scope of practice and the professional qualifications required to practise the regulated profession in each Party

21. The assessment of the scope of practice and of the professional qualifications required to practise a regulated profession in each Party should be based on all relevant information.

22. The following elements should be identified:

(a) activities or groups of activities covered by the scope of practice of the regulated profession in each Party; and

PUBLIC

(b) the professional qualifications required in each Party to practise the regulated profession, which may include any of the following elements:

(i) the minimum education required, for example, entry requirements, level of education, length of study and contents of study;

(ii) the minimum professional experience required, for example, location, length and conditions of practical training or supervised professional practice prior to registration, licensing or equivalent;

(iii) examinations passed, especially examinations of professional competency; and

(iv) the acquisition of a licence or equivalent certifying, for example, the fulfilment of the necessary professional qualification requirements for the pursuit of the profession.

Step Two: Evaluation of the divergence between the scope of practice of, or the professional qualifications required to practise, the regulated profession in each Party

23. The evaluation of the divergence in the scope of practice of, or in the professional qualifications required to practise, the regulated profession, in each Party, should in particular identify divergence that is substantial.

PUBLIC

24. Substantial divergence in the scope of practice may exist if all of the following conditions are met:

(a) one or more activities covered by a regulated profession in the host Party are not covered by the corresponding profession in the Party of origin;

(b) such activities are subject to specific training in the host Party; and

(c) the training for such activities in the host Party covers matters substantially diverging from those covered by the applicant's qualification.

25. Substantial divergence in the professional qualifications required to practise a regulated profession may exist if there are divergences in the Parties' requirements with regard to the level, duration or content of the training that is required for the pursuit of activities covered by the regulated profession.

Step Three: Recognition mechanisms

26. There may be different mechanisms for the recognition of professional qualifications, depending on the circumstances. There may be different mechanisms within a Party.

27. If there is no substantial divergence in the scope of practice and in the professional qualifications required to practise a regulated profession, an arrangement may provide for a simpler, more streamlined recognition process than in a case where there is substantial divergence.

PUBLIC

28. If there is substantial divergence, the arrangement may provide for compensatory requirements which are sufficient to remedy such divergence.

29. When compensatory requirements are used to reduce substantial divergence, they should be proportionate to the divergence that they seek to address. Any practical professional experience or formally validated training may be taken into account to assess the extent of the compensatory requirements needed.

30. Whether or not the divergence is substantial, the arrangement may take account of the degree of discretion that is intended to be preserved for competent authorities deciding on recognition requests.

31. Compensatory requirements may take different forms, including:

(a) a period of supervised practice of a regulated profession in the host Party, possibly accompanied by further training, under the responsibility of a qualified person and subject to a regulated assessment;

(b) a test made or recognised by the relevant authorities of the host Party to assess the applicant's ability to practise a regulated profession in that Party; and

(c) a temporary limitation of the scope of practice.

PUBLIC

32. An arrangement may envisage that a choice is given to applicants between different compensatory requirements when this could limit the administrative burden for applicants and such requirements are equivalent.

PUBLIC

ANNEX 21-B

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

Pursuant to Article 21.1(3) and subparagraph (a) of Article 8.5(1), the Joint Council may adopt a decision in order to determine or amend the mutual recognition arrangements set out in this Annex.

PUBLIC

ANNEX 25

PUBLIC

FINANCIAL SERVICES

Headnotes

1. The schedules of each Party in Appendices 25-1 and 25-2 set out, pursuant to Article 25.10, the following:

(a) Section A sets out the specific sectors, subsectors or activities to which the obligations of Article 25.7 apply;

(b) Section B sets out the specific subsectors or activities where that Party undertakes commitments pursuant to Article 25.6;

(c) Section C sets out the specific sectors, subsectors or activities for which that Party maintains an existing measure that is not subject to some or all of the obligations imposed by:

(i) Article 25.3;

(ii) Article 25.5;

(iii) Article 25.7;

(iv) Article 25.8; and

(v) Article 25.9.

(d) Section D sets out the specific sectors, subsectors or activities for which that Party may maintain existing, or adopt new or more restrictive, measures that do not conform with some or all of the obligations referred to in subparagraphs (a) to (c) of this paragraph.

2. In all Sections, for the EU Party, the specific subsectors or activities are specified in accordance with the definitions set out in Article 25.2. In Section B, for Chile, the commitments are classified in accordance with the CPC.

3. A reservation taken with respect to the obligations set out in the articles that are incorporated into Chapter 25 by Article 25.7 is scheduled by reference to the heading of those articles and to the specific obligation incorporated.

4. Section B only contains non-discriminatory limitations on market access. Discriminatory limitations are scheduled in Section C or D.

5. For greater certainty, the reservations of a Party are without prejudice to the rights and obligations of the Parties under GATS.

6. In Sections C and D, each reservation sets out the following elements:

(a) "sub-sector" refers to the specific sector in which the reservation is taken;

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(b) "type of reservation" or "obligation concerned" specifies the obligation referred to in paragraph 1 for which a reservation is taken;

(c) "level of government" indicates the level of government maintaining the measure for which a reservation is taken;

(d) in Section C, "measures" identifies the laws or other measures as qualified, where indicated, by the "description" element for which the reservation is taken. A measure cited in the "measures" element:

(i) means the measure as amended, continued or renewed as of the date of entry into force of this Agreement;

(ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and

(iii) includes, in respect of the schedule of the EU Party, any laws or other measures which implement a European Union Directive at Member State level;

(e) in Section D, "existing measures" identifies, for transparency purposes, existing measures that apply to sub-sectors or activities covered by the reservation; and

(f) "description" sets out the non-conforming aspects of the measure for which the reservation is taken.

PUBLIC

7. For greater certainty, with regard to Section C, if a Party adopts a new measure at a level of government different to that at which the reservation was originally taken, and that new measure effectively replaces, within the territory to which it applies, the non-conforming aspect of the original measure cited in the "measures" element, the new measure shall be deemed to constitute a "modification" to the original measure within the meaning of subparagraph (c) of Article 25.10(1).

8. In the interpretation of a reservation, all elements of the reservation shall be considered. A reservation shall be interpreted in the light of the relevant obligations against which the reservation is taken. In Section C, the "measures" element, and in Sections B and D, the "description" element, shall prevail over all other elements.

9. A reservation taken at the level of the European Union applies to a measure of the European Union, to a measure of a Member State at the central level or to a measure of a government within a Member State, unless the reservation excludes a Member State. A reservation taken by a Member State applies to a measure of a government at the central, regional or local level within that Member State. For the purposes of the reservations of Belgium, the central level of government covers the federal government and the governments of the regions and the communities as each of them holds equipollent legislative powers. For the purposes of the reservations of the European Union and its Member States, a regional level of government in Finland means the Åland Islands. A reservation taken at the level of Chile applies to a measure of the central government or of a local government.

PUBLIC

10. The schedule of a Party does not include measures relating to requirements and procedures that a natural or juridical person needs to comply with in order to obtain, amend or renew an authorisation, i.e. qualification requirements and procedures, technical standards and licensing requirements and procedures, where they do not constitute a limitation within the meaning of Article 25.3, 25.6, or 25.7. Those measures may include the need to obtain an authorisation, to be registered, to satisfy universal service obligations, to have recognised qualifications in regulated sectors, to pass specific examinations, including language examinations, to fulfil a membership requirement of a particular profession, such as membership in a professional organisation, to have a local agent for service, or to maintain a local address, or any other non-discriminatory requirements that prohibit certain activities from being carried out in protected zones or areas. Although they are not listed in the schedule of the Party, such measures may apply.

11. For greater certainty, for the EU Party, the obligation to grant national treatment does not entail the requirement to extend to natural or juridical persons of Chile the treatment granted in a Member State, pursuant to the Treaty on the Functioning of the European Union, or any measure adopted pursuant to that Treaty, including their implementation in a Member State, to:

(a) natural persons or residents of another Member State; or

(b) juridical persons constituted or organised under the law of another Member State or of the European Union and having their registered office, central administration or principal place of business in the European Union.

PUBLIC

12. Treatment granted to juridical persons established by investors of a Party, in accordance with the law of the other Party (including, in the case of the EU Party, the law of a Member State) and having their registered office, central administration or principal place of business within that other Party, is without prejudice to any condition or obligation, pursuant to Chapter 17, which may have been imposed on such juridical person when it was established in that other Party, and which shall continue to apply.

13. Unlike foreign subsidiaries, branches established directly in a Member State by a non-European Union financial institution are not, with certain limited exceptions, subject to prudential regulations harmonised at the European Union level which enable such subsidiaries to benefit from enhanced facilities to set up new establishments and to provide cross-border financial services throughout the European Union. Therefore, such branches receive an authorisation to operate in the territory of a Member State under conditions equivalent to those applied to domestic financial institutions of that Member State, and may be required to satisfy a number of specific prudential requirements such as, in the case of banking and securities, separate capitalisation and other solvency requirements and requirements relating to reporting and publication of accounts or, in the case of insurance, specific guarantee and deposit requirements, a separate capitalisation, and the localisation in the Member State concerned of the assets representing the technical reserves and at least one third of the solvency margin.

PUBLIC

14. For Chile, juridical and natural persons that participate in the Chilean financial market can be regulated, supervised and authorised by the *Comisión para el Mercado Financiero* (Financial Market Commission) and other public entities. Domestic and foreign juridical and natural persons shall comply with the non-discriminatory requirements and obligations of the financial sector regulation and may be required to satisfy a number of specific prudential requirements such as, separate capitalisation, legal requirements concerning patrimony, solvency requirements, requirements relating to reporting and publication of accounts, constitution procedure, specific guarantee and deposit requirements.

15. The schedules of the Parties apply only to the territories of Chile and the EU Party in accordance with Article 41.2 and are only relevant in the context of trade relations between the EU Party and Chile. They do not affect the rights and obligations of the Member States under European Union law.

16. For greater certainty, each Party reserves the right to adopt or maintain any measure with respect to the cross-border supply with regard to all sectors, sub-sectors and activities for financial services that are not specified in Section A.

17. The following abbreviations are used in the schedules of the Parties:

EU European Union, including all its Member States

AT Austria

BE Belgium

PUBLIC

BG Bulgaria

CY Cyprus

CZ Czechia

DE Germany

DK Denmark

EE Estonia

EL Greece

ES Spain

FI Finland

FR France

HR Croatia

HU Hungary

IE Ireland

PUBLIC

IT Italy

LT Lithuania

LU Luxembourg

LV Latvia

MT Malta

NL Netherlands

PL Poland

PT Portugal

RO Romania

SE Sweden

SI Slovenia

SK Slovakia

EEA European Economic Area

CMF *Comisión para el Mercado Financiero* (Financial Market Commission)

PUBLIC

Appendix 25-1

PUBLIC

EU PARTY: RESERVATIONS AND MARKET ACCESS COMMITMENTS

SECTION A

COMMITMENTS FOR CROSS-BORDER TRADE IN FINANCIAL SERVICES

The following are the subsectors or activities to which the obligations set out in Article 25.7 apply:

Insurance and insurance-related services

In EU, except CY, EE, LV, LT, MT and PL:

1. Insurance of risks relating to:

(a) maritime transport, commercial aviation and space launching and freight, including satellites, where the insurance covers the goods being transported, the vehicle transporting the goods, or liability deriving from that transport; and

(b) goods in international transit;

2. Reinsurance and retrocession;

3. Services auxiliary to insurance as referred to in subparagraph (d)(i)(D) of Article 25.2; and

4. Insurance intermediation, such as brokerage and agency, of insurance risks related to the services listed in subparagraphs (a) and (b) of paragraph 1.

In CY:

1. Direct insurance services (including co-insurance) for the insurance of risks relating to:

(a) maritime transport, commercial aviation and space launching and freight, including satellites, where the insurance covers the goods being transported, the vehicle transporting the goods, or liability deriving from that transport; and

(b) goods in international transit;

2. Insurance intermediation;

3. Reinsurance and retrocession; and

4. Services auxiliary to insurance as referred to in subparagraph (d)(i)(D) of Article 25.2.

PUBLIC

In EE:

1. Direct insurance (including co-insurance);

2. Reinsurance and retrocession;

3. Insurance intermediation; and

4. Services auxiliary to insurance as referred to in subparagraph (d)(i)(D) of Article 25.2.

In LV and LT:

1. Insurance of risks relating to:

(a) maritime transport, commercial aviation and space launching and freight, including satellites, where the insurance covers the goods being transported, the vehicle transporting the goods, or liability deriving from that transport; and

(b) goods in international transit;

2. Reinsurance and retrocession; and

3. Services auxiliary to insurance as referred to in subparagraph (d)(i)(D) of Article 25.2.

PUBLIC

In MT:

1. Insurance of risks relating to:

(a) maritime transport, commercial aviation and space launching and freight, including satellites, where the insurance covers the goods being transported, the vehicle transporting the goods, or liability deriving from that transport; and

(b) goods in international transit;

2. Reinsurance and retrocession; and

3. Services auxiliary to insurance as referred to in subparagraph (d)(i)(D) of Article 25.2.

In PL:

1. Insurance of risks relating to goods in international trade;

2. Reinsurance and retrocession of risks relating to goods in international trade; and

3. Banking and other financial services (excluding insurance and insurance-related services).

PUBLIC

In EU except for BE, CY, EE, LV, LT, MT, SI and RO:

1. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

2. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

In BE:

The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2.

In CY:

1. The trading for own account or for the account of customers, whether on an exchange, in an over-the-counter market or otherwise, of transferable securities as referred to in subparagraph (d)(ii)(F)(5) of Article 25.2;

2. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

PUBLIC

3. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

In EE and LT:

1. Acceptance of deposits;

2. Lending of all types;

3. Financial leasing;

4. All payment and money transmission services;

5. Guarantees and commitments;

6. Trading for own account or for account of customers, whether on an exchange or in an over-the-counter market;

7. Participation in issues of all kinds of securities, including underwriting and placement as agent, whether publicly or privately, and provision of services related to such issues;

PUBLIC

8. Money broking;

9. Asset management, such as cash or portfolio management, and all forms of collective investment;

10. Management, custodial, depository and trust services;

11. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments;

12. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

13. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

In LV:

1. Participation in issues of all kinds of securities, including underwriting and placement as agent, whether publicly or privately, and provision of services related to such issues;

PUBLIC

2. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

3. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

In MT:

1. Acceptance of deposits;

2. Lending of all types;

3. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

4. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

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In RO:

1. Acceptance of deposits;

2. Lending of all types;

3. Guarantees and commitments;

4. Money broking;

5. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

6. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

In SI:

1. Lending of all types;

PUBLIC

2. Acceptance of guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors;

3. The provision and transfer of financial information, and financial data processing and related software, as referred to in subparagraph (d)(ii)(K) of Article 25.2; and

4. Advisory and other auxiliary financial services relating to banking and other financial services, as referred to in subparagraph (d)(ii)(L) of Article 25.2, excluding intermediation referred to in that subparagraph.

PUBLIC

SECTION B

MARKET ACCESS COMMITMENTS
WITH RESPECT TO INVESTMENT LIBERALISATION

1. The following subsectors and activities are committed with respect to investment liberalisation:

In EU: All financial services.

2. The following non-discriminatory limitations apply with respect to Investment liberalisation – Market access:

All financial services

In EU: The right to require a financial service supplier, other than a branch, when establishing in a Member State to adopt a specific legal form, on a non-discriminatory basis.

Insurance and insurance-related services

In AT: In order to obtain a licence to open a branch office, foreign insurers shall have a legal form corresponding or comparable to a joint stock company or a mutual insurance association in their home country.

Banking and other financial services

In RO: Market operators are juridical persons set up as joint stock companies in accordance with the provisions of the Company law. Alternative trading systems (Multilateral trading facility, MTF) pursuant to Directive 2014/65/EU of the European Parliament and of the Council[1] (MiFID II Directive) can be managed by a system operator set up under the conditions described above or by an investment firm authorised by ASF (Autoritatea de Supraveghere Financiară – Financial Supervisory Authority).

PUBLIC

[1] Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ EU L 173, 12.6.2014, p. 349).

In SI: A pension scheme may be provided by a mutual pension fund (which is not a legal entity and is therefore managed by an insurance company, a bank or a pension company), a pension company or an insurance company. Additionally, a pension scheme may also be offered by pension scheme providers established in accordance with the regulations applicable in a Member State.

In SK: Investment services can only be provided by management companies which have the legal form of a joint-stock company with equity capital in accordance with its law.

In SE: A founder of a savings bank shall be a natural person.

PUBLIC

SECTION C

EXISTING MEASURES

Reservation No 1: Sub-sector: Insurance and insurance-related services

Type of reservation:	National treatment
	Most-favoured-nation treatment
	Local presence
Level of government:	EU/Member State (unless otherwise specified)

Description:

With respect to Investment liberalisation – National treatment and Most-favoured-nation treatment:

In IT: Access to the actuarial profession through natural persons only. Professional associations (no incorporation) among natural persons permitted. European Union nationality is required for the practice of the actuarial profession, except for foreign professionals who may be allowed to practice based on reciprocity.

Measures:

IT: Article 29 of the code of private insurance (Legislative decree no. 209 of 7 September 2005); and Law 194/1942, Article 4, Law 4/1999 on the register.

With respect to Investment liberalisation – National treatment and Cross-border trade in financial services – Local presence:

In BG: Pension insurance shall be carried out as a joint-stock company licensed in accordance with the Code of Social Insurance and registered under the Commerce Act or under the legislation of another Member State (no branches).

In BG, ES, PL and PT: Direct branching is not permitted for insurance intermediation, which is reserved to companies formed in accordance with the law of a Member State (local incorporation is required). For PL, residency requirement for insurance intermediaries.

PUBLIC

With respect to Investment liberalisation – National treatment:

In PL: For pension funds. Direct branching is not permitted for insurance intermediation, which is reserved to companies formed in accordance with the law of a Member State (local incorporation is required).

Measures:

BG: Insurance Code, Articles 12, 56-63, 65, 66 and 80 paragraph 4, Social Insurance Code Art. 120a–162, Art. 209–253, Art. 260–310.

ES: Reglamento de Ordenación, Supervisión y Solvencia de Entidades Aseguradoras y Reaseguradoras (RD 1060/2015, de 20 de noviembre de 2015), Article 36.

PL: Act on insurance and reinsurance activity of 11 September 2015 (Journal of Laws of 2020, item 895 and 1180); Act on insurance distribution of 15 December 2017 (Journal of Laws 2019, item 1881); Act on the organization and operation of pension funds of 28 August 1997 (Journal of Laws of 2020, item 105); Act of 6 March 2018 on rules regarding economic activity of foreign entrepreneurs and other foreign persons in the territory of PL.

PUBLIC

PT: Article 7 of Decree-Law 94-B/98 revoked by Decree-Law 2/2009, January 5th; and chapter I, Section VI of Decree-Law 94-B/98, Articles 34, nr. 6, 7, and Article 7 of Decree-Law 144/2006, revoked by Law 7/2019, January 16th. Article 8 of the legal regime governing the business of insurance and reinsurance distribution, approved by Law 7/2019, of January 16th.

With respect to Investment liberalisation – National treatment:

In AT: The management of a branch office shall consist of at least two natural persons resident in AT.

In BG: Residency requirement for the members of managing and supervisory body of (re)insurance undertakings and every person authorised to manage or represent the (re)insurance undertaking.

The chairperson of the management board, the chairperson of the board of directors, the executive director and the managerial agent of pension insurance companies shall have a permanent address or hold a durable residence permit in Bulgaria.

Measures:

AT: Insurance Supervision Act 2016, Article 14 para. 1 no. 3, Federal Law Gazette I No. 34/2015 (Versicherungsaufsichtsgesetz 2016, § 14 Abs. 1 Z 3, BGBl. I Nr. 34/2015).

BG: Insurance Code, Articles 12, 56-63, 65, 66 and 80 paragraph 4, Social Insurance Code, Art. 120a–162, Art. 209–253, Art. 260–310.

PUBLIC

With respect to Investment liberalisation – National treatment:

In BG: Before establishing a branch or agency to provide insurance, a foreign insurer or reinsurer must have been authorised to operate in its country of origin in the same classes of insurance as those it wishes to provide in BG.

The income of the supplementary voluntary pension funds, as well as similar income directly connected with voluntary pension insurance, carried out by persons who are registered under the legislation of another Member State and who may, in compliance with the legislation concerned, perform voluntary pension insurance operations shall not be taxable in accordance with the procedure established by the Corporate Income Tax Act.

In ES: Before establishing a branch or agency in ES in order to provide certain classes of insurance, a foreign insurer must have been authorised to operate in the same classes of insurance in its country of origin for at least five years.

In PT: In order to establish a branch or agency, foreign insurance undertakings must have been authorised to carry out the business of insurance or reinsurance, according to the relevant national law for at least five years.

PUBLIC

Measures:

BG: Insurance Code, Articles 12, 56-63, 65, 66 and 80 paragraph 4, Social Insurance Code, Art. 120a–162, Art. 209–253, Art. 260–310.

ES: Reglamento de Ordenación, Supervisión y Solvencia de Entidades Aseguradoras y Reaseguradoras (RD 1060/2015, de 20 de noviembre de 2015), Article 36.

PT: Article 7 of Decree-Law 94-B/98 and Chapter I, Section VI of Decree-Law 94-B/98, Articles 34, nr. 6, 7, and Article 7 of Decree-Law 144/2006; Article 215 of legal regime governing the taking up and pursuit of the business of insurance and reinsurance, approved by Law 147/2005, of September 9th.

With respect to Investment – National treatment and Cross-border trade in financial services – National treatment:

In AT: Promotional activity and intermediation on behalf of a subsidiary not established in the European Union or of a branch not established in AT (except for reinsurance and retrocession) are prohibited.

PUBLIC

With respect to Cross-border trade in financial services – Local presence:

In DK: A person or company (including insurance companies) shall not, for business purposes, assist in effecting direct insurance for persons resident in DK, for Danish ships or for property in DK, other than insurance companies licensed by Danish law or by Danish competent authorities.

In DE, HU and LT: The supply of direct insurance services by insurance companies not incorporated in the European Union requires the setting up and authorisation of a branch.

With respect to Cross-border trade in financial services – National treatment, Local presence:

In EL: Insurance and reinsurance undertakings with head offices in third countries may operate in Greece by establishing a subsidiary or a branch, where a branch in this case does not take any specific legal form as it means a permanent presence in the territory of a Member State (i.e. EL) of an undertaking with a head office outside the European Union, which receives authorisation in that Member State (EL) and which pursues insurance business.

In SE: The supply of direct insurance by a foreign insurer is allowed only through the mediation of an insurance service supplier authorised in SE, provided that the foreign insurer and the Swedish insurance company belong to the same group of companies or have an agreement of cooperation between them. The provision of insurance intermediation services by undertakings not incorporated in the EEA requires the establishment of a commercial presence (local presence requirement).

PUBLIC

In SK: Air and maritime transport insurance covering the aircraft/vessel and responsibility can be underwritten only by insurance companies established in the European Union or by the branch office of the insurance companies not established in the European Union authorised in the SK.

Measures

AT: Insurance Supervision Act 2016, Article 13 para. 1 and 2, Federal Law Gazette I No. 34/2015 (Versicherungsaufsichtsgesetz 2016, § 13 Abs. 1 und 2, BGBl. I Nr. 34/2015).

DE: Versicherungsaufsichtsgesetz (VAG) for all insurance services; in connection with Luftverkehrs-Zulassungs-Ordnung (LuftVZO) only for compulsory air liability insurance.

DK: Lov om finansiel virksomhed jf. lovbekendtgørelse 182 af 18. februar 2015.

EL: Art. 130 of the Law 4364/ 2016 (Gov. Gazette 13/ A/ 05.02.2016).

HU: Act LX of 2003.

LT: Law on Insurance, 18 of September, 2003 m. Nr. IX-1737, last amendment 13 of June 2019 Nr. XIII-2232.

SE: Lag om försäkringsdistribution (Insurance Distribution Mediation Act) (Chapter 3, section 3, 2018:1219); and Foreign Insurers Business in Sweden Act (Chapter 4, sections 1 and 10, 1998:293).

SK: Act 39/2015 on insurance.

PUBLIC

Reservation No 2: Sub-sector: Banking and other financial services

Type of reservation: National treatment

Local presence

Level of government: EU/Member State (unless otherwise specified)

Description:

With respect to Investment liberalisation – National treatment and Cross-border trade in financial services – Local presence:

In BG: For pursuing the activities of lending with funds which are not raised through taking of deposits or other repayable funds, acquiring holdings in a credit institution or another financial institution, financial leasing, guarantee transactions, acquisition of claims on loans and other forms of financing (factoring, forfeiting, etc.), non-bank financial institutions are subject to a registration regime with the Bulgarian National Bank. The financial institution shall have its main business in the territory of BG.

PUBLIC

With respect to Investment liberalisation – National treatment and Cross-border trade in financial services – Local presence:

In BG: Non-EEA banks may pursue banking activity in BG after obtaining a licence from the Bulgarian National Bank for taking up and pursuing business activities in the BG through a branch.

In IT: In order to be authorised to operate the securities settlement system or to provide central securities depository services with an establishment in IT, a company is required to be incorporated in Italy (no branches).

In the case of collective investment schemes other than undertakings for collective investment in transferable securities ("UCITS") harmonised under the European Union legislation, the trustee or depository is required to be established in IT or in another Member State and have a branch in IT.

Management enterprises of investment funds not harmonised under European Union legislation are also required to be incorporated in IT (no branches).

Only banks, insurance enterprises, investment firms and enterprises managing UCITS harmonised under European Union legislation having their legal head office in the European Union, as well as UCITS incorporated in IT, may carry out the activity of pension fund resource management.

In providing the activity of door-to-door selling, intermediaries must utilise authorised financial salesmen resident within the territory of a Member State.

PUBLIC

Representative offices of non-European Union intermediaries cannot carry out activities aimed at providing investment services, including trading for own account and for the account of customers, placement and underwriting financial instruments (branch required).

With respect to Investment liberalisation – National treatment:

In PT: Pension fund management may be provided only by specialised companies incorporated in PT for that purpose and by insurance companies established in PT and authorised to take up life insurance business, or by entities authorised to provide pension fund management in other Member States. Direct branching from non-European Union countries is not permitted.

Measures:

BG: Law on Credit Institutions, Articles 2, paragraph 5, 3a and 17; Code Of Social Insurance, Articles 121, 121b, 121f; and Currency Law, Article 3.

IT: Legislative Decree 58/1998, Articles 1, 19, 28, 30-33, 38, 69 and 80; Joint Regulation of Bank of Italy and Consob 22.2.1998, Articles 3 and 41; Regulation of Bank of Italy 25.1.2005; Title V, Chapter VII, Section II, Consob Regulation 16190 of 29.10.2007, Articles 17-21, 78-81, 91-111; and subject to: Regulation (EU) No 909/2014 of the European Parliament and of the Council[1].

[1] Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ EU L 257, 28.8.2014, p. 1).

PT: Decree-Law 12/2006, as amended by Decree-Law 180/2007 Decree-Law 357-A/2007, Regulation 7/2007-R, as amended by Regulation 2/2008-R, Regulation 19/2008-R, Regulation 8/2009; and Article 3 of the legal regime governing the establishment and functioning of pension funds and their management entities approved by Law 27/2020, of July 23rd.

With respect to Investment liberalisation – National treatment:

In HU: Branches of non-EEA investment fund management companies may not engage in the management of European Union investment funds and may not provide asset management services to private pension funds.

Measures:

HU: Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; and Act CXX of 2001 on the Capital Market.

With respect to Investment liberalisation – National treatment:

In BG: A bank shall be managed and represented jointly by at least two persons. The persons who manage and represent the bank shall be personally present at its management address. Juridical persons may not be elected members of the managing board or the board of directors of a bank.

PUBLIC

Measures:

BG: Law on Credit Institutions, Article 10; Code Of Social Insurance, Article 121e; and Currency Law, Article 3.

With respect to Investment liberalisation – National treatment:

In HU: The board of directors of a credit institution shall have at least two members recognised as resident according to foreign exchange regulations and having had prior permanent residence in HU for at least one year.

Measures:

HU: Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; and Act CXX of 2001 on the Capital Market.

With respect to Cross-border trade in financial services – Local presence:

In HU: Non-EEA companies may provide financial services or engage in activities auxiliary to financial services solely through a branch in HU.

PUBLIC

Measures:

HU: Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises; and Act CXX of 2001 on the Capital Market.

PUBLIC

SECTION D

FUTURE MEASURES

Reservation No 1: Sub-sector: Insurance and insurance-related services

Type of reservation:	National treatment
	Local presence
Level of government:	EU/Member State (unless otherwise specified)

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

With respect to Cross-border trade in financial services – Local presence:

In BG: Transport insurance, covering goods, insurance of vehicles as such and liability insurance regarding risks located in Bulgaria may not be underwritten by foreign insurance companies directly.

In DE: If a foreign insurance company has established a branch in Germany, it may conclude insurance contracts in Germany relating to international transport only through the branch established in Germany.

Existing measures:

DE: Luftverkehrsgesetz (LuftVG); and Luftverkehrszulassungsordnung (LuftVZO).

With respect to Investment liberalisation – National treatment and Cross-border trade in financial services – Local presence:

In ES: Residence is required, or alternatively having two years of experience, for the actuarial profession.

PUBLIC

In FI: The supply of insurance broker services is subject to a permanent place of business in the European Union.

Only insurers having their head office in the European Union or having their branch in Finland may offer direct insurance services, including co-insurance.

Existing measures:

FI: Laki ulkomaisista vakuutusyhtiöistä (Act on Foreign Insurance Companies) (398/1995);
Vakuutusyhtiölaki (Insurance Companies Act) (521/2008);
Laki vakuutusten tarjoamisesta (Act on Insurance Distribution) (234/2018).

With respect to Cross-border trade in financial services – Local presence:

In FR: Insurance of risks relating to ground transport may be underwritten only by insurance firms established in the European Union.

Existing measures:

FR: Code des assurances.

In HU: Only legal persons of the European Union and branches registered in Hungary may supply direct insurance services.

PUBLIC

Existing measures:

HU: Act LX of 2003.

In IT: Transport insurance of goods, insurance of vehicles and liability insurance regarding risks located in Italy may be underwritten only by insurance companies established in the European Union, except for international transport involving imports into Italy.

Cross-border supply of actuarial services is not allowed.

Existing measures:

IT: Article 29 of the code of private insurance (Legislative decree no. 209 of 7 September 2005).

With respect to Investment liberalisation – National treatment and Cross-border trade in financial services – Local presence:

In PT: Air and maritime transport insurance, covering goods, aircraft, hull and liability can be underwritten only by enterprises of the EU Party. Only natural persons of, or enterprises established in, the EU Party may act as intermediaries for such insurance business in PT.

Existing measures:

PT: Article 3 of Law 147/2015, Article 8 of Law 7/2019.

PUBLIC

With respect to Investment liberalisation – National treatment and Cross-border trade in services – Local presence:

In SK: Foreign nationals may establish an insurance company in the form of a joint stock company or may conduct insurance business through their branches having a registered office in the Slovak Republic. The authorisation in both cases is subject to the evaluation of the supervisory authority.

Existing measures:

SK: Act 39/2015 on Insurance.

With respect to Investment liberalisation – National treatment:

In FI: At least one half of the members of the board of directors and the supervisory board, and the managing director of an insurance company providing statutory pension insurance shall have their place of residence in the EEA, unless the competent authorities have granted an exemption. Foreign insurers cannot obtain a licence in FI as a branch to carry out statutory pension insurance. At least one auditor shall have their permanent residence in the EEA.

For other insurance companies, residency in the EEA is required for at least one member of the board of directors and of the supervisory board and for the managing director. At least one auditor shall have their permanent residence in the EEA. The general agent of an insurance company of Chile must have their place of residence in Finland, unless the company has its head office in the European Union.

PUBLIC

Existing measures:

FI: Laki ulkomaisista vakuutusyhtiöistä (Act on Foreign Insurance Companies) (398/1995);
Vakuutusyhtiölaki (Insurance Companies Act) (521/2008);
Laki vakuutusedustuksesta (Act on Insurance Mediation) (570/2005);
Laki vakuutusten tarjoamisesta (Act on Insurance Distribution) (234/2018); and
Laki työeläkevakuutusyhtiöistä (Act on Companies providing statutory pension insurance) (354/1997).

PUBLIC

Reservation No 2: Sub-sector: Banking and other financial services

Type of reservation: National treatment

Senior management and boards of directors

Local presence

Level of government: EU/Member State (unless otherwise specified)

Description:

The EU reserves the right to adopt or maintain any measure with respect to the following:

With respect to Investment liberalisation – National treatment and cross-border trade in financial services – Local presence:

In EU: Only juridical persons having their registered office in the European Union can act as depositories of the assets of investment funds. The establishment of a specialised management company, having its head office and registered office in the same Member State, is required to perform the activities of management of common funds, including unit trusts, and, where allowed under national law, investment companies.

PUBLIC

Existing measures:

EU: Directive 2009/65/EC of the European Parliament and of the Council[1]; and Directive 2011/61/EU of the European Parliament and of the Council[2].

With respect to Cross-border trade in financial services – Local presence:

In EE: For acceptance of deposits, requirement of authorisation by the Estonian Financial Supervision Authority and registration under Estonian law as a joint-stock company, a subsidiary or a branch.

Existing measures:

EE: Krediidiasutuste seadus (Credit Institutions Act) § 206 and §21.

PUBLIC

[1] Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ EU L 302, 17.11.2009, p. 32).

[2] Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ EU L 174, 1.7.2011, p. 1).

With respect to Investment liberalisation – National treatment, Senior management and board of directors:

In FI: At least one of the founders of a credit institution and at least one of the members of its board of directors as well as its managing director shall be permanently resident or, if the founder is a juridical person, have its registered office in, the EEA unless the Financial Supervision Authority grants an exemption therefrom. The exemption may be granted if it does not endanger the efficient supervision of the credit institution and the management of the credit institution in accordance with sound and prudent business principles. At least one auditor shall have their permanent residence in the EEA.

For payment services, residency or domicile in Finland may be required.

Existing measures:

FI: Laki liikepankeista ja muista osakeyhtiömuotoisista luottolaitoksista (Act on Commercial Banks and Other Credit Institutions in the Form of a Limited Company) (1501/2001); Säästöpankkilaki (1502/2001) (Savings Bank Act); Laki osuuspankeista ja muista osuuskuntamuotoisista luottolaitoksista (423/2013) (Act on Cooperative Banks and Other Credit Institutions in the Form of a Cooperative Bank); Laki hypoteekkiyhdistyksistä (936/1978) (Act on Mortgage Societies); Maksulaitoslaki (297/2010) (Act on Payment Institutions); Laki ulkomaisen maksulaitoksen toiminnasta Suomessa (298/2010) (Act on the Operation of Foreign Payment Institution in Finland); and Laki luottolaitostoiminnasta (Act on Credit Institutions) (610/2014).

PUBLIC

With respect to Investment liberalisation – National treatment:

In IT: Services of *consulenti finanziari* (financial consultant). In providing the activity of door-to-door selling, intermediaries shall utilise authorised financial salesmen resident within the territory of a Member State.

Existing measures:

IT: Articles 91-111 of Consob Regulation on Intermediaries (no. 16190 of 29 October 2007).

With respect to Cross-border trade in financial services – Local presence:

In LT: Only banks having their registered office or branch in LT and authorised to provide investment services in the EEA may act as the depositories of the assets of pension funds. At least one head of a bank's administration must speak the Lithuanian language.

Existing measures:

LT: Law on Banks of the Republic of Lithuania of 30 March 2004 No IX-2085, as amended by the Law No XIII-729 of 16 November 2017; Law on Collective Investment Undertakings of the Republic of Lithuania of 4 July 2003 No IX-1709, as amended by the Law No XIII-1872 of 20 December 2018; Law on Supplementary Voluntary Pension Accumulation of the Republic of Lithuania of 3 June 1999 No VIII-1212 (as revised in Law No XII-70 of 20 December 2012); Law on Payments of the Republic of Lithuania of 5 June 2003 No. IX-1596, last amendment 17 of October 2019 Nr. XIII-2488; and Law on Payment Institutions of the Republic of Lithuania of 10 December 2009 No. XI-549 (new version of the Law: No XIII-1093 of 17 April 2018).

PUBLIC

Appendix 25-2

PUBLIC

CHILE: RESERVATIONS AND MARKET ACCESS COMMITMENTS

SECTION A

COMMITMENTS FOR CROSS-BORDER TRADE IN FINANCIAL SERVICES

Chile reserves the right to adopt or maintain any measure with respect to Article 25.7, except for the following subsectors and financial services defined in accordance with the relevant Chilean laws and regulations and subject to the terms, limitations and conditions specified below.

It is understood that the commitments of a Party on cross-border investment advisory services shall not, in and of themselves, be construed as requiring that Party to permit the public offering of securities (as defined under its relevant laws and regulations) in its territory by cross-border suppliers of the other Party who supply or seek to supply such investment advisory services. A Party may subject the services of the cross-border supplier to regulatory and registration requirements, including the requirement to provide the same category of services in the country of origin and to be supervised in their country of origin.

Sector	Subsector
Insurance and insurance-related services	Sale of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit (includes goods transported). Does not include national transport "cabotage".
	Brokers of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit (includes the goods being transported, the vehicle transporting the goods and any civil responsibility deriving therefrom). Does not include national transport "cabotage".
	Reinsurance and retrocession; reinsurance brokerage; and consultancy, actuarial and risk assessment services.
Banking and other financial services (excluding insurance)	Provision and transfer of financial information, and financial data processing and related software by suppliers, of other financial services.
	Advisory and other auxiliary financial services, excluding intermediation and credit reference and analysis, relating to banking and other financial services.

PUBLIC

SECTION B

MARKET ACCESS COMMITMENTS
WITH RESPECT TO INVESTMENT LIBERALISATION

PUBLIC

Chile reserves the right to adopt or maintain any measure with respect to Article 25.6, except for the following subsectors and financial services defined in accordance with the relevant Chilean laws and regulations and subject to the terms, limitations and conditions specified below:

1. The Chilean financial services sector is partially compartmentalised, that is to say the institutions, domestic and foreign, authorised to operate as banks may not participate directly in the insurance and securities business and vice versa.

2. Chile reserves the right to adopt measures to regulate financial conglomerates, including the entities forming part of such conglomerates.

Sector or subsector	Limitations on market access
All financial services	Chile may, on a non-discriminatory basis, restrict or require a specific type of legal entity, including corporations, foreign branches, representative offices or any other form of commercial presence, through which entities operating in all financial services subsectors may supply financial services. Chile may, on a non-discriminatory basis, restrict or require a specific type of corporation.

