

ANNEX XVI-C TO CHAPTER 6

RESERVATIONS ON CONTRACTUAL SERVICES SUPPLIERS AND INDEPENDENT PROFESSIONALS**EU Party**

1. The list of reservations below indicates the services sectors liberalised pursuant to Articles 101(2) and 102(2) (CSS and IP) for which limitations on contractual service suppliers and independent professionals (CSS and IP) apply and specifies such limitations.
2. The list is composed of the following elements:
 - (a) the first column indicating the sector or sub-sector in which limitations apply; and
 - (b) the second column describing the applicable limitations.

The EU Party does not undertake any commitment for contractual service suppliers and independent professionals for any services sector other than those which are explicitly listed below.

3. In identifying individual sectors and sub-sectors:
 - (a) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N^o 77, CPC prov, 1991; and
 - (b) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N^o 77, CPC ver 1.0, 1998.
4. Commitments for contractual service suppliers and independent professionals do not apply in cases where the intent or effect of their temporary presence is to interfere with, or otherwise affect the outcome of, any labour/management dispute or negotiation.
5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a limitation within the meaning of Articles 101(2) and 102(2) (CSS and IP). Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, and need to have a legal domicile in the territory where the economic activity is performed), even if not listed below, apply in any case to contractual service suppliers and independent professionals of Ukraine.
6. The list below does not include measures concerning subsidies granted by a Party.
7. The list below is without prejudice to the existence of public monopolies or exclusive rights in the relevant sectors, as set out by the EU in its Schedule (Annex XVI-A or Annex XVI-B) to Chapter Six (Establishment, Trade in Services and Electronic Commerce) of Title IV of this Agreement.
8. In the sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation in the Member State of the European Union or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.
9. The rights and obligations arising from the list below shall have no self-executing effect and thus confer no rights directly on natural or juridical persons.
10. The following abbreviations are used in the list below:

AT Austria

BE Belgium

BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EU	European Union, including all its Member States
ES	Spain
EE	Estonia
FI	Finland
FR	France
EL	Greece
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SK	Slovak Republic
SI	Slovenia
SE	Sweden
UK	United Kingdom

Sector or sub-sector	Description of reservations
ALL SECTORS	<p>Transitional periods</p> <p>BG and RO: Commitments shall enter into force with effect from 1 January 2014.</p> <p>Recognition</p> <p>EU: EU directives on mutual recognition of diplomas only apply to nationals of EU Member States. The right to practice a regulated professional service in one Member State does not grant the right to practice in another Member State (!).</p>

Sector or sub-sector	Description of reservations
<p>Legal Advisory Services in respect of public international law and foreign law (i.e. non-EU law)</p> <p>(part of CPC 861) ⁽²⁾</p>	<p>AT, CY, DE, EE, IE, LU, NL, PL, PT, SE, UK: None.</p> <p>BE, ES, HR, IT, EL: Economic needs test for IP.</p> <p>LV: Economic needs test for CSS.</p> <p>BG, CZ, DK, FI, HU, LT, MT, RO, SI, SK: Economic needs tests.</p> <p>DK: Marketing of legal advice activities is restricted to lawyers with a Danish licence to practice. Requirement of a Danish legal examination in order to obtain a Danish licence.</p> <p>FR: Full (simplified) admission to the Bar through an aptitude test is required. Lawyers' access to the professions of "avocat auprès de la Cour de cassation" et "avocat auprès du Conseil d'Etat" is subject to quotas and to a nationality condition.</p> <p>HR: Full admission to the Bar required for legal representation services, is subject to a nationality condition.</p>
<p>Accounting and Bookkeeping Services</p> <p>(CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220)</p>	<p>BE, CY, DE, EE, ES, IE, IT, LU, NL, PL, PT, SI, SE, UK: None.</p> <p>AT: The employer must be a member of the relevant professional body in the home country where such body exists.</p> <p>FR: Authorisation requirement. Provision of accounting and bookkeeping services is conditional on a decision of the Minister of Economics, Finance and Industry, in agreement with the Minister of Foreign Affairs.</p> <p>BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.</p> <p>HR: Residency requirement.</p>
<p>Taxation Advisory Services</p> <p>(CPC 863) ⁽³⁾</p>	<p>BE, DE, EE, ES, FR, IE, IT, LU, NL, PL, SI, SE, UK: None.</p> <p>AT: The employer must be a member of the relevant professional body in the home country where such body exists; nationality condition for representation before competent authorities.</p> <p>BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.</p> <p>CY: Unbound for the submission of tax returns.</p> <p>PT: Unbound.</p> <p>HR, HU: Residence requirement.</p>
<p>Architectural services and Urban planning and landscape architectural services</p> <p>(CPC 8671 and CPC 8674)</p>	<p>EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE, UK: None.</p> <p>BE, ES, HR, IT: Economic needs test for IP.</p> <p>LV: Economic needs test for CSS.</p> <p>FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied.</p> <p>DK: Economic needs test except for CSS stays of up to three months.</p> <p>BG, CY, CZ, DE, FI, HU, LT, RO, SK: Economic needs test.</p> <p>AT: Planning services only, where: Economic needs test.</p> <p>HR, HU, SK: Residence requirement.</p>