Sector or subsector	Limitations on market access
All insurance and insurance-related services	In Chile, the insurance business is divided into two groups: the first group comprises companies that insure goods or property (*patrimonio*) against the risk of loss or damage, while the second comprises those that cover personal risks or guarantee, within or at the end of a certain term, a capital sum, a paid-up policy or an income for the insured or their beneficiaries. The same insurance company may not be constituted in such a way as to cover both categories of risk. Credit insurance companies must be constituted as legal entities with the sole purpose of covering this type of risk, for example, loss of or damage to the patrimony of the insured as a result of the non-payment of a money debt or loan, being also permitted to cover guarantee and fidelity risks. Insurance corporations can be legally constituted only in accordance with the provisions of the "Law on corporations (*ley sobre sociedades anónimas*)". Branches of foreign companies that may operate in the Chilean insurance sector should be established in Chile as a "foreign corporation agency (*agencia de sociedad anónima extranjera*)" authorised for such purposes. Insurance may be taken out directly or through registered insurance brokers who, to engage in that activity, must be enrolled in the registry.

Sector or subsector	Limitations on market access	
Direct insurance	Sale of direct life insurance (does not include insurance related to the social security system) (CPC 81211).	Insurance services can be provided only by insurance companies constituted in Chile as corporations (*sociedades anónimas*) or as branches of foreign corporations with the sole purpose of developing this line of business.
	Sale of direct general insurance (CPC 8129, except for CPC 81299) excluding social security health institutions (*Instituciones de Salud Previsional*, ISAPRES), for example juridical persons set up for the purpose of providing health benefits to natural persons who opt to become members and are financed via mandatory contributions of taxable income or a higher amount, as the case may be. It also excludes the National Health Fund (*Fondo Nacional de Salud*, FONASA), a public agency financed by the government and via mandatory contributions of taxable income, which is responsible for paying health benefits for individuals that are not members of an ISAPRE. Does not include the sale of insurance for international maritime transport, international commercial aviation and goods in international transit.	Insurance services can be provided only by insurance companies constituted in Chile as corporations (*sociedades anónimas*) or as branches of foreign corporations with the sole purpose of developing this line of business, either direct life insurance or direct general insurance. In the case of general credit insurance (CPC 81296), the enterprise must be established as an insurance corporation established in Chile with the sole purpose of covering this type of risk.

Sector or subsector	Limitations on market access	
	Sale of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit (including goods transported). Does not include national transport "cabotage".	Sale of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit (including goods transported) may be offered by insurance corporations constituted in Chile which have the sole purpose of developing the business of direct general insurance.
Reinsurance and retrocession	Reinsurance and retrocession (includes reinsurance brokers).	Reinsurance is provided by reinsurance corporations established in Chile and authorised by the CMF. Insurance corporations may also provide reinsurance services as a complement to their insurance business if their articles of association so allow. Reinsurance and retrocession services may also be provided by foreign reinsurers and foreign reinsurance brokers enrolled in the register maintained by the CMF ("the Register").

Sector or subsector	Limitations on market access	
Insurance intermediation	Brokerage of insurance (excluding insurance for international maritime transport, international commercial aviation and space launching and freight, including satellites, and goods in international transit).	Only juridical persons legally constituted in Chile for this specific purpose may provide insurance brokerage services.
	Brokerage of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit including the goods being transported, the vehicle transporting the goods and any civil responsibility deriving therefrom). Does not include national transport "cabotage".	Brokers of insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit must be enrolled in the Register and fulfil the requirements established by the CMF. Only juridical persons legally constituted in Chile for this specific purpose may provide this service.
Services auxiliary to insurance such as consultancy, actuarial, risk assessment and claim settlement services	Claim settlement services.	Claim settlement services may be offered directly by insurance companies established in Chile or by juridical persons constituted in Chile.
	Auxiliary insurance services (only consultancy, actuarial services and risk assessment).	Auxiliary insurance services may only be provided by juridical persons constituted in Chile.

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Sector or subsector	Limitations on market access	
	Administration of voluntary pension savings plans (*ahorro previsional voluntario*) through life insurance.	Unbound with respect to subparagraph (e) of Article 25.6(1). The voluntary pension savings plans may only be offered by life insurance companies established in Chile in accordance with what is set out above. Those plans and associated policies must have prior authorisation from the CMF.
Banking services	Foreign banking institutions must be banking companies (*sociedades bancarias*) legally constituted in their country of origin and must contribute the capital required by Chilean law. Foreign banking institutions may only operate: (a) through shareholdings in Chilean banks constituted as corporations (*sociedades anónimas*) in Chile; (b) by becoming constituted as a corporation in Chile; or (c) as branches of foreign corporations constituted in Chile as a foreign corporation agency (*agencia de sociedad anónima extranjera*), in which case the legal personality in the country of origin is recognised. For the purposes of foreign bank branch operations in Chile, the capital effectively invested in Chile is considered, and not that of the main office. The increases of capital or reserves that do not come from capitalisation of other reserves will have the same treatment as the initial capital and reserves. In the transactions between a branch and its main office abroad, both will be considered as independent entities.	

Sector or subsector	Limitations on market access
	No national or foreign natural or juridical person may acquire directly or through third parties shares in a bank which, alone or added to the shares such a person already possesses, represent more than 10 % of the bank's capital without having first obtained the authorisation of the CMF. In addition, the partners or shareholders of a financial institution may not transfer a percentage of rights or shares in their company in excess of 10 % without having obtained authorisation from the CMF. Banking institutions must be established as corporations (*sociedades anónimas*) or as branches, under Chilean laws and regulations, in conformity with the General Banking Law (DFL N°3) and with *Sociedades Anónimas* Law (Ley N°18.046), related to the establishment of a foreign corporation agency. The capital and the reserves that foreign banks assign to their branches, must be effectively transferred and converted into domestic currency in conformity with any of the systems authorised by law or by the Banco Central de Chile. The increases of capital or reserves that do not come from capitalisation of other reserves will have the same treatment as the initial capital and reserves. In the transactions between a branch and its main office abroad, both will be considered as independent entities. No foreign bank will be able to invoke rights derived from its nationality regarding transactions that its branch may carry out in Chile. The supply of financial services that complement core banking services may be provided directly by those institutions, following prior authorisation, or through incorporated subsidiaries, which CMF shall determine.

Sector or subsector	Limitations on market access	
Acceptance of deposits and other repayable funds from the public	Acceptance of deposits (only current bank accounts (*cuentas corrientes bancarias*), sight deposits, time deposits savings accounts, financial instruments with repurchase agreements, and warranty deposits or surety bonds). Purchase of publicly-offered securities (only purchase of bonds, purchase of letters of credit, subscription and placement as agents of shares, bonds and letters of credit (underwriting)). Securities custody.	Only banks established in Chile in accordance with the above provisions.

PUBLIC

Sector or subsector	Limitations on market access	
Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	Credit granting (only ordinary loans, consumer credit, loans in letters of credit, mortgage loans, mortgage loans in letters of credit, purchase of financial instruments with resale agreements, credit for issue of bank surety bonds or other types of financing, issue and negotiation of letters of credit for imports and exports and issue and confirmation of stand-by letters of credit).	Only banks established in Chile in accordance with the above provisions.
	Factoring.	Unbound with respect to subparagraph (e) of Article 25.6(1). Factoring services are regarded as complementary banking services and are therefore subject to authorisation by the CMF. CMF may impose more stringent non-discriminatory requirements.
	Securitisation.	Securitisation services are regarded as complementary banking services.

PUBLIC

Sector or subsector	Limitations on market access	
Financial leasing	Financial leasing (CPC 81120) (these companies may offer leasing contracts for goods acquired at the client's request, i.e. they cannot acquire goods in order to stock them and offer them for leasing).	Financial leasing services are considered as complementary banking services and can be provided by banks or through incorporated subsidiaries expressly authorised for those purposes. CMF may impose more stringent non-discriminatory requirements.
All payments and money transmission services, including credit, charge and debits cards, travellers cheques and bankers draft	Issue and operation of credit and debit cards (CPC 81133) (only credit cards issued in Chile). Travellers' cheques. Transfer of funds (bank drafts). Discounting or acquisition of bills of exchange and promissory notes.	Only banks established in Chile in accordance with the above provisions.
Guarantees and commitments	Endorsement and guarantee of third-party liabilities in Chilean currency and foreign currency.	Only banks established in Chile in accordance with the above provisions.

PUBLIC

Sector or subsector	Limitations on market access	
Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise	Intermediation of publicly offered securities (CPC 81321).	Intermediation of publicly offered securities is considered as complementary banking services and can be provided by banks through subsidiaries incorporated in Chile, security agents or stockbrokers, expressly authorised.
Other financial services	Advisory and other auxiliary financial services (CPC 8133) (only services indicated in the banking subsector in this section).	None.

PUBLIC

Sector or subsector	Limitations on market access	
Other financial services	Voluntary pension savings plans (*Planes de Ahorro Previsional Voluntario*).	Unbound with respect to subparagraph (e) of Article 25.6(1). Voluntary savings plans may only be offered by banks established in Chile under one of the arrangements previously mentioned.
	Trust management operations (*administración de fideicomisos*).	Only banks established in Chile in accordance with the above provisions.
	Provision and transfer of financial information and financial data processing and related software by suppliers of other financial services.	None.
	Exchange market operations carried out according to the regulation issued or to be issued by the Central Bank of Chile.	Only banks, juridical persons, stockbrokers and securities agents, all of which must be established in Chile as legal entities, can operate in the formal exchange market. Juridical persons, stockbrokers and securities agents require prior authorisation from the Central Bank of Chile (*Banco Central de Chile*) to operate in the formal exchange market.

PUBLIC

<table>
<tr><th>Sector or subsector</th><th colspan="2">Limitations on market access</th></tr>
<tr><td>Other financial services / securities services</td><td colspan="2">1. Publicly offered securities may be traded by juridical persons whose sole purpose is securities brokerage, either as members of a stock exchange (stockbrokers) or outside the stock exchange (securities agents), and they must be registered with the CMF. However, only stockbrokers may trade shares or their derivatives (subscription options) on the stock exchange. Non-share securities may be traded by stockbrokers or securities agents registered.
2. Publicly offered securities risk rating services are provided by rating agencies constituted for the sole purpose of rating publicly offered securities, and they must be enrolled in the Registro de Entidades Clasificadoras de Riesgo (Register of Risk Rating Agencies) maintained by the CMF. They are inspected and controlled by the CMF. On the other hand, the inspection of rating agencies with respect to the rating of securities issued by banks and financial companies is the responsibility of the CMF.
3. Only banks, juridical persons, stockbrokers and securities agents, all of which must be established in Chile as legal entities, can operate in the formal exchange market. Juridical persons, stockbrokers and securities agents require prior authorisation from the Central Bank of Chile (Banco Central de Chile) to operate in the formal exchange market.
4. In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as juridical persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange.</td></tr>
<tr><td></td><td>Subsector</td><td>Limitations on market access</td></tr>
<tr><td></td><td>Intermediation of publicly offered securities, except shares (CPC 81321).
Subscription and placement as agents (underwriting).</td><td>Brokerage activities must be supplied through a juridical person constituted in Chile. CMF may require more stringent non-discriminatory requirements.</td></tr>
</table>

Sector or subsector	Limitations on market access	
	Intermediation of publicly offered shares of corporations (CPC 81321) (includes subscription and placement as agents, underwriting).	In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as a juridical person in Chile. They must acquire a share in the respective stock exchange and be accepted as members of this exchange. CMF may impose more stringent non-discriminatory requirements.
	Operations in stock exchange derivatives authorised by the CMF (only dollar and interest rate futures, and options on shares. Shares must fulfil the requirements established by the respective clearing house, *Cámara de Compensación*).	In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as juridical persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange. CMF may impose more stringent non-discriminatory requirements.
	Trading in metals on the stock exchange (only gold and silver).	Trading in gold and silver may be carried out by stockbrokers on their own account and for third parties in the stock exchange in accordance with stock exchange regulations. In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as juridical persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange. CMF may impose more stringent non-discriminatory requirements.

Sector or subsector	Limitations on market access	
	Securities risk rating (relates solely to rating or giving an opinion on publicly offered securities).	They must be established in Chile as a partnership (*sociedad de personas*). One of the specific requirements to be fulfilled is that not less than 60 % of the company's capital must be held by the principal partners (natural or juridical persons in this line of business holding a minimum of 5 % of the membership rights in the rating agency).
	Securities custody undertaken by securities intermediaries (CPC 81319) (does not include the services offered by suppliers who combine custody, securities clearance and settlement (securities depositories, *depósitos de valores*)).	For securities custody, intermediaries (stockbrokers and agents) must be constituted in Chile as a juridical person. Securities custody may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose which is securities brokerage. It may also be undertaken by entities that provide depository and custodial services for securities which should be constituted as special corporations with the sole purpose of receiving in deposit publicly offered securities from entities authorised by law and to facilitate operations for the transfer of such securities (centralised securities depositories, *depósitos centralizados de valores*).

Sector or subsector	Limitations on market access	
	Custody undertaken by entities for the deposit and custody of securities.	Security deposit and custody entities must be constituted in Chile as corporations set up for that sole purpose.
	Financial portfolio management services supplied by securities intermediaries (this does not, under any circumstances, include a General Management Fund (*Administradora General de Fondos*), management of mutual funds, foreign capital investment funds, investment funds and pension funds).	Financial portfolio management services supplied by securities intermediaries established as juridical persons in Chile. CMF may impose more stringent non-discriminatory requirements.
	Financial advisory services supplied by securities intermediaries (CPC 81332) (financial advice refers only to the securities services for which market access commitments are undertaken).	Financial advisory services supplied by securities intermediaries constituted as juridical persons in Chile. CMF may impose more stringent non-discriminatory requirements. Financial advisory services, which involve giving financial advice on financing alternatives, investment appraisal, investment possibilities and debt rescheduling strategies may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose.

PUBLIC

Sector or subsector	Limitations on market access	
	Management of funds of third parties performed by: (In no circumstances does this include management of pension funds and voluntary pension savings plans (*planes de ahorro previsional voluntario*)) – mutual funds management companies; – investment funds management companies; – foreign capital investment funds management companies.	The fund management service may be carried out by corporations set up for that sole purpose, constituted in Chile, with authorisation from the CMF. Foreign capital investment funds may also be managed by investment funds management companies.
	Management of voluntary pension savings plans (*planes de ahorro previsional voluntario*).	Unbound with respect to subparagraph (e) of Article 25.6(1). The voluntary savings plans may only be offered by mutual funds and investment funds managers established in Chile in accordance with the terms set out above. Those plans must have prior authorisation from the CMF.
	Service of clearing houses for derivatives (contracts for futures and options on securities).	Clearing houses for futures contracts and options on securities must be constituted in Chile as corporations for that sole purpose and with an authorisation from the CMF. They may only be constituted by stock exchanges and their stockbrokers.

PUBLIC

Sector or subsector	Limitations on market access	
	General deposit warehouses (warrants) (Corresponds to merchandise warehousing services accompanied by the issue of a deposit certificate and a chattel mortgage receipt (*vale de prenda*)).	Only juridical persons duly constituted in Chile who have the supply of warrant services as their sole purpose.
	Securities issue and registration services (CPC 81332) (does not include deposit and custody of securities services).	None.
	Cattle and agricultural commodities exchanges. Service of clearing houses of futures and options on cattle and agricultural commodities.	Entities must be established as special purpose corporations (*sociedades anónimas especiales*) under Chilean law.
	Cattle and agricultural commodities brokerage.	The activity of cattle and agricultural commodities broker must be performed by legal entities established under Chilean law.
	Stock exchanges.	Stock exchanges must be established as special purpose corporations (*sociedades anónimas especiales*) under Chilean law.

PUBLIC

Sector or subsector	Limitations on market access	
Other financial services	Management of mortgage loans as established in *Decreto con Fuerza de Ley N° 251, Ley de Seguros*, Title V.	Mortgage loans management agencies must be established as corporations (*sociedades anónimas*).
Other services related to financial services	Representative offices of foreign banks as business agents (in no case may these representations carry out acts that are proper to the banking business).	The CMF may authorise foreign banks to maintain representative offices acting as business agents for their main offices and shall exercise upon them the same inspection authority granted to the CMF by the General Banking Law (*Ley General de Bancos*) with respect to banks. The authorisation given by the CMF to representative offices is subject to revocation if its maintenance is found to be inconvenient, as expressed in the General Banking Law (*Ley General de Bancos*).

PUBLIC

1. Commitments in the financial services sector under Chapter 25 are undertaken subject to the limitations and conditions set out in these headnotes and the schedule below.

2. Juridical persons supplying financial services and constituted under the laws and regulations of Chile are subject to non-discriminatory limitations on legal form. For example, partnerships (*sociedades de personas*) are generally not acceptable legal forms for financial institutions in Chile. This headnote is not in and of itself intended to affect or otherwise limit a choice by a financial institution of the EU Party between branches and subsidiaries unless the laws and regulations of Chile so provide.

PUBLIC

SECTION C

EXISTING MEASURES

PUBLIC

Sector:	Financial services
Sub-sector:	Banking and other financial services
Obligations concerned:	National treatment
	Senior management and boards of directors
Level of government:	Central
Measures:	Ley N° 18.045, Official Gazette of 22 October 1981, Ley de Mercado de Valores, Titles VI and VII, Articles 24, 26 and 27.
Description:	The directors, administrators, managers or legal representatives of legal entities or natural persons performing the activities of stockbroker and securities agent, must be Chileans or foreigners with a permanent residence permit.

Sector:	Financial services
Sub-sector:	Insurance and insurance-related services
Obligations concerned:	National treatment (Article 25.3)
Level of government:	Central
Measures:	Decreto con Fuerza de Ley N° 251, Official Gazette of 22 May 1931, Ley de Seguros, Title I, Article 16.
Description:	Reinsurance brokerage can be performed by foreign reinsurance brokers. These brokers shall be juridical persons, demonstrate that the entity is legally organised in its country of origin and authorised to intermediate risks ceded from abroad, and provide the date that such authorisation was granted. Such entities shall designate a representative in Chile to represent them with broad powers. The representative may be subject to summons and must have residence in Chile.

PUBLIC

Sector:	Financial services
Sub-sector:	Insurance and insurance-related services
Obligation concerned:	National treatment Senior management and board directors
Level of government:	Central
Measure:	Decreto con Fuerza de Ley 251, Official Gazette of 22 May 1931, Ley de Seguros, Title III, Articles 58 and 62, Decreto Supremo N° 863 de 1989 del Ministerio de Hacienda, Official Gazette of 5 April 1990, Reglamento de los Auxiliares del Comercio de Seguros, Title I, Article 2, letter (c).
Description:	Administrators and legal representatives of legal entities and natural persons performing the activity of claim settlement and insurance brokerage must be Chileans or foreigners with a permanent residence permit.

PUBLIC

Sector:	Financial services
Sub-Sector:	Insurance and insurance-related services
Obligations concerned:	National treatment
Level of government:	Central
Measures:	Decreto con Fuerza de Ley N° 251, Official Gazette of 22 May 1931, Ley de Seguros, Title I, Article 20.
Description:	In the case of the types of insurance covered in Decreto Ley 3.500, involving the cession of reinsurance to foreign reinsurers, the deduction for reinsurance cannot exceed 40 % of the total of the technical reserves associated with those types of insurance or a higher percentage if set by the Financial Market Commission (*Comisión para el Mercado Financiero*).

PUBLIC

Sector:	Financial services
Sub-sector:	Insurance and insurance-related services
Obligations concerned:	National treatment
Level of government:	Central
Measures:	Decreto con Fuerza de Ley Nº 251, Diario Oficial, May 22, 1931, Ley de Seguros, Title I.
Description:	The reinsurance activity may be provided by foreign entities classified, according to risk rating agencies of international well-known reputation as indicated by the Financial Market Commission (*Comisión para el Mercado Financiero*), at least in the risk category BBB or other equivalent to it. These entities shall have a representative in Chile who will represent them with broad powers. The representative may be subject to summons. Notwithstanding the aforementioned, the designation of a representative will not be necessary if a reinsurance broker, registered on the records of the CMF, carries out the reinsurance operation. For all purposes, especially for those relating to the application and performance in the country of the reinsurance contract, this broker shall be considered the legal representative of the reinsurers.

PUBLIC

Sector:	Financial services
Sub-sector:	Banking and other financial services
Obligations concerned:	National treatment
Measures:	Ley N° 18.045, Official Gazette of 22 October 1981, Ley de Mercado de Valores, Titles VI and VII, Articles 24 and 26.
Description:	Natural persons performing the activity of stockbroker and securities agent in Chile must be Chileans or foreigners with a residence permit.

PUBLIC

Sector:	Financial services
Subsector:	All
Obligations concerned:	National treatment
	Senior management and boards of directors
	Performance requirements
Level of government:	Central
Measures:	D.F.L. 1 of the Ministry of Labour and Social Welfare, Official Gazette, 24 January 1994, Labour Code, Preliminary Title, Book I, Chapter III (D.F.L. 1 del Ministerio del Trabajo y Previsión Social, Diario Oficial, enero 24, 1994, Código del Trabajo, Título Preliminar, Libro I, Capítulo III).

PUBLIC

Description: A minimum of 85 % of employees who work for the same employer shall be Chilean natural persons or foreigners with more than five years of residence in Chile. This rule applies to employers with more than 25 employees under a contract of employment (*contrato de trabajo*[1]). Expert technical personnel shall not be subject to this provision, as determined by the Directorate of Labour (*Dirección del Trabajo*). An employee shall be understood to mean any natural person who supplies intellectual or material services, under dependency or subordination, pursuant to a contract of employment.

PUBLIC

[1] For greater certainty, a contract of employment (*contrato de trabajo*) is not mandatory for the supply of cross-border trade in services.

SECTION D

FUTURE MEASURES

PUBLIC

Sector:	Financial services
Sub-sector:	All
Obligations concerned:	Cross-border supply of financial services
Level of government:	Central
Description:	The purchase of financial services by persons located in the territory of Chile and its nationals wherever located from financial services suppliers of the EU Party shall be subject to the foreign exchange regulations adopted or maintained by the Banco Central de Chile in accordance with its Organic Law (Ley 18.840).
Existing measures:	Ley 18.840, Official Gazette of 10 October 1989, Ley Orgánica Constitucional del Banco Central de Chile, Title III

Sector:	Financial services
Sub-sector:	Banking and other financial services
Obligations concerned:	National Treatment
Level of government:	Central
Description:	Chile may adopt or maintain measures to grant Banco del Estado de Chile, a Chilean state-owned bank, powers to comply with functions related to the financial administration of the State that are or might be established according to Chile's laws and regulations. These measures include the management of the Chilean government financial resources which is made through deposits in the Cuenta Única Fiscal and its subsidiary accounts, all of which must be kept at Banco del Estado de Chile.
Existing measures:	Decreto Ley N° 2.079, Official Gazette of 18 January 1978, Ley Orgánica del Banco del Estado de Chile Decreto Ley N° 1.263, Official Gazette of 28 November 1975, Decreto Ley Orgánico de Administración Financiera del Estado, Article 6.

PUBLIC

Sector:	Financial services
Sub-sector:	Insurance and insurance-related services
Obligations concerned:	Cross-border supply of financial services
Level of government:	Central
Description:	All types of insurance[1] that Chilean law makes or may make compulsory, and all insurance related to social security, cannot be contracted outside Chile. This reservation does not apply in the event that Chilean law makes compulsory insurance for international maritime transport, international commercial aviation and space launching and freight (including satellites) and goods in international transit (includes goods transported). This exclusion does not apply to insurance for cabotage or related activities.
Existing measures:	Decreto con Fuerza de Ley N° 251, Official Gazette of 22 May 1931, Ley de Seguros, Title I, Article 4.

PUBLIC

1 For greater certainty this reservation does not apply to reinsurance services.

Sector:	Financial services
Sub-sector:	Social services
Obligations concerned:	Market access
	Cross-border supply of financial services
	Performance requirements
Level of government:	Central
Description:	Chile reserves the right to adopt or maintain any measure with respect to the provision of public law enforcement and correctional services, and the following services to the extent that they are social services established or maintained for reasons of public interest: income security or insurance, social security or insurance, social welfare, public education, public training, health care and childcare.

PUBLIC

Sector:	Financial services
Sub-sector:	All
Obligations concerned:	National treatment Senior management and board of directors
Description:	In the transfer or disposal of any interest in stock or asset held in an existing state enterprise or governmental entity, Chile reserves the right to prohibit or impose limitations on the ownership of said interest or asset, and on the right of foreign investors or their investment to control any State company created thereby or investments made by the same. In connection with any such transfer or disposal, Chile may adopt or maintain any measure related to the nationality of senior management and members of the board of directors. A State company means any company owned or controlled by Chile by means of an interest share in the ownership thereof, including any company created after the date of entry into force of this Agreement for the sole purpose of selling or disposing of its interest share in the capital or assets of an existing state-owned enterprise or governmental entity.

PUBLIC

ANNEX 28-A

PUBLIC

PUBLIC PROCUREMENT

THE EU PARTY

SECTION A

CENTRAL GOVERNMENT ENTITIES

Supplies

Specified in Section D

Thresholds SDR 130 000

Services

Specified in Section E

Thresholds SDR 130 000

Works

Specified in Section F

Thresholds SDR 5 000 000

1. European Union entities:

(a) the Council of the European Union;

(b) the European Commission; and

(c) the European External Action Service (EEAS).

2. The central government contracting authorities of the Member States of the European Union:

BELGIUM

1. Services publics fédéraux:	1. Federale Overheidsdiensten:
SPF Chancellerie du Premier Ministre;	FOD Kanselarij van de Eerste Minister;
SPF Personnel et Organisation;	FOD Kanselarij Personeel en Organisatie;
SPF Budget et Contrôle de la Gestion;	FOD Budget en Beheerscontrole;
SPF Technologie de l'Information et de la Communication (Fedict);	FOD Informatie- en Communicatietechnologie (Fedict);
SPF Affaires étrangères, Commerce extérieur et Coopération au Développement;	FOD Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking;
SPF Intérieur;	FOD Binnenlandse Zaken;
SPF Finances;	FOD Financiën;
SPF Mobilité et Transports;	FOD Mobiliteit en Vervoer;
SPF Emploi, Travail et Concertation sociale;	FOD Werkgelegenheid, Arbeid en sociaal overleg;

PUBLIC

SPF Sécurité Sociale et Institutions publiques de Sécurité Sociale;	FOD Sociale Zekerheid en Openbare Instellingen van sociale Zekerheid;
SPF Santé publique, Sécurité de la Chaîne alimentaire et Environnement;	FOD Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu;
SPF Justice;	FOD Justitie;
SPF Economie, PME, Classes moyennes et Energie;	FOD Economie, KMO, Middenstand en Energie;
Ministère de la Défense;	Ministerie van Landsverdediging;
Service public de programmation Intégration sociale, Lutte contre la pauvreté Et Economie sociale;	Programmatorische Overheidsdienst Maatschappelijke Integratie, Armoedsbestrijding en sociale Economie;
Service public fédéral de Programmation Développement durable;	Programmatorische federale Overheidsdienst Duurzame Ontwikkeling;
Service public fédéral de Programmation Politique scientifique;	Programmatorische federale Overheidsdienst Wetenschapsbeleid;

PUBLIC

2. Régie des Bâtiments:	2. Regie der Gebouwen:
Office national de Sécurité sociale;	Rijksdienst voor sociale Zekerheid;
Institut national d'Assurance sociales Pour travailleurs indépendants;	Rijksinstituut voor de sociale Verzekeringen der Zelfstandigen;
Institut national d'Assurance Maladie-Invalidité;	Rijksinstituut voor Ziekte- en Invaliditeitsverzekering;
Office national des Pensions;	Rijksdienst voor Pensioenen;
Caisse auxiliaire d'Assurance Maladie-Invalidité;	Hulpkas voor Ziekte- en Invaliditeitsverzekering;
Fond des Maladies professionnelles;	Fonds voor Beroepsziekten;
Office national de l'Emploi;	Rijksdienst voor Arbeidsvoorziening
La Poste*	De Post*

* Postal activities as per act of 24 December 1993

BULGARIA

Администрация на Народното събрание (Administration of the National Assembly);

Администрация на Президента (Administration of the President);

Администрация на Министерския съвет (Administration of the Council of Ministers);

Конституционен съд (Constitutional Court);

PUBLIC

Българска народна банка (Bulgarian National Bank);

Министерство на външните работи (Ministry of Foreign Affairs);

Министерство на вътрешните работи (Ministry of the Interior);

Министерство на извънредните ситуации (Ministry of Emergency Situations);

Министерство на държавната администрация и административната реформа (Ministry of State Administration and Administrative Reform);

Министерство на земеделието и храните (Ministry of Agriculture and Food);

Министерство на здравеопазването (Ministry of Health);

Министерство на икономиката и енергетиката (Ministry of Economy and Energy);

Министерство на културата (Ministry of Culture);

Министерство на образованието и науката (Ministry of Education and Science);

Министерство на околната среда и водите (Ministry of Environment and Water);

PUBLIC

Министерство на отбраната (Ministry of Defence);

Министерство на правосъдието (Ministry of Justice);

Министерство на регионалното развитие и благоустройството (Ministry of Regional Development and Public Works);

Министерство на транспорта (Ministry of Transport);

Министерство на труда и социалната политика (Ministry of Labour and Social Policy);

Министерство на финансите (Ministry of Finance);

държавни агенции, държавни комисии, изпълнителни агенции и други държавни институции, създадени със закон или с постановление на Министерския съвет, които имат функции във връзка с осъществяването на изпълнителната власт (state agencies, state commissions, executive agencies and other state authorities established by law or by Council of Ministers' decree having a function relating to the exercise of executive power):

Агенция за ядрено регулиране (Nuclear Regulatory Agency);

Държавна комисия за енергийно и водно регулиране (Energy and Water State Regulatory Commission);

PUBLIC

Държавна комисия по сигурността на информацията (State Commission on Information Security);

Комисия за защита на конкуренцията (Commission for Protection of Competition);

Комисия за защита на личните данни (Commission for Personal Data Protection);

Комисия за защита от дискриминация (Commission for Protection Against Discrimination);

Комисия за регулиране на съобщенията (Communications Regulation Commission);

Комисия за финансов надзор (Financial Supervision Commission);

Патентно ведомство на Република България (Patent Office of the Republic of Bulgaria);

Сметна палата на Република България (National Audit Office of the Republic of Bulgaria);

Агенция за приватизация (Privatization Agency);

Агенция за следприватизационен контрол (Agency for Post-privatization Control);

Български институт по метрология (Bulgarian Institute for Metrology);

PUBLIC

Държавна агенция "Архиви" (State Agency "Archives");

Държавна агенция "Държавен резерв и военновременни запаси" (State Agency "State Reserve and War-Time Stocks");

Държавна агенция за бежанците (State Agency for Refugees);

Държавна агенция за българите в чужбина (State Agency for Bulgarians Abroad);

Държавна агенция за закрила на детето (State Agency for Child Protection);

Държавна агенция за информационни технологии и съобщения (State Agency for Information Technology and Communications);

Държавна агенция за метрологичен и технически надзор (State Agency for Metrological and Technical Surveillance);

Държавна агенция за младежта и спорта (State Agency for Youth and Sports);

Държавна агенция по туризма (State Agency for Tourism);

Държавна комисия по стоковите борси и тържища (State Commission on Commodity Exchanges and Market-places);

PUBLIC

Институт по публична администрация и европейска интеграция (Institute of Public Administration and European Integration);

Национален статистически институт (National Statistical Institute);

Агенция "Митници" (Customs Agency);

Агенция за държавна и финансова инспекция (Public Financial Inspection Agency);

Агенция за държавни вземания (State Receivables Collection Agency);

Агенция за социално подпомагане (Social Assistance Agency);

Държавна агенция "Национална сигурност" (State Agency "National Security");

Агенция за хората с увреждания (Agency for Persons with Disabilities);

Агенция по вписванията (Registry Agency);

Агенция по енергийна ефективност (Energy Efficiency Agency);

Агенция по заетостта (Employment Agency);

PUBLIC

Агенция по геодезия, картография и кадастър (Geodesy, Cartography and Cadastre Agency);

Агенция по обществени поръчки (Public Procurement Agency);

Българска агенция за инвестиции (Bulgarian Investment Agency);

Главна дирекция "Гражданска въздухоплавателна администрация" (General Directorate "Civil Aviation Administration");

Дирекция за национален строителен контрол (Directorate for National Construction Supervision);

Държавна комисия по хазарта (State Commission on Gambling);

Изпълнителна агенция "Автомобилна администрация" (Executive Agency "Automobile Administration");

Изпълнителна агенция "Борба с градушките" (Executive Agency "Hail Suppression");

Изпълнителна агенция "Българска служба за акредитация" (Executive Agency "Bulgarian Accreditation Service");

PUBLIC

Изпълнителна агенция "Главна инспекция по труда" (Executive Agency "General Labour Inspectorate");

Изпълнителна агенция "Железопътна администрация" (Executive Agency "Railway Administration");

Изпълнителна агенция "Морска администрация" (Executive Agency "Maritime Administration");

Изпълнителна агенция "Национален филмов център" (Executive Agency "National Film Centre");

Изпълнителна агенция "Пристанищна администрация" (Executive Agency "Port Administration");

Изпълнителна агенция "Проучване и поддържане на река Дунав" (Executive Agency "Exploration and Maintenance of the Danube River");

Фонд "Републиканска пътна инфраструктура" (National Infrastructure Fund);

Изпълнителна агенция за икономически анализи и прогнози (Executive Agency for Economic Analysis and Forecasting);

PUBLIC

Изпълнителна агенция за насърчаване на малките и средни предприятия (Executive Agency for Promotion of Small and Medium Enterprises);

Изпълнителна агенция по лекарствата (Executive Agency on Medicines);

Изпълнителна агенция по лозата и виното (Executive Agency on Vine and Wine);

Изпълнителна агенция по околна среда (Executive Environment Agency);

Изпълнителна агенция по почвените ресурси (Executive Agency on Soil Resources);

Изпълнителна агенция по рибарство и аквакултури (Executive Agency on Fisheries and Aquaculture);

Изпълнителна агенция по селекция и репродукция в животновъдството (Executive Agency for Selection and Reproduction in Animal Husbandry);

Изпълнителна агенция по сортоизпитване, апробация и семеконтрол (Executive Agency for Plant Variety Testing, Field Inspection and Seed Control);

Изпълнителна агенция по трансплантация (Transplantation Executive Agency);

Изпълнителна агенция по хидромелиорации (Executive Agency on Hydromelioration);

PUBLIC

Комисията за защита на потребителите (Commission for Consumer Protection);

Контролно-техническата инспекция (Control Technical Inspectorate);

Национална агенция за приходите (National Revenue Agency);

Национална ветеринарномедицинска служба (National Veterinary Service);

Национална служба за растителна защита (National Service for Plant Protection);

Национална служба по зърното и фуражите (National Grain and Feed Service);

Държавна агенция по горите (State Forestry Agency).

CZECHIA

1. Ministerstvo dopravy (Ministry of Transport);

2. Ministerstvo financí (Ministry of Finance);

3. Ministerstvo kultury (Ministry of Culture);

4. Ministerstvo obrany (Ministry of Defence);

PUBLIC

5. Ministerstvo pro místní rozvoj (Ministry for Regional Development);

6. Ministerstvo práce a sociálních věcí (Ministry of Labour and Social Affairs);

7. Ministerstvo průmyslu a obchodu (Ministry of Industry and Trade);

8. Ministerstvo spravedlnosti (Ministry of Justice);

9. Ministerstvo školství, mládeže a tělovýchovy (Ministry of Education, Youth and Sports);

10. Ministerstvo vnitra (Ministry of the Interior);

11. Ministerstvo zahraničních věcí (Ministry of Foreign Affairs);

12. Ministerstvo zdravotnictví (Ministry of Health);

13. Ministerstvo zemědělství (Ministry of Agriculture);

14. Ministerstvo životního prostředí (Ministry of the Environment);

15. Poslanecká sněmovna PČR (Chamber of Deputies of the Parliament of the Czech Republic);

16. Senát PČR (Senate of the Parliament of the Czech Republic);

PUBLIC

17. Kancelář prezidenta (Office of the President);

18. Český statistický úřad (Czech Statistical Office);

19. Český úřad zeměměřičský a katastrální (Czech Office for Surveying, Mapping and Cadastre);

20. Úřad průmyslového vlastnictví (Industrial Property Office);

21. Úřad pro ochranu osobních údajů (Office for Personal Data Protection);

22. Bezpečnostní informační služba (Security Information Service);

23. Národní bezpečnostní úřad (National Security Authority);

24. Česká akademie věd (Academy of Sciences of the Czech Republic);

25. Vězeňská služba (Prison Service);

26. Český báňský úřad (Czech Mining Authority);

27. Úřad pro ochranu hospodářské soutěže (Office for the Protection of Competition);

PUBLIC

28. Správa státních hmotných rezerv (Administration of the State Material Reserves);

29. Státní úřad pro jadernou bezpečnost (State Office for Nuclear Safety);

30. Energetický regulační úřad (Energy Regulatory Office);

31. Úřad vlády České republiky (Office of the Government of the Czech Republic);

32. Ústavní soud (Constitutional Court);

33. Nejvyšší soud (Supreme Court);

34. Nejvyšší správní soud (Supreme Administrative Court);

35. Nejvyšší státní zastupitelství (Supreme Public Prosecutor's Office);

36. Nejvyšší kontrolní úřad (Supreme Audit Office);

37. Kancelář Veřejného ochránce práv (Office of the Public Defender of Rights);

38. Grantová agentura České republiky (Grant Agency of the Czech Republic);

PUBLIC

39. Státní úřad inspekce práce (State Labour Inspection Office); and

40. Český telekomunikační úřad (Czech Telecommunication Office).

DENMARK

1. Folketinget (The Danish Parliament);

2. Rigsrevisionen (The National Audit Office);

3. Statsministeriet (The Prime Minister's Office);

4. Udenrigsministeriet (Ministry of Foreign Affairs);

5. Beskæftigelsesministeriet - 5 styrelser og institutioner (Ministry of Employment - 5 agencies and institutions);

6. Domstolsstyrelsen (The Court Administration);

7. Finansministeriet - 5 styrelser og institutioner (Ministry of Finance - 5 agencies and institutions);

PUBLIC

8. Forsvarsministeriet - 5 styrelser og institutioner (Ministry of Defence - 5 agencies and institutions);

9. Ministeriet for Sundhed og Forebyggelse - Adskillige styrelser og institutioner, herunder Statens Serum Institut (Ministry of the Interior and Health - Several agencies and institutions, including Statens Serum Institut);

10. Justitsministeriet - Rigspolitichefen, anklagemyndigheden samt 1 direktorat og et antal styrelser (Ministry of Justice - Commissioner of Police, 1 directorate and a number of agencies);

11. Kirkeministeriet - 10 stiftsøvrigheder (Ministry of Ecclesiastical Affairs - 10 diocesan authorities);

12. Kulturministeriet - 4 styrelser samt et antal statsinstitutioner (Ministry of Culture – 4 Departments and a number of institutions);

13. Miljøministeriet - 5 styrelser (Ministry of the Environment - 5 agencies);

14. Ministeriet for Flygtninge, Invandrere og Integration - 1 styrelse (Ministry of Refugee, Immigration and Integration Affairs - 1 agency);

15. Ministeriet for Fødevarer, Landbrug og Fiskeri - 4 direktorater og institutioner (Ministry of Food, Agriculture and Fisheries - 4 directorates and institutions);

PUBLIC

16. Ministeriet for Videnskab, Teknologi og Udvikling - Adskillige styrelser og institutioner, Forskningscenter Risø og Statens uddannelsesbygninger (Ministry of Science, Technology and Innovation - Several agencies and institutions, including Risoe National Laboratory and Danish National Research and Education Buildings);

17. Skatteministeriet - 1 styrelse og institutioner (Ministry of Taxation - 1 agency and several institutions);

18. Velfærdsministeriet - 3 styrelser og institutioner (Ministry of Welfare - 3 agencies and several institutions);

19. Transportministeriet - 7 styrelser og institutioner, herunder Øresundsbrokonsortiet (Ministry of Transport - 7 agencies and institutions, including Øresundsbrokonsortiet);

20. Undervisningsministeriet - 3 styrelser, 4 undervisningsinstitutioner og 5 andre institutioner (Ministry of Education - 3 agencies, 4 educational establishments, 5 other institutions);

21. Økonomi- og Erhvervsministeriet - Adskillige styrelser og institutioner (Ministry of Economic and Business Affairs - Several agencies and institutions);

22. Klima- og Energiministeriet - 3 styrelser og institutioner (Ministry for Climate and Energy – 3 agencies and institutions).

PUBLIC

GERMANY

1.	Federal Foreign Office;	Auswärtiges Amt;
2.	Federal Chancellery;	Bundeskanzleramt;
3.	Federal Ministry of Labour and Social; Affairs;	Bundesministerium für Arbeit und Soziales;
4.	Federal Ministry of Education and Research;	Bundesministerium für Bildung und Forschung;
5.	Federal Ministry for Food, Agriculture and Consumer Protection;	Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz;
6.	Federal Ministry of Finance;	Bundesministerium der Finanzen;
7.	Federal Ministry of the Interior (civil goods only);	Bundesministerium des Innern;
8.	Federal Ministry of Health;	Bundesministerium für Gesundheit;
9.	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth;	Bundesministerium für Familie, Senioren, Frauen und Jugend;
10.	Federal Ministry of Justice;	Bundesministerium der Justiz;
11.	Federal Ministry of Transport, Building and Urban Affairs;	Bundesministerium für Verkehr, Bau und Stadtentwicklung;
12.	Federal Ministry of Economic Affairs and Technology;	Bundesministerium für Wirtschaft und Technologie;
13.	Federal Ministry for Economic Co-operation and Development;	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung;
14.	Federal Ministry of Defence; and	Bundesministerium der Verteidigung;
15.	Federal Ministry of Environment, Nature Conservation and Reactor Safety.	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit.

PUBLIC

ESTONIA

1. Vabariigi Presidendi Kantselei (Office of the President of the Republic of Estonia);

2. Eesti Vabariigi Riigikogu (Parliament of the Republic of Estonia);

3. Eesti Vabariigi Riigikohus (Supreme Court of the Republic of Estonia);

4. Riigikontroll (The State Audit Office of the Republic of Estonia);

5. Õiguskantsler (Legal Chancellor);

6. Riigikantselei (The State Chancellery);

7. Rahvusarhiiv (The National Archives of Estonia);

8. Haridus- ja Teadusministeerium (Ministry of Education and Research);

9. Justiitsministeerium (Ministry of Justice);

10. Kaitseministeerium (Ministry of Defence);

11. Keskkonnaministeerium (Ministry of Environment);

PUBLIC

12. Kultuuriministeerium (Ministry of Culture);

13. Majandus- ja Kommunikatsiooniministeerium (Ministry of Economic Affairs and Communications);

14. Põllumajandusministeerium (Ministry of Agriculture);

15. Rahandusministeerium (Ministry of Finance);

16. Siseministeerium (Ministry of Internal Affairs);

17. Sotsiaalministeerium (Ministry of Social Affairs);

18. Välisministeerium (Ministry of Foreign Affairs);

19. Keeleinspektsioon (The Language Inspectorate);

20. Riigiprokuratuur (Prosecutor's Office);

21. Teabeamet (The Information Board);

22. Maa-amet (Estonian Land Board);

PUBLIC

23. Keskkonnainspektsioon (Environmental Inspectorate);

24. Metsakaitse- ja Metsauuenduskeskus (Centre of Forest Protection and Silviculture);

25. Muinsuskaitseamet (The Heritage Board);

26. Patendiamet (Patent Office);

27. Tehnilise Järelevalve Amet (The Estonian Technical Surveillance Authority);

28. Tarbijakaitseamet (The Consumer Protection Board);

29. Riigihangete Amet (Public Procurement Office);

30. Taimetoodangu Inspektsioon (The Plant Production Inspectorate);

31. Põllumajanduse Registrite ja Informatsiooni Amet (Agricultural Registers and Information Board);

32. Veterinaar- ja Toiduamet (The Veterinary and Food Board);

33. Konkurentsiamet (The Estonian Competition Authority);

34. Maksu- ja Tolliamet (Tax and Customs Board);

PUBLIC

35. Statistikaamet (Statistics Estonia);

36. Kaitsepolitseiamet (The Security Police Board);

37. Kodakondsus- ja Migratsiooniamet (Citizenship and Migration Board);

38. Piirivalveamet (National Board of Border Guard);

39. Politseiamet (National Police Board);

40. Eesti Kohtuekspertiisi ja Instituut (Forensic Service Centre);

41. Keskkriminaalpolitsei (Central Criminal Police);

42. Päästeamet (The Rescue Board);

43. Andmekaitse Inspektsioon (Estonian Data Protection Inspectorate);

44. Ravimiamet (State Agency of Medicines);

45. Sotsiaalkindlustusamet (Social Insurance Board);

46. Tööturuamet (Labour Market Board);

PUBLIC

47. Tervishoiuamet (Health Care Board);

48. Tervisekaitseinspektsioon (Health Protection Inspectorate);

49. Tööinspektsioon (Labour Inspectorate);

50. Lennuamet (Estonian Civil Aviation Administration);

51. Maanteeamet (Estonian Road Administration);

52. Veeteede Amet (Maritime Administration);

53. Julgestuspolitsei (Central Law Enforcement Police);

54. Kaitseressursside Amet (Defence Resources Agency);

55. Kaitseväe Logistikakeskus (Logistics Centre of Defence Forces).

IRELAND

1. President's Establishment;

2. Houses of the Oireachtas (Parliament);

PUBLIC

3. Department of the Taoiseach (Prime Minister);

4. Central Statistics Office;

5. Department of Finance;

6. Office of the Comptroller and Auditor General;

7. Office of the Revenue Commissioners;

8. Office of Public Works;

9. State Laboratory;

10. Office of the Attorney General;

11. Office of the Director of Public Prosecutions;

12. Valuation Office;

13. Commission for Public Service Appointments;

14. Office of the Ombudsman;

PUBLIC

15. Chief State Solicitor's Office;

16. Department of Justice, Equality and Law Reform;

17. Courts Service;

18. Prisons Service;

19. Office of the Commissioners of Charitable Donations and Bequests;

20. Department of the Environment, Heritage and Local Government;

21. Department of Education and Science;

22. Department of Communications, Energy and Natural Resources;

23. Department of Agriculture, Fisheries and Food;

24. Department of Transport;

25. Department of Health and Children;

26. Department of Enterprise, Trade and Employment;

PUBLIC

27. Department of Arts, Sports and Tourism;

28. Department of Defence;

29. Department of Foreign Affairs;

30. Department of Social and Family Affairs;

31. Department of Community, Rural and Gaeltacht (Gaelic speaking regions Affairs);

32. Arts Council;

33. National Gallery.

GREECE

1. Υπουργείο Εσωτερικών (Ministry of Interior);

2. Υπουργείο Εξωτερικών (Ministry of Foreign Affairs);

3. Υπουργείο Οικονομίας και Οικονομικών (Ministry of Economy and Finance);

4. Υπουργείο Ανάπτυξης (Ministry of Development);

PUBLIC

5. Υπουργείο Δικαιοσύνης (Ministry of Justice);

6. Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων (Ministry of Education and Religion);

7. Υπουργείο Πολιτισμού (Ministry of Culture);

8. Υπουργείο Υγείας και Κοινωνικής Αλληλεγγύης (Ministry of Health and Social Solidarity);

9. Υπουργείο Περιβάλλοντος, Χωροταξίας και Δημοσίων Έργων (Ministry of Environment, Physical Planning and Public Works);

10. Υπουργείο Απασχόλησης και Κοινωνικής Προστασίας (Ministry of Employment and Social Protection);

11. Υπουργείο Μεταφορών και Επικοινωνιών (Ministry of Transport and Communications);

12. Υπουργείο Αγροτικής Ανάπτυξης και Τροφίμων (Ministry of Rural Development and Food);

13. Υπουργείο Εμπορικής Ναυτιλίας, Αιγαίου και Νησιωτικής Πολιτικής (Ministry of Mercantile Marine, Aegean and Island Policy);

14. Υπουργείο Μακεδονίας- Θράκης (Ministry of Macedonia and Thrace);

PUBLIC

15. Γενική Γραμματεία Επικοινωνίας (General Secretariat of Communication);

16. Γενική Γραμματεία Ενημέρωσης (General Secretariat of Information);

17. Γενική Γραμματεία Νέας Γενιάς (General Secretariat for Youth);

18. Γενική Γραμματεία Ισότητας (General Secretariat of Equality);

19. Γενική Γραμματεία Κοινωνικών Ασφαλίσεων (General Secretariat for Social Security);

20. Γενική Γραμματεία Απόδημου Ελληνισμού (General Secretariat for Greeks Living Abroad);

21. Γενική Γραμματεία Βιομηχανίας (General Secretariat for Industry);

22. Γενική Γραμματεία Έρευνας και Τεχνολογίας (General Secretariat for Research and Technology);

23. Γενική Γραμματεία Αθλητισμού (General Secretariat for Sports);

24. Γενική Γραμματεία Δημοσίων Έργων (General Secretariat for Public Works);

25. Γενική Γραμματεία Εθνικής Στατιστικής Υπηρεσίας Ελλάδος (National Statistical Service);

PUBLIC

26. Εθνικό Συμβούλιο Κοινωνικής Φροντίδας (National Welfare Council);

27. Οργανισμός Εργατικής Κατοικίας (Workers' Housing Organisation);

28. Εθνικό Τυπογραφείο (National Printing Office);

29. Γενικό Χημείο του Κράτους (General State Laboratory);

30. Ταμείο Εθνικής Οδοποιίας (Greek Highway Fund);

31. Εθνικό Καποδιστριακό Πανεπιστήμιο Αθηνών (University of Athens);

32. Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης (University of Thessaloniki);

33. Δημοκρίτειο Πανεπιστήμιο Θράκης (University of Thrace);

34. Πανεπιστήμιο Αιγαίου (University of Aegean);

35. Πανεπιστήμιο Ιωαννίνων (University of Ioannina);

36. Πανεπιστήμιο Πατρών (University of Patras);

37. Πανεπιστήμιο Μακεδονίας (University of Macedonia);

PUBLIC

38. Πολυτεχνείο Κρήτης (Polytechnic School of Crete);

39. Σιβιτανίδειος Δημόσια Σχολή Τεχνών και Επαγγελμάτων (Sivitanidios Technical School);

40. Αιγινήτειο Νοσοκομείο (Eginitio Hospital);

41. Αρεταίειο Νοσοκομείο (Areteio Hospital);

42. Εθνικό Κέντρο Δημόσιας Διοίκησης (National Centre of Public Administration);

43. Οργανισμός Διαχείρισης Δημοσίου Υλικού (A.E. Public Material Management Organisation);

44. Οργανισμός Γεωργικών Ασφαλίσεων (Farmers' Insurance Organisation);

45. Οργανισμός Σχολικών Κτιρίων (School Building Organisation);

46. Γενικό Επιτελείο Στρατού (Army General Staff);

47. Γενικό Επιτελείο Ναυτικού (Navy General Staff);

48. Γενικό Επιτελείο Αεροπορίας (Airforce General Staff);

PUBLIC

49. Ελληνική Επιτροπή Ατομικής Ενέργειας (Greek Atomic Energy Commission);

50. Γενική Γραμματεία Εκπαίδευσης Ενηλίκων (General Secretariat for Further Education);

51. Γενική Γραμματεία Εμπορίου (General Secretariat of Commerce);

52. Ελληνικά Ταχυδρομεία Hellenic Post (EL. TA).

SPAIN

1. Presidencia de Gobierno;

2. Ministerio de Asuntos Exteriores y de Cooperación;

3. Ministerio de Justicia;

4. Ministerio de Defensa;

5. Ministerio de Economía y Hacienda;

6. Ministerio del Interior;

7. Ministerio de Fomento;

8. Ministerio de Educación y Ciencia;

PUBLIC

9. Ministerio de Industria, Turismo y Comercio;

10. Ministerio de Trabajo y Asuntos Sociales;

11. Ministerio de Agricultura, Pesca y Alimentación;

12. Ministerio de la Presidencia;

13. Ministerio de Administraciones Públicas;

14. Ministerio de Cultura;

15. Ministerio de Sanidad y Consumo;

16. Ministerio de Medio Ambiente;

17. Ministerio de Vivienda.

FRANCE

Ministères:

Services du Premier ministre;

Ministère chargé de la santé, de la jeunesse et des sports;

PUBLIC

Ministère chargé de l'intérieur, de l'outre-mer et des collectivités territoriales;

Ministère chargé de la justice;

Ministère chargé de la défense;

Ministère chargé des affaires étrangères et européennes;

Ministère chargé de l'éducation nationale;

Ministère chargé de l'économie, des finances et de l'emploi;

Secrétariat d'État aux transports;

Secrétariat d'État aux entreprises et au commerce extérieur;

Ministère chargé du travail, des relations sociales et de la solidarité;

Ministère chargé de la culture et de la communication;

Ministère chargé du budget, des comptes publics et de la fonction publique;

Ministère chargé de l'agriculture et de la pêche;

PUBLIC

Ministère chargé de l'enseignement supérieur et de la recherche;

Ministère chargé de l'écologie, du développement et de l'aménagement durables;

Secrétariat d'État à la fonction publique;

Ministère chargé du logement et de la ville;

Secrétariat d'État à la coopération et à la francophonie;

Secrétariat d'État à l'outre-mer;

Secrétariat d'État à la jeunesse et aux sports et de la vie associative;

Secrétariat d'État aux anciens combattants;

Ministère chargé de l'immigration, de l'intégration, de l'identité nationale et du co-développement;

Secrétariat d'État en charge de la prospective et de l'évaluation des politiques publiques;

Secrétariat d'État aux affaires européennes;

Secrétariat d'État aux affaires étrangères et aux droits de l'homme;

PUBLIC

Secrétariat d'État à la consommation et au tourisme;

Secrétariat d'État à la politique de la ville;

Secrétariat d'État à la solidarité;

Secrétariat d'État en charge de l'emploi;

Secrétariat d'État en charge du commerce, de l'artisanat, des PME, du tourisme et des services;

Secrétariat d'État en charge du développement de la région-capitale;

Secrétariat d'État en charge de l'aménagement du territoire;.

Établissements publics nationaux:

Académie de France à Rome;

Académie de marine;

Académie des sciences d'outre-mer;

Agence Centrale des Organismes de Sécurité Sociale (A.C.O.S.S.);

PUBLIC

Agences de l'eau;

Agence Nationale de l'Accueil des Étrangers et des migrations;

Agence nationale pour l'amélioration des conditions de travail (ANACT);

Agence nationale pour l'amélioration de l'habitat (ANAH);

Agence Nationale pour la Cohésion Sociale et l'Égalité des Chances;

Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM);

Assemblée permanente des chambres d'agriculture (APCA);

Bibliothèque nationale de France;

Bibliothèque nationale et universitaire de Strasbourg;

Caisse des Dépôts et Consignations;

Caisse nationale des autoroutes (CNA);

Caisse nationale militaire de sécurité sociale (CNMSS);

PUBLIC

Caisse de garantie du logement locatif social;

Casa de Velasquez;

Centre d'enseignement zootechnique;

Centre hospitalier national des Quinze-Vingts;

Centre international d'études supérieures en sciences agronomiques (Montpellier Sup Agro);

Centre des liaisons européennes et internationales de sécurité sociale;

Centre des Monuments Nationaux;

Centre national d'art et de culture Georges Pompidou;

Centre national de la cinématographie;

Institut national supérieur de formation et de recherche pour l'éducation des jeunes handicapés et les enseignements adaptés;

Centre National d'Études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts (CEMAGREF);

École nationale supérieure de Sécurité Sociale;

PUBLIC

Centre national du livre;

Centre national de documentation pédagogique;

Centre national des œuvres universitaires et scolaires (CNOUS);

Centre national professionnel de la propriété forestière;

Centre National de la Recherche Scientifique (C.N.R.S);

Centres d'éducation populaire et de sport (CREPS);

Centres régionaux des œuvres universitaires (CROUS);

Collège de France;

Conservatoire de l'espace littoral et des rivages lacustres;

Conservatoire National des Arts et Métiers;

Conservatoire national supérieur de musique et de danse de Paris;

Conservatoire national supérieur de musique et de danse de Lyon;

PUBLIC

Conservatoire national supérieur d'art dramatique;

École centrale de Lille;

École centrale de Lyon;

École centrale des arts et manufactures;

École française d'archéologie d'Athènes;

École française d'Extrême-Orient;

École française de Rome;

École des hautes études en sciences sociales;

École nationale d'administration;

École nationale de l'aviation civile (ENAC);

École nationale des Chartes;

École nationale d'équitation;

PUBLIC

École Nationale du Génie de l'Eau et de l'environnement de Strasbourg;

Écoles nationales d'ingénieurs;

École nationale d'ingénieurs des industries des techniques agricoles et alimentaires de Nantes;

Écoles nationales d'ingénieurs des travaux agricoles;

École nationale de la magistrature;

Écoles nationales de la marine marchande;

École nationale de la santé publique (ENSP);

École nationale de ski et d'alpinisme;

École nationale supérieure des arts décoratifs;

École nationale supérieure des arts et industries textiles Roubaix;

Écoles nationales supérieures d'arts et métiers;

École nationale supérieure des beaux-arts;

PUBLIC

École nationale supérieure de céramique industrielle;

École nationale supérieure de l'électronique et de ses applications (ENSEA);

École Nationale Supérieure des Sciences de l'information et des bibliothécaires;

Écoles nationales vétérinaires;

École nationale de voile;

Écoles normales supérieures;

École polytechnique;

École de viticulture Avize (Marne);

Établissement national d’enseignement agronomique de Dijon;

Établissement national des invalides de la marine (ENIM);

Établissement national de bienfaisance Koenigswarter;

Fondation Carnegie;

PUBLIC

Fondation Singer-Polignac;

Haras nationaux;

Hôpital national de Saint-Maurice;

Institut français d'archéologie orientale du Caire;

Institut géographique national;

Institut National des Appellations d'origine;

Institut National d'enseignement supérieur et de recherche agronomique et agroalimentaire de Rennes;

Institut National d'Études Démographiques (I.N.E.D);

Institut National d'Horticulture;

Institut National de la jeunesse et de l'éducation populaire;

Institut national des jeunes aveugles Paris;

Institut national des jeunes sourds Bordeaux;

PUBLIC

Institut national des jeunes sourds Chambéry;

Institut national des jeunes sourds Metz;

Institut national des jeunes sourds Paris;

Institut national de physique nucléaire et de physique des particules (I.N.P.N.P.P);

Institut national de la propriété industrielle;

Institut National de la Recherche Agronomique (I.N.R.A);

Institut National de la Recherche Pédagogique (I.N.R.P);

Institut National de la Santé et de la Recherche Médicale (I.N.S.E.R.M);

Institut National des Sciences de l'Univers;

Institut National des Sports et de l'Éducation Physique;

Instituts nationaux polytechniques;

Instituts nationaux des sciences appliquées;

PUBLIC

Institut national de recherche en informatique et en automatique (INRIA);

Institut national de recherche sur les transports et leur sécurité (INRETS);

Institut de Recherche pour le Développement;

Instituts régionaux d'administration;

Institut des Sciences et des Industries du vivant et de l'environnement (Agro Paris Tech);

Institut supérieur de mécanique de Paris;

Institut Universitaires de Formation des Maîtres;

Musée de l'armée;

Musée Gustave-Moreau;

Musée national de la marine;

Musée national J.-J.-Henner;

Musée national de la Légion d'honneur;

PUBLIC

Musée de la Poste;

Muséum National d'Histoire Naturelle;

Musée Auguste-Rodin;

Observatoire de Paris;

Office français de protection des réfugiés et apatrides;

Office National des Anciens Combattants et des Victimes de Guerre (ONAC);

Office national de la chasse et de la faune sauvage;

Office National de l'eau et des milieux aquatiques;

Office national d'information sur les enseignements et les professions (ONISEP);

Office universitaire et culturel français pour l'Algérie;

Palais de la découverte;

Parcs nationaux;

Universités.

PUBLIC

Autre organisme public national:

Union des groupements d'achats publics (UGAP);

Agence Nationale pour l'emploi (A.N.P.E);

Autorité indépendante des marchés financiers;

Caisse Nationale des Allocations Familiales (CNAF);

Caisse Nationale d'Assurance Maladie des Travailleurs Salariés (CNAMS);

Caisse Nationale d'Assurance-Vieillesse des Travailleurs Salariés (CNAVTS).

CROATIA

1. Croatian Parliament;

2. President of the Republic of Croatia;

3. Office of the President of the Republic of Croatia;

4. Office of the President of the Republic of Croatia after the expiry of the term of office;

PUBLIC

5. Government of the Republic of Croatia;

6. Offices of the Government of the Republic of Croatia;

7. Ministry of Economy;

8. Ministry of Regional Development and EU Funds;

9. Ministry of Finance;

10. Ministry of Defence;

11. Ministry of Foreign and European Affairs;

12. Ministry of the Interior;

13. Ministry of Justice;

14. Ministry of Public Administration;

15. Ministry of Entrepreneurship and Crafts;

16. Ministry of Labour and Pension System;

PUBLIC

17. Ministry of Maritime Affairs, Transport and Infrastructure;

18. Ministry of Agriculture;

19. Ministry of Tourism;

20. Ministry of Environmental and Nature Protection;

21. Ministry of Construction and Physical Planning;

22. Ministry of Veterans' Affairs;

23. Ministry of Social Policy and Youth;

24. Ministry of Health;

25. Ministry of Science, Education and Sports;

26. Ministry of Culture;

27. State administrative organisations;

28. County state administration offices;

PUBLIC

29. Constitutional Court of the Republic of Croatia;

30. Supreme Court of the Republic of Croatia;

31. Courts;

32. State Judiciary Council;

33. State attorney's offices;

34. State Prosecutor's Council;

35. Ombudsman's offices;

36. State Commission for the Supervision of Public Procurement Procedures;

37. Croatian National Bank;

38. State agencies and offices;

39. State Audit Office.

PUBLIC

ITALY

Purchasing bodies:

1. Presidenza del Consiglio dei Ministri (Presidency of the Council of Ministers);

2. Ministero degli Affari Esteri (Ministry of Foreign Affairs);

3. Ministero dell'Interno (Ministry of Interior);

4. Ministero della Giustizia e Uffici giudiziari (esclusi i giudici di pace) (Ministry of Justice and the Judicial Offices (other than the giudici di pace);

5. Ministero della Difesa (Ministry of Defence);

6. Ministero dell'Economia e delle Finanze (Ministry of Economy and Finance);

7. Ministero dello Sviluppo Economico (Ministry of Economic Development);

8. Ministero del Commercio internazionale (Ministry of International Trade);

9. Ministero delle Comunicazioni (Ministry of Communications);

10. Ministero delle Politiche Agricole e Forestali (Ministry of Agriculture and Forest Policies);

PUBLIC

11. Ministero dell'Ambiente e Tutela del Territorio e del Mare (Ministry of Environment, Land and Sea);

12. Ministero delle Infrastrutture (Ministry of Infrastructure);

13. Ministero dei Trasporti (Ministry of Transport);

14. Ministero del Lavoro e delle politiche sociali e della Previdenza sociale (Ministry of Labour, Social Policy and Social Security);

15. Ministero della Solidarietà sociale (Ministry of Social Solidarity);

16. Ministero della Salute (Ministry of Health);

17. Ministero dell'Istruzione dell' università e della ricerca (Ministry of Education, University and Research);

18. Ministero per i Beni e le Attività culturali comprensivo delle sue articolazioni periferiche (Ministry of Heritage and Culture, including its subordinated entities).

II. Other national public bodies:

CONSIP (Concessionaria Servizi Informatici Pubblici)[1].

[1] Acts as the central purchasing entity for all the Italian public administration.

PUBLIC

CYPRUS

1. Προεδρία και Προεδρικό Μέγαρο (Presidency and Presidential Palace);

2. Γραφείο Συντονιστή Εναρμόνισης (Office of the Coordinator for Harmonisation);

3. Υπουργικό Συμβούλιο (Council of Ministers);

4. Βουλή των Αντιπροσώπων (House of Representatives);

5. Δικαστική Υπηρεσία (Judicial Service);

6. Νομική Υπηρεσία της Δημοκρατίας (Law Office of the Republic);

7. Ελεγκτική Υπηρεσία της Δημοκρατίας (Audit Office of the Republic);

8. Επιτροπή Δημόσιας Υπηρεσίας (Public Service Commission);

9. Επιτροπή Εκπαιδευτικής Υπηρεσίας (Educational Service Commission);

10. Γραφείο Επιτρόπου Διοικήσεως (Office of the Commissioner for Administration (Ombudsman));

11. Επιτροπή Προστασίας Ανταγωνισμού (Commission for the Protection of Competition);

PUBLIC

12. Υπηρεσία Εσωτερικού Ελέγχου (Internal Audit Service);

13. Γραφείο Προγραμματισμού (Planning Bureau);

14. Γενικό Λογιστήριο της Δημοκρατίας (Treasury of the Republic);

15. Γραφείο Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα (Office of the Personal Character Data Protection Commissioner);

16. Γραφείο Εφόρου Δημοσίων Ενισχύσεων (Office of the Commissioner for the Public Aid);

17. Αναθεωρητική Αρχή Προσφορών (Tender Review Body);

18. Υπηρεσία Εποπτείας και Ανάπτυξης Συνεργατικών Εταιρειών (Cooperative Societies' Supervision and Development Authority);

19. Αναθεωρητική Αρχή Προσφύγων (Refugees' Review Body);

20. Υπουργείο Άμυνας (Ministry of Defence);

PUBLIC

21. Υπουργείο Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος (Ministry of Agriculture, Natural Resources and Environment):

1. Τμήμα Γεωργίας (Department of Agriculture);

2. Κτηνιατρικές Υπηρεσίες (Veterinary Services);

3. Τμήμα Δασών (Forest Department);

4. Τμήμα Αναπτύξεως Υδάτων (Water Development Department);

5. Τμήμα Γεωλογικής Επισκόπησης (Geological Survey Department);

6. Μετεωρολογική Υπηρεσία (Meteorological Service);

7. Τμήμα Αναδασμού (Land Consolidation Department);

8. Υπηρεσία Μεταλλείων (Mines Service);

9. Ινστιτούτο Γεωργικών Ερευνών (Agricultural Research Institute);

10. Τμήμα Αλιείας και Θαλάσσιων Ερευνών (Department of Fisheries and Marine Research);

PUBLIC

22. Υπουργείο Δικαιοσύνης και Δημοσίας Τάξεως (Ministry of Justice and Public Order):

    1. Αστυνομία (Police);

    2. Πυροσβεστική Υπηρεσία Κύπρου (Cyprus Fire Service);

    3. Τμήμα Φυλακών (Prison Department);

23. Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού (Ministry of Commerce, Industry and Tourism):

    1. Τμήμα Εφόρου Εταιρειών και Επίσημου Παραλήπτη (Department of Registrar of Companies and Official Receiver);

24. Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων (Ministry of Labour and Social Insurance):

    1. Τμήμα Εργασίας (Department of Labour);

    2. Τμήμα Κοινωνικών Ασφαλίσεων (Department of Social Insurance);

    3. Τμήμα Υπηρεσιών Κοινωνικής Ευημερίας (Department of Social Welfare Services);

PUBLIC

4. Κέντρο Παραγωγικότητας Κύπρου (Productivity Centre Cyprus);

5. Ανώτερο Ξενοδοχειακό Ινστιτούτο Κύπρου (Higher Hotel Institute Cyprus);

6. Ανώτερο Τεχνολογικό Ινστιτούτο (Higher Technical Institute);

7. Τμήμα Επιθεώρησης Εργασίας (Department of Labour Inspection);

8. Τμήμα Εργασιακών Σχέσεων (Depertment of Labour Relations)

25. Υπουργείο Εσωτερικών (Ministry of the Interior):

1. Επαρχιακές Διοικήσεις (District Administrations);

2. Τμήμα Πολεοδομίας και Οικήσεως (Town Planning and Housing Department);

3. Τμήμα Αρχείου Πληθυσμού και Μεταναστεύσεως (Civil Registry and Migration Department);

4. Τμήμα Κτηματολογίου και Χωρομετρίας (Department of Lands and Surveys);

5. Γραφείο Τύπου και Πληροφοριών (Press and Information Office);

6. Πολιτική Άμυνα (Civil Defence);

PUBLIC

7. Υπηρεσία Μέριμνας και Αποκαταστάσεων Εκτοπισθέντων (Service for the care and rehabilitation of displaced persons);

8. Υπηρεσία Ασύλου (Asylum Service);

26. Υπουργείο Εξωτερικών (Ministry of Foreign Affairs);

27. Υπουργείο Οικονομικών (Ministry of Finance):

1. Τελωνεία (Customs and Excise);

2. Τμήμα Εσωτερικών Προσόδων (Department of Inland Revenue);

3. Στατιστική Υπηρεσία (Statistical Service);

4. Τμήμα Κρατικών Αγορών και Προμηθειών (Department of Government Purchasing and Supply);

5. Τμήμα Δημόσιας Διοίκησης και Προσωπικού (Public Administration and Personnel Department);

6. Κυβερνητικό Τυπογραφείο (Government Printing Office);

7. Τμήμα Υπηρεσιών Πληροφορικής (Department of Information Technology Services);

PUBLIC

28. Υπουργείο Παιδείας και Πολιτισμού (Ministry of Education and Culture);

29. Υπουργείο Συγκοινωνιών και Έργων (Ministry of Communications and Works):

    1. Τμήμα Δημοσίων Έργων (Department of Public Works);

    2. Τμήμα Αρχαιοτήτων (Department of Antiquities);

    3. Τμήμα Πολιτικής Αεροπορίας (Department of Civil Aviation);

    4. Τμήμα Εμπορικής Ναυτιλίας (Department of Merchant Shipping);

    5. Τμήμα Ταχυδρομικών Υπηρεσιών (Postal Services Department);

    6. Τμήμα Οδικών Μεταφορών (Department of Road Transport);

    7. Τμήμα Ηλεκτρομηχανολογικών Υπηρεσιών (Department of Electrical and Mechanical Services);

    8. Τμήμα Ηλεκτρονικών Επικοινωνιών (Department of Electronic Telecommunications);

PUBLIC

30. Υπουργείο Υγείας (Ministry of Health):

1. Φαρμακευτικές Υπηρεσίες (Pharmaceutical Services);

2. Γενικό Χημείο (General Laboratory);

3. Ιατρικές Υπηρεσίες και Υπηρεσίες Δημόσιας Υγείας (Medical and Public Health Services);

4. Οδοντιατρικές Υπηρεσίες (Dental Services);and

5. Υπηρεσίες Ψυχικής Υγείας (Mental Health Services).

LATVIA

A. Ministrijas, īpašu ministru sekretariāti un to padotībā esošās iestādes (Ministries, secretariats of ministers for special assignments, and their subordinate institutions):

1. Aizsardzības ministrija un tās padotībā esošās iestādes (Ministry of Defence and subordinate institutions);

2. Ārlietu ministrija un tas padotībā esošās iestādes (Ministry of Foreign Affairs and subordinate institutions);

PUBLIC

3. Ekonomikas ministrija un tās padotībā esošās iestādes (Ministry of Economics and subordinate institutions);

4. Finanšu ministrija un tās padotībā esošās iestādes (Ministry of Finance and subordinate institutions);

5. Iekšlietu ministrija un tās padotībā esošās iestādes (Ministry of the Interior Affairs and subordinate institutions);

6. Izglītības un zinātnes ministrija un tās padotībā esošās iestādes (Ministry of Education and Science and subordinate institutions);

7. Kultūras ministrija un tas padotībā esošās iestādes (Ministry of Culture and subordinate institutions);

8. Labklājības ministrija un tās padotībā esošās iestādes (Ministry of Welfare and subordinate institutions);

9. Satiksmes ministrija un tās padotībā esošās iestādes (Ministry of Transport and subordinate institutions);

10. Tieslietu ministrija un tās padotībā esošās iestādes (Ministry of Justice and subordinate institutions);

PUBLIC

11. Veselības ministrija un tās padotībā esošās iestādes (Ministry of Health and subordinate institutions);

12. Vides aizsardzības un reģionālās attīstības ministrija un tās padotībā esošās iestādes (Ministry of Environmental Protection and Regional Development and subordinate institutions);

13. Zemkopības ministrija un tās padotībā esošās iestādes (Ministry of Agriculture and subordinate institutions);

14. Īpašu uzdevumu ministra sekretariāti un to padotībā esošās iestādes (Ministries for Special Assignments and subordinate institutions);

B. Citas valsts iestādes (Other state institutions):

1. Augstākā tiesa (Supreme Court);

2. Centrālā vēlēšanu komisija (Central Election Commission);

3. Finanšu un kapitāla tirgus komisija (Financial and Capital Market Commission);

4. Latvijas Banka (Bank of Latvia);

PUBLIC

5. Prokuratūra un tās pārraudzībā esošās iestādes (Prosecutor's Office and institutions under its supervision);

6. Saeimas un tās padotībā esošās iestādes (The Parliament and subordinate institutions);

7. Satversmes tiesa (Constitutional Court);

8. Valsts kanceleja un tās pārraudzībā esošās iestādes (State Chancellery and institutions under its supervision);

9. Valsts kontrole (State Audit Office);

10. Valsts prezidenta kanceleja (Chancellery of the State President);

11. Citas valsts iestādes, kuras nav ministriju padotībā (Other state institutions not subordinate to ministries):

    – Tiesībsarga birojs (Office of the Ombudsman);

    – Nacionālā radio un televīzijas padome (National Broadcasting Council).

PUBLIC

LITHUANIA

1. Prezidentūros kanceliarija (Office of the President);

2. Seimo kanceliarija (Office of the Seimas)
   Seimui atskaitingos institucijos (Institutions Accountable to the Seimas):

   1. Lietuvos mokslo taryba (Science Council);

   2. Seimo kontrolierių įstaiga (The Seimas Ombudsmen's Office);

   3. Valstybės kontrolė (National Audit Office);

   4. Specialiųjų tyrimų tarnyba (Special Investigation Service);

   5. Valstybės saugumo departamentas (State Security Department);

   6. Konkurencijos taryba (Competition Council);

   7. Lietuvos gyventojų genocido ir rezistencijos tyrimo centras (Genocide and Resistance Research Centre);

PUBLIC

8. Vertybinių popierių komisija (Lithuanian Securities Commission);

9. Ryšių reguliavimo tarnyba (Communications Regulatory Authority);

10. Nacionalinė sveikatos taryba (National Health Board);

11. Etninės kultūros globos taryba (Council for the Protection of Ethnic Culture);

12. Lygių galimybių kontrolieriaus tarnyba (Office of Equal Opportunities Ombudsperson);

13. Valstybinė kultūros paveldo komisija (National Cultural Heritage Commission);

14. Vaiko teisių apsaugos kontrolieriaus įstaiga (Children's Rights Ombudsman Institution);

15. Valstybinė kainų ir energetikos kontrolės komisija (State Price Regulation Commission of Energy Resources);

16. Valstybinė lietuvių kalbos komisija (State Commission of the Lithuanian Language);

17. Vyriausioji rinkimų komisija (Central Electoral Committee);

PUBLIC

18. Vyriausioji tarnybinės etikos komisija (Chief Commission of Official Ethics); and

19. Žurnalistų etikos inspektoriaus tarnyba (Office of the Inspector of Journalists' Ethics).