Sector or sub-sector	Description of reservations
Engineering services and Integrated engineering services (CPC 8672 and CPC 8673)	EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, HR, IT: Economic needs test for IP. LV: Economic needs test for CSS. FI: The natural person must demonstrate that (s)he possesses special knowledge relevant to the service being supplied. DK: Economic needs test except for CSS stays of up to three months. BG, CY, CZ, DE, FI, HU, LT, RO, SK: Economic needs test. AT: Planning services only, where: Economic needs test. HR, HU: Residence requirement.
Computer and Related Services (CPC 84)	EE, EL, FR, IE, LU, MT, NL, PL, PT, SI, SE: None. ES, IT: Economic needs test for IP. LV: Economic needs test for CSS. BE: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, DE, BG, CY, CZ, FI, HU, LT, RO, SK, UK: Economic needs test. HR: Residency requirement for CSS. Unbound for IP.
Research and Development Services (CPC 851, 852 excluding psychologists services ⁽⁴⁾ , 853)	EU, except BE, UK: A hosting agreement with an approved research organisation is required ⁽⁵⁾ . CZ, DK, SK: Economic needs test. BE, UK: Unbound. HR: Residency requirement.
Advertising (CPC 871)	BE, CY, DE, EE, ES, FR, HR, IE, IT, LU, NL, PL, PT, SI, SE, UK: None. AT, BG, CZ, DK, EL, FI, HU, LT, LV, MT, RO, SK: Economic needs test.
Management Consulting Services (CPC 865)	DE, EE, EL, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. ES, IT: Economic needs test for IP. BE, HR: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, HU, LT, RO, SK: Economic needs test.
Services Related to Management Consulting (CPC 866)	DE, EE, EL, FR, IE, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, HR, IT: Economic needs test for IP. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, LT, RO, SK: Economic needs test. HU: Economic needs test, except for arbitration and conciliation services (CPC 86602), where: Unbound.
Technical Testing and Analysis Services (CPC 8676)	BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, NL, PL, SI, SE, UK: None. DK: Economic needs test except for CSS stays of up to three months. AT, BG, CY, CZ, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test.

Sector or sub-sector	Description of reservations
Related Scientific and Technical Consulting Services (CPC 8675)	BE, EE, EL, ES, HR, IE, IT, LU, NL, PL, SI, SE, UK: None. AT, CY, CZ, DE, DK, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. DE: Unbound for publicly appointed surveyors. FR: Unbound for "surveying" operations relating to the establishment of property rights and to land law where unbound. BG: Unbound.
Maintenance and repair of vessels (part of CPC 8868)	BE, CY, EE, EL, ES, FR, HR, IT, LV, LU, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, MT, RO: Economic needs test. SK: Economic needs test. UK: Unbound.
Maintenance and repair of rail transport equipment (part of CPC 8868)	BE, CY, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of motor vehicles, motorcycles, snow-mobiles and road transport equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	BE, EE, EL, ES, FR, HR, IT, LV, LU, NL, PL, PT, SI, SE: None. AT, BG, CY, CZ, DE, DK, FI, HU, IE, LT, MT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of aircraft and parts thereof (part of CPC 8868)	BE, CY, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE: None. AT, BG, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test. UK: Unbound.
Maintenance and repair of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods ⁽⁶⁾ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	BE, EE, EL, ES, FR, HR, IT, LV, LU, MT, NL, PL, PT, SI, SE, UK: None. AT, BG, CY, CZ, DE, DK, FI, HU, IE, LT, RO, SK: Economic needs test.
Translation (CPC 87905, excluding official or certified activities)	DE, EE, FR, LU, MT, NL, PL, PT, SI, SE, UK: None. BE, ES, IT, EL: Economic needs test for IP. CY, LV: Economic needs test for CSS. AT, BG, CZ, DK, FI, HU, IE, LT, RO, SK: Economic needs test. HR: Unbound for IP.
Site investigation work (CPC 5111)	BE