3. Vyriausybės kanceliarija (Office of the Government)
Vyriausybei atskaitingos institucijos (Institutions Accountable to the Government):

1. Ginklų fondas (Weaponry Fund);

2. Informacinės visuomenės plėtros komitetas (Information Society Development Committee);

3. Kūno kultūros ir sporto departamentas (Department of Physical Education and Sports);

4. Lietuvos archyvų departamentas (Lithuanian Archives Department);

5. Mokestinių ginčų komisija (Commission on Tax Disputes);

6. Statistikos departamentas (Department of Statistics);

7. Tautinių mažumų ir išeivijos departamentas (Department of National Minorities and Lithuanians Living Abroad);

PUBLIC

8. Valstybinė tabako ir alkoholio kontrolės tarnyba (State Tobacco and Alcohol Control Service);

9. Viešųjų pirkimų tarnyba (Public Procurement Office);

10. Valstybinė atominės energetikos saugos inspekcija (State Nuclear Power Safety Inspectorate);

11. Valstybinė duomenų apsaugos inspekcija (State Data Protection Inspectorate);

12. Valstybinė lošimų priežiūros komisija (State Gaming Control Commission);

13. Valstybinė maisto ir veterinarijos tarnyba (State Food and Veterinary Service);

14. Vyriausioji administracinių ginčų komisija (Chief Administrative Disputes Commission);

15. Draudimo priežiūros komisija (Insurance Supervisory Commission);

16. Lietuvos valstybinis mokslo ir studijų fondas (Lithuanian State Science and Studies Foundation);

17. Konstitucinis Teismas (Constitutional Court);

18. Lietuvos bankas (Bank of Lithuania).

PUBLIC

4. Aplinkos ministerija (Ministry of Environment)

Įstaigos prie Aplinkos ministerijos (Institutions under the Ministry of Environment):

1. Generalinė miškų urėdija (Directorate General of State Forests);

2. Lietuvos geologijos tarnyba (Geological Survey of Lithuania);

3. Lietuvos hidrometeorologijos tarnyba (Lithuanian Hydrometereological Service);

4. Lietuvos standartizacijos departamentas (Lithuanian Standards Board);

5. Nacionalinis akreditacijos biuras (Lithuanian National Accreditation Bureau);

6. Valstybinė metrologijos tarnyba (State Metrology Service);

7. Valstybinė saugomų teritorijų tarnyba (State Service for Protected Areas);

8. Valstybinė teritorijų planavimo ir statybos inspekcija (State Territory Planning and construction Inspectorate).

PUBLIC

5. Finansų ministerija (Ministry of Finance)

   Įstaigos prie Finansų ministerijos (Institutions under the Ministry of Finance):

   1. Muitinės departamentas (Lithuania Customs);

   2. Valstybės dokumentų technologinės apsaugos tarnyba (Service of Technological Security of State Documents);

   3. Valstybinė mokesčių inspekcija (State Tax Inspectorate);

   4. Finansų ministerijos mokymo centras (Training Centre of the Ministry of Finance).

6. Krašto apsaugos ministerija (Ministry of National Defence)

   Įstaigos prie Krašto apsaugos ministerijos (Institutions under the Ministry of National Defence):

   1. Antrasis operatyvinių tarnybų departamentas (Second Investigation Department);

   2. Centralizuota finansų ir turto tarnyba (Centralised Finance and Property Service);

   3. Karo prievolės administravimo tarnyba (Military Enrolment Administration Service);

   4. Krašto apsaugos archyvas (National Defence Archives Service);

PUBLIC

5. Krizių valdymo centras (Crisis Management Centre);

6. Mobilizacijos departamentas (Mobilisation Department);

7. Ryšių ir informacinių sistemų tarnyba (Communication and Information Systems Service);

8. Infrastruktūros plėtros departamentas (Infrastructure Development Department);

9. Valstybinis pilietinio pasipriešinimo rengimo centras (Civil Resistance Centre);

10. Lietuvos kariuomenė (Lithuanian Armed Forces);

11. Krašto apsaugos sistemos kariniai vienetai ir tarnybos (Military Units and Services of the National Defence System).

7. Kultūros ministerija (Ministry of Culture)

Įstaigos prie Kultūros ministerijos (Institutions under the Ministry of Culture):

1. Kultūros paveldo departamentas (Department for the Lithuanian Cultural Heritage);

2. Valstybinė kalbos inspekcija (State Language Commission).

PUBLIC

8. Socialinės apsaugos ir darbo ministerija (Ministry of Social Security and Labour)
Įstaigos prie Socialinės apsaugos ir darbo ministerijos (Institutions under the Ministry of Social Security and Labour):

1. Garantinio fondo administracija (Administration of Guarantee Fund);

2. Valstybės vaiko teisių apsaugos ir įvaikinimo tarnyba (State Child Rights Protection and Adoption Service);

3. Lietuvos darbo birža (Lithuanian Labour Exchange);

4. Lietuvos darbo rinkos mokymo tarnyba (Lithuanian Labour Market Training Authority);

5. Trišalės tarybos sekretoriatas (Tripartite Council Secretoriat);

6. Socialinių paslaugų priežiūros departamentas (Social Services Monitoring Department);

7. Darbo inspekcija (Labour Inspectorate);

8. Valstybinio socialinio draudimo fondo valdyba (State Social Insturance Fund Board);

PUBLIC

9. Neįgalumo ir darbingumo nustatymo tarnyba (Disability and Working Capacity Establishment Service);

10. Ginčų komisija (Disputes Commission);

11. Techninės pagalbos neįgaliesiems centras (State Centre of Compensatory Technique for the Disabled);

12. Neįgaliųjų reikalų departamentas (Department of the Affairs of the Disabled).

9. Susisiekimo ministerija (Ministry of Transport and Communications)
Įstaigos prie Susisiekimo ministerijos (Institutions under the Ministry of Transport and Communications):

1. Lietuvos automobilių kelių direkcija (Lithuanian Road Administration);

2. Valstybinė geležinkelio inspekcija (State Railway Inspectorate);

3. Valstybinė kelių transporto inspekcija (State Road Transport Inspectorate);

4. Pasienio kontrolės punktų direkcija (Border Control Points Directorate).

PUBLIC

10. Sveikatos apsaugos ministerija (Ministry of Health)

Įstaigos prie Sveikatos apsaugos ministerijos (Institutions under the Ministry of Health):

1. Valstybinė akreditavimo sveikatos priežiūros veiklai tarnyba (State Health Care Accreditation Agency);

2. Valstybinė ligonių kasa (State Patient Fund);

3. Valstybinė medicininio audito inspekcija (State Medical Audit Inspectorate);

4. Valstybinė vaistų kontrolės tarnyba (State Medicines Control Agency);

5. Valstybinė teismo psichiatrijos ir narkologijos tarnyba (Lithuanian Forensic Psychiatry and Narcology Service);

6. Valstybinė visuomenės sveikatos priežiūros tarnyba (State Public Health Service);

7. Farmacijos departamentas (Department of Pharmacy);

8. Sveikatos apsaugos ministerijos Ekstremalių sveikatai situacijų centras (Health Emergency Centre of the Ministry of Health);

9. Lietuvos bioetikos komitetas (Lithuanian Bioethics Committee);

10. Radiacinės saugos centras (Radiation Protection Centre).

PUBLIC

11. Švietimo ir mokslo ministerija (Ministry of Education and Science)
Įstaigos prie Švietimo ir mokslo ministerijos (Institutions under the Ministry of Education and Science):

    1. Nacionalinis egzaminų centras (National Examination Centre);

    2. Studijų kokybės vertinimo centras (Centre for Quality Assessment in Higher Education).

12. Teisingumo ministerija (Ministry of Justice)
Įstaigos prie Teisingumo ministerijos (Institutions under the Ministry of Justice):

    1. Kalėjimų departamentas (Department of Imprisonment Establishments);

    2. Nacionalinė vartotojų teisių apsaugos taryba (National Consumer Rights Protection Board);

    3. Europos teisės departamentas (European Law Department).

13. Ūkio ministerija (Ministry of Economy)
Įstaigos prie Ūkio ministerijos (Institutions under the Ministry of Economy):

    1. Įmonių bankroto valdymo departamentas (Enterprise Bankruptcy Management Department);

PUBLIC

2. Valstybinė energetikos inspekcija (State Energy Inspectorate);

3. Valstybinė ne maisto produktų inspekcija (State Non Food Products Inspectorate);

4. Valstybinis turizmo departamentas (Lithuanian State Department of Tourism).

14. Užsienio reikalų ministerija (Ministry of Foreign Affairs):

1. Diplomatinės atstovybės ir konsulinės įstaigos užsienyje bei atstovybės prie tarptautinių organizacijų (Diplomatic Missions and Consular as well as Representations to International Organisations).

15. Vidaus reikalų ministerija (Ministry of the Interior):
Įstaigos prie Vidaus reikalų ministerijos (Institutions under the Ministry of the Interior):

1. Asmens dokumentų išrašymo centras (Personalisation of Identity Documents Centre);

2. Finansinių nusikaltimų tyrimo tarnyba (Financial Crime Investigation Service);

3. Gyventojų registro tarnyba (Residents' Register Service);

4. Policijos departamentas (Police Department);

PUBLIC

5. Priešgaisrinės apsaugos ir gelbėjimo departamentas (Fire-Prevention and Rescue Department);

6. Turto valdymo ir ūkio departamentas (Property Management and Economics Department);

7. Vadovybės apsaugos departamentas (VIP Protection Department);

8. Valstybės sienos apsaugos tarnyba (State Border Guard Department);

9. Valstybės tarnybos departamentas (Civil Service Department);

10. Informatikos ir ryšių departamentas (IT and Communications Department);

11. Migracijos departamentas (Migration Department);

12. Sveikatos priežiūros tarnyba (Health Care Department);

13. Bendrasis pagalbos centras (Emergency Response Centre).

16. Žemės ūkio ministerija (Ministry of Agriculture)
Įstaigos prie Žemės ūkio ministerijos (Institutions under the Ministry of Agriculture):

1. Nacionalinė mokėjimo agentūra (National Paying Agency);

PUBLIC

2. Nacionalinė žemės tarnyba (National Land Service);

3. Valstybinė augalų apsaugos tarnyba (State Plant Protection Service);

4. Valstybinė gyvulių veislininkystės priežiūros tarnyba (State Animal Breeding Supervision Service);

5. Valstybinė sėklų ir grūdų tarnyba (State Seed and Grain Service);

6. Žuvininkystės departamentas (Fisheries Department).

17. Teismai (Courts):

1. Lietuvos Aukščiausiasis Teismas (The Supreme Court of Lithuania);

2. Lietuvos apeliacinis teismas (The Court of Appeal of Lithuania);

3. Lietuvos vyriausiasis administracinis teismas (The Supreme Administrative Court of Lithuania);

4. Apygardų teismai (County courts);

5. Apygardų administraciniai teismai (County administrative courts);

PUBLIC

6. Apylinkių teismai (District courts);

7. Nacionalinė teismų administracija (National Courts Administration) Generalinė prokuratūra (The Prosecutor's Office).

PUBLIC

LUXEMBOURG

1. Ministère des Affaires Étrangères et de l'Immigration: Direction de la Défense (Armée).

2. Ministère de l'Agriculture, de la Viticulture et du Développement Rural: Administration des Services Techniques de l'Agriculture.

3. Ministère de l'Éducation nationale et de la Formation professionnelle: Lycée d'Enseignement Secondaire et d'Enseignement Secondaire Technique.

4. Ministère de l'Environnement: Administration de l'Environnement.

5. Ministère de la Famille et de l'Intégration: Maisons de retraite.

6. Ministère de la Fonction publique et de la Réforme administrative: Service Central des Imprimés et des Fournitures de l'État – Centre des Technologies de l'informatique de l'État.

7. Ministère de l'Intérieur et de l'Aménagement du territoire: Police Grand-Ducale Luxembourg – Inspection générale de Police.

8. Ministère de la Justice: Établissements Pénitentiaires.

9. Ministère de la Santé: Centre hospitalier neuropsychiatrique.

10. Ministère des Travaux publics: Bâtiments Publics – Ponts et Chaussées.

HUNGARY

1. Nemzeti Erőforrás Minisztérium (Ministry of National Resources);

2. Vidékfejlesztési Minisztérium (Ministry of Rural Development);

3. Nemzeti Fejlesztési Minisztérium (Ministry of National Development);

4. Honvédelmi Minisztérium (Ministry of Defence);

5. Közigazgatási és Igazságügyi Minisztérium (Ministry of Public Administration and Justice);

6. Nemzetgazdasági Minisztérium (Ministry for National Economy);

7. Külügyminisztérium (Ministry of Foreign Affairs);

8. Miniszterelnöki Hivatal (Prime Minister's Office);

PUBLIC

9. Belügyminisztérium, (Ministry of Internal Affairs);

10. Központi Szolgáltatási Főigazgatóság (Central Services Directorate).

MALTA

1. Uffiċċju tal-Prim Ministru (Office of the Prime Minister);

2. Ministeru għall-Familja u Solidarjeta' Soċjali (Ministry for the Family and Social Solidarity);

3. Ministeru ta' l-Edukazzjoni Zghazagh u Impjieg (Ministry for Education Youth and Employment);

4. Ministeru tal-Finanzi (Ministry of Finance);

5. Ministeru tar-Riżorsi u l-Infrastruttura (Ministry for Resources and Infrastructure);

6. Ministeru tat-Turiżmu u Kultura (Ministry for Tourism and Culture);

7. Ministeru tal-Ġustizzja u l-Intern (Ministry for Justice and Home Affairs);

PUBLIC

8. Ministeru għall-Affarijiet Rurali u l-Ambjent (Ministry for Rural Affairs and the Environment);

9. Ministeru għal Għawdex (Ministry for Gozo);

10. Ministeru tas-Saħħa, l-Anzjani u Kura fil-Kommunita' (Ministry of Health, the Elderly and Community Care);

11. Ministeru ta' l-Affarijiet Barranin (Ministry of Foreign Affairs);

12. Ministeru għall-Investimenti, Industrija u Teknologija ta' Informazzjoni (Ministry for Investment, Industry and Information Technology);

13. Ministeru għall-Kompetittivà u Komunikazzjoni (Ministry for Competitiveness and Communications);

14. Ministeru għall-Iżvilupp Urban u Toroq (Ministry for Urban Development and Roads);

15. L-Uffiċċju tal-President (Office of the President);

16. Uffiċċju ta 'l-iskrivan tal-Kamra tad-Deputati (Office of the Clerk of the House of Representatives).

PUBLIC

NETHERLANDS

1. Ministerie Van Algemene Zaken (Ministry of General Affairs):

   -Bestuursdepartement (Central policy and staff departments);

   -Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid (Advisory Council on Government Policy);

   -Rijksvoorlichtingsdienst (The Netherlands Government Information Service).

2. Ministerie Van Binnenlandse Zaken En Koninkrijksrelaties (Ministry of The Interior):

   -Bestuursdepartement (Central policy and staff departments);

   -Centrale Archiefselectiedienst (CAS) (Central Records Selection Service);

   -Algemene Inlichtingen- en Veiligheidsdienst (AIVD) (General Intelligence and Security Service);

   -Agentschap Basisadministratie Persoonsgegevens en Reisdocumenten (BPR) (Personnel Records and Travel Documents Agency);

   -Agentschap Korps Landelijke Politiediensten (National Police Services Agency).

PUBLIC

3. Ministerie Van Buitenlandse Zaken (Ministry of Foreign Affairs):

-Directoraat-generaal Regiobeleid en Consulaire Zaken (DGRC) (Directorate-general for Regional Policy and Consular Affairs);

-Directoraat-generaal Politieke Zaken (DGPZ) (Directorate-general for Political Affairs);

-Directoraat-generaal Internationale Samenwerking (DGIS) (Directorate-general for International Cooperation);

-Directoraat-generaal Europese Samenwerking (DGES) (Directorate-general for European Cooperation);

-Centrum tot Bevordering van de Import uit Ontwikkelingslanden (CBI) (Centre for the Promotion of Imports from Developing Countries);

-Centrale diensten ressorterend onder S/PlvS) (Support services falling under the Secretary-general and Deputy Secretary-general);

-Buitenlandse Posten (ieder afzonderlijk) (the various Foreign Missions).

PUBLIC

4. Ministerie Van Defensie (Ministry of Defence):

-Bestuursdepartement (Central policy and staff departments);

-Commando Diensten Centra (CDC) (Support Command);

-Defensie Telematica Organisatie (DTO) (Defence Telematics Organisation);

-Centrale directie van de Defensie Vastgoed Dienst (Defence Real Estate Service, Central Directorate);

-De afzonderlijke regionale directies van de Defensie Vastgoed Dienst (Defence Real Estate Service, Regional Directorates);

-Defensie Materieel Organisatie (DMO) (Defence Material Organisation);

-Landelijk Bevoorradingsbedrijf van de Defensie Materieel Organisatie (National Supply Agency of the Defence Material Organisation);

-Logistiek Centrum van de Defensie Materieel Organisatie (Logistic Centre of the Defence Material Organisation);

PUBLIC

-Marinebedrijf van de Defensie Materieel Organisatie (Maintenance Establishment of the Defence Material Organisation);

-Defensie Pijpleiding Organisatie (DPO) (Defence Pipeline Organisation).

5. Ministerie Van Economische Zaken (Ministry of Economic Affairs):

-Bestuursdepartement (Central policy and staff departments);

-Centraal Planbureau (CPB) (Netherlands Bureau for Economic Policy Analyses);

-Bureau voor de Industriële Eigendom (BIE) (Industrial Property Office);

-SenterNovem (SenterNovem – Agency for sustainable innovation);

-Staatstoezicht op de Mijnen (SodM) (State Supervision of Mines);

-Nederlandse Mededingingsautoriteit (NMa) (Netherlands Competition Authority);

-Economische Voorlichtingsdienst (EVD) (Netherlands Foreign Trade Agency);

-Agentschap Telecom (Radiocommunications Agency);

PUBLIC

-Kenniscentrum Professioneel & Innovatief Aanbesteden, Netwerk voor Overheidsopdrachtgevers (PIANOo) (Professional and innovative procurement, network for contracting authorities);

-Octrooicentrum Nederland (Netherlands Patent Office).

6. Ministerie Van Financiën (Ministry of Finance):

-Bestuursdepartement (Central policy and staff departments);

-Belastingdienst Automatiseringscentrum (Tax and Custom Computer and Software Centre);

-Belastingdienst (Tax and Customs Administration);

-de afzonderlijke Directies der Rijksbelastingen (the various Divisions of the Tax and Customs Administration throughout the Netherlands);

-Fiscale Inlichtingen- en Opsporingsdienst (incl. Economische Controle dienst (ECD) (Fiscal Information and Investigation Service (the Economic Investigation Service included);

-Belastingdienst Opleidingen (Tax and Customs Training Centre);

-Dienst der Domeinen (State Property Service).

PUBLIC

7. Ministerie Van Justitie (Ministry of Justice):

-Bestuursdepartement (Central policy and staff departments);

-Dienst Justitiële Inrichtingen (Correctional Institutions Agency);

-Raad voor de Kinderbescherming (Child Care and Protection Agency);

-Centraal Justitie Incasso Bureau (Central Fine Collection Agency);

-Openbaar Ministerie (Public Prosecution Service);

-Immigratie en Naturalisatiedienst (Immigration and Naturalisation Service);

-Nederlands Forensisch Instituut (Netherlands Forensic Institute).

8. Ministerie Van Landbouw, Natuur En Voedselkwaliteit (Ministry of Agriculture, Nature and Food Quality):

-Bestuursdepartement (Central policy and staff departments);

-Dienst Regelingen (DR) (National Service for the Implementation of Regulations (Agency));

PUBLIC

-Agentschap Plantenziektenkundige Dienst (PD) (Plant Protection Service (Agency));

-Algemene Inspectiedienst (AID) (General Inspection Service);

-Dienst Landelijk Gebied (DLG) (Government Service for Sustainable Rural Development);

-Voedsel en Waren Autoriteit (VWA) (Food and Consumer Product Safety Authority).

9. Ministerie Van Onderwijs, Cultuur en Wetenschappen (Ministry of Education, Culture and Science):

-Bestuursdepartement (Central policy and staff departments);

-Inspectie van het Onderwijs (Inspectorate of Education);

-Erfgoedinspectie (Inspectorate of Heritage);

-Centrale Financiën Instellingen (Central Funding of Institutions Agency);

-Nationaal Archief (National Archives);

PUBLIC

-Adviesraad voor Wetenschaps- en Technologiebeleid (Advisory Council for Science and Technology Policy);

-Onderwijsraad (Education Council);

-Raad voor Cultuur (Council for Culture).

10. Ministerie Van Sociale Zaken En Werkgelegenheid (Ministry of Social Affairs and Employment):

-Bestuursdepartement (Central policy and staff departments);

-Inspectie Werk en Inkomen (The Work and Income Inspectorate);

-Agentschap SZW (SZW Agency).

11. Ministerie Van Verkeer en Waterstaat (Ministry of Transport, Public Works and Water management):

-Bestuursdepartement (Central policy and staff departments);

-Directoraat-Generaal Transport en Luchtvaart (Directorate-general for Transport and Civil Aviation);

PUBLIC

-Directoraat-generaal Personenvervoer (Directorate-general for Passenger Transport);

-Directoraat-generaal Water (Directorate-general of Water Affairs);

-Centrale diensten (Central Services);

-Shared services Organisatie Verkeer en Watersaat (Shared Services Organisation Transport and Water Management) (new organisation);

-Koninklijke Nederlandse Meteorologisch Instituut KNMI (Royal Netherlands Meteorological Institute);

-Rijkswaterstaat, Bestuur (Public Works and Water Management, Board);

-De afzonderlijke regionale Diensten van Rijkswaterstaat (Each individual regional service of the Directorate-general of Public Works and Water Management);

-De afzonderlijke specialistische diensten van Rijkswaterstaat (Each individual specialist service of the Directorate-general of Public Works and Water Management);

-Adviesdienst Geo-Informatie en ICT (Advisory Council for Geo-information and ICT);

-Adviesdienst Verkeer en Vervoer (AVV) (Advisory Council for Traffic and Transport);

-Bouwdienst (Service for Construction);

PUBLIC

-Rijksinstituut voor Kust en Zee (RIKZ) (National Institute for Coastal and Marine Management);

-Rijksinstituut voor Integraal Zoetwaterbeheer en Afvalwaterbehandeling (RIZA) (National Institute for Sweet Water Management and Water Treatment);

-Toezichthouder Beheer Eenheid Lucht (Management Unit "Air");

-Toezichthouder Beheer Eenheid Water (Management Unit "Water");

-Toezichthouder Beheer Eenheid Land (Management Unit "Land").

12. Ministerie Van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer (Ministry For Housing, Spatial Planning and The Environment):

-Bestuursdepartement (Central Policy and Staff Departments);

-Directoraat-generaal Wonen, Wijken en Integratie (Directorate General for Housing, Communities and Integration);

-Directoraat-generaal Ruimte (Directorate General for Spatial Policy);

-Directoraat-general Milieubeheer (Directorate General for Environmental Protection);

PUBLIC

-Rijksgebouwendienst (Government Buildings Agency);

-VROM Inspectie (Inspectorate).

13. Ministerie Van Volksgezondheid, Welzijn En Sport (Ministry Of Health, Welfare And Sports):

-Bestuursdepartement (Central policy and staff departments);

-Inspectie Gezondheidsbescherming, Waren en Veterinaire Zaken (Inspectorate for Health Protection and Veterinary Public Health);

-Inspectie Gezondheidszorg (Health Care Inspectorate);

-Inspectie Jeugdhulpverlening en Jeugdbescherming (Youth Services and Youth Protection Inspectorate);

-Rijksinstituut voor de Volksgezondheid en Milieu (RIVM) (National Institute of Public Health and Environment);

-Sociaal en Cultureel Planbureau (Social and Cultural Planning Office);

-Agentschap t.b.v. het College ter Beoordeling van Geneesmiddelen (Medicines Evaluation Board Agency).

PUBLIC

14. Tweede Kamer Der Staten-Generaal (Second Chamber Of The States General);

15. Eerste Kamer Der Staten-Generaal (First Chamber Of The States General);

16. Raad Van State (Council of State);

17. Algemene Rekenkamer (Netherlands Court Of Audit);

18. Nationale Ombudsman (National Ombudsman);

19. Kanselarij Der Nederlandse Orden (Chancellery of the Netherlands Order);

20. Kabinet Der Koningin (Queen's Cabinet);

21. Raad Voor De Rechtspraak En De Rechtbanken (Judicial Management and Advisory Board and Courts of Law).

AUSTRIA

A/ Present coverage of entities:

1. Bundeskanzleramt (Federal Chancellery);

PUBLIC

2. Bundesministerium für Europäische und Internationale Angelegenheiten (Federal Ministry for European and International Affairs;

3. Bundesministerium für Finanzen (Federal Ministry of Finance);

4. Bundesministerium für Gesundheit (Federal Ministry of Health);

5. Bundesministerium für Inneres (Federal Ministry of Interior);

6. Bundesministerium für Justiz (Federal Ministry of Justice);

7. Bundesministerium für Landesverteidigung und Sport (Federal Ministry of Defence and Sport);

8. Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft (Federal Ministry for Agriculture and Forestry, the Environment and Water Management);

9. Bundesministerium für Arbeit, Soziales und Konsumentenschutz (Federal Ministry for Employment, Social Affairs and Consumer Protection);

10. Bundesministerium für Unterricht, Kunst und Kultur (Federal Ministry for Education, Art and Culture);

PUBLIC

11. Bundesministerium für Verkehr, Innovation und Technologie (Federal Ministry for Transport, Innovation and Technology);

12. Bundesministerium für Wirtschaft, Familie und Jugend (Federal Ministry for Economic Affairs, Family and Youth);

13. Bundesministerium für Wissenschaft und Forschung (Federal Ministry for Science and Research);

14. Bundesamt für Eich- und Vermessungswesen (Federal Office for Calibration and Measurement);

15. Österreichische Forschungs- und Prüfzentrum Arsenal Gesellschaft m.b.H (Austrian Research and Test Centre Arsenal Ltd);

16. Bundesanstalt für Verkehr (Federal Institute for Traffic);

17. Bundesbeschaffung G.m.b.H (Federal Procurement Ltd);

18. Bundesrechenzentrum G.m.b.H (Federal Data Processing Centre Ltd);

B/ All other central public authorities including their regional and local sub-divisions provided that they do not have an industrial or commercial character.

PUBLIC

POLAND

1. Kancelaria Prezydenta RP (Chancellery of the President);

2. Kancelaria Sejmu RP (Chancellery of the Sejm);

3. Kancelaria Senatu RP (Chancellery of the Senate);

4. Kancelaria Prezesa Rady Ministrów (Chancellery of the Prime Minister);

5. Sąd Najwyższy (Supreme Court);

6. Naczelny Sąd Administracyjny (Supreme Administrative Court);

7. Trybunat Konstytucyjny (Constitutional Court);

8. Najwyższa Izba Kontroli (Supreme Chamber of Control);

9. Biuro Rzecznika Praw Obywatelskich (Office of the Human Rights Defender);

10. Biuro Rzecznika Praw Dziecka (Office of the Children's Rigths Ombudsman);

11. Ministerstwo Pracy i Polityki Społecznej (Ministry of Labour and Social Policy);

PUBLIC

12. Ministerstwo Finansów (Ministry of Finance);

13. Ministerstwo Gospodarki (Ministry of Economy);

14. Ministerstwo Rozwoju Regionalnego (Ministry of Regional Development);

15. Ministerstwo Kultury i Dziedzictwa Narodowego (Ministry of Culture and National Heritage);

16. Ministerstwo Edukacji Narodowej (Ministry of National Education);

17. Ministerstwo Obrony Narodowej (Ministry of National Defence);

18. Ministerstwo Rolnictwa i Rozwoju Wsi (Ministry of Agriculture and Rural Development);

19. Ministerstwo Skarbu Państwa (Ministry of the State Treasury);

20. Ministerstwo Sprawiedliwości (Ministry of Justice);

21. Ministerstwo Transportu, Budownictwa i Gospodarki Morskiej (Ministry of Transport, Construction and Maritime Economy);

PUBLIC

22. Ministerstwo Nauki i Szkolnictwa Wyższego (Ministry of Science and Higher Education);

23. Ministerstwo Środowiska (Ministry of Environment);

24. Ministerstwo Spraw Wewnętrznych (Ministry of Internal Affairs);

25. Ministrestwo Administracji i Cyfryzacji (Ministry of Administration and Digitisation);

26. Ministerstwo Spraw Zagranicznych (Ministry of Foreign Affairs);

27. Ministerstwo Zdrowia (Ministry of Health);

28. Ministerstwo Sportu i Turystyki (Ministry of Sport and Tourism);

29. Urząd Patentowy Rzeczypospolitej Polskiej (Patent Office of the Republic of Poland);

30. Urząd Regulacji Energetyki (The Energy Regulatory Authority of Poland);

31. Urząd do Spraw Kombatantów i Osób Represjonowanych (Office for Military Veterans and Victims of Repression);

32. Urząd Transportu Kolejowego (Office for Railroad Transport);

PUBLIC

33. Urząd do Spraw Cudzoziemców (Office for Foreigners);

34. Urząd Zamówień Publicznych (Public Procurement Office);

35. Urząd Ochrony Konkurencji i Konsumentów (Office for Competition and Consumer Protection);

36. Urząd Lotnictwa Cywilnego (Civil Aviation Office);

37. Urząd Komunikacji Elektronicznej (Office of Electronic Communication);

38. Wyższy Urząd Górniczy (State Mining Authority);

39. Główny Urząd Miar (Main Office of Measures);

40. Główny Urząd Geodezji i Kartografii (The Main Office of Geodesy and Cartography);

41. Główny Urząd Nadzoru Budowlanego (The General Office of Building Control);

42. Główny Urząd Statystyczny (Main Statistical Office);

43. Krajowa Rada Radiofonii i Telewizji (National Broadcasting Council);

PUBLIC

44. Generalny Inspektor Ochrony Danych Osobowych (Inspector General for the Protection of Personal Data);

45. Państwowa Komisja Wyborcza (State Election Commission);

46. Państwowa Inspekcja Pracy (National Labour Inspectorate);

47. Rządowe Centrum Legislacji (Government Legislation Centre);

48. Narodowy Fundusz Zdrowia (National Health Fund);

49. Polska Akademia Nauk (Polish Academy of Science);

50. Polskie Centrum Akredytacji (Polish Accreditation Centre);

51. Polskie Centrum Badań i Certyfikacji (Polish Centre for Testing and Certification);

52. Polski Komitet Normalizacyjny (Polish Committee for Standardisation);

53. Zakład Ubezpieczeń Społecznych (Social Insurance Institution);

54. Komisja Nadzoru Finansowego (Polish Financial Supervision Authority);

55. Naczelna Dyrekcja Archiwów Państwowych (Head Office of State Archives);

PUBLIC

56. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund);

57. Generalna Dyrekcja Dróg Krajowych i Autostrad (The General Directorate of National Roads and Motorways);

58. Główny Inspektorat Ochrony Roślin i Nasiennictwa (The Main Inspectorate for the Inspection of Plant and Seeds Protection);

59. Komenda Główna Państwowej Straży Pożarnej (The National Headquarters of the State Fire-Service);

60. Komenda Główna Policji (Polish National Police);

61. Komenda Główna Straży Granicxnej (The Chief Boarder Guards Command);

62. Główny Inspektorat Jakości Handlowej Artykułów Rolno-Spożywczych (The Main Inspectorate of Commercial Quality of Agri-Food Products);

63. Główny Inspektorat Ochrony Środowiska (The Main Inspectorate for Environment Protection);

64. Główny Inspektorat Transportu Drogowego (Main Inspectorate of Road Transport);

65. Główny Inspektorat Farmaceutyczny (Main Pharmaceutical Inspectorate);

PUBLIC

66. Główny Inspektorat Sanitarny (Main Sanitary Inspectorate);

67. Główny Inspektorat Weterynarii (The Main Veterinary Inspectorate);

68. Agencja Bezpieczeństwa Wewnętrznego (Internal Security Agency);

69. Agencja Wywiadu (Foreign Intelligence Agency);

70. Agencja Mienia Wojskowego (Agency for Military Property);

71. Agencja Restrukturyzacji i Modernizacji Rolnictwa (Agency for Restructuring and Modernisation of Agriculture);

72. Agencja Rynku Rolnego (Agriculture Market Agency);

73. Agencja Nieruchomości Rolnych (Agricultural Property Agency);

74. Państwowa Agencja Atomistyki (National Atomic Energy Agency);

75. Narodowy Bank Polski (National Bank of Poland);

76. Narodowy Fundusz Ochrony Środowiska i Gospodarki Wodnej (The National Fund for Environmental Protection and Water Management);

PUBLIC

77. Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych (National Disabled Persons Rehabilitation Fund);

78. Instytut Pamięci Narodowej - Komisja Ścigania Zbrodni Przeciwko Narodowi Polskiemu (National Remembrance Institute - Commission for Prosecution of Crimes Against the Polish Nation).

PORTUGAL

1. Presidência do Conselho de Ministros (Presidency of the Council of Ministers);

2. Ministério das Finanças (Ministry of Finance);

3. Ministério da Defesa Nacional (Ministry of Defence);

4. Ministério dos Negócios Estrangeiros e das Comunidades Portuguesas (Ministry of Foreign Affairs and Portuguese Communities);

5. Ministério da Administração Interna (Ministry of Internal Affairs);

6. Ministério da Justiça (Ministry of Justice);

7. Ministério da Economia (Ministry of Economy);

PUBLIC

8. Ministério da Agricultura, Desenvolvimento Rural e Pescas (Ministry of Agriculture, Rural Development and Fishing);

9. Ministério da Educação (Ministry of Education);

10. Ministério da Ciência e do Ensino Superior (Ministry of Science and University Education);

11. Ministério da Cultura (Ministry of Culture);

12. Ministério da Saúde (Ministry of Health);

13. Ministério do Trabalho e da Solidariedade Social (Ministry of Labour and Social Solidarity);

14. Ministério das Obras Públicas, Transportes e Habitação (Ministry of Public Works, Transports and Housing);

15. Ministério das Cidades, Ordenamento do Território e Ambiente (Ministry of Cities, Land Management and Environment);

16. Ministério para a Qualificação e o Emprego (Ministry for Qualification and Employment);

PUBLIC

17. Presidença da Republica (Presidency of the Republic);

18. Tribunal Constitucional (Constitutional Court);

19. Tribunal de Contas (Court of Auditors);

20. Provedoria de Justiça (Ombudsman).

ROMANIA

1. Administraţia Prezidenţială (Presidential Administration);

2. Senatul României (Romanian Senate);

3. Camera Deputaţilor (Chamber of Deputies);

4. Inalta Curte de Casaţie şi Justiţie (Supreme Court);

5. Curtea Constituţională (Constitutional Court);

6. Consiliul Legislativ (Legislative Council);

7. Curtea de Conturi (Court of Accounts);

PUBLIC

8. Consiliul Superior al Magistraturii (Superior Council of Magistracy);

9. Parchetul de pe lângă Inalta Curte de Casaţie şi Justiţie (Prosecutor's Office Attached to the Supreme Court);

10. Secretariatul General al Guvernului (General Secretariat of the Government);

11. Cancelaria primului ministru (Chancellery of the Prime Minister);

12. Ministerul Afacerilor Externe (Ministry of Foreign Affairs);

13. Ministerul Economiei şi Finanţelor (Ministry of Economy and Finance);

14. Ministerul Justiţiei (Ministry of Justice);

15. Ministerul Apărării (Ministry of Defense);

16. Ministerul Internelor şi Reformei Administrative (Ministry of Interior and Administration Reform);

17. Ministerul Muncii, Familiei şi Egalităţii de Şanse (Ministry of Labour and Equal Opportunities);

PUBLIC

18. Ministerul pentru Întreprinderi Mici şi Mijlocii, Comerţ, Turism şi Profesii Liberale (Ministry for Small and Medium Sized Enterprises, Trade, Tourism and Liberal Professions);

19. Ministerul Agriculturii şi Dezvoltării Rurale (Ministry of Agricultural and Rural Development);

20. Ministerul Transporturilor (Ministry of Transport);

21. Ministerul Dezvoltării, Lucrărilor Publice şi Locuinţei (Ministry of Development, Public, Works and Housing);

22. Ministerul Educaţiei, Cercetării şi Tineretului (Ministry of Education, Research and Youth);

23. Ministerul Sănătăţii Publice (Ministry of Public Health);

24. Ministerul Culturii şi Cultelor (Ministry of Culture and Religious Affairs);

25. Ministerul Comunicaţiilor şi Tehnologiei Informaţiei (Ministry of Communications and Information Technology);

26. Ministerul Mediului şi Dezvoltării Durabile (Ministry of Environment and Sustainable Development);

PUBLIC

27. Serviciul Român de Informaţii (Romanian Intelligence Service);

28. Serviciul Român de Informaţii Externe (Romanian Foreign Intelligence Service);

29. Serviciul de Protecţie şi Pază (Protection and Guard Service);

30. Serviciul de Telecomunicaţii Speciale (Special Telecommunication Service);

31. Consiliul Naţional al Audiovizualului (The National Audiovisual Council);

32. Direcţia Naţională Anticorupţie (National Anti-corruption Department);

33. Inspectoratul General de Poliţie (General Inspectorate of Police);

34. Autoritatea Naţională pentru Reglementarea şi Monitorizarea Achiziţiilor Publice (National Authority for Regulation and Monitoring Public Procurement);

35. Autoritatea Naţională de Reglementare pentru Serviciile Comunitare de Utilităţi Publice (ANRSC) (National Authority for Regulating Community Services Public Utilities);

36. Autoritatea Naţională Sanitară Veterinară şi pentru Siguranţa Alimentelor (Sanitary Veterinary and Food Safety National Authority);

PUBLIC

37. Autoritatea Naţională pentru Protecţia Consumatorilor (National Authority for Consumer Protection);

38. Autoritatea Navală Română (Romanian Naval Authority);

39. Autoritatea Feroviară Română (Romanian Railway Authority);

40. Autoritatea Rutieră Română (Romanian Road Authority);

41. Autoritatea Naţională pentru Protecţia Drepturilor Copilului şi Adopţie (National Authority for the Protection of Child Rights and Adoption);

42. Autoritatea Naţională pentru Persoanele cu Handicap (National Authority for Disabled Persons);

43. Autoritatea Naţională pentru Tineret (National Authority for Youth);

44. Autoritatea Naţională pentru Cercetare Ştiinţifică (National Authority for Scientific Research);

45. Autoritatea Naţională pentru Comunicaţii (National Authority for Communications);

46. Autoritatea Naţională pentru Serviciile Societăţii Informaţionale (National Authority for Informational Society Services);

PUBLIC

47. Autoritatea Electorală Permanentă (Permanent Electoral Authority);

48. Agenţia pentru Strategii Guvernamentale (Agency for Governmental Strategies);

49. Agenţia Naţională a Medicamentului (National Medicines Agency);

50. Agenţia Naţională pentru Sport (National Agency for Sports);

51. Agenţia Naţională pentru Ocuparea Forţei de Muncă (National Agency for Employment);

52. Agenţia Naţională de Reglementare în Domeniul Energiei (National Authority for Electrical Energy Regulation);

53. Agenţia Română pentru Conservarea Energiei (Romanian Agency for Power Conservation);

54. Agenţia Naţională pentru Resurse Minerale (National Agency for Mineral Resources);

55. Agenţia Română pentru Investiţii Străine (Romanian Agency for Foreign Investment);

56. Agenţia Naţională a Funcţionarilor Publici (National Agency of Public Civil Servants);

57. Agenţia Naţională de Administrare Fiscală (National Agency of Fiscal Administration).

PUBLIC

SLOVENIA

1. Predsednik Republike Slovenije (President of the Republic of Slovenia);

2. Državni zbor (The National Assembly);

3. Državni svet (The National Council);

4. Varuh človekovih pravic (The Ombudsman);

5. Ustavno sodišče (The Constitutional Court);

6. Računsko sodišče (The Court of Audits);

7. Državna revizijska komisja (The National Review Commission);

8. Slovenska akademija znanosti in umetnosti (The Slovenian Academy of Science and Art);

9. Vladne službe (The Government Services);

10. Ministrstvo za finance (Ministry of Finance);

11. Ministrstvo za notranje zadeve (Ministry of Internal Affairs);

PUBLIC

12. Ministrstvo za zunanje zadeve (Ministry of Foreign Affairs);

13. Ministrstvo za obrambo (Ministry of Defence);

14. Ministrstvo za pravosodje (Ministry of Justice);

15. Ministrstvo za gospodarstvo (Ministry of the Economy);

16. Ministrstvo za kmetijstvo, gozdarstvo in prehrano (Ministry of Agriculture, Forestry and Food);

17. Ministrstvo za promet (Ministry of Transport);

18. Ministrstvo za okolje, prostor in energijo (Ministry of Environment, Spatial Planning and Energy);

19. Ministrstvo za delo, družino in socialne zadeve (Ministry of Labour, Family and Social Affairs);

20. Ministrstvo za zdravje (Ministry of Health);

21. Ministrstvo za visoko šolstvo, znanost in tehnogijo (Ministry of Higher Education, Science and Technology);

PUBLIC

22. Ministrstvo za kulturo (Ministry of Culture);

23. Ministerstvo za javno upravo (Ministry of Public Administration);

24. Vrhovno sodišče Republike Slovenije (The Supreme Court of the Republic of Slovenia);

25. Višja sodišča (Higher Courts);

26. Okrožna sodišča (District Courts);

27. Okrajna sodišča (County Courts);

28. Vrhovno tožilstvo Republike Slovenije (The Supreme Prosecutor of the Republic of Slovenia);

29. Okrožna državna tožilstva (Districts' State Prosecutors);

30. Družbeni pravobranilec Republike Slovenije (Social Attorney of the Republic of Slovenia);

31. Državno pravobranilstvo Republike Slovenije (National Attorney of the Republic of Slovenia);

PUBLIC

32. Upravno sodišče Republike Slovenije (Administrative Court of the Republic of Slovenia);

33. Senat za prekrške Republike Slovenije (Senat of Minor Offenses of the Republic of Slovenia);

34. Višje delovno in socialno sodišče v Ljubljani (Higher Labour and Social Court);

35. Delovna in sodišča (Labour Courts);

36. Upravne note (Local Administrative Units).

SLOVAKIA

Ministries and other central government authorities referred to as in Act No. 575/2001 Coll. on the structure of activities of the Government and central state administration authorities in wording of later amendments:

1. Ministerstvo hospodárstva Slovenskej republiky (Ministry of Economy of the Slovak Republic);

2. Ministerstvo financií Slovenskej republiky (Ministry of Finance of the Slovak Republic);

PUBLIC

3. Ministerstvo dopravy, výstavby a regionálneho rozvoja Slovenskej republiky (Ministry of Transport, Construction and Regional Development of the Slovak Republic);

4. Ministerstvo pôdohospodárstva a rozvoja vidieka Slovenskej republiky (Ministry of Agriculture and Rural Development of the Slovak Republic);

5. Ministerstvo vnútra Slovenskej republiky (Ministry of Interior of the Slovak Republic);

6. Ministerstvo obrany Slovenskej republiky (Ministry of Defence of the Slovak Republic);

7. Ministerstvo spravodlivosti Slovenskej republiky (Ministry of Justice of the Slovak Republic);

8. Ministerstvo zahraničných vecí Slovenskej republiky (Ministry of Foreign Affairs of the Slovak Republic);

9. Ministerstvo práce, sociálnych vecí a rodiny Slovenskej republiky (Ministry of Labour, Social Affairs and Family of the Slovak Republic);

10. Ministerstvo životného prostredia Slovenskej republiky (Ministry of Environment of the Slovak Republic);

11. Ministerstvo školstva, vedy, výskumu a športu Slovenskej republiky (Ministry of Education, Science, Research and Sport of the Slovak Republic);

PUBLIC

12. Ministerstvo kultúry Slovenskej republiky (Ministry of Culture of the Slovak Republic);

13. Ministerstvo zdravotníctva Slovenskej republiky (Ministry of Health Service of the Slovak Republic);

14. Úrad vlády Slovenskej republiky (The Government Office of the Slovak Republic);

15. Protimonopolný úrad Slovenskej republiky (Antimonopoly Office of the Slovak Republic);

16. Štatistický úrad Slovenskej republiky (Statistical Office of the Slovak Republic);

17. Úrad geodézie, kartografie a katastra Slovenskej republiky (The Office of Land Surveyor, Cartography and Cadastre of the Slovak Republic);

18. Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky (Slovak Office of Standards, Metrology and Testing);

19. Úrad pre verejné obstarávanie (The Office for Public Procurement);

20. Úrad priemyselného vlastníctva Slovenskej republiky (Industrial Property Office of the Slovak Republic);

PUBLIC

21. Národný bezpečnostný úrad (National Security Authority);

22. Kancelária Prezidenta Slovenskej republiky (The Office of the President of the Slovak Republic);

23. Národná rada Slovenskej republiky (National Council of the Slovak Republic);

24. Ústavný súd Slovenskej republiky (Constitutional Court of the Slovak Republic);

25. Najvyšší súd Slovenskej republiky (Supreme Court of the Slovak Republic);

26. Generálna prokuratúra Slovenskej republiky (Public Prosecution of the Slovak Republic);

27. Najvyšší kontrolný úrad Slovenskej republiky (Supreme Audit Office of the Slovak Republic);

28. Telekomunikačný úrad Slovenskej republiky (Telecommunications Office of the Slovak Republic);

29. Poštový úrad (Postal Regulatory Office);

30. Úrad na ochranu osobných údajov (Office for Personal Data Protection);

PUBLIC

31. Kancelária verejného ochrancu práv (Ombudsman's Office);

32. Úrad pre finančný trh (Office for the Finance Market).

FINLAND

1. Oikeuskanslerinvirasto – Justitiekanslersämbetet (Office of the Chancellor of Justice);

2. Liikenne- ja Viestintäministeriö – Kommunikationsministeriet (Ministry of Transport and Communications):

1. Viestintävirasto – Kommunikationsverket (Finnish Communications Regulatory Authority).

3. Maa- ja Metsätalousministeriö – Jord- Och Skogsbruksministeriet (Ministry of Agriculture and Forestry):

1. Elintarviketurvallisuusvirasto – Livsmedelssäkerhetsverket (Finnish Food Safety Authority);

2. Maanmittauslaitos – Lantmäteriverket (National Land Survey of Finland).

PUBLIC

4. Oikeusministeriö – Justitieministeriet (Ministry of Justice):

1. Tietosuojavaltuutetun toimisto – Dataombudsmannens byrå (Office of the Data Protection Ombudsman);

2. Tuomioistuimet – Domstolar (Courts of Law);

3. Korkein oikeus – Högsta domstolen (Supreme Court);

4. Korkein hallinto-oikeus – Högsta förvaltningsdomstolen (Supreme Administrative Court);

5. Hovioikeudet – hovrätter (Courts of Appeal);

6. Käräjäoikeudet – tingsrätter (District Courts);

7. Hallinto-oikeudet – förvaltningsdomstolar (Administrative Courts);

8. Markkinaoikeus – Marknadsdomstolen (Market Court);

9. Työtuomioistuin – Arbetsdomstolen (Labour Court);

PUBLIC

10. Vakuutusoikeus – Försäkringsdomstolen (Insurance Court);

11. Kuluttajariitalautakunta – Konsumenttvistenämnden (Consumer Complaint Board)

12. Vankeinhoitolaitos – Fångvårdsväsendet (Prison Service).

5. Opetusministeriö – Undervisningsministeriet (Ministry of Education):

1. Opetushallitus – Utbildningsstyrelsen (National Board of Education);

2. Valtion elokuvatarkastamo – Statens filmgranskningsbyrå (Finnish Board of Film Classification).

6. Puolustusministeriö – Försvarsministeriet (Ministry of Defence):

1. Puolustusvoimat – Försvarsmakten (Finnish Defence Forces).

7. Sisäasiainministeriö – Inrikesministeriet (Ministry of the Interior):

1. Keskusrikospoliisi – Centralkriminalpolisen (Central Criminal Police);

2. Liikkuva poliisi – Rörliga polisen (National Traffic Police);

PUBLIC

3. Rajavartiolaitos – Gränsbevakningsväsendet (Frontier Guard);

4. Valtion turvapaikanhakijoiden vastaanottokeskukset – Statliga förläggningar för asylsökande (Reception centres for Asylum Seekers).

8. Sosiaali- Ja Terveysministeriö – Social- Och Hälsovårdsministeriet (Ministry of Social Affairs and Health):

1. Työttömyysturvalautakunta – Besvärsnämnden för utkomstskyddsärenden (Unemployment Appeal Board);

2. Sosiaaliturvan muutoksenhakulautakunta – Besvärsnämnden för socialtrygghet (Appeal Tribunal);

3. Lääkelaitos – Läkemedelsverket (National Agency for Medicines);

4. Terveydenhuollon oikeusturvakeskus – Rättsskyddscentralen för hälsovården (National Authority for Medicolegal Affairs);

5. Säteilyturvakeskus – Strålsäkerhetscentralen (Finnish Centre for Radiation and Nuclear Safety).

PUBLIC

9. Työ- Ja Elinkeinoministeriö – Arbets- Och Näringsministeriet (Ministry of Employment and the Economy):

1. Kuluttajavirasto – Konsumentverket (Finnish Consumer Agency);

2. Kilpailuvirasto – Konkurrensverket (Finnish Competition Authority);

3. Patentti- ja rekisterihallitus – Patent- och registerstyrelsen (National Board of Patents and Registration);

4. Valtakunnansovittelijain toimisto – Riksförlikningsmännens byrå (National Conciliators' Office);

5. Työneuvosto – Arbetsrådet (Labour Council).

10. Ulkoasiainministeriö – utrikesministeriet (Ministry for Foreign Affairs);

11. Valtioneuvoston kanslia – statsrådets kansli (Prime Minister's Office);

12. Valtiovarainministeriö – finansministeriet (Ministry of Finance):

1. Valtiokonttori – Statskontoret (State Treasury);

2. Verohallinto – Skatteförvaltningen (Tax Administration);

PUBLIC

3. Tullilaitos – Tullverket (Customs);

4. Väestörekisterikeskus – Befolkningsregistercentralen (Population Register Centre).

13. Ympäristöministeriö – Miljöministeriet (Ministry of Environment):

1. Suomen ympäristökeskus – Finlands miljöcentral (Finnish Environment Institute).

14. Valtiontalouden Tarkastusvirasto – Statens Revisionsverk (National Audit Office).

SWEDEN

Akademien för de fria konsterna (Royal Academy of Fine Arts);

Allmänna reklamationsnämnden (National Board for Consumer Complaints);

Arbetsdomstolen (Labour Court);

Arbetsförmedlingen (Swedish Employment Services);

Arbetsgivarverk, statens (National Agency for Government Employers);

Arbetslivsinstitutet (National Institute for Working Life);

PUBLIC

Arbetsmiljöverket (Swedish Work Environment Authority);

Arkitekturmuseet (Museum of Architecture);

Ljud och bildarkiv, statens (National Archive of Recorded Sound and Moving Images);

Barnombudsmannen (The Office of the Childrens' Ombudsman);

Beredning för utvärdering av medicinsk metodik, statens (Swedish Council on Technology Assessment in Health Care);

Kungliga Biblioteket (Royal Library);

Biografbyrå, statens (National Board of Film Censors);

Biografiskt lexikon, svenskt (Dictionary of Swedish Biography);

Bokföringsnämnden (Swedish Accounting Standards Board);

Bolagsverket (Swedish Companies Registration Office);

Bostadskreditnämnd, statens (BKN) (National Housing Credit Guarantee Board);

Boverket (National Housing Board);

PUBLIC

Brottsförebyggande rådet (National Council for Crime Prevention);

Brottsoffermyndigheten (Criminal Victim Compensation and Support Authority);

Centrala studiestödsnämnden (National Board of Student Aid);

Datainspektionen (Data Inspection Board);

Departementen (Ministries (Government Departments));

Domstolsverket (National Courts Administration);

Elsäkerhetsverket (National Electrical Safety Board);

Exportkreditnämnden (Export Credits Guarantee Board);

Finansinspektionen (Financial Supervisory Authority);

Fiskeriverket (National Board of Fisheries);

Folkhälsoinstitut, statens (National Institute of Public Health);

Forskningsrådet för miljö, areella näringar och samhällsbyggande, Formas (Swedish Research Council for Environment);

PUBLIC

Fortifikationsverket (National Fortifications Administration);

Medlingsinstitutet (National Mediation Office);

Försvarets materielverk (Defence Material Administration);

Försvarets radioanstalt (National Defence Radio Institute);

Försvarshistoriska museer, statens (Swedish Museums of Military History);

Försvarshögskolan (National Defence College);

Försvarsmakten (The Swedish Armed Forces);

Försäkringskassan (Social Insurance Office);

Geologiska undersökning, Sveriges (Geological Survey of Sweden);

Geotekniska institut, statens (Geotechnical Institute);

Glesbygdsverket (The National Rural Development Agency);

Grafiska institutet och institutet för högre kommunikations- och reklamutbildning (Graphic Institute and the Graduate School of Communications);

PUBLIC

Granskningsnämnden för Radio och TV (The Swedish Broadcasting Commission);

Handelsflottans kultur- och fritidsråd (Swedish Government Seamen's Service);

Handikappombudsmannen (Ombudsman for the Disabled);

Haverikommission, statens (Board of Accident Investigation);

Hovrätterna (Courts of Appeal) (6);

Hyres- och arendenämnder (Regional Rent and Tenancies Tribunals) (12);

Hälso- och sjukvårdens ansvarsnämnd (Committee on Medical Responsibility);

Högskoleverket (National Agency for Higher Education);

Högsta domstolen (Supreme Court);

Institut för psykosocial miljömedicin, statens (National Institute for Psycho-Social Factors and Health);

Institut för tillväxtpolitiska studier (National Institute for Regional Studies);

Institutet för rymdfysik (Swedish Institute of Space Physics);

PUBLIC

Migrationsverket (Swedish Migration Board);

Jordbruksverk, statens (Swedish Board of Agriculture);

Justitiekanslern (Office of the Chancellor of Justice);

Jämställdhetsombudsmannen (Office of the Equal Opportunities Ombudsman);

Kammarkollegiet (National Judicial Board of Public Lands and Funds);

Kammarrätterna (Administrative Courts of Appeal) (4);

Kemikalieinspektionen (National Chemicals Inspectorate);

Kommerskollegium (National Board of Trade);

Verket för innovationssystem (VINNOVA) (Swedish Agency for Innovation Systems);

Konjunkturinstitutet (Institute of Economic Research);

Konkurrensverket (Swedish Competition Authority);

Konstfack (College of Arts, Crafts and Design);

PUBLIC

Konsthögskolan (College of Fine Arts);

Nationalmuseum (National Museum of Fine Arts);

Konstnärsnämnden (Arts Grants Committee);

Konstråd, statens (National Art Council);

Konsumentverket (National Board for Consumer Policies);

Kriminaltekniska laboratorium, statens (National Laboratory of Forensic Science);

Kriminalvården (Prison and Probation Service);

Kriminalvårdsnämnden (National Paroles Board);

Kronofogdemyndigheten (Swedish Enforcement Authority);

Kulturråd, statens (National Council for Cultural Affairs);

Kustbevakningen (Swedish Coast Guard);

Lantmäteriverket (National Land Survey);

Livrustkammaren/Skoklosters slott/Hallwylska museet (Royal Armoury);

PUBLIC

Livsmedelsverk, statens (National Food Administration);

Lotteriinspektionen (The National Gaming Board);

Läkemedelsverket (Medical Products Agency);

Länsrätterna (County Administrative Courts) (24);

Länsstyrelserna (County Administrative Boards) (24);

Pensionsverk, statens (National Government Employee and Pensions Board);

Marknadsdomstolen (Market Court);

Meteorologiska och hydrologiska institut, Sveriges (Swedish Meteorological and Hydrological Institute);

Moderna museet (Modern Museum);

Musiksamlingar, statens (Swedish National Collections of Music);

Naturhistoriska riksmuseet (Museum of Natural History);

Naturvårdsverket (National Environmental Protection Agency);

Nordiska Afrikainstitutet (Scandinavian Institute of African Studies);

PUBLIC

Nordiska högskolan för folkhälsovetenskap (Nordic School of Public Health);

Notarienämnden (Recorders Committee);

Myndigheten för internationella adoptionsfrågor (Swedish National Board for Intra Country Adoptions);

Verket för näringslivsutveckling (NUTEK) (Swedish Agency for Economic and Regional Growth);

Ombudsmannen mot etnisk diskriminering (Office of the Ethnic Discrimination Ombudsman);

Patentbesvärsrätten (Court of Patent Appeals);

Patent- och registreringsverket (Patents and Registration Office);

Personadressregisternämnd statens, SPAR-nämnden (Swedish Population Address Register Board);

Polarforskningssekretariatet (Swedish Polar Research Secretariat);

Presstödsnämnden (Press Subsidies Council);

Radio- och TV-verket (The Swedish Radio and TV Authority);

Regeringskansliet (Government Offices);

PUBLIC

Regeringsrätten (Supreme Administrative Court);

Riksantikvarieämbetet (Central Board of National Antiquities);

Riksarkivet (National Archives);

Riksbanken (Bank of Sweden);

Riksdagsförvaltningen (Parliamentary Administrative Office);

Riksdagens ombudsmän, JO (The Parliamentary Ombudsmen);

Riksdagens revisorer (The Parliamentary Auditors);

Riksgäldskontoret (National Debt Office);

Rikspolisstyrelsen (National Police Board);

Riksrevisionen (National Audit Bureau);

Riksutställningar, Stiftelsen (Travelling Exhibitions Service);

Rymdstyrelsen (National Space Board);

PUBLIC

Forskningsrådet för arbetsliv och socialvetenskap (Swedish Council for Working Life and Social Research);

Räddningsverk, statens (National Rescue Services Board);

Rättshjälpsmyndigheten (Regional Legal-aid Authority);

Rättsmedicinalverket (National Board of Forensic Medicine);

Sameskolstyrelsen och sameskolor (Sami (Lapp) School Board, Sami (Lapp) Schools);

Sjöfartsverket (National Maritime Administration);

Maritima museer, statens (National Maritime Museums);

Skatteverket (Swedish Tax Agency);

Skogsstyrelsen (National Board of Forestry);

Skolverk, statens (National Agency for Education);

Smittskyddsinstitutet (Swedish Institute for Infectious Disease Control);

Socialstyrelsen (National Board of Health and Welfare);

PUBLIC

Sprängämnesinspektionen (National Inspectorate of Explosives and Flammables);

Statistiska centralbyrån (Statistics Sweden);

Statskontoret (Agency for Administrative Development);

Strålsäkerhetsmyndigheten (Swedish Radiation Safety Authority);

Styrelsen för internationellt utvecklingssamarbete, SIDA (Swedish International Development Cooperation Authority);

Styrelsen för psykologiskt försvar (National Board of Psychological Defence and Conformity Assessment);

Styrelsen för ackreditering och teknisk kontroll (Swedish Board for Accreditation);

Svenska Institutet, stiftelsen (Swedish Institute);

Talboks- och punktskriftsbiblioteket (Library of Talking Books and Braille Publications);

Tingsrätterna (District and City Courts) (97);

PUBLIC

Tjänsteförslagsnämnden för domstolsväsendet (Judges Nomination Proposal Committee);

Totalförsvarets pliktverk (Armed Forces' Enrolment Board);

Totalförsvarets forskningsinstitut (Swedish Defence Research Agency);

Tullverket (Swedish Board of Customs);

Turistdelegationen (Swedish Tourist Authority);

Ungdomsstyrelsen (The National Board of Youth Affairs);

Universitet och högskolor (Universities and University Colleges);

Utlänningsnämnden (Aliens Appeals Board);

Utsädeskontroll, statens (National Seed Testing and Certification Institute);

Vatten- och avloppsnämnd, statens (National Water Supply and Sewage Tribunal);

Verket för högskoleservice (VHS) (National Agency for Higher Education);

PUBLIC

Verket för näringslivsutveckling (NUTEK) (Swedish Agency for Economic and Regional Development);

Vetenskapsrådet (Swedish Research Council);

Veterinärmedicinska anstalt, statens (National Veterinary Institute);

Väg- och transportforskningsinstitut, statens (Swedish National Road and Transport Research Institute);

Växtsortnämnd, statens (National Plant Variety Board);

Åklagarmyndigheten (Swedish Prosecution Authority);

Krisberedskapsmyndigheten (Swedish Emergency Management Agency);

Notes to Section A

1. "Contracting authorities of EU Member States" covers also any subordinated entity of any contracting authority of a European Union Member State provided it does not have separate legal personality.

2. As far as procurement by entities in the field of defence and security is concerned, only non-sensitive and non-warlike materials contained in the list attached to Section D are covered.

PUBLIC

SECTION B

SUB-CENTRAL GOVERNMENT ENTITIES

PUBLIC

Supplies

Specified in Section D

Thresholds SDR 200 000

Services

Specified in Section E

Thresholds SDR 200 000

Works

Specified in Section F

Thresholds SDR 5 000 000

Procuring entities:

1. All regional or local contracting authorities

All contracting authorities of the administrative units as defined by Regulation (EC) No 1059/2003 of the European Parliament and of the Council (the "NUTS Regulation")[1].

For the purposes of Chapter 28, "Regional contracting authorities" shall be understood as contracting authorities of the administrative units falling under NUTS 1 and 2, as referred to in the NUTS Regulation.

For the purposes of Chapter 28, "Local contracting authorities" shall be understood as contracting authorities of the administrative units falling under NUTS 3 and smaller administrative units, as referred to in the NUTS Regulation.

PUBLIC

[1] Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ EU L 154, 21.6.2003, p. 1).

2. All contracting authorities which are bodies governed by public law as defined by EU procurement directives

A "body governed by public law" means any body:

(a) established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(b) having legal personality; and

(c) financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law, or subject to management supervision by those bodies, or having an administrative, managerial or supervisory board more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law.

PUBLIC

SECTION C

UTILITIES WHICH PROCURE IN ACCORDANCE WITH
THE PROVISIONS OF CHAPTER 28

PUBLIC

Supplies

Specified in Section D

Thresholds SDR 400 000

Services

Specified in Section E

Thresholds SDR 400 000

Works

Specified in Section F

Thresholds SDR 5 000 000

All contracting entities whose procurement is covered by Directive 2014/25/EU of the European Parliament and of the Council[1] which are contracting authorities (e.g. those covered under Section A or B) or public undertakings[2] and which have as one of their activities any of the following or any combination thereof:

(a) the provision of airport or other terminal facilities to carriers by air;

(b) the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;

Notes to Section C

1. Contracts awarded for the pursuit of an activity listed above when exposed to competitive forces in the market concerned are not covered by Chapter 28.

PUBLIC

[1] Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ EU L 94, 28.3.2014, p. 243).

[2] In accordance with Directive 2014/25/EU, a public undertaking means any undertaking over which the contracting authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it.
A dominant influence on the part of the contracting authorities shall be presumed in any of the following cases in which those authorities, directly or indirectly:
- hold the majority of the undertaking's subscribed capital, or
- control the majority of the votes attaching to shares issued by the undertaking, or
- can appoint more than half of the undertaking's administrative, management or supervisory body.

2. Chapter 28 does not apply to contracts awarded by procuring entities covered under this Section:

– for purposes other than the pursuit of their activities as listed in this Section or for the pursuit of such activities in a non-EEA country,

– for purposes of re-sale or hire to third parties, provided that the procuring entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the procuring entity.

3. Provided that the conditions in the second subparagraph of this paragraph are met, Chapter 28 shall not apply to contracts awarded:

(i) by a procuring entity to an affiliated undertaking[1], or

[1] "affiliated undertaking" means any undertaking the annual accounts of which are consolidated with those of the procuring entity in accordance with the requirements of Seventh Council Directive 83/349/EEC of 13 June 1983 based the Article 54(3)(g) on consolidated accounts (OJ EU L 193, 18.7.1983, p. 1), or in case of entities not subject to that Directive, any undertaking over which the procuring entity may exercise, directly or indirectly, a dominant influence, or which may exercise a dominant influence over the procuring entity, or which, in common with the procuring entity, is subject to the dominant influence of another undertaking by virtue of ownership, financial participation, or the rules which govern it.

(ii) by a joint venture, formed exclusively by a number of procuring entities for the purpose of carrying out activities within the meaning of subparagraphs (a) and (b) of this Section, to an undertaking which is affiliated with one of these procuring entities.

The first subparagraph of this paragraph applies to services or supplies contracts provided that at least 80 % of the average turnover of the affiliated undertaking with respect to services or supplies for the preceding three years derives respectively from the provision of such services or supplies to undertakings with which it is affiliated[1].

4. Chapter 28 does not apply to contracts awarded:

(i) by a joint venture, formed exclusively by a number of procuring entities for the purposes of carrying out activities within the meaning of subparagraphs (a) and (b) of this Section, to one of these procuring entities, or

(ii) by a procuring entity to such a joint venture of which it forms part,

provided that the joint venture has been set up to carry out the activity concerned over a period of at least three years, and that the instrument setting up the joint venture stipulates that the procuring entities which form it will be part thereof for at least the same period.

[1] When, because of the date on which an affiliated undertaking was created or commenced activities, the turnover is not available for the preceding three years, it will be sufficient for that undertaking to show that the turnover referred to in this paragraph is credible, in particular by means of business projections.

SECTION D

GOODS

PUBLIC

1. Chapter 28 covers the procurement of all goods procured by the entities listed in Section A, unless otherwise specified in Chapter 28.

2. Chapter 28 covers only the goods that are described in the Chapters of the Combined Nomenclature (CN) specified below and that are procured by Ministries of Defence and Agencies for defence or security activities in Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden:

Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement
Chapter 26	Ores, slag and ash
Chapter 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes except: ex 27.10: special engine fuels

Chapter 28	Inorganic chemicals; organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes except: ex 2808: explosives ex 2813: explosives ex 2814: tear gas ex 2825: explosives ex 2829: explosives ex 2834: explosives ex 2844: toxic products ex 2845: toxic products ex 2847: explosives ex 2852: toxic products ex 2853: toxic products

PUBLIC

Chapter 29	Organic chemicals except: ex 2904: explosives ex 2905: explosives ex 2908: explosives ex 2909: explosives ex 2912: explosives ex 2913: explosives ex 2914: toxic products ex 2915: toxic products ex 2916: toxic products ex 2920: toxic products ex 2921: toxic products ex 2922: toxic products ex 2933: explosives ex 2926: toxic products ex 2928: explosives
Chapter 30:	Pharmaceutical products
Chapter 31:	Fertilizers
Chapter 32:	Tanning or dyeing extracts; tannings and their derivatives; dyes, pigments and other colouring matter; paints and varnishes, putty and other mastics; inks
Chapter 33:	Essential oils and resinoids, perfumery, cosmetic or toilet preparations

PUBLIC

Chapter 34:	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster
Chapter 35:	Albuminoidal substances; modified starches; glues; enzymes
Chapter 37:	Photographic and cinematographic goods
Chapter 38:	Miscellaneous chemical products except: ex 3824: toxic products
Chapter 39:	Plastics and articles thereof except: ex 3912: explosives
Chapter 40:	Rubber and articles thereof except: ex 4011: bullet-proof tyres
Chapter 41:	Raw hides and skins (other than furskins) and leather
Chapter 42:	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut)
Chapter 43:	Furskins and artificial fur; manufactures thereof
Chapter 44:	Wood and articles of wood; wood charcoal
Chapter 45:	Cork and articles of cork
Chapter 46:	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork

PUBLIC

Chapter 47:	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard
Chapter 48:	Paper and paperboard; articles of paper pulp, of paper or of paperboard
Chapter 49:	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans
Chapter 65:	Headgear and parts thereof
Chapter 66:	Umbrellas, sun umbrellas, walking sticks, seat-sticks, whips, riding crops and parts thereof
Chapter 67:	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
Chapter 68:	Articles of stone, plaster, cement, asbestos, mica or similar materials
Chapter 69:	Ceramic products
Chapter 70:	Glass and glassware
Chapter 71:	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin
Chapter 73:	Articles of iron or steel
Chapter 74:	Copper and articles thereof
Chapter 75:	Nickel and articles thereof
Chapter 76:	Aluminium and articles thereof
Chapter 78:	Lead and articles thereof
Chapter 79:	Zinc and articles thereof
Chapter 80:	Tin and articles thereof
Chapter 81:	Other base metals; cermets; and articles thereof

PUBLIC

Chapter 82:	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal except: ex 8207: tools of base metal ex 8209: tools and parts thereof of base metal
Chapter 83:	Miscellaneous articles of base metal
Chapter 84:	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof except: 8407: engines 8408: engines ex 8411: other engines ex 8412: other engines ex 8458: machinery ex 8486: machinery ex 8471: automatic data-processing machines ex 8473: parts of machines under heading 8471 ex 8401: nuclear reactors
Chapter 85:	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles except: ex 8517: telecommunication equipment ex 8525: transmission apparatus ex 8527: transmission apparatus

PUBLIC

Chapter 86:	Railway or tramway locomotives, rolling stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof, mechanical (including electromechanical) traffic signalling equipment of all kinds except: ex 8601: armoured locomotives, electric ex 8603: other armoured locomotives ex 8605: wagons ex 8604: repair wagons
Chapter 87	Vehicles other than railway or tramway rolling stock, and parts and accessories thereof except: 8710: tanks and other armoured vehicles 8701: tractors ex 8702: military vehicles ex 8705: breakdown lorries ex 8711: motorcycles ex 8716: trailers
Chapter 89	Ships, boats and floating structures except: ex 8906: warships

PUBLIC

Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus and parts thereof except: ex 9005: binoculars ex 9013: miscellaneous instruments, lasers ex 9014: telemeters ex 9028: electrical and electronic measuring instruments ex 9030: electrical and electronic measuring instruments ex 9031: electrical and electronic measuring instruments ex 9012: microscopes ex 9018: medical instruments ex 9019: mechano-therapy appliances ex 9021: orthopaedic appliances ex 9022: X-ray apparatus
Chapter 91	Clocks and watches and parts thereof
Chapter 92	Musical instruments; parts and accessories of such articles
Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings except: ex 9401: aircraft seats
Chapter 96	Miscellaneous manufactured articles

PUBLIC

SECTION E

SERVICES

Of the Universal List of Services, as contained in document MTN.GNS/W/120, the following services are included*:

Subject	CPC Reference No.
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304
Air transport services of passengers and freight, except transport of mail	73 (except 7321)
Transport of mail by land, except rail, and by air	71235, 7321
Telecommunications services	752
Computer and related services	84
Accounting, auditing and bookkeeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866**

PUBLIC

Subject	CPC Reference No.
Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services; related scientific and technical consulting services; technical testing and analysis services	867
Advertising services	871
Building-cleaning services and property management services	874, 82201 to 82206
Publishing and printing services on a fee or contract basis	88442
Sewage and refuse disposal, sanitation and similar services	94

PUBLIC

In addition to the services listed above, procurement of the following services (identified in accordance with the United Nations Provisional Central Product Classification (CPC Prov.[1])) is included, for entities covered under Sections A, B and C:

– Hotel and restaurant services (CPC 641)***,

– Food serving services (CPC 642)***,

– Beverage serving services (CPC 643)***,

– Telecommunication related services (CPC 754),

1 http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=9&Lg=1

– Real estate services on a fee or contract basis (CPC 8220),

– Other business services (CPC 87901, 87903, 87905-87907),

– Education services (CPC 92).

Notes to Section E

1. Procurement by procuring entities covered under Section A, B or C of any of the services covered under this Section is a covered procurement with regard to Chile's provider of service only to the extent that Chile has covered that service under Section E of Annex 28-B.

2. * Except for services which entities have to procure from another entity pursuant to an exclusive right established by a published law, regulation or administrative provision.

3. ** Except arbitration and conciliation services

4. *** Hotel and restaurant services (CPC 641), food serving services (CPC 642), beverage serving services (CPC 643) and education services (CPC 92) contracts are included under the national treatment regime for the suppliers, including service providers, of Chile, provided that their value equals or exceeds EUR 750 000 if they are awarded by procuring entities covered under Section A or B of this Annex or provided that their value equals or exceeds EUR 1 000 000 when they are awarded by procuring entities covered under Section C of this Annex.

PUBLIC

SECTION F

CONSTRUCTION SERVICES

PUBLIC

Definition:

For the purposes of this Section, a "construction services contract" means a contract which has as its objective the realisation by whatever means of civil or building works, in the sense of Division 51 of the Central Product Classification (hereinafter referred as "Division 51, CPC").

List of Division 51, CPC:

All services listed in Division 51.

List of Division 51, CPC

Group	Class	Subclass	Title	Corresponding ISCI
SECTION 5			CONSTRUCTION WORK AND CONSTRUCTIONS: LAND	
DIVISION 51			CONSTRUCTION WORK	
511			Pre-erection work at construction sites	
	5111	51110	Site investigation work	4510
	5112	51120	Demolition work	4510
	5113	51130	Site formation and clearance work	4510
	5114	51140	Excavating and earthmoving work	4510
	5115	51150	Site preparation work for mining	4510
	5116	51160	Scaffolding work	4520

Group	Class	Subclass	Title	Corresponding ISCI
512			Construction work for buildings	
	5121	51210	For one- and two-dwelling buildings	4520
	5122	51220	For multi-dwelling buildings	4520
	5123	51230	For warehouses and industrial buildings	4520
	5124	51240	For commercial buildings	4520
	5125	51250	For public entertainment buildings	4520
	5126	51260	For hotel, restaurant and similar buildings	4520
	5127	51270	For educational buildings	4520
	5128	51280	For health buildings	4520
	5129	51290	For other buildings	4520
513			Construction work for civil engineering	
	5131	51310	For highways (except elevated highways), street, roads, railways and airfield runways	4520
	5132	51320	For bridges, elevated highways, tunnels and subways	4520
	5133	51330	For waterways, harbours, dams and other water works	4520
	5134	51340	For long distance pipelines, communication and power lines (cables)	4520
	5135	51350	For local pipelines and cables; ancillary works	4520
	5136	51360	For constructions for mining and manufacturing	4520

PUBLIC

Group	Class	Subclass	Title	Corresponding ISCI
	5137		For constructions for sport and recreation	
		51371	For stadia and sports grounds	4520
		51372	For other sport and recreation installations (e.g. swimming pools, tennis courts, golf courses)	4520
	5139	51390	For engineering works n.e.c.	4520
514	5140	51400	Assembly and erection of prefabricated constructions	4520
515			Special trade construction work	
	5151	51510	Foundation work, including pile driving	4520
	5152	51520	Water well drilling	4520
	5153	51530	Roofing and water proofing	4520
	5154	51540	Concrete work	4520
	5155	51550	Steel bending and erection (including welding)	4520
	5156	51560	Masonry work	4520
	5159	51590	Other special trade construction work	4520
516			Installation work	
	5161	51610	Heating, ventilation and air conditioning work	4530
	5162	51620	Water plumbing and drain laying work	4530
	5163	51630	Gas fitting construction work	4530
	5164		Electrical work	
		51641	Electrical wiring and fitting work	4530
		51642	Fire alarm construction work	4530

PUBLIC

Group	Class	Subclass	Title	Corresponding ISCI
		51643	Burglar alarm system construction work	4530
		51644	Residential antenna construction work	4530
		51649	Other electrical construction work	4530
	5165	51650	Insulation work (electrical wiring, water, heat, sound)	4530
	5166	51660	Fencing and railing construction work	4530
	5169		Other installation work	
		51691	Lift and escalator construction work	4530
		51699	Other installation work n.e.c.	4530
517			Building completion and finishing work	
	5171	51710	Glazing work and window glass installation work	4540
	5172	51720	Plastering work	4540
	5173	51730	Painting work	4540
	5174	51740	Floor and wall tiling work	4540
	5175	51750	Other floor laying, wall covering and wall papering work	4540
	5176	51760	Wood and metal joinery and carpentry work	4540
	5177	51770	Interior fitting decoration work	4540
	5178	51780	Ornamentation fitting work	4540
	5179	51790	Other building completion and finishing work	4540
518	5180	51800	Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator	4550

PUBLIC

SECTION G

WORKS CONCESSIONS

PUBLIC

Definition:

"works concession" means a contract for pecuniary interest concluded in writing by means of which procuring entities entrust the execution of works to one or more economic operators and the consideration for which consists either solely in the right to exploit the works that are the subject of the contract or in that right together with payment.

The award of a works concession shall involve the transfer to the economic operators of an operating risk in exploiting those works encompassing demand or supply risk, or both. The recoup of the investments made or the costs incurred in operating the works should not be guaranteed.

Scope:

Work concessions contracts, when awarded by entities covered in Section A or B, and provided their value equals or exceeds 5 000 000 SDR, the following provisions apply: Article 28.1, Article 28.2 (except paragraphs 7 and 8), Article 28.3, Article 28.4 (except paragraph 5), Article 28.5, Article 28.6 (except subparagraphs (c) and (e) of paragraph 2 and paragraphs 4 and 5), Article 28.7, Article 28.9, Article 28.10, Article 28.11, Article 28.12(1), subparagraphs (a), (b) and (c) of Article 28.14(1), Article 28.16, Article 28.17, Article 28.18, Article 28.19, Article 28.20, Article 28.21.

Notes:

This commitment is subject to the exemptions set out in Articles 11 and 12 of Directive 2014/23/EU of the European Parliament and of the Council[1].

PUBLIC

SECTION H

GENERAL NOTES AND DEROGATIONS

1. Chapter 28 does not cover:

(a) procurement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes (e.g. food aid including urgent relief aid);

(b) procurement for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time; or

(c) procurement by procuring entities covered under Section A or B in connection with activities in the fields of drinking water, energy, transport and the postal sector are not covered by Chapter 28, unless covered under Section C and subject to the value thresholds applying thereto.

[1] Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ EU L 94, 28.3.2014, p. 1).

2. In respect of the Åland Islands (Ahvenanmaa), the special conditions of Protocol No 2 on the Åland Islands to the Act of Accession of Austria, Finland and Sweden to the European Union applies.

PUBLIC

SECTION I

MEDIA FOR PUBLICATION OF PROCUREMENT INFORMATION

1. Electronic or paper media utilised by the EU Party for the publication of laws, regulations, judicial decisions, administrative rulings of general application, standard contract clauses, and procedures regarding government procurement covered by Article 28.5

1.1 European Union

The information on the public procurement system of the European Union:

– http://simap.ted.europa.eu/index_en.html

– The Official Journal of the European Union

1.2 Member States

1.2.1 Belgium

1. Laws, royal regulations, ministerial regulations, ministerial circulars:

– le Moniteur Belge.

2. Jurisprudence:

– Pasicrisie.

1.2.2 Bulgaria

1. Laws and Regulations:

– Държавен вестник (State Gazette).

2. Judicial decisions:

– http://www.sac.government.bg.

PUBLIC

3. Administrative rulings of general application and any procedure:

– http://www.aop.bg;

– http://www.cpc.bg

1.2.3 Czechia

1. Laws and Regulations:

– Collection of Laws of the Czech Republic.

2. Rulings of the Office for the Protection of Competition:

– Collection of Rulings of the Office for the Protection of Competition.

1.2.4 Denmark

1. Laws and regulations:

– Lovtidende.

PUBLIC

2. Judicial decisions:

– Ugeskrift for Retsvaesen.

3. Administrative rulings and procedures:

– Ministerialtidende.

4. Rulings by the Danish Complaints Board for Public Procurement:

– Kendelser fra Klagenævnet for Udbud.

1.2.5 Germany

1. Legislation and regulations:

– Bundesgesetzblatt;

– Bundesanzeiger.

PUBLIC

2. Judicial decisions:

– Entscheidungsammlungen des: Bundesverfassungsgerichts; Bundesgerichtshofs; Bundesverwaltungsgerichts Bundesfinanzhofs sowie der Oberlandesgerichte.

1.2.6 Estonia

1. Laws, regulations and administrative rulings of general application:

– Riigi Teataja - http://www.riigiteataja.ee.

2. Procedures regarding government procurement:

– https://riigihanked.riik.ee.

1.2.7 Ireland

1. Legislation and regulations:

– Iris Oifigiúil (Official Gazette of the Irish Government).

PUBLIC

1.2.8 Greece

1. Epishmh efhmerida eurwpaikwn koinothtwn (Government Gazette of Greece).

1.2.9 Spain

1. Legislation:

   – Boletín Oficial del Estado.

2. Judicial rulings:

   – Judicial Documentation Center (Centro de Documentación Judicial (Cendoj)) https://www.poderjudicial.es/search/indexAN.jsp;

   – Constitutional Court of Spain (Base de datos pública de jurisprudencia del Tribunal Constitucional), http://hj.tribunalconstitucional.es/es;

PUBLIC

– Central Administrative Tribunal of Contract Appeals (Tribunal Administrativo Central de Recursos Contractuales) https://www.hacienda.gob.es/es-ES/Areas%20Tematicas/Contratacion/TACRC/Paginas/BuscadordeResoluciones.aspx

PUBLIC

1.2.10 France

1. Legislation:

– Journal Officiel de la République française.

2. Jurisprudence:

– Recueil des arrêts du Conseil d'État.

– Revue des marchés publics.

1.2.11 Croatia

1. Narodne novine - http://www.nn.hr.

1.2.12 Italy

1. Legislation:

– Gazzetta Ufficiale.

2. Jurisprudence:

– No official publication.

PUBLIC

1.2.13 Cyprus

1. Legislation:

– Επίσημη Εφημερίδα της Δημοκρατίας (Official Gazette of the Republic).

2. Judicial decisions:

– Αποφάσεις Ανωτάτου Δικαστηρίου 1999 - Τυπογραφείο της Δημοκρατίας (Decisions of the Supreme High Court - Printing Office).

1.2.14 Latvia

1. Legislation:

– Latvijas vēstnesis (Official Newspaper).

1.2.15 Lithuania

1. Laws, regulations and administrative provisions:

– Teisės aktų registras (Register of Legal Acts).

2. Judicial decisions, jurisprudence:

– Bulletin of the Supreme Court of Lithuania "Teismų praktika";

– Bulletin of the Supreme Administrative Court of Lithuania "Administracinių teismų praktika".

PUBLIC

1.2.16 Luxembourg

1. Legislation:

– Memorial.

2. Jurisprudence:

– Pasicrisie.

PUBLIC

1.2.17 Hungary

1. Legislation:

– Magyar Közlöny (Official Journal of the Republic of Hungary).

2. Jurisprudence:

– Közbeszerzési Értesítő - a Közbeszerzések Tanácsa Hivatalos Lapja (Public Procurement Bulletin – Official Journal of the Public Procurement Council).

1.2.18 Malta

1. Legislation:

– Government Gazette.

1.2.19 Netherlands

1. Legislation:

– Nederlandse Staatscourant and/or Staatsblad.

2. Jurisprudence:

– No official publication.

1.2.20 Austria

1. Legislation:

– Österreichisches Bundesgesetzblatt;

– Amtsblatt zur Wiener Zeitung.

PUBLIC

2. Judicial decisions:

– Entscheidungen des Verfassungsgerichtshofes, Verwaltungsgerichtshofes, Obersten Gerichtshofes, der Oberlandesgerichte, des Bundesverwaltungsgerichtes und der Landesverwaltungsgerichte - http://ris.bka.gv.at/Judikatur/.

1.2.21 Poland

1. Legislation:

– Dziennik Ustaw Rzeczypospolitej Polskiej (Journal of Laws – Republic of Poland).

2. Judicial decisions, jurisprudence:

– "Zamówienia publiczne w orzecznictwie. Wybrane orzeczenia zespołu arbitrów i Sądu Okręgowego w Warszawie" (Selection of judgments of arbitration panels and Regional Court in Warsaw).

PUBLIC

1.2.22 Portugal

1. Legislation:

   – Diário da República Portuguesa 1a Série A e 2a série.

2. Judicial Publications:

   – Boletim do Ministério da Justiça;

   – Colectânea de Acordos do Supremo Tribunal Administrativo;

   – Colectânea de Jurisprudencia Das Relações.

1.2.23 Romania

1. Laws and Regulations:

   – Monitorul Oficial al României (Official Journal of Romania).

2. Judicial decisions, administrative rulings of general application and any procedure: http://www.anrmap.ro.

PUBLIC

1.2.24 Slovenia

1. Legislation:

– Official Gazette of the Republic of Slovenia.

2. Judicial decisions:

– No official publication.

1.2.25 Slovakia

1. Legislation:

– Zbierka zákonov (Collection of Laws).

2. Judicial decisions:

– No official publication.

PUBLIC

1.2.26 Finland

1. Suomen Säädöskokoelma - Finlands Författningssamling (The Collection of the Statutes of Finland).

2. Ålands Författningssamling (Åland Statute Series).

1.2.27 Sweden

Svensk Författningssamling (Swedish Code of Statutes).

PUBLIC

2. Electronic or paper media utilised by the EU Party for the publication of notices required by Articles 28.6, 28.8(7) and 28.17(2) pursuant to Article 28.5

2.1 European Union

Supplement to the Official Journal of the European Union, and its electronic version:

TED (tenders electronically daily) http://ted.europa.eu (also accessible from the portal

http://simap.ted.europa.eu/index_en.html)

2.2 Member States

2.2.1 Belgium

1. Official Journal of the European Union;

2. Le Bulletin des Adjudications;

3. Other publications in the specialized press.

2.2.2 Bulgaria

1. Official Journal of the European Union;

2. Държавен вестник (State Gazette) - http://dv.parliament.bg;

3. Public Procurement Register - http://www.aop.bg.

2.2.3 Czechia

Official Journal of the European Union.

PUBLIC

2.2.4 Denmark

Official Journal of the European Union.

2.2.5 Germany

Official Journal of the European Union.

2.2.6 Estonia

Official Journal of the European Union.

2.2.7 Ireland

1. Official Journal of the European Union;

2. eTenders (www.eTenders.gov.ie).

2.2.8 Greece

1. Official Journal of the European Union;

2. Publication in the daily, financial, regional and specialized press.

PUBLIC

2.2.9 Spain

1. Official Journal of the European Union

2. Spanish Platform for Public Sector Procurement (Plataforma de Contratación del Sector Público), https://contrataciondelestado.es/wps/portal/plataforma

3. Official Gazette of the Spanish Government (Boletín Oficial del Estado) https://www.boe.es.

2.2.10 France

1. Official Journal of the European Union;

2. Bulletin officiel des annonces des marchés publics.

2.2.11 Croatia

1. Official Journal of the European Union;

2. Elektronički oglasnik javne nabave Republike Hrvatske (Electronic Public Procurement Classifieds of the Republic of Croatia).

PUBLIC

2.2.12 Italy

Official Journal of the European Union.

2.2.13 Cyprus

1. Official Journal of the European Union;

2. Official Gazette of the Republic;

3. Local Daily Press.

2.2.14 Latvia

1. Official Journal of the European Union;

2. Latvijas vēstnesis (Official newspaper).

2.2.15 Lithuania

1. Official Journal of the European Union;

PUBLIC

2. Centrinė viešųjų pirkimų informacinė sistema (Central Portal of Public Procurement);

3. Information supplement "Informaciniai pranešimai" to the Official Gazette ("Valstybės žinios") of the Republic of Lithuania.

2.2.16 Luxembourg

1. Official Journal of the European Union;

2. Daily Press.

2.2.17 Hungary

1. Official Journal of the European Union;

2. Közbeszerzési Értesítő - a Közbeszerzések Tanácsa Hivatalos Lapja (Public Procurement Bulletin - Official Journal of the Public Procurement Council).

PUBLIC

2.2.18 Malta

1. Official Journal of the European Union;

2. Government Gazette.

2.2.19 Netherlands

Official Journal of the European Union.

2.2.20 Austria

1. Official Journal of the European Union;

2. Amtsblatt zur Wiener Zeitung.

2.2.21 Poland

1. Official Journal of the European Union;

2. Biuletyn Zamówień Publicznych (Public Procurement Bulletin).

PUBLIC

2.2.22 Portugal

Official Journal of the European Union.

2.2.23 Romania

1. Official Journal of the European Union;

2. Monitorul Oficial al României (Official Journal of Romania);

3. Electronic System for Public Procurement - http://www.e-licitatie.ro.

2.2.24 Slovenia

1. Official Journal of the European Union;

2. Portal javnih naročil - http://www.enarocanje.si/?podrocje=portal.

2.2.25 Slovakia

1. Official Journal of the European Union;

2. Vestník verejného obstarávania (Journal of Public Procurement).

PUBLIC

2.2.26 Finland

1. Official Journal of the European Union;

2. Julkiset hankinnat Suomessa ja ETA-alueella, Virallisen lehden liite (Public Procurement in Finland and at the EEA-area, Supplement to the Official Gazette of Finland).

2.2.27 Sweden

Official Journal of the European Union.

PUBLIC

ANNEX 28-B

PUBLIC

PUBLIC PROCUREMENT

CHILE

SECTION A

CENTRAL GOVERNMENT ENTITIES

1. Chapter 28 applies to procurement by the Central Level of Government Entities listed in this Section where the value of the procurement is estimated, in accordance with Section J, to equal or exceed the following relevant threshold:

Goods
Specified in Section D
Thresholds SDR 95 000

Services
Specified in Section E
Thresholds SDR 95 000

Construction services
Specified in Section F
Thresholds SDR 5 000 000

2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section J.

List of entities

Unless otherwise specified in this Section, all subordinated entities to those listed are covered by Chapter 28, including the following:

1. Presidencia de la República (Presidency of the Republic).

2. Ministerio del Interior y Seguridad Pública (Ministry of the Interior and Public Security):

   Subsecretaría del Interior;

   Subsecretaría de Desarrollo Regional;

   Subsecretaría de Prevención del Delito;

   Oficina Nacional de Emergencia del Ministerio del Interior (ONEMI);

   Servicio Nacional para la Prevención y Rehabilitación del Consumo de Drogas y Alcohol (SENDA);

   Fondo Nacional de Seguridad Pública;

   Departamento de Extranjería.

PUBLIC

3. Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs):

Subsecretaría de Relaciones Exteriores;

Subsecretaría de Relaciones Económicas Internacionales;

Instituto Antártico Chileno (INACH);

Dirección Nacional de Fronteras y Límites del Estado (DIFROL);

Agencia de Cooperación Internacional (AGCI).

4. Ministerio de Defensa Nacional (Ministry of National Defence):

Subsecretaría de Defensa;

Subsecretaría para las Fuerzas Armadas;

Dirección Administrativa del ministerio de Defensa Nacional;

Dirección de Aeronáutica Civil (DGAC);

PUBLIC

Dirección General de Movilización Nacional (DGMN);

Academia Nacional de Estudios Políticos y Estratégicos (ANEPE);

Defensa Civil de Chile.

5. Ministerio de Hacienda (Ministry of Finance):

Subsecretaría de Hacienda;

Dirección de Presupuestos (DIPRES);

Servicio de Impuestos Internos (SII);

Tesorería General de la República (TGR);

Servicio Nacional de Aduanas (SNA);

Chilecompra;

Comisión para el Mercado Financiero (CMF).

PUBLIC

6. Ministerio Secretaría General de la Presidencia (Ministry General Secretariat of the Presidency):

Subsecretaría General de la Presidencia.

7. Ministerio Secretaría General de Gobierno (Ministry General Secretariat of the Government):

Subsecretaría General de Gobierno;

Instituto Nacional del Deporte (IND);

División de Organizaciones Sociales (DOS);

Secretaría de Comunicaciones.

PUBLIC

8. Ministerio de Economía, Fomento y Turismo (Ministry of Economy, Development and Tourism):

Subsecretaría de Economía y Empresas de Menor Tamaño;

Subsecretaría de Pesca y Acuicultura;

Servicio Nacional de Turismo (SERNATUR);

Servicio Nacional del Consumidor (SERNAC);

Servicio Nacional de Pesca (SERNAPESCA);

Corporación de Fomento de la Producción (CORFO);

Servicio de Cooperación Técnica (SERCOTEC);

Fiscalía Nacional Económica (FNE);

Invest Chile;

Instituto Nacional de Estadísticas (INE);

PUBLIC

Instituto de Propiedad Intelectual (INAPI);

Fondo Nacional de Desarrollo Tecnológico y Productivo (FONDEF);

Superintendencia de Insolvencia y Reemprendimiento;

Instituto Nacional de Desarrollo Sustentable de la Pesca Artesanal y de la Acuicultura de Pequeña Escala (INDESPA);

Sistema de Empresas Públicas (SEP).

9. Ministerio de Minería (Ministry of Mining):

Subsecretaría de Minería;

Comisión Chilena del Cobre (COCHILCO);

Servicio Nacional de Geología y Minería (SERNAGEOMIN).

10. Ministerio de Energía (Ministry of Energy):

Subsecretaría de Energía;

Comisión Nacional de Energía;

PUBLIC

Comisión Chilena de Energía Nuclear (CCHEN);

Superintendencia de Electricidad y Combustible.

11. Ministerio de Desarrollo Social y Familia (Ministry of Social Development and Family):

Subsecretaría de Evaluación Social;

Subsecretaría de Servicios Sociales;

Subsecretaría de la Niñez;

Corporación Nacional Desarrollo Indígena (CONADI);

Fondo de Solidaridad e Inversión Social (FOSIS);

Servicio Nacional de la Discapacidad (SENADIS);

Instituto Nacional de la Juventud (INJUV);

Servicio Nacional del Adulto Mayor (SENAMA).

PUBLIC

12. Ministerio de Educación (Ministry of Education):

Subsecretaría de Educación;

Subsecretaría de Educación Parvularia;

Subsecretaría de Educación Superior;

Superintendencia de Educación;

Comisión Nacional de Investigación Científica y Tecnológica (CONICYT);

Junta Nacional de Auxilio Escolar y Becas (JUNAEB);

Junta Nacional de Jardines Infantiles (JUNJI);

Centro de Educación y Tecnología (ENLACES).

13. Ministerio de Justicia y Derechos Humanos (Ministry of Justice and Human Rights):

Subsecretaría de Justicia;

Subsecretaría de Derechos Humanos;

PUBLIC

Servicio Nacional de Menores (SENAME);

Servicio Médico Legal;

Gendarmería de Chile;

Servicio Registro Civil e Identificación;

Corporaciones de Asistencia Judicial.

14. Ministerio del Trabajo y Previsión Social (Ministry of Labor and Social Security):

Subsecretaría del Trabajo;

Subsecretaría de Previsión Social;

Dirección del Trabajo;

Servicio Nacional de Capacitación y Empleo (SENCE);

Comisión del Sistema Nacional de Certificación de Competencias Laborales (CHILEVALORA);

Dirección General del Crédito Prendario;

PUBLIC

Superintendencia de Pensiones;

Superintendencia de Seguridad Social;

Instituto de Previsión Social (IPS);

Instituto de Seguridad Laboral (ISL);

Fondo Nacional de Pensiones Asistenciales.

15. Ministerio de Obras Públicas (Ministry of Public Works):

Subsecretaría de Obras Públicas;

Dirección General de Obras Públicas;

Dirección General de Concesiones;

Dirección General de Aguas;

Administración y ejecución de Obras Públicas;

Administración de Servicios de Concesiones Dirección de Aeropuertos;

PUBLIC

Dirección de Aeropuertos;

Dirección de Arquitectura;

Dirección de Obras Portuarias;

Dirección de Planeamiento;

Dirección de Obras Hidráulicas;

Dirección de Vialidad;

Dirección de Contabilidad y Finanzas;

Instituto Nacional de Hidráulica;

Superintendencia Servicios Sanitarios (SISS).

16. Ministerio de Transportes y Telecomunicaciones (Ministry of Transport and TeleCommunications):

Subsecretaría de Transportes;

Subsecretaría de Telecomunicaciones;

PUBLIC

Junta de Aeronáutica Civil;

Centro de Control y Certificación Vehicular (3CV);

Comisión Nacional de Seguridad de Tránsito (CONASET);

Unidad Operativa de Control de Tránsito (UOCT).

17. Ministerio de Salud (Ministry of Health):

Subsecretaría de Salud Pública;

Subsecretaría de Redes Asistenciales;

Central de Abastecimiento del Sistema Nacional de Servicios de Salud (CENABAST);

Fondo Nacional de Salud (FONASA);

Instituto de Salud Pública (ISP);

Instituto Nacional del Tórax;

Superintendencia de Salud;

PUBLIC

Servicio de Salud Arica y Parinacota;

Servicio de Salud Iquique y Tarapacá;

Servicio de Salud Antofagasta;

Servicio de Salud Atacama;

Servicio de Salud Coquimbo;

Servicio de Salud Valparaíso-San Antonio;

Servicio de Salud Viña del Mar-Quillota;

Servicio de Salud O'Higgins;

Servicio de Salud Maule;

Servicio de Salud Ñuble;

Servicio de Salud Concepción;

Servicio de Salud Talcahuano;

PUBLIC

Servicio de Salud Bío-Bío;

Servicio de Salud Arauco;

Servicio de Salud Araucanía Norte;

Servicio de Salud Araucanía Sur;

Servicio de Salud Valdivia;

Servicio de Salud Osorno;

Servicio de Salud Chiloé;

Servicio de Salud Aysén;

Servicio de Salud Magallanes;

Servicio de Salud Metropolitano Norte;

Servicio de Salud Metropolitano Occidente;

Servicio de Salud Central;

PUBLIC

Servicio de Salud Oriente;

Servicio de Salud Metropolitano Sur;

Servicio de Salud Metropolitano Sur-Oriente.

18. Ministerio de Vivienda y Urbanismo (Ministry of Housing and Urban Planning):

Subsecretaría de Vivienda y Urbanismo;

Parque Metropolitano;

Servicios de Vivienda y Urbanismo.

19. Ministerio de Bienes Nacionales (Ministry of National Assets):

Subsecretaría de Bienes Nacionales.

20. Ministerio de Agricultura (Ministry of Agriculture):

Subsecretaría de Agricultura;

Comisión Nacional de Riego (CNR);

PUBLIC

Corporación Nacional Forestal (CONAF);

Instituto de Desarrollo Agropecuario (INDAP);

Oficina de Estudios y Políticas Agrícolas (ODEPA);

Servicio Agrícola y Ganadero (SAG);

Instituto de Investigaciones Agropecuarias (INIA);

AgroSeguros;

Agencia Chilena para la Inocuidad y Calidad Alimentaria (ACHIPIA).

21. Ministerio del Medio Ambiente (Ministry of the Environment):

Servicio de Evaluación Ambiental;

Superintendencia de Medio Ambiente.

22. Ministerio del Deporte (Ministry of Sport):

Subsecretaría del Deporte.

PUBLIC

23. Ministerio de las Culturas, las Artes y el Patrimonio (Ministry of Culture, Arts and Heritage):

Subsecretaría de las Culturas y las Artes;

Subsecretaría del Patrimonio Cultural;

Consejo Nacional de las Culturas y el Patrimonio;

Consejo Nacional del Libro y la Lectura;

Consejo de Fomento de la Música Nacional;

Servicio Nacional del Patrimonio Cultural;

Fondo de Desarrollo de las Artes y la Cultura (FONDART).

24. Ministerio de la Mujer y la Equidad de Género (Ministry of Women and Gender Equity):

Subsecretaría de la Mujer y la Equidad de Género.

PUBLIC

25. Ministerio de Ciencia, Tecnología, Conocimiento e Innovación (Ministry of Science, Technology, Knowledge and Innovation):

    Subsecretaría de Ciencia, Tecnología, Conocimiento e Innovación.

26. Contraloría General de la República (Comptroller General of Chile)

All regional governments (including current and newly created functions, such as Intendencias / Gobernadores regionales)

All local governments (Gobernaciones including current "Gobernador" and newly created functions, such as "Delegado presidencial provincial")

Note:

All other central public entities including their regional and sub-regional subdivisions provided that they do not have an industrial or commercial character.

PUBLIC

SECTION B

SUB-CENTRAL GOVERNMENT ENTITIES

PUBLIC

1. Chapter 28 applies to procurement by the sub-central government entities listed in this Section where the value of the procurement is estimated, in accordance with Section J of Annex 28-B, to equal or exceed the following relevant threshold:

Goods
Specified in Section D
Thresholds SDR 200 000

Services
Specified in Section E
Thresholds SDR 200 000

Construction services
Specified in Section F
Thresholds SDR 5 000 000

2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section J.

List of entities

All municipalities (Municipalidades)

Note:

All other sub-central government entities including their subdivisions and all other entities operating in the general interest and subject to effective and managerial or financial control by public entities, provided that they do not have an industrial or commercial character.

PUBLIC

SECTION C

OTHER ENTITIES COVERED

1. Chapter 28 applies to procurement by other entities listed in this Section where the value of the procurement is estimated, in accordance with Section J, to equal or exceed the following relevant threshold:

Goods
Specified in Section D
Thresholds SDR 220 000

Services

Specified in Section E

Thresholds SDR 220 000

Construction services

Specified in Section F

Thresholds SDR 5 000 000

2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section J.

List of entities

1. *Empresa Portuaria Arica* (Arica Port Company);

2. *Empresa Portuaria Iquique* (Iquique Port Company);

3. *Empresa Portuaria Antofagasta* (Antofagasta Port Company);

4. *Empresa Portuaria Coquimbo* (Coquimbo Port Company);

5. *Empresa Portuaria Valparaíso* (Valparaíso Port Company);

PUBLIC

6. *Empresa Portuaria San Antonio* (San Antonio Port Company);

7. *Empresa Portuaria Talcahuano San Vicente* (Talcahuano San Vicente Port Company);

8. *Empresa Portuaria Puerto Montt* (Puerto Montt Port Company);

9. *Empresa Portuaria Chacabuco* (Chacabuco Port Company);

10. *Empresa Portuaria Austral* (Austral Port Company);

11. *Aeropuertos de propiedad del Estado, dependientes de la Dirección General de Aeronáutica Civil* (DGAC) (State-owned Airports, dependent on the General Directorate for Civil Aeronautics).

Notes:

All other public undertakings which have as one of their activities any of the following or any combination thereof:

(a) the provision of airport or other terminal facilities to carriers by air; and

(b) the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway.

PUBLIC

SECTION D

GOODS

Chapter 28 applies to all goods procured by the entities listed in Section A, B or C of this Annex, unless otherwise specified in Chapter 28.

PUBLIC

SECTION E

SERVICES

Chapter 28 applies to all services procured by the entities listed in Section A, B or C of this Annex, unless otherwise specified in Chapter 28.

SECTION F

CONSTRUCTION SERVICES

Chapter 28 applies to all construction services procured by the entities listed in Section A, B or C of this Annex, including public works concession contract, unless otherwise specified in Chapter 28.

Chapter 28 does not apply to construction services intended for Easter Island (Isla de Pascua).

Notes:

(a) For construction services, the definition of technical specification in subparagraph (q) of Article 28.1 includes the constructive methods and constructive design;

(b) In the context of limited tendering, as referred to in Article 28.14(1), the reference to extreme urgency in subparagraph (d) of that paragraph shall be understood as an emergency and catastrophe.

PUBLIC

SECTION G

PUBLIC WORKS CONCESSION

For the purposes of this Section, "public works concession contract" means the contractual agreement by which a private party assumes the execution, repair or maintenance of a public work in exchange for its temporary exploitation, consisting of the right to control and operate the work and receive income from it and/or a payment from the State.

The definition "public works concession contract" includes all classes of contracts subject to the public works concession regulation (Decree Nº 900 of 1996, of the Ministry of Public Works which establishes the consolidated, coordinated and systematized text of Decree with Force of Law N° 164 of 1991 of the Ministry of Public Works, Public Works Concessions Law, and Supreme Decree N° 956 of 1997, of the Ministry of Public Works, which publishes the Regulations of the Public Works Concessions Law).

Scope

1. Public works concessions contracts, where awarded by entities covered in Section A or B and provided their value equals or exceeds 5 000 000 SDR, the following Articles shall apply: Article 28.1, Article 28.2 (except for paragraphs 7 and 8), Article 28.3, Article 28.4**, Article 28.5, Article 28.6 (except for subparagraphs (c) and (e) of paragraph 2 and paragraphs 4 and 5), Article 28.7, Article 28.9, Article 28.10, Article 28.11, Article 28.12(1), Article 28.16, Article 21.17, Article 21.18, Article 21.19, Article 21.20 and Article 28.21.

** In relation to Article 28.4(4), in the case of public works concessions, the receipt of tenders shall be performed using electronic means to the extent possible.

2. Beyond the provisions referred to in paragraph 1, the Parties' domestic legislation on concessions shall apply.

Notes:

For public works concession, the definition of technical specification in subparagraph (q) of Article 28.1 includes the constructive methods and constructive design.

PUBLIC

SECTION H

GENERAL NOTES AND DEROGATIONS

Chapter 28 does not apply to procurement of a good or service outside the territory of Chile for consumption outside the territory of Chile.

PUBLIC

SECTION I

PUBLICATIONS

Electronic media utilised for the publication of notices

www.mercadopublico.cl or www.chilecompra.cl

www.mop.cl

http://www.concesiones.cl/proyectos/Paginas/AgendaConcesiones2018_2022.aspx

Laws and regulations

www.diariooficial.cl

Judicial decisions

http://basejurisprudencial.poderjudicial.cl/

Administrative rules

https://www.contraloria.cl/web/cgr/dictamenes-y-pronunciamientos-juridicos

PUBLIC

SECTION J

THRESHOLD VALUES

1. Chile shall calculate and convert the value of the thresholds to its national currency using the conversion rates of the daily values of the national currency in terms of Special Drawing Rights, published monthly by the International Monetary Fund in "International Financial Statistics", over a period of two years prior to 1 October of the year prior to the thresholds taking effect, which will be from 1 January of the following year.

2. Chile shall notify the EU Party on the value, in its national currency, of the new thresholds calculated no later than one month before those thresholds take effect. Thresholds expressed in the national currency of Chile shall be fixed for a period of two calendar years.

ANNEX 29

PUBLIC

SCHEDULE OF CHILE

1. Obligations concerned:	Subparagraph (a) of Article 29.4(1) Subparagraph (b) of Article 29.4(1) Subparagraph (c)(i) of Article 29.4(1)
Entity:	Empresa Nacional de Petróleo (ENAP) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), the entity may accord preferential treatment in its purchases of energy goods, such as hydrocarbon or electric power from any source of generation, for resale in remote or underserved areas of Chile.

	With respect to subparagraphs (a) and (c)(i) of Article 29.4(1), the entity may accord preferential treatment in its sales of energy goods, such as hydrocarbon or electric power from any source of generation, to consumers in remote or underserved areas of Chile.
2. Obligations concerned:	Subparagraph (a) of Article 29.4(1)
	Subparagraph (b) of Article 29.4(1)
Entity:	Corporación Nacional del Cobre (CODELCO) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), the entity may accord preferential treatment to enterprises in the territory of Chile in up to 10 % of the total value of its annual purchases of goods and services.

PUBLIC

3. Obligations concerned:	Subparagraph (a) of Article 29.4(1) Subparagraph (b) of Article 29.4(1) Subparagraph (c)(i) of Article 29.4(1)
Entity:	Empresa Nacional de Minería (ENAMI) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), the entity may accord, pursuant to laws or regulations, preferential treatment in its purchases of minerals from small and midsize mineral producers that are investments of Chilean investors. With respect to subparagraphs (a) and (c)(i) of Article 29.4(1), the entity may provide technical support and financial services under preferential terms to small and midsize mineral producers that are investments of Chilean investors.

PUBLIC

4. Obligations concerned:	Subparagraph (a) of Article 29.4(1) Subparagraph (b) of Article 29.4(1)
Entity:	Empresa de Transporte de Pasajeros Metro S.A. (METRO) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), the entity may accord preferential treatment to enterprises in the territory of Chile in up to 10 % of the total value of its annual purchases of goods and services.

PUBLIC

5. Obligations concerned:	Subparagraph (a) of Article 29.4(1) Subparagraph (b) of Article 29.4(1)
Entity:	Televisión Nacional de Chile (TVN) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), the entity may accord, pursuant to laws or regulations, preferential treatment to Chilean content and products in its purchases of programming content.

PUBLIC

6. Obligations concerned:	Subparagraph (a) of Article 29.4(1), with respect to financial services Subparagraph (c)(i) of Article 29.4(1), with respect to financial services
Entity:	Banco del Estado de Chile (BANCO ESTADO) or its successor, its subsidiaries and affiliates.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (c)(i) of Article 29.4(1), the entity may accord, pursuant to laws or regulations, preferential treatment in the supply of financial services to underserved segments of the population in Chile, provided that such financial services are not intended to displace or impede financial services provided by privately-owned enterprises from the relevant market.

PUBLIC

7. Obligations concerned:	Subparagraph (a) of Article 29.4(1) Subparagraph (b) of Article 29.4(1)
Entity:	All existing and future state-owned enterprises.
Scope of non-conforming activities:	With respect to subparagraphs (a) and (b) of Article 29.4(1), existing and future state-owned enterprises may accord preferential treatment to indigenous people and their communities in the purchase of goods and services. For the purposes of this entry, indigenous people and their communities are those recognised under Law No 19.523 of the Ministry of Social Development and Family, or its successor.

PUBLIC

ANNEX 32-A

PUBLIC

LEGISLATION OF THE PARTIES

1. EU PARTY

Regulation (EU) No 1151/2012 of the European Parliament and of the Council[1], and its implementing acts.

2. CHILE

(a) Law No. 19.039, which establishes rules applicable to industrial privileges and protection of industrial property rights, as last amended by Law No. 21.355, which amends Law No. 19.039, on industrial property, and Law No. 20.254, which establishes the National Institute of Industrial Property.

(b) Supreme Decree No. 236 of the Ministry of Economy, Development and Reconstruction, of 25 August 2005, approving the Regulations of Law No. 19.039, on Industrial Property.

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[1] Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ EU L 343, 14.12.2012, p. 1).

ANNEX 32-B

PUBLIC

CRITERIA FOR THE OPPOSITION PROCEDURE
AS REFERRED TO IN ARTICLE 32.34

1. List of names with the corresponding transcription into Latin characters.

2. The product type.

3. An invitation to any of the following persons having a legitimate interest to submit objections to the protection of a name by lodging a duly substantiated statement of opposition:

(a) in the case of the EU Party, to any natural or juridical persons except those established or resident in Chile;

(b) in the case of Chile, to any natural or juridical persons except those established or resident in a Member State.

4. Statements of opposition must reach the European Commission or the Government of Chile within two months of the date of publication of the publicity measure.

5. Statements of opposition shall be admissible only if they:

(a) are received within the period set out in paragraph 4 and show that the protection of the name proposed would:

(i) conflict with the name of a plant variety, including a wine grape variety or an animal breed and, therefore, is likely to mislead the consumer as to the true origin of the product;

(ii) be a name which misleads the consumer into believing that products come from another territory;

(iii) in the light of a trademark's reputation and renown and the length of time it has been used, be liable to mislead the consumer as to the true identity of the product;

(iv) affect the existence of an entirely or partly identical name, or the existence or distinctiveness of a trademark, or affect products which have been put in good faith on the market preceding the date of publication of the publicity measure; or

(b) can give details indicating that the name, for which protection and registration is considered, is generic.

6. The criteria set out in this Annex shall be evaluated in relation to the territory of the EU Party, which, for the purposes of intellectual property rights, refers only to the territory or territories where those rights are protected, and the territory of Chile.

PUBLIC

ANNEX 32-C

PUBLIC

PART A

GEOGRAPHICAL INDICATIONS OF THE EU PARTY
AS REFERRED TO IN ARTICLE 32.33

Country	Designation name	Product type
BELGIUM	Beurre d'Ardenne	Oils and fats (butter, margarine, etc.)
BELGIUM	Fromage de Herve	Cheeses
BELGIUM	Jambon d'Ardenne	Meat products (cooked, salted, smoked, etc.)
BELGIUM	Pâté gaumais	Baked meat pastry
BELGIUM	Plate de Florenville	Fruit, vegetables and cereals fresh or processed
BULGARIA	Българско розово масло (Bulgarsko rozovo maslo)	Essential oils
CZECHIA	Budějovické pivo[i]	Beers
CZECHIA	Budějovický měšťanský var[ii]	Beers
CZECHIA	České pivo	Beers
CZECHIA	Českobudějovické pivo[iii]	Beers
CZECHIA	Žatecký chmel[iv]	Hops

Country	Designation name	Product type
DENMARK	Danablu	Cheeses
DENMARK	Esrom	Cheeses
GERMANY	Aachener Printen	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
GERMANY	Allgäuer Bergkäse	Cheeses
GERMANY	Allgäuer Emmentaler	Cheeses
GERMANY	Bayerische Breze / Bayerische Brezn / Bayerische Brez'n / Bayerische Brezel	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
GERMANY	Bayerisches Bier	Beers
GEMANY	Bremer Bier	Beers
GERMANY	Dortmunder Bier	Beers
GERMANY	Dresdner Christstollen / Dresdner Stollen / Dresdner Weihnachtsstollen	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
GERMANY	Holsteiner Katenschinken / Holsteiner Schinken / Holsteiner Katenrauchschinken / Holsteiner Knochenschinken	Meat products (cooked, salted, smoked, etc.)
GERMANY	Hopfen aus der Hallertau[v]	Hops
GERMANY	Kölsch	Beers
GERMANY	Kulmbacher Bier	Beers
GERMANY	Lübecker Marzipan	Bread, pastry, cakes, confectionary, biscuits and other baker's wares

PUBLIC

Country	Designation name	Product type
GERMANY	Münchener Bier	Beers
GERMANY	Nürnberger Bratwürste; Nürnberger Rostbratwürste	Meat products (cooked, salted, smoked, etc.)
GERMANY	Nürnberger Lebkuchen	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
GERMANY	Schwäbische Spätzle / Schwäbische Knöpfle	Pasta
GERMANY	Schwarzwälder Schinken	Meat products (cooked, salted, smoked, etc.)
GERMANY	Tettnanger Hopfen	Hops
GERMANY	Thüringer Rostbratwurst	Meat products (cooked, salted, smoked, etc.)
IRELAND	Clare Island Salmon	Fresh fish, molluscs, and crustaceans and products derived therefrom
IRELAND	Imokilly Regato	Cheeses
GREECE	Γραβιέρα Κρήτης (Graviera Kritis)	Cheeses
GREECE	Γραβιέρα Νάξου (Graviera Naxou)	Cheeses
GREECE	Ελιά Καλαμάτας (Elia Kalamatas)	Fruit, vegetables and cereals fresh or processed
GREECE	Καλαμάτα (Kalamata)[vi]	Oils and fats (butter, margarine, etc.)
GREECE	Κασέρι (Kasseri)	Cheeses

PUBLIC

Country	Designation name	Product type
GREECE	Κεφαλογραβιέρα (Kefalograviera)	Cheeses
GREECE	Κολυμβάρι Χανίων Κρήτης (Kolymvari Chanion Kritis)	Oils and fats (butter, margarine, etc.)
GREECE	Κονσερβολιά Ροβίων (Konservolia Rovion)[vii]	Fruit, vegetables and cereals fresh or processed
GREECE	Κορινθιακή Σταφίδα Βοστίτσα (Korinthiaki Stafida Vostitsa)[viii]	Fruit, vegetables and cereals fresh or processed
GREECE	Κρόκος Κοζάνης (Krokos Kozanis)	Spices
GREECE	Λακωνία (Lakonia)	Oils and fats (butter, margarine, etc.)
GREECE	Λυγουριό Ασκληπιείου (Lygourio Asklipiiou)	Oils and fats (butter, margarine, etc.)
GREECE	Μανούρι (Manouri)	Cheeses
GREECE	Μαστίχα Χίου (Masticha Chiou)	Natural gums and resines
GREECE	Πεζά Ηρακλείου Κρήτης (Peza Irakliou Kritis)	Oils and fats (butter, margarine, etc.)
GREECE	Σητεία Λασιθίου Κρήτης (Sitia Lasithiou Kritis)	Oils and fats (butter, margarine, etc.)
GREECE	Φέτα (Feta)[ix]	Cheeses
GREECE	Χανιά Κρήτης (Chania Kritis)	Oils and fats (butter, margarine, etc.)
SPAIN	Aceite de la Rioja	Oils and fats (butter, margarine, etc.)

PUBLIC

Country	Designation name	Product type
SPAIN	Aceite de Terra Alta; Oli de Terra Alta	Oils and fats (butter, margarine, etc.)
SPAIN	Aceite del Baix Ebre-Montsià; Oli del Baix Ebre-Montsià	Oils and fats (butter, margarine, etc.)
SPAIN	Aceite del Bajo Aragón	Oils and fats (butter, margarine, etc.)
SPAIN	Alfajor de Medina Sidonia	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
SPAIN	Antequera	Oils and fats (butter, margarine, etc.)
SPAIN	Azafrán de la Mancha	Spices
SPAIN	Baena	Oils and fats (butter, margarine, etc.)
SPAIN	Carne de Vacuno del País Vasco / Euskal Okela	Fresh meat (and offal)
SPAIN	Cecina de León	Meat products (cooked, salted, smoked, etc.)
SPAIN	Chorizo Riojano	Meat products (cooked, salted, smoked, etc.)
SPAIN	Cítricos Valencianos; Cítrics Valencians[x]	Fruit, vegetables and cereals fresh or processed
SPAIN	Dehesa de Extremadura	Meat products (cooked, salted, smoked, etc.)

PUBLIC

Country	Designation name	Product type
SPAIN	Estepa	Oils and fats (butter, margarine, etc.)
SPAIN	Guijuelo	Meat products (cooked, salted, smoked, etc.)
SPAIN	Idiazabal	Cheeses
SPAIN	Jabugo	Meat products (cooked, salted, smoked, etc.)
SPAIN	Jamón de Trevélez	Meat products (cooked, salted, smoked, etc.)
SPAIN	Jamón de Teruel / Paleta de Teruel	Meat products (cooked, salted, smoked, etc.)
SPAIN	Jijona	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
SPAIN	Les Garrigues	Oils and fats (butter, margarine, etc.)
SPAIN	Los Pedroches	Meat products (cooked, salted, smoked, etc.)
SPAIN	Mahón-Menorca	Cheeses
SPAIN	Pimentón de la Vera	Spices
SPAIN	Pimentón de Murcia	Spices
SPAIN	Polvorones de Estepa	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
SPAIN	Priego de Córdoba	Oils and fats (butter, margarine, etc.)

PUBLIC

Country	Designation name	Product type
SPAIN	Queso Manchego	Cheeses
SPAIN	Queso Tetilla / Queixo Tetilla	Cheeses
SPAIN	Salchichón de Vic; Llonganissa de Vic	Meat products (cooked, salted, smoked, etc.)
SPAIN	Sidra de Asturias; Sidra d'Asturies	Cider
SPAIN	Sierra de Cádiz	Oils and fats (butter, margarine, etc.)
SPAIN	Sierra de Cazorla	Oils and fats (butter, margarine, etc.)
SPAIN	Sierra de Segura	Oils and fats (butter, margarine, etc.)
SPAIN	Sierra Mágina	Oils and fats (butter, margarine, etc.)
SPAIN	Siurana	Oils and fats (butter, margarine, etc.)
SPAIN	Sobrasada de Mallorca	Meat products (cooked, salted, smoked, etc.)
SPAIN	Ternera Asturiana	Fresh meat (and offal)
SPAIN	Ternera de Navarra; Nafarroako Aratxea	Fresh meat (and offal)
SPAIN	Ternera Gallega	Fresh meat (and offal)
SPAIN	Torta del Casar	Cheese

PUBLIC

Country	Designation name	Product type
SPAIN	Turrón de Alicante	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
SPAIN	Vinagre de Jerez	Vinegar
FRANCE	Abondance	Cheeses
FRANCE	Banon	Cheeses
FRANCE	Beaufort	Cheeses
FRANCE	Bleu d'Auvergne	Cheeses
FRANCE	Bœuf de Charolles[xi]	Fresh meat (and offal)
FRANCE	Brie de Meaux	Cheeses
FRANCE	Brillat-Savarin	Cheeses
FRANCE	Camembert de Normandie	Cheeses
FRANCE	Canard à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy)	Meat products (cooked, salted, smoked, etc.)
FRANCE	Cantal; Fourme de Cantal	Cheeses
FRANCE	Chabichou du Poitou[xii]	Cheeses
FRANCE	Chaource	Cheeses
FRANCE	Comté	Cheeses
FRANCE	Crottin de Chavignol; Chavignol[xiii]	Cheeses
FRANCE	Emmental de Savoie	Cheeses
FRANCE	Époisses	Cheeses
FRANCE	Fourme d'Ambert	Cheeses

PUBLIC

Country	Designation name	Product type
FRANCE	Génisse Fleur d'Aubrac[xiv]	Fresh meat (and offal)
FRANCE	Gruyère[xv]	Cheeses
FRANCE	Huile d'olive de Haute-Provence	Oils and fats (butter, margarine, etc.)
FRANCE	Huile essentielle de lavande de Haute-Provence / Essence de lavande de Haute-Provence	Essential oils
FRANCE	Huîtres Marennes Oléron	Fresh fish, molluscs, and crustaceans and products derived therefrom
FRANCE	Jambon de Bayonne	Meat products (cooked, salted, smoked, etc.)
FRANCE	Lentille verte du Puy	Fruit, vegetables and cereals fresh or processed
FRANCE	Maroilles / Marolles	Cheeses
FRANCE	Morbier	Cheeses
FRANCE	Munster; Munster-Géromé	Cheeses
FRANCE	Neufchâtel	Cheeses
FRANCE	Noix de Grenoble	Fruit, vegetables and cereals fresh or processed
FRANCE	Pont-l'Évêque	Cheeses
FRANCE	Pruneaux d'Agen; Pruneaux d'Agen mi-cuits[xvi]	Fruit, vegetables and cereals fresh or processed

PUBLIC

Country	Designation name	Product type
FRANCE	Reblochon; Reblochon de Savoie	Cheeses
FRANCE	Roquefort	Cheeses
FRANCE	Sainte-Maure de Touraine[xvii]	Cheeses
FRANCE	Saint-Marcellin	Cheeses
FRANCE	Saint-Nectaire	Cheeses
FRANCE	Tomme de Savoie	Cheeses
FRANCE	Tomme des Pyrénées	Cheeses
FRANCE	Veau d'Aveyron et du Ségala	Fresh meat (and offal)
FRANCE	Veau du Limousin[xviii]	Fresh meat (and offal)
FRANCE	Volailles de Loué	Fresh meat (and offal)
CROATIA	Baranjski kulen	Meat products (cooked, salted, smoked, etc.)
CROATIA	Dalmatinski pršut	Meat products (cooked, salted, smoked, etc.)
CROATIA / SLOVENIA	Istarski pršut / Istrski pršut	Meat products (cooked, salted, smoked, etc.)
CROATIA	Krčki pršut	Meat products (cooked, salted, smoked, etc.)
ITALY	Aceto Balsamico di Modena	Vinegar
ITALY	Aceto balsamico tradizionale di Modena	Vinegar

PUBLIC

Country	Designation name	Product type
ITALY	Aprutino Pescarese	Oils and fats (butter, margarine, etc.)
ITALY	Asiago	Cheeses
ITALY	Bresaola della Valtellina	Meat products (cooked, salted, smoked, etc.)
ITALY	Cantuccini Toscani / Cantucci Toscani	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
ITALY	Coppa Piacentina	Meat products (cooked, salted, smoked, etc.)
ITALY	Cotechino Modena	Meat products (cooked, salted, smoked, etc.)
ITALY	Culatello di Zibello	Meat products (cooked, salted, smoked, etc.)
ITALY	Fontina	Cheeses
ITALY	Garda	Oils and fats (butter, margarine, etc.)
ITALY	Gorgonzola	Cheeses
ITALY	Grana Padano	Cheeses
ITALY	Mela Alto Adige; Südtiroler Apfel	Fruit, vegetables and cereals fresh or processed
ITALY	Mela Val di Non	Fruit, vegetables and cereals fresh or processed
ITALY	Montasio	Cheeses

PUBLIC

Country	Designation name	Product type
ITALY	Mortadella Bologna	Meat products (cooked, salted, smoked, etc.)
ITALY	Mozzarella di Bufala Campana	Cheeses
ITALY	Pancetta Piacentina	Meat products (cooked, salted, smoked, etc.)
ITALY	Parmigiano Reggiano[xix]	Cheeses
ITALY	Pasta di Gragnano	Pasta
ITALY	Pecorino Romano	Cheeses
ITALY	Pecorino Toscano	Cheeses
ITALY	Pomodoro SAN Marzano dell'Agro Sarnese-Nocerino[xx]	Fruit, vegetables and cereals fresh or processed
ITALY	Prosciutto di Modena	Meat products (cooked, salted, smoked, etc.)
ITALY	Prosciutto di Norcia	Meat products (cooked, salted, smoked, etc.)
ITALY	Prosciutto di Parma	Meat products (cooked, salted, smoked, etc.)
ITALY	Prosciutto di San Daniele	Meat products (cooked, salted, smoked, etc.)
ITALY	Prosciutto Toscano	Meat products (cooked, salted, smoked, etc.)
ITALY	Provolone Valpadana	Cheeses
ITALY	Ragusano	Cheeses

PUBLIC

Country	Designation name	Product type
ITALY	Salamini italiani alla cacciatora	Meat products (cooked, salted, smoked, etc.)
ITALY	Speck Alto Adige / Südtiroler Markenspeck / Südtiroler Speck	Meat products (cooked, salted, smoked, etc.)
ITALY	Taleggio	Cheeses
ITALY	Terra di Bari	Oils and fats (butter, margarine, etc.)
ITALY	Toscano	Oils and fats (butter, margarine, etc.)
ITALY	Veneto Valpolicella; Veneto Euganei e Berici; Veneto del Grappa	Oils and fats (butter, margarine, etc.)
ITALY	Vitellone bianco dell'Appennino Centrale	Fresh meat (and offal)
ITALY	Zampone Modena	Meat products (cooked, salted, smoked, etc.)
CYPRUS	Γλυκό Τριαντάφυλλο Αγρού (Glyko Triantafyllo Agrou)	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
CYPRUS	Λουκούμι Γεροσκήπου (Loukoumi Geroskipou)	Bread, pastry, cakes, confectionary, biscuits and other baker's wares
HUNGARY	Csabai kolbász/Csabai vastagkolbász	Meat products (cooked, salted, smoked, etc.)
HUNGARY	Gyulai kolbász / Gyulai pároskolbász	Meat products (cooked, salted, smoked, etc.)
HUNGARY	Kalocsai fűszerpaprika-őrlemény	Spices
HUNGARY	Szegedi fűszerpaprika-őrlemény / Szegedi paprika	Spices

PUBLIC

Country	Designation name	Product type
HUNGARY	Szegedi szalámi; Szegedi téliszalámi	Meat products (cooked, salted, smoked, etc.)
NETHERLANDS	Edam Holland	Cheeses
NETHERLANDS	Gouda Holland	Cheeses
AUSTRIA	Steirischer Kren	Fruit, vegetables and cereals fresh or processed
AUSTRIA	Steirisches Kürbiskernöl	Oils and fats (butter, margarine, etc.)
AUSTRIA	Tiroler Bergkäse	Cheeses
AUSTRIA	Tiroler Graukäse	Cheeses
AUSTRIA	Tiroler Speck	Meat products (cooked, salted, smoked, etc.)
AUSTRIA	Vorarlberger Bergkäse	Cheeses
POLAND	jabłko grójeckie	Fruit, vegetables and cereals fresh or processed
PORTUGAL	Azeite de Moura	Oils and fats (butter, margarine, etc.)
PORTUGAL	Azeite do Alentejo Interior	Oils and fats (butter, margarine, etc.)
PORTUGAL	Azeites da Beira Interior (Azeite da Beira Alta, Azeite da Beira Baixa)	Oils and fats (butter, margarine, etc.)
PORTUGAL	Azeite de Trás-os-Montes	Oils and fats (butter, margarine, etc.)
PORTUGAL	Azeites do Norte Alentejano	Oils and fats (butter, margarine, etc.)
PORTUGAL	Azeites do Ribatejo	Oils and fats (butter, margarine, etc.)

PUBLIC

Country	Designation name	Product type
PORTUGAL	Chouriça de Carne de Vinhais; Linguiça de Vinhais	Meat products (cooked, salted, smoked, etc.)
PORTUGAL	Chouriço de Portalegre	Meat products (cooked, salted, smoked, etc.)
PORTUGAL	Pêra Rocha do Oeste[xxi]	Fruit, vegetables and cereals fresh or processed
PORTUGAL	Presunto de Barrancos / Paleta de Barrancos	Meat products (cooked, salted, smoked, etc.)
PORTUGAL	Queijo S. Jorge[xxii]	Cheeses
PORTUGAL	Queijo Serra da Estrela	Cheeses
PORTUGAL	Queijos da Beira Baixa (Queijo de Castelo Branco, Queijo Amarelo da Beira Baixa, Queijo Picante da Beira Baixa)	Cheeses
ROMANIA	Magiun de prune Topoloveni	Fruit, vegetables and cereals fresh or processed
ROMANIA	Salam de Sibiu	Meat products (cooked, salted, smoked, etc.)
ROMANIA	Telemea de Ibăneşti	Cheeses
SLOVENIA	Kranjska klobasa	Meat products (cooked, salted, smoked, etc.)
SLOVENIA	Kraška panceta	Meat products (cooked, salted, smoked, etc.)
SLOVENIA	Kraški pršut	Meat products (cooked, salted, smoked, etc.)
SLOVENIA	Kraški zašink	Meat products (cooked, salted, smoked, etc.)

PUBLIC

PART B

GEOGRAPHICAL INDICATIONS OF CHILE

AS REFERRED TO IN ARTICLE 32.33

PUBLIC

Country	Designation name	Product type
CHILE	SAL DE CÁHUIL – BOYERUCA LO VALDIVIA	Salt
CHILE	PROSCIUTTO DE CAPITÁN PASTENE	Cured ham
CHILE	LIMÓN DE PICA	Lemons
CHILE	LANGOSTA DE JUAN FERNÁNDEZ	Lobsters
CHILE	ATÚN DE ISLA DE PASCUA	Tuna – Fish/Fish fillets/Live fish
CHILE	CANGREJO DORADO DE JUAN FERNÁNDEZ	Crab – Live/Not live
CHILE	CORDERO CHILOTE	Lamb meat
CHILE	DULCES DE LA LIGUA	Pastries
CHILE	MAÍZ LLUTEÑO	Corn
CHILE	SANDÍA DE PAINE	Watermelon
CHILE	ACEITUNAS DE AZAPA	Preserved/Fresh olives

Country	Designation name	Product type
CHILE	ORÉGANO DE LA PRECORDILLERA DE PUTRE	Spices
CHILE	TOMATE ANGOLINO	Tomatoes
CHILE	DULCES DE CURACAVÍ	Pastries
CHILE	ACEITE DE OLIVA DEL VALLE DEL HUASCO	Olive oil
CHILE	PUERRO AZUL DE MAQUEHUE	Leeks
CHILE	SIDRA DE PUNUCAPA	Cider
CHILE	CHICHA DE CURACAVÍ	Fermented beverage

PUBLIC

Explanatory notes:

[i] Protection of the geographical indication "Budějovické pivo" is only sought in the Czech language.

[ii] Protection of the geographical indication "Budějovický měšťanský var" is only sought in the Czech language.

[iii] Protection of the geographical indication "Českobudějovické pivo" is only sought in the Czech language.

[iv] The varietal name "saaz" may continue to be used on similar products, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

[v] The varietal name "hallertau" may continue to be used on similar products, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

[vi] The varietal name "kalamon" may continue to be used on similar products, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

PUBLIC

vii The varietal name "konservolia" may continue to be used on similar products, provided that these products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

viii The varietal name "pasa de corinto" may continue to be used on similar products, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

ix The protection of the geographical indication "Φέτα (Feta)" shall not prevent the continued and similar use of the term "Feta" by any persons, including their successors and assignees, for a maximum of six years from the date of entry into force of this Agreement, provided that at the date of entry into force of this Agreement they have used that geographical indication in a continuous manner with regard to the same or similar goods in the territory of Chile. Within that period, the use of the term "Feta" must be accompanied with a legible and visible indication of the geographical origin of the product concerned.

PUBLIC

[x] The varietal name "Valencia" may continue to be used on similar products, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

[xi] The protection of the geographical indication "Bœuf de Charolles" shall not prevent users of the term "Charolesa" in the territory of Chile, indicating a product derived from the animal breed, from continuing to use that term, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the use of the name of the animal breed does not mislead the consumers or constitute an act of unfair competition with regard to the geographical indication.

[xii] Protection is only sought for the compound term.

[xiii] Protection is only sought for the compound term.

PUBLIC

[xiv] The protection of the geographical indication "Génisse Fleur d'Aubrac" shall not prevent users of the term "Aubrac" in the territory of Chile, indicating a product derived from the animal breed, from continuing to use that term, provided that those products are not commercialised by using references (graphics, names, pictures, flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the use of the name of the animal breed does not mislead the consumers or constitute an act of unfair competition with regard to the geographical indication.

[xv] The protection of the geographical indication "Gruyère" shall not prevent prior users, listed in Appendix 32-C-2, of the term "Gruyère/Gruyere" in the territory of Chile, which had been using that term in good faith and with recurrent presence on the market within 12 months before the conclusion of negotiations of this Agreement on 9 December 2022, from continuing to use that term, provided that those products are not commercialised by using references (e.g. graphics, names, pictures or flags) to the genuine origin of "Gruyère" and are differentiated from "Gruyère" in a non-ambiguous manner as regards the origin, and provided that the term is displayed in a font character that, while being readable, is substantially smaller than the brand name, and is differentiated from it in a non-ambiguous manner as regards the origin of the product. The designation "Gruyère" refers, within the territory of the European Union, to two homonymous geographical indications, respectively in respect of a Swiss and a French cheese. The EU Party shall not oppose a possible application aiming at the protection of the said Swiss homonymous geographical indication in Chile.

PUBLIC

[xvi] The name "d'Agen" may continue to be used as a variety for fresh plums and plum-trees, provided that those products are not commercialised by using references (e.g. graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

[xvii] Protection is only sought for the multicomponent term.

[xviii] The protection of the geographical indication "Veau du Limousin" shall not prevent users of the term "Limousin" in the territory of Chile, indicating a product derived from the animal breed, from continuing to use that term, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the use of the name of the animal breed does not mislead the consumers or constitute an act of unfair competition with regard to the geographical indication.

PUBLIC

[xix] The protection of the geographical indication "Parmigiano Reggiano" shall not prevent prior users, listed in Appendix 32-C-2, of the term "Parmesano" in the territory of Chile, which had been using that term in good faith and with recurrent presence on the market within 12 months before the conclusion of negotiations of this Agreement on 9 December 2022, from continuing to use that term, provided that those products are not commercialised by using references (e.g. graphics, names, pictures or flags) to the genuine origin of "Parmigiano Reggiano" and are differentiated from "Parmigiano Reggiano" in a non-ambiguous manner as regards the origin, and provided that the term is displayed in a font character that, while being readable, is substantially smaller than the brand name, and is differentiated from it in a non-ambiguous manner as regards the origin of the product.

[xx] The varietal name "San Marzano" may continue to be used as a variety for fresh tomatoes and tomato plants, provided that those products are not commercialised by using references (graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

PUBLIC

[xxi] The varietal name "Pêra Rocha" may continue to be used on similar products, provided that those products are not commercialised by using references (e.g. graphics, names, pictures or flags) to the genuine origin of the geographical indication or by exploiting the reputation of the geographical indication, and provided that the consumer is not misled as to the nature of such term or the precise origin of the product and that the use of that term does not constitute an act of unfair competition with regard to the geographical indication.

[xxii] The protection of the term "Queijo S. Jorge" shall not restrict the use of the term "San Jorge" in Chile as an existing registered trademark, provided that such use does not mislead the consumer as to the origin of the product. The term "Queijo S. Jorge" should only be used as a multicomponent term, and in combination with an indication of its origin and a brand name.

PUBLIC

Appendix 32-C-1

PUBLIC

LIST OF INDIVIDUAL COMPONENTS
AS REFERRED TO IN ARTICLE 32.35(9)

For listed geographical indications of the EU Party:

As regards the list of geographical indications of the EU Party set out in Part A of Annex 32-C, the protection provided in accordance with Article 32.35 of this Agreement is not sought in respect of the following individual terms, which are components of a multicomponent term that is protected as a geographical indication:

"aceite", "Aceto balsamico", "tradizionale", "aceto", "alfajor", "alla cacciatora", "amarelo", "Apfel", "azafran", "azeite", "azeites", "Bayrische", "Bergkäse", "beurre", "Bier", "bleu", "boeuf", "Bratwürste", "Bresaola", "Breze", "Brezn", "Brez'n", "Brezel", "brie", "camembert", "Canard à foie gras", "cantucci", "cantuccini", "carne", "carne de vacuno", "cecina", "chmel", "chorizo", "chouriça de carne", "chouriço", "Christstollen", "citricos", "citrics", "coppa", "cotechino", "culatello", "dehesa", "edam", "emmental", "Emmentaler", "Ελιά (Elia)", "Essence de lavande", "fromage", "fűszerpaprika-őrlemén", "génisse", "Γλυκό Τριαντάφυλλο" (Glyko Triantafyllo), "gouda", "Graukäse", "graviera", "Hopfen", "huile d'olive", "huile essentielle de lavande", "huîtres", "island", "jabłko", "jambon", "Katenrauchschinken", "Katenschinken", "klobasa", "Knochenschinken", "Knöpfle", "kolbász", "Kren", "Κρόκος" (Krokos), "kulen", "Kürbiskernöl", "Lebkuchen", "lentille", "lentille verte", "linguiça", "llonganissa", "Λουκούμι" (Loukoumi), "magiun de prune", "Markenspeck", "Marzipan", "mela", "mortadella", "mozzarella", "mozzarella di bufala", "noix", "oli", "paleta", "panceta", "pancetta", "paprika", "pároskolbász", "pasta", "paté", "pecorino", "pêra", "pimentòn", "picante", "pivo", "plate", "polvorones", "pomodoro", "presunto", "prosciutto", "provolone", "pruneaux mi-cuits","pruneaux","priego", "Printen", "pršut", "prune", "queijo", "queijos", "queixo", "queso", "розово масло" (rozovo maslo), "Rostbratwurst", "salam", "salamini", "salchichón", "salmon", "Schinken", "sidra", "sierra", "sobrasada", "Spätzle", "Speck", "Σταφίδα" (Stafida), "Stollen", "szalámi", "telemea", "Téliszalámi", "ternera", "terra", "tomme", "torta", "turrón", "vastagkolbász", "var", "veau", "vinagre", "vitellone bianco", "volailles", "Weihnachtsstollen", "zampone", "zašink".

For listed geographical indications of Chile:

As regards the list of geographical indications of Chile set out in Part B of Annex 32-C, the protection provided in accordance with Article 32.35 of this Agreement is not sought in respect of the following individual terms, which are components of a multicomponent term that is protected as a geographical indication:

"aceite", "aceitunas", "atún", "cangrejo", "chicha", "cordero", "dulces", "isla", "langosta", "limón", "maíz", "oregano", "prosciutto", "puerro", "sal", "sandía", "sidra", "tomate".

PUBLIC

Appendix 32-C-2

PUBLIC

LIST OF PRIOR USERS

Parmesano

- AGRÍCOLA Y LÁCTEOS LAS VEGAS S.A.
- AGROCOMERCIAL CODIGUA SPA
- ALVI SUPERMERCADOS MAYORISTAS S.A.
- ALTAS CUMBRES GROUP SPA
- ARTHUR SCHUMAN INC.
- BODEGA GOURMET SPA
- CASO Y CIA SAC
- CENCOSUD S.A.
- COMERCIAL DE CAMPO S.A.
- CONAPROLE

- COOPERATIVA AGRÍCOLA Y LECHERA DE LA UNIÓN LTDA.
- ELABORADORA DE ALIMENTOS GOURMET LIMITADA
- HIPERMERCADOS TOTTUS S.A.
- LACTEOS KUMEY SPA
- PRODUCTOS FERNANDEZ S.A.
- QUILLAYES SURLAT COMERCIAL SPA
- REMOTTI S.A.
- RENDIC HERMANOS S.A.
- SCHREIBER FOODS
- SOPROLE INVERSIONES S.A.
- SUPER 10 S.A.
- VIVAFOODS SPA
- WALMART CHILE S.A.

PUBLIC

Gruyere/Gruyère

– AGRICOLA Y LACTEOS LAS VEGAS S.A.

– BODEGA GOURMET SPA

– COMERCIAL DE CAMPO S.A.

– QUESERÍA PETITE FRANCE LIMITADA

– QUILLAYES SURLAT COMERCIAL SPA

– SANTA ROSA CHILE ALIMENTOS LTDA.

PUBLIC

ANNEX 38-A

PUBLIC

RULES OF PROCEDURE

I. Definitions

1. For the purposes of this Annex:

(a) "administrative staff" means, in respect of a panellist, individuals under the direction and control of a panellist, other than assistants;

(b) "adviser" means an individual retained by a Party to advise or assist that Party in connection with the panel proceedings;

(c) "assistant" means an individual who, under the terms of appointment and under the direction and control of a panellist, conducts research or provides assistance to that panellist; and

(d) "representative of a Party" means an employee or any individual appointed by a government department, agency or any other public entity of a Party who represents the Party for the purposes of a dispute under Chapter 38.

PUBLIC

2. Any request, notice, written submission or other document of:

(a) the panel shall be sent to both Parties at the same time;

(b) a Party, which is addressed to the panel, shall be copied to the other Party at the same time; and

(c) a Party, which is addressed to the other Party, shall be copied to the panel at the same time, as appropriate.

3. Any notification referred to in Rule 2 shall be made by e-mail or, where appropriate, any other means of telecommunication that provides a record of the sending thereof. Unless proven otherwise, such notification shall be deemed to be delivered on the date of its sending.

4. All notifications shall be addressed, for the EU Party, to the Directorate-General for Trade of the European Commission and, for Chile, to the Undersecretariat of International Economic Relations, or their successors, respectively.

5. Minor errors of a clerical nature in a request, notice, written submission or other document related to the panel proceedings may be corrected by delivery of a new document clearly indicating the changes.

6. If the last day for delivery of a document falls on a non-working day of the European Commission or of Chile, the time period for the delivery of the document shall end on the first following working day.

III. Appointment of panellists

7. If pursuant to Article 38.6 a panellist or a chairperson is selected by lot, the co-chair of the Joint Committee of the complaining Party shall promptly inform the co-chair of the Party complained against of the date, time and venue of the selection by lot. The Party complained against may, if it so chooses, be present during the selection by lot. In any event, the selection by lot shall be carried out with the Party or Parties that are present.

8. The co-chair of the Joint Committee of the complaining Party shall notify, in writing, each individual who has been selected to serve as a panellist of their appointment. Each individual shall confirm their availability to the Parties within five days after the date on which they were informed of their appointment.

9. The co-chair of the Joint Committee of the complaining Party shall select by lot the panellist or chairperson, within five days after the expiry of the time period provided for in Article 38.6(2), if any of the sub-lists referred to in Article 38.8(1):

(a) is not established – from the individuals who have been formally proposed by one or both Parties for the establishment of that particular sub-list; or

PUBLIC

(b) no longer contains at least five individuals – from the individuals who remain on that particular sub-list.

10. The Parties shall endeavour to ensure that, at the latest by the time when all the panellists have notified the Parties of the acceptance of their appointment in accordance with Article 38.6(5), they have agreed on the remuneration and the reimbursement of expenses of the panellists and assistants, and have prepared the necessary appointment contracts, with a view to having them signed promptly. The remuneration and expenses of the panellists shall be based on WTO standards. The remuneration and expenses of one or more assistants of a panellist shall not exceed 50 % of the remuneration of the panellist that they assist.

IV. Organisational meeting

11. Unless the Parties agree otherwise, they shall meet the panel within seven days of the establishment of the panel in order to determine such matters that the Parties or the panel deem appropriate, including the timetable of the panel proceedings. Panellists and representatives of the Parties may take part in this meeting through any means, including telephone or video conference.

PUBLIC

V. Written submissions

12. The complaining Party shall deliver its written submission no later than 20 days after the date of establishment of the panel. The Party complained against shall deliver its written submission no later than 20 days after the date of delivery of the written submission of the complaining Party.

VI. Operation of the panel

13. The chairperson of the panel shall preside over all its meetings. Further to Rules 17 and 18, the panel may delegate to the chairperson the authority to make administrative or procedural decisions.

14. Unless otherwise provided in Chapter 38 or in this Annex, the panel may conduct its activities by any means, including telephone, video conference or other electronic means of communication.

15. Only panellists may take part in the deliberations of the panel, but the panel may permit the assistants of the panellists to be present at its deliberations.

16. The drafting of any decision and report shall remain the exclusive responsibility of the panel and shall not be delegated.

PUBLIC

17. If a procedural question arises that is not covered by Chapter 38, this Annex or Annex 38-B, the panel, after consulting the Parties, may adopt an appropriate procedure that is compatible with the provisions of Chapter 38, this Annex or Annex 38-B.

18. If the panel considers that there is a need to modify any of the time periods for the proceedings other than the time periods set out in Chapter 38 or to make any other procedural or administrative adjustment, it shall inform the Parties in writing of the modification of the time period or any other procedural or administrative adjustment needed and the reasons therefor. The panel may adopt such modification or adjustment after consultation with the Parties.

PUBLIC

VII. Replacement

19. If a Party considers that a panellist does not comply with the requirements of Annex 38-B and for that reason should be replaced, that Party shall notify the other Party within 15 days after the date on which it obtained sufficient evidence of the panellist's alleged failure to comply with the requirements of Annex 38-B.

20. The Parties shall consult with each other within 15 days after the notification referred to in Rule 19. They shall inform the panellist of their alleged failure and they may request the panellist to take steps to remedy the failure. The Parties may also agree to remove the panellist and select a new panellist in accordance with Article 38.6.

21. If, pursuant to Rule 20, the Parties fail to agree on the need to replace a panellist, other than the chairperson of the panel, either Party may refer this matter to the chairperson of the panel, whose decision shall be final. If the chairperson of the panel finds that the panellist does not comply with the requirements of Annex 38-B, the panellist shall be removed and replaced by a new panellist selected in accordance with Article 38.6.

22. If, pursuant to Rule 20, the Parties fail to agree on the need to replace the chairperson of the panel, either Party may request to refer this matter to one of the remaining individuals on the sub-list of chairpersons established pursuant to subparagraph (c) of Article 38.8(1). The co-chair of the Joint Committee of the requesting Party, or that co-chair's delegate, shall draw the name of that individual by lot. The decision by the selected individual on the need to replace the chairperson shall be final. If this selected individual finds that the chairperson does not comply with the requirements of Annex 38-B, a new chairperson shall be selected in accordance with Article 38.6.

VIII. Hearings

23. Based upon the timetable determined pursuant to Rule 11, after consulting with the Parties and the other panellists, the chairperson of the panel shall notify the Parties of the date, time and venue of the hearing. That information shall be made publicly available by the Party in the territory of which the hearing takes place, unless the hearing is closed to the public.

PUBLIC

24. Unless the Parties agree otherwise, the hearing shall be held in Brussels if the complaining Party is Chile and in Santiago if the complaining Party is the EU Party. The Party complained against shall bear the expenses derived from the logistical administration of the hearing. In duly justified circumstances and on request of a Party, the panel may decide to hold a virtual or hybrid hearing and make appropriate arrangements, after consulting the Parties, taking into account the rights of due process and the need to ensure transparency.

25. The panel may convene additional hearings if the Parties so agree.

26. All panellists shall be present during the entirety of the hearing.

27. Unless the Parties agree otherwise, the following persons may attend the hearing, irrespective of whether the hearing is open to the public or not:

(a) representatives of a Party;

(b) advisers;

(c) assistants and administrative staff;

PUBLIC

(d) interpreters, translators and stenographers of the panel; and

(e) experts, as decided by the panel pursuant to Article 38.22(2).

28. No later than five days before the date of a hearing, each Party shall deliver to the panel and to the other Party a list of the names of persons who will make oral arguments or presentations at the hearing on behalf of that Party and of other representatives and advisers who will be attending the hearing.

29. The panel shall conduct the hearing in the following manner, ensuring that the complaining Party and the Party complained against are afforded equal time in both argument and rebuttal argument:

(a) Argument:

(i) argument of the complaining Party;

(ii) argument of the Party complained against.

PUBLIC

(b) Rebuttal argument:

(i) reply of the complaining Party;

(ii) counter-reply of the Party complained against.

30. The panel may direct questions to either Party at any time during the hearing.

31. The panel shall arrange for a recording of the hearing to be prepared and delivered to the Parties as soon as possible after the hearing.

32. Each Party may deliver a supplementary written submission concerning any matter that arose during the hearing within 10 days after the date of the hearing.

IX. Questions in writing

33. The panel may at any time during the proceedings submit questions in writing to one or both Parties. Any questions submitted to one Party shall be copied to the other Party.

34. Each Party shall provide the other Party with a copy of its responses to the questions submitted by the panel. The other Party shall have an opportunity to provide comments in writing on the Party's responses within five days after the delivery of such copy.

PUBLIC

X. Confidentiality

35. Each Party and the panel shall treat as confidential any information submitted by the other Party to the panel which that other Party has designated as confidential. When a Party submits to the panel a written submission which contains confidential information, it shall also provide, within 15 days, a submission without the confidential information which shall be disclosed to the public.

36. Nothing in this Annex shall preclude a Party from disclosing statements of its own positions to the public to the extent that, when making reference to information submitted by the other Party, it does not disclose any information designated by the other Party as confidential.

37. The panel hearings shall be held in closed session when the submission or arguments of a Party contains confidential information. The Parties shall maintain the confidentiality of the panel hearings when the hearings are held in closed session.

XI. *Ex parte* contacts

38. The panel shall not meet or communicate with a Party in the absence of the other Party.

39. A panellist shall not discuss any aspect of the subject matter of the proceedings with one Party or both Parties in the absence of the other panellists.

PUBLIC

XII. *Amicus curiae* submissions

40. Unless the Parties agree otherwise within five days after the date of the establishment of the panel, the panel may receive unsolicited written submissions from natural persons of a Party or juridical persons established in the territory of a Party that are independent from the governments of the Parties, provided that they:

(a) are received by the panel within 10 days after the date of the establishment of the panel;

(b) are concise and in no case longer than 15 pages, including any annexes, typed at double space;

(c) are directly relevant to a factual or a legal issue under consideration by the panel;

(d) contain a description of the person making the submission, including for a natural person their nationality and for a juridical person its place of establishment, the nature of its activities, its legal status, general objectives and its source of financing;

(e) specify the nature of the interest that the person has in the panel proceedings; and

(f) are drafted in the languages chosen by the Parties in accordance with Rules 44 and 45.

PUBLIC

41. The submissions shall be delivered to the Parties by the panel for their comments. The Parties may submit comments, within 10 days after the delivery, to the panel.

42. The panel shall list in its report all the submissions it has received pursuant to Rule 40. The panel shall not be obliged to address in its report the arguments made in such submissions. However, if it does, it shall also take into account any comments made by the Parties pursuant to Rule 41.

XIII. Urgent cases

43. If the case concerns a matter of urgency as referred to in Article 38.12, the panel, after consulting the Parties, shall adjust, as appropriate, the time periods referred to in this Annex. The panel shall notify the Parties of those adjustments.

XIV. Working language and translations

44. During the consultations referred to in Article 38.4, and no later than the date of the organisational meeting referred to in Rule 11 of this Annex, the Parties shall endeavour to agree on a common working language for the proceedings before the panel.

PUBLIC

45. If the Parties are unable to agree on a common working language, each Party shall make its written submissions in its chosen language. Each Party shall provide at the same time a translation in the language chosen by the other Party, unless its submissions are written in one of the working languages of the WTO. The Party complained against shall arrange for the interpretation of oral submissions into the languages chosen by the Parties.

46. Panel reports and decisions shall be issued in the languages chosen by the Parties. If the Parties have not agreed on a common working language, the interim and final report of the panel shall be issued in one of the working languages of the WTO.

47. A Party may provide comments on the accuracy of the translation of any translated version of a document drawn up in accordance with this Annex.

48. Each Party shall bear the costs of the translation of its written submissions. Any costs incurred for translation of reports and decisions of the panel shall be borne equally by the Parties.

XV. Special time periods

49. The time periods laid down in this Annex shall be adjusted in line with the special time periods provided for in Articles 38.15 to 38.18 for the adoption of a report or decision by the panel in the proceedings under those Articles.

PUBLIC

ANNEX 38-B

PUBLIC

CODE OF CONDUCT FOR PANELLISTS AND MEDIATORS

I. Definitions

1. For the purposes of this Annex:

(a) "administrative staff" means, in respect of a panellist, individuals under the direction and control of a panellist, other than assistants;

(b) "assistant" means an individual who, under the terms of appointment and under the direction and control of a panellist, conducts research or provides assistance to that panellist; and

(c) "candidate" means an individual whose name is on the list of panellists referred to in Article 38.8 and who is under consideration for selection as a panellist pursuant to Article 38.6.

PUBLIC

2. In order to preserve the integrity and impartiality of the dispute settlement mechanism, each candidate and panellist shall:

(a) get acquainted with this Code of Conduct;

(b) be independent and impartial;

(c) avoid direct or indirect conflicts of interests;

(d) avoid impropriety and the appearance of impropriety or bias;

(e) observe high standards of conduct; and

(f) not be influenced by self-interest, outside pressure, political considerations, public clamour or loyalty to a Party or fear of criticism.

3. A panellist shall not, directly or indirectly, incur any obligation or accept any benefit that would in any way interfere, or appear to interfere, with the proper performance of their duties.

4. A panellist shall not use their position on the panel to advance any personal or private interests. A panellist shall avoid actions that may create the impression that others are in a special position to influence them.

5. A panellist shall not allow past or existing financial, business, professional, personal or social relationships or responsibilities to influence their conduct or judgement.

6. A panellist shall avoid entering into any relationship or acquiring any financial interest that is likely to affect their impartiality, or that might reasonably create an appearance of impropriety or bias.

PUBLIC

III. Disclosure obligations

7. A candidate requested to serve as a panellist pursuant to Article 38.6 shall, prior to the acceptance of their appointment, disclose any interest, relationship or matter that is likely to affect their independence or impartiality, or that might reasonably create an appearance of impropriety or bias in the proceedings. To that end, a candidate shall make all reasonable efforts to become aware of any such interests, relationships or matters, including financial, professional, employment or family interests.

8. The disclosure obligation set out in paragraph 7 is a continuing duty which requires a panellist to disclose any such interests, relationships or matters that may arise during any stage of the proceedings.

9. A candidate or a panellist shall communicate to the Joint Committee for consideration by the Parties any matters concerning actual or potential violations of this Annex at the earliest time they become aware of them.

PUBLIC

IV. Duties of panellists

10. Upon acceptance of their appointment, a panellist shall be available to perform and shall perform their duties thoroughly and expeditiously throughout the proceedings and with fairness and diligence.

11. A panellist shall consider only the issues raised in the proceedings and necessary for a decision and shall not delegate this duty to any other person.

12. A panellist shall take all appropriate steps to ensure that their assistants and administrative staff are aware of, and comply with, the obligations of panellists set out in Parts II, III, IV and VI of this Annex.

V. Obligations of former panellists

13. A former panellist shall avoid actions that may create the appearance that they were biased in carrying out the duties or derived advantage from the decision of the panel.

14. A former panellist shall comply with the obligations set out in Part VI of this Annex.

VI. Confidentiality

15. A panellist shall not disclose, at any time, any non-public information concerning the proceedings or acquired during the proceedings for which they have been appointed. A panellist shall not, in any case, disclose or use such information to gain personal advantage or advantage for others or to adversely affect the interest of others.

16. A panellist shall not disclose a decision of the panel or parts thereof prior to its publication in accordance with Chapter 38.

17. A panellist shall not, at any time, disclose the deliberations of a panel, or any panellist's view, nor make any statements on the proceedings for which they have been appointed, or on the issues in dispute in the proceedings.

PUBLIC

VII. Expenses

18. Each panellist shall keep a record and render a final account of the time devoted to the proceedings and of their expenses, as well as the time and expenses of their assistants and administrative staff.

VIII. Mediators

19. This Annex applies to mediators, *mutatis mutandis*.

PUBLIC

PROTOCOL TO THE ADVANCED FRAMEWORK AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF CHILE, OF THE OTHER PART ON THE PREVENTION OF AND FIGHT AGAINST CORRUPTION

PUBLIC

SECTION I

GENERAL PROVISIONS

ARTICLE 1

Objectives

1. The Parties affirm their commitment to prevent and fight corruption in international trade and investment and recall that corruption undermines good governance and economic development and distorts international competitive conditions.

2. The Parties recognise that corruption can affect trade as it may compromise market access opportunities and erode commitments aimed at creating a level playing field. Corruption also affects investors and enterprises seeking to participate in trade and investment.

3. The Parties recognise that corruption is a transnational issue and is linked to other forms of transnational and economic crime, including money laundering, and should be addressed with a multi-disciplinary approach and close cooperation at international level.

4. The Parties recognise the need to build integrity and enhance transparency within both the public and private sectors and recognise that each sector has complementary responsibilities in respect of fighting corruption.

5. The Parties recognise the importance of the work carried out by international and regional organisations, including the UN, WTO, OECD, the Financial Action Task Force (FATF), the Council of Europe, and the Organization of American States (OAS), to prevent and fight against corruption in matters affecting international trade and investment and, therefore, commit to work jointly in order to encourage and support appropriate initiatives.

6. The Parties reiterate their shared commitment under Sustainable Development Goal 16 to substantially reduce corruption and bribery in all their forms.

7. The Parties recognise the important work undertaken by the G20 Anti-Corruption Working Group.

8. The objective of this Protocol is to set a bilateral framework of commitments to combat and prevent corruption affecting trade and investment in the relationship between the Parties.

9. The Parties recognise that the description of offences adopted or maintained in accordance with this Protocol, and of the applicable legal defences or legal principles controlling the lawfulness of conduct, is reserved to the law of each Party, and that those offences shall be prosecuted and punished in accordance with the law of each Party.

PUBLIC

ARTICLE 2

Scope

This Protocol applies to corruption affecting matters covered by Part III of this Agreement.

PUBLIC

ARTICLE 3

Relation to other agreements

Nothing in this Protocol shall affect the rights or obligations of the Parties under any other treaties, such as the United Nations Convention against Corruption (UNCAC), the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted at Paris on 21 November 1997, the Inter-American Convention Against Corruption, adopted at Caracas on 29 March 1996, and relevant legal instruments adopted by the Council of Europe.

SECTION II

MEASURES TO COMBAT CORRUPTION

PUBLIC

ARTICLE 4

Active and passive bribery of public officials

The Parties recognise the importance of fighting active and passive bribery of public officials affecting trade and investment. To that end, the Parties reaffirm, in particular, their commitments under Articles 15 and 16 of the UNCAC to adopt or maintain such legislative and other measures as may be necessary to establish the active and passive bribery of public officials and the active bribery of foreign public officials and officials of public international organisations as criminal offences, when committed intentionally. The Parties also reaffirm their commitment to consider adopting such legislative and other measures as may be necessary to establish passive bribery of foreign public officials and officials of public international organisations as criminal offences, when committed intentionally.

ARTICLE 5

Active and passive bribery in the private sector

1. The Parties recognise the importance of fighting active and passive bribery affecting trade and investment in the private sector. To that end, the Parties reaffirm their commitments under Article 21 of the UNCAC to consider adopting such legislative and other measures as may be necessary to establish as criminal offences active and passive bribery in the private sector, when committed intentionally in the course of economic, financial or commercial activities.

2. The Parties recognise the harmful effects of facilitation payments to public officials, as they undermine efforts to combat corruption and incentivise bribery. To that end, the Parties reaffirm their commitments under paragraph 4 of Article 12 of the UNCAC to disallow the tax deductibility of expenses that constitute bribes and, if appropriate, other expenses incurred in furtherance of corrupt conduct.

ARTICLE 6

Corruption and money laundering

The Parties, recognising the interlinkage between corruption and money laundering, reaffirm their commitments under Article 23 of the UNCAC.

PUBLIC

ARTICLE 7

Liability of juridical persons

The Parties recognise that establishing the liability of juridical persons and ensuring availability of effective, proportionate and dissuasive criminal or non-criminal sanctions are necessary to advance the global fight against corruption in international trade and investment. To that end, the Parties reaffirm their commitments under Article 26 of the UNCAC.

PUBLIC

SECTION III

MEASURES TO PREVENT CORRUPTION IN THE PRIVATE SECTOR

ARTICLE 8

Responsible business conduct

1. The Parties recognise the importance of preventive measures and responsible business conduct in averting corruption, including financial and non-financial reporting obligations and corporate social responsibility practices.

2. The Parties recognise the necessity of taking into account the needs and constraints of small and medium-sized enterprises when considering measures under paragraph 1.

3. The Parties recall their support to the OECD Guidelines for Multinational Enterprises in relation to anti-corruption.

PUBLIC

ARTICLE 9

Financial reporting

1. In line with their commitments under the UNCAC, the Parties recognise the importance of enhancing accounting and auditing standards in the private sector as a way of preventing corruption.

2. Each Party shall consider in particular the following measures to achieve that objective:

(a) encouraging private enterprises, taking into account their structure and size, and in particular the specific needs of small and medium-sized enterprises, to implement measures to assist in the prevention and detection of acts of corruption; such measures may include compliance with a corporate governance code, internal audit function or sufficient internal controls; and

(b) requiring that the accounts and financial statements of such private enterprises are subject to appropriate auditing and certification procedures.

3. Each Party shall take such measures as may be necessary, in accordance with its laws and regulations, on the disclosure of financial statements and maintenance of accounting and auditing standards.

4. Each Party should consider adopting or maintaining measures encouraging external auditors to report to the competent authorities any acts they suspect may constitute an offence specified in Articles 4, 5 and 6. If such reporting is required in accordance with its law, the Party shall ensure that the external auditors making such reports reasonably and in good faith are protected from legal action regarding breaches of any contractual or legal restriction on disclosure of information.

PUBLIC

ARTICLE 10

Transparency in the private sector

1. The Parties recognise that transparency can contribute to deterring corruption affecting trade and investment and, to that end, recall their commitments under paragraph 2 of Article 12 of the UNCAC, in particular in respect of the following measures that could achieve the objective of ensuring greater transparency in the private sector involved in commercial activities relating to trade and investment under Part III of this Agreement:

(a) promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of business activities and activities of all relevant professions and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with public authorities;

(b) preventing the misuse of procedures that regulate private entities, including procedures regarding subsidies and licences granted by public authorities for commercial activities; and

(c) promoting measures to prevent conflicts of interest by imposing restrictions, as appropriate and for a reasonable period of time, on the professional activities of former public officials or on the employment of public officials by the private sector after their resignation or retirement, where such activities or employment relate directly to the functions performed or supervised by those public officials during their tenure of office.

2. Each Party shall encourage listed enterprises, banks and insurance companies to report on the measures they have taken to prevent and fight corruption. Each Party shall take such measures as may be necessary on the disclosure of such reports.

PUBLIC

ARTICLE 11

Measures to prevent money-laundering

1. Recognising the importance of preventing money laundering and its potential impact on trade and investment, the Parties confirm their commitment to adopt or maintain a comprehensive domestic regulatory and supervisory regime for financial institutions and designated non-financial business and professions ("DNFBPs") in accordance with existing commitments under the UNCAC and the Recommendations of the FATF. The Parties shall promote the implementation of the FATF Recommendations 24 on the Transparency and Beneficial Ownership of Legal Persons and 25 on the Transparency and Beneficial Ownership of Legal Arrangements.

2. In accordance with the commitments, Recommendations and principles referred to in paragraph 1, a Party shall maintain or adopt measures that:

(a) ensure that its laws and regulations include a definition of "beneficial owner" that covers natural persons who ultimately own or control a customer and natural persons on whose behalf a transaction is being conducted; it shall also include those persons who exercise ultimate effective control over a juridical person or legal arrangement;

(b) ensure that corporate or other legal entities incorporated within its territory are required to obtain and hold adequate, accurate and current information on their beneficial ownership, including the details of the beneficial interests held;

(c) ensure that trustees of express trusts maintain adequate, accurate and current beneficial ownership information, including of settlors, the protector, if any, trustees and beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust; these measures should also apply to other legal arrangements with a structure or function similar to express trusts;

(d) require financial institutions and DNFBPs to identify the customer and verify that customer's identity, as well as to identify the beneficial owner and take reasonable measures to verify the identity of the beneficial owner, such that the financial institution or DNFBP is satisfied that it knows who the beneficial owner is; DNFBPs are understood to be those defined by the FATF Recommendations;

(e) put in place mechanisms to ensure that the relevant authorities as defined by its laws and regulations have access to beneficial owner information in a timely manner;

PUBLIC

(f) ensure that its competent authorities participate in information exchanges on beneficial ownership with international counterparts in a timely and effective manner;

(g) require financial institutions and DNFBPs to perform enhanced due diligence, in particular in relation to politically exposed persons, who are understood to be individuals who hold or have held prominent public functions within the territory of either Party or internationally as well as their family members and close associates; and

(h) ensure an effective supervision of the compliance with the above-mentioned obligations, including the establishment and enforcement of effective, proportionate and dissuasive sanctions for non-compliance.

PUBLIC

SECTION IV

MEASURES TO PREVENT CORRUPTION IN THE PUBLIC SECTOR

ARTICLE 12

Conduct of public officials

1. The Parties recognise the importance of the Conduct Principles for Public Officials of the Asia-Pacific Economic Cooperation (APEC), adopted on 3 July 2007, for Chile, and the Council of Europe Recommendation No. R (2000) 10 on codes of conduct for public officials, adopted on 11 May 2000, for the EU Party.

2. The Parties reaffirm their commitments under Article 8 of the UNCAC, including the application of codes or standards of conduct for public officials, facilitating the reporting by public officials of acts of corruption to appropriate authorities, requiring public officials to make declarations to appropriate authorities regarding potential conflicts of interests, and taking measures providing for disciplinary or other measures against public officials who violate such codes or standards.

PUBLIC

ARTICLE 13

Transparency in the public administration

1. The Parties stress the importance of transparency in public administration to prevent corruption affecting trade and investment and agree to promote transparency in line with the specific and horizontal provisions provided for in Part III of this Agreement, including in particular provisions on trade facilitation, public procurement, domestic regulation and general transparency.

2. The Parties reaffirm their commitments under paragraph 2 of Article 13 of the UNCAC to take appropriate measures to ensure that its anti-corruption bodies are known to the public and to provide access to those bodies for the reporting of any relevant incidents.

ARTICLE 14

Participation of civil society

1. The Parties recognise the importance of the participation of civil society in the prevention of and the fight against corruption in the field of international trade and investment, as well as the need to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. To that end they reaffirm their commitments under paragraph 1 of Article 13 of the UNCAC, in particular the commitment to take appropriate measures to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organisations, and community-based organisations.

2. The Parties shall, in particular, consider:

(a) undertaking public information activities and public education programmes that contribute to non-tolerance of corruption; and

(b) adopting or maintaining measures that respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption.

ARTICLE 15

Protection of reporting persons

The Parties reaffirm their commitment under Article 33 of the UNCAC concerning protection against any unjustified treatment for reporting persons.

PUBLIC

SECTION V

Dispute resolution mechanism

PUBLIC

ARTICLE 16

Dispute resolution

1. The Parties shall make all possible efforts through dialogue, consultation, exchange of information and cooperation to address any disagreement between the Parties regarding the interpretation or application of this Protocol.

2. In case of a disagreement between the Parties regarding the interpretation or application of this Protocol, the Parties shall have recourse exclusively to the dispute resolution procedures established under Articles 17 and 18.

ARTICLE 17

Consultations

1. A Party (the "requesting Party") may, at any time, request consultations with the other Party (the "responding Party") regarding any matter concerning the interpretation or application of this Protocol by delivering a written request to the contact point of the responding Party designated in accordance with Article 19(3). The request shall set out the reasons for requesting consultations, including a sufficiently specific description of the matter at issue and its relation to the provisions of this Protocol.

2. The responding Party shall, unless agreed otherwise with the requesting Party, reply in writing no later than 10 days after the date of delivery of the request referred to in paragraph 1.

3. The Parties shall, unless they agree otherwise, begin consultations no later than 30 days after the date of delivery of the request.

4. The consultations may be held in person or by any technological means available to the Parties. If consultations are held in person, they shall be held in the territory of the responding Party, unless the Parties agree otherwise.

5. In the consultations, the Parties shall:

(a) provide sufficient information to enable a full examination of the matter; and

(b) treat any information exchanged in the course of the consultations confidentially.

6. The Parties shall enter into consultations with the aim of reaching a mutually satisfactory resolution of the matter, taking into account opportunities for cooperation related to the matter.

7. If the Parties are unable to resolve the matter in accordance with paragraphs 3 to 6 within 60 days after the delivery of the request for consultations pursuant to paragraph 1, each Party may, by delivering a written request to the contact point of the other Party designated in accordance with Article 19(3), request that the Sub-Committee on Anti-Corruption on Trade and Investment referred to in Article 19 be convened to consider the matter. The Sub-Committee on Anti-Corruption on Trade and Investment shall convene promptly and endeavour to agree on a resolution of the matter.

PUBLIC

8. Each Party or the Sub-Committee on Anti-Corruption on Trade and Investment seized pursuant to paragraph 7 may, if appropriate, seek the views of the Domestic Consultative Groups referred to in Article 40.6 of this Agreement or other expert advice.

9. If the Parties resolve the matter, they shall document any outcome including, if appropriate, specific steps and timelines agreed upon. The Parties shall make that outcome available to the public, unless they agree otherwise.

PUBLIC

ARTICLE 18

Panel of experts

1. If, within 60 days after the delivery of a written request for consideration of the matter by the Sub-Committee on Anti-Corruption on Trade and Investment pursuant to Article 17(7) or, if no such request is made, within 120 days after the delivery of a written request for consultations pursuant to Article 17(1), no mutually satisfactory resolution has been reached, a Party may, by delivering a written request to the contact point of the other Party designated in accordance with Article 19(3), request the establishment of a panel of experts to examine the matter. The request shall identify the reasons for requesting the establishment of a panel of experts, including a description of the matter at issue, and explain how that matter constitutes a breach of the provisions of this Protocol that it considers applicable.

2. Except as otherwise provided for in this Article, Articles 38.6, 38.10, 38.13(6), 38.14(1), 38.15, 38.19, 38.20(2), 38.21, 38.22, 38.24, 38.32, 38.33, 38.34 and 38.35 of this Agreement, as well as Annexes 38-A and 38-B to this Agreement, apply to this Protocol, *mutatis mutandis*.

3. The Sub-Committee on Anti-Corruption on Trade and Investment shall, at its first meeting, recommend to the Joint Committee the establishment of a list of at least 15 individuals who are willing and able to serve on the panel of experts. The list shall be composed of three sub-lists:

(a) one sub-list of individuals established on the basis of proposals by the EU Party;

(b) one sub-list of individuals established on the basis of proposals by Chile; and

(c) one sub-list of individuals that are not nationals of either Party and who are willing to serve as chairperson of the panel of experts.

Each Party shall propose at least five individuals for its sub-list. The Parties shall also select at least five individuals for the sub-list of chairpersons. The Joint Committee shall ensure that each sub-list is kept up to date and that it contains at least five individuals.

4. The individuals referred to in paragraph 3 shall have specialised knowledge of or expertise in matters covered by this Protocol or the resolution of disputes arising under international agreements. They shall be independent, serve in their individual capacities and not take instructions from any organisation or government on issues related to the disagreement, or be affiliated with the government of either Party, and shall comply with Annex 38-B.

5. If the panel of experts is composed in accordance with the procedures set out in Article 38.6(3) and (4) of this Agreement, the experts shall be selected from the relevant individuals on the sub-lists referred to in paragraph 3 of this Article.

PUBLIC

6. Unless the Parties agree otherwise, within five days of the date of establishment of the panel of experts, as defined in Article 38.6(5) of this Agreement, the terms of reference shall be:

"to examine, in the light of the relevant provisions of the Protocol on the Prevention of and Fight Against Corruption of the Advanced Framework Agreement, the matter referred to in the request for the establishment of the panel of experts pursuant to Article 17 of that Protocol, and to issue a report, in accordance with that Article, with its findings and recommendations for the resolution of the matter".

7. With regard to matters relating to the existing international agreements, recommendations or principles referred to in this Protocol, the panel of experts should, where relevant, seek information from the relevant organisations or bodies. Any such information shall be provided to the Parties for their comments.

8. The panel of experts shall interpret the provisions of this Protocol in accordance with the customary rules of interpretation of public international law, including those codified in the Vienna Convention on the Law of Treaties.

9. The panel of experts shall issue to the Parties an interim report and a final report setting out the findings of facts, the applicability of the relevant provisions and the rationale behind those findings, and conclusions and the recommendations it makes.

PUBLIC

10. The panel of experts shall deliver the interim report to the Parties within 100 days of the date of establishment of the panel of experts. If the panel of experts considers that that deadline cannot be met, the chairperson of the panel of experts shall notify the Parties in writing, stating the reasons for the delay and the date on which the panel of experts plans to deliver its interim report. The time limits set out in this paragraph may be extended by mutual agreement of the Parties.

11. Each Party may deliver to the panel of experts a reasoned request to review particular aspects of the interim report within 25 days of its delivery. A Party may comment on the other Party's request within 15 days of the delivery of that request.

12. After considering those comments, the panel of experts shall prepare the final report. If the request referred to in paragraph 11 of this Article is not delivered within the time period referred to in that paragraph, the interim report shall become the final report of the panel of experts.

13. The panel of experts shall deliver its final report to the Parties within 175 days of the date of establishment of the panel of experts. If the panel of experts considers that that deadline cannot be met, its chairperson shall notify the Parties in writing, stating the reasons for the delay and the date on which the panel of experts plans to deliver its final report. The time limits set out in this paragraph may be extended by mutual agreement of the Parties.

14. The final report shall include a discussion of any written request by the Parties on the interim report and clearly address the comments of the Parties.

15. The Parties shall make the final report available to the public within 15 days of its delivery by the panel of experts.

PUBLIC

16. If the panel of experts finds in the final report that the responding Party has not conformed with its obligations under this Protocol, the Parties shall discuss appropriate measures to be implemented taking into account the report and recommendations of the panel of experts. The responding Party shall inform its Domestic Consultative Group referred to in Article 40.6 of this Agreement, and the other Party of its decisions on any measures to be implemented no later than three months after the final report has been made available to the public pursuant to paragraph 15 of this Article.

17. The Sub-Committee on Anti-Corruption on Trade and Investment shall monitor the follow-up to the report of the panel of experts and its recommendations. The Domestic Consultative Groups referred to in Article 40.6 of this Agreement may submit observations to the Sub-Committee on Anti-Corruption on Trade and Investment in that regard.

ARTICLE 19

Sub-Committee on Anti-Corruption on Trade and Investment

1. The Sub-Committee on Anti-Corruption on Trade and Investment established pursuant to Article 8.8(1) of this Agreement (the "Sub-Committee") shall be composed of representatives of each Party taking into consideration the specific issues to be addressed at any given session. The representatives of Chile shall be officials from the Undersecretariat of International Economic Relations of the Ministry of Foreign Affairs or its successor.

PUBLIC

2. The Sub-Committee shall:

(a) facilitate and monitor the effective implementation of this Protocol and discuss any difficulties which may arise in its implementation;

(b) promote cooperation between the Parties on issues covered by this Protocol, and the exchange of information on developments in non-governmental, regional and multilateral fora on issues covered by this Protocol;

(c) make recommendations to the Joint Committee;

(d) consider any other matter related to this Protocol, as the Parties may agree.

3. Each Party shall designate a contact point within its administration to facilitate communication and coordination between the Parties on any matter relating to the implementation of this Protocol and notify the other Party of the contact details of that contact point. The Parties shall promptly notify each other of any changes to those contact details.

PUBLIC

PROTOCOL TO THE ADVANCED FRAMEWORK AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF CHILE, OF THE OTHER PART ON MUTUAL ADMINISTRATIVE ASSISTANCE IN CUSTOMS MATTERS

PUBLIC

ARTICLE 1

Definitions

For the purposes of this Protocol:

(a) "applicant authority" means a competent administrative authority which has been designated by a Party for that purpose and which makes a request for assistance on the basis of this Protocol;

(b) "customs legislation" means any laws or regulations applicable in the territory of a Party which govern the import, export and transit of goods and their placing under any other customs regime or procedure, including measures of prohibition, restriction and control;

(c) "information" means any data, document, image, report, communication or authenticated copy, in any format, including electronic, whether or not processed or analysed;

(d) "operation in breach of customs legislation" means any violation or attempted violation of customs legislation; and

(e) "requested authority" means a competent administrative authority which has been designated by a Party for that purpose and which receives a request for assistance on the basis of this Protocol.

PUBLIC

ARTICLE 2

Scope

1. The Parties shall assist each other, in the areas within their competence and in the manner and under the conditions laid down in this Protocol, to ensure the correct application of customs legislation, in particular by preventing, investigating and combating operations in breach of that legislation.

2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of a Party which is competent for the application of this Protocol. That assistance shall neither prejudice the provisions governing mutual assistance in criminal matters nor cover information obtained under powers exercised on request of a judicial authority, except where communication of such information is authorised by that authority.

3. Assistance to recover duties, taxes or fines is not covered by this Protocol.

ARTICLE 3

Assistance on request

1. On request of the applicant authority, the requested authority shall provide it with all relevant information which may enable it to ensure that customs legislation is correctly applied, including information related to noted or planned activities which are or could be operations in breach of customs legislation.

2. On request of the applicant authority, the requested authority shall provide information on whether:

(a) goods exported from the territory of a Party have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods;

(b) goods imported into the territory of a Party have been properly exported from the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.

3. On request of the applicant authority, the requested authority shall, within the framework of its laws and regulations, take the necessary steps to ensure special surveillance of:

(a) natural or juridical persons in respect of whom there are reasonable grounds for believing that they are or have been involved in operations in breach of customs legislation;

(b) goods that are or may be transported in such a way that there are reasonable grounds for believing that they are intended to be used in operations in breach of customs legislation;

PUBLIC

(c) places where stocks of goods have been or may be assembled in such a way that there are reasonable grounds for believing that those goods are intended to be used in operations in breach of customs legislation; and

(d) means of transport that are or may be used in such a way that there are reasonable grounds for believing that they are intended to be used in operations in breach of customs legislation.

PUBLIC

ARTICLE 4

Spontaneous assistance

The Parties shall assist each other, on their own initiative and in accordance with their laws and regulations, if they consider it to be necessary for the correct application of customs legislation, by providing information obtained pertaining to concluded, planned or ongoing activities which constitute or appear to constitute operations in breach of customs legislation and which may be of interest to the other Party. The information shall focus in particular on:

(a) persons, goods and means of transport; and

(b) new means or methods employed in carrying out operations in breach of customs legislation.

ARTICLE 5

Form and substance of requests for assistance

PUBLIC

1. Requests pursuant to this Protocol shall be made in writing either in print or electronic format. They shall be accompanied by the documents necessary to enable compliance with the request. In case of urgency, the requested authority may accept oral requests, which shall be immediately confirmed by the applicant authority in writing.

2. The requests referred to in paragraph 1 shall include the following information:

(a) the applicant authority and requesting official;

(b) the information and type of assistance requested;

(c) the object of and the reason for the request;

(d) the relevant laws and regulations and other legal elements involved;

(e) an indication, as exact and comprehensive as possible, of the natural or juridical persons that are the target of the investigations;

(f) a summary of the relevant facts and of the enquiries already carried out; and

(g) any additional available details to enable the requested authority to comply with the request.

3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to that authority, English always being an acceptable language. This requirement does not apply to any documents that accompany the request under paragraph 1.

4. If a request does not meet the formal requirements set out in paragraphs 1, 2 and 3, the requested authority may require the correction or the completion of the request; in the meantime, precautionary measures may be ordered.

PUBLIC

ARTICLE 6

Execution of requests

1. In order to comply with a request for assistance, the requested authority shall proceed, within the limits of its competence and available resources, as though it were acting on its own account or on request of another authority of that same Party, by supplying information already in its possession, by carrying out appropriate enquiries or by arranging for them to be carried out. If the requested authority addresses the request to another authority because it cannot act alone, this paragraph shall also apply to that other authority.

2. Requests for assistance shall be executed in accordance with the laws and regulations of the requested Party.

3. The requested authority shall send a reply to the request for assistance within two months of its receipt. If the requested authority is not in a position to comply with the request for assistance within that period, it shall inform the applicant authority indicating when it foresees that it might comply with the request.

ARTICLE 7

Form in which information is to be communicated

1. The requested authority shall communicate the results of enquiries to the applicant authority in writing together with relevant documents, certified true copies or other items. That information may be provided in electronic format.

2. Original documents shall be transmitted subject to each Party's legal constraints, only upon request of the applicant authority, in cases where certified true copies would be insufficient. The applicant authority shall return those original documents at the earliest opportunity.

3. When paragraph 2 applies, the requested authority shall deliver to the applicant authority any information related to the authenticity of the documents issued or certified by official agencies within its territory in support of a goods declaration.

ARTICLE 8

Presence of officials of a Party in the territory of the other Party

1. Duly authorised officials of a Party may, with the agreement of the other Party and subject to the conditions laid down by the latter, be present in the offices of the requested authority or any other authority concerned as referred to in Article 6(1) to obtain information relating to activities that are or could be operations in breach of customs legislation which the applicant authority needs for the purposes of this Protocol.

PUBLIC

2. Duly authorised officials of a Party may, with the agreement of the other Party and subject to the conditions laid down by the latter, be present at enquiries carried out in the territory of that other Party.

3. The presence of duly authorised officials of a Party in the territory of the other Party shall be solely in an advisory capacity, during which time those duly authorised officials:

(a) must at all times be able to furnish proof of their official capacity;

(b) shall not wear uniform, nor carry weapons; and

(c) shall enjoy the same protection as that afforded to officials of the other Party, in accordance with the laws and regulations of that other Party.

ARTICLE 9

Delivery and notification

1. On request of the applicant authority, the requested authority shall, in accordance with the laws and regulations applicable to that authority, take all necessary measures in order to deliver any documents or to notify any decisions of the applicant authority falling within the scope of this Protocol to an addressee residing or established in the territory of the requested authority.

2. Such requests for delivery of documents or notification of decisions shall be made in writing in an official language of the requested authority or in a language acceptable to that authority.

PUBLIC

ARTICLE 10

Automatic exchange of information

1. The Parties may, by mutual arrangement in accordance with Article 15:

(a) exchange any information covered by this Protocol on an automatic basis; and

(b) exchange specific information in advance of the arrival of consignments in the territory of the other Party.

2. The Parties shall establish arrangements on the type of information they wish to exchange, and on the format and frequency of transmission, to implement the exchanges under subparagraphs (a) and (b) of paragraph 1.

ARTICLE 11

Exceptions to the obligation to provide assistance

1. Assistance may be refused or may be subject to the satisfaction of certain conditions or requirements if a Party is of the opinion that assistance under this Protocol would:

(a) be likely to prejudice the sovereignty of Chile or that of a Member State which has been requested to provide assistance under this Protocol;

PUBLIC

(b) be likely to prejudice public policy, security or other essential interests, in particular in the cases referred to in Article 12(5); or

(c) violate an industrial, commercial or professional secret.

2. The requested authority may postpone the assistance on the grounds that such assistance will interfere with ongoing investigations, prosecutions or proceedings. In such a case, the requested authority shall consult with the applicant authority to determine if assistance can be given subject to such terms or conditions as the requested authority may require.

3. If the applicant authority seeks assistance which it would itself be unable to provide if so requested, it shall draw attention to that fact in its request. Compliance with such a request shall be at the discretion of the requested authority.

4. In the cases referred to in paragraphs 1 and 2, the requested authority shall communicate its decision and the reasons therefor to the applicant authority without delay.

ARTICLE 12

Information exchange and confidentiality

1. The information received under this Protocol shall be used solely for the purposes of this Protocol.

PUBLIC

2. The use of information obtained under this Protocol in administrative or judicial proceedings instituted in respect of operations in breach of customs legislation is considered to be for the purposes of this Protocol. Therefore, the Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol. The requested authority may require that the supply of information or the granting of access to documents be subject to the condition that it be notified of such use.

3. Where one of the Parties wishes to use such information for other purposes, it shall obtain the prior written consent of the authority which provided the information. Such use shall then be subject to any restrictions laid down by that authority.

4. Any information communicated in any form under this Protocol shall be of a confidential or restricted nature, in accordance with the laws and regulations applicable in each Party. That information shall be covered by the obligation of professional secrecy and shall enjoy the protection granted to similar information under the relevant laws and regulations of the receiving Party. The Parties shall communicate to each other information on their applicable laws and regulations.

5. Personal data may be transferred only in accordance with the data protection rules of the Party providing the data. Each Party shall inform the other Party about its relevant data protection rules and, if needed, make best efforts to agree on additional protection.

PUBLIC

ARTICLE 13

Experts and witnesses

The requested authority may authorise its officials to appear, within the limitations of the authorisation granted, as experts or witnesses in judicial or administrative proceedings regarding the matters covered by this Protocol, and to produce such objects, documents or certified true copies thereof, as may be needed for the proceedings. The request for appearance must indicate specifically before which judicial or administrative authority the official will have to appear, on what matters and by virtue of what title or qualification the official will be questioned.

PUBLIC

ARTICLE 14

Assistance expenses

1. The Parties shall waive any claims against each other for the reimbursement of expenses incurred in the implementation of this Protocol.

2. Expenses and allowances paid to experts, witnesses, interpreters and translators who are not public service employees shall be borne as appropriate by the requesting Party.

3. If expenses of an extraordinary nature are required to execute the request, the Parties shall determine the terms and conditions under which the request shall be executed, as well as the manner in which such expenses shall be borne.

ARTICLE 15

Implementation

1. The implementation of this Protocol shall be entrusted, on the one hand, to the customs authorities of Chile and, on the other hand, to the competent services of the European Commission and the customs authorities of the Member States, as appropriate. Those authorities and services shall decide on all practical measures and arrangements necessary for the implementation of this Protocol, taking into consideration their respective applicable laws and regulations, in particular for the protection of personal data.

2. The Parties shall keep each other informed of the details of the implementation measures which are adopted by each Party in accordance with the provisions of this Protocol, in particular with respect to the duly authorised services and officials designated as competent to send and receive the communications set out in this Protocol.

3. In the EU Party, the provisions of this Protocol shall not affect the communication of any information obtained under this Protocol between the competent services of the European Commission and the customs authorities of the Member States.

PUBLIC

ARTICLE 16

Other agreements

The provisions of this Protocol shall take precedence over the provisions of any bilateral agreement on mutual administrative assistance in customs matters which has been or may be concluded between individual Member States and Chile in so far as the provisions of such agreement are incompatible with those of this Protocol.

PUBLIC

ARTICLE 17

Consultations

In respect of the interpretation and implementation of this Protocol, the Parties shall consult each other to resolve any matter in that regard in the framework of the Sub-Committee on Customs, Trade Facilitation and Rules of Origin established pursuant to Article 8.8(1) of this Agreement.

JOINT INTERPRETATIVE DECLARATION ON THE PROVISIONS ON INVESTMENT PROTECTION CONTAINED IN THE ADVANCED FRAMEWORK AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF CHILE, OF THE OTHER PART

PUBLIC

The European Union and its Member States and Chile make the following Joint Interpretative Declaration on the investment protection provisions contained in the Advanced Framework Agreement.

In light of their commitments under the Paris Agreement under the United Nations Framework Convention on Climate Change, done at Paris on 12 December 2015 ("Paris Agreement"), the Parties confirm that their investors should expect that the Parties will adopt measures that are designed and applied to combat climate change, or address its present or future consequences, by means of mitigation, adaptation, reparation, compensation or otherwise.

When interpreting the provisions on investment protection provided for in the Advanced Framework Agreement, the Tribunal or Appeal Tribunal established under Article 17.34 and Article 17.35, respectively, should take due consideration of the commitments of the Parties under the Paris Agreement and their respective climate neutrality objectives.

Thus, the Parties confirm their understanding that the provisions on investment protection provided for in the Advanced Framework Agreement shall be interpreted and applied by that Tribunal or Appeal Tribunal by taking due consideration of the commitments of the Parties under the Paris Agreement and their respective climate neutrality objectives, and in a way that allows the Parties to pursue their respective climate change mitigation and adaptation policies.

PUBLIC

JOINT STATEMENT ON THE PROVISIONS ON TRADE AND SUSTAINABLE DEVELOPMENT CONTAINED IN THE ADVANCED FRAMEWORK AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF CHILE, OF THE OTHER PART

PUBLIC

The Parties,

RECALLING their shared values and the strong cultural, political, economic and cooperation ties which unite them,

RECALLING their commitment to modernise and replace the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, signed in Brussels on 18 November 2002 to reflect new political and economic realities,

REAFFIRMING their commitment to strengthen cooperation on bilateral, regional and global issues of common concern,

CONVINCED that the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part ("Advanced Framework Agreement") and the Interim Agreement on Trade between the European Union and the Republic of Chile ("Interim Trade Agreement") will be beneficial to both Parties in fuelling economic recovery from the COVID-19 crisis, generating growth in a geopolitical context marked by heightened instability, and further strengthening their ties,

DETERMINED to ensure that the Advanced Framework Agreement fosters sustainability, so that economic growth goes together with the protection of decent work, the climate and the environment, in full adherence to the Parties' shared values and priorities, including support for green transition and promoting responsible and sustainable value chains, and

RECOGNISING that an inclusive involvement of civil society in the implementation of the Advanced Framework Agreement is essential for a timely identification of challenges, opportunities and priorities, and to monitor respective agreed actions,

express their joint intent to swiftly conclude the Advanced Framework Agreement and subsequently cooperate on the implementation of its sustainability aspects guided by the following considerations:

1. As regards their joint objective of promoting high levels of labour protection and decent work for all, the Parties underline their commitment to respect, promote and effectively implement the internationally recognised core labour standards, as defined in the fundamental Conventions of the International Labour Organization (ILO). In that context, the Parties welcome the ILO decision to add the principle of a "safe and healthy working environment" amongst the fundamental principles and rights at work, and to elevate the corresponding ILO Conventions accordingly, which they will strive to ratify as required.

2. As regards their joint objective of addressing the urgent threat of climate change, the Parties underline their commitment to effectively implement the United Nations Framework Convention on Climate Change and the Paris Agreement adopted thereunder, including their commitments with regard to their respective nationally determined contribution.

PUBLIC

3. As regards their joint objective of protecting and conserving the environment and sustainably managing their natural resources, the Parties underline their commitment to effectively implement the multilateral environmental agreements and protocols to which they are respectively a party, including the Convention on Biological Diversity.

The Parties note that their joint objective of enhancing the inclusive participation of civil society and of regularly exchanging views with their respective Domestic Consultative Groups, including on relevant technical assistance projects, comprises the trade and sustainability aspects of the Advanced Framework Agreement. The Parties underline their commitment to promote and facilitate the interaction between their respective Domestic Consultative Groups through means which they consider appropriate, including periodical meetings. The Parties express their intention to support the Domestic Consultative Groups in line with their domestic legislation and policies.

As regards the implementation of Chapter 33, Trade and Sustainable Development, of the Advanced Framework Agreement (the "Trade and Sustainable Development Chapter"), the Parties will seek to focus on the commonly identified sustainability priorities. The Parties will seek the views and participation of civil society on matters related to the implementation of that Chapter, including on the follow-up of commitments taken by the Parties.

The Parties welcome that the European Union and Chile will, upon the entry into force of the Interim Trade Agreement, initiate a formal review process of that Agreement's trade and sustainable development aspects in accordance with Article 26.23 of that Agreement in order to consider the incorporation, as appropriate, of additional provisions that may be deemed relevant by the European Union or Chile at that time, including in the context of their respective domestic policy developments and their recent international treaty practice, as they may consider appropriate. Such additional provisions may relate, in particular, to the further enhancement of the enforcement mechanism of the Trade and Sustainable Development Chapter, including the possibility to apply a compliance phase, and relevant countermeasures as a last resort.

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Without prejudice to the outcome of the review, the Parties take note that the European Union and Chile will also consider the possibility of including the Paris Agreement as an essential element of the Interim Trade Agreement.

The Parties recall that the European Union and Chile will aim to conclude the review process under the Interim Trade Agreement within 12 months, and to incorporate any agreed outcome of the review process by amending the Interim Trade Agreement in accordance with Article 33.9 thereof. The Parties will aim to also incorporate any agreed outcome of the review process under the Interim Trade Agreement into the Advanced Framework Agreement, by amending the Advanced Framework Agreement in accordance with Article 41.6 thereof.

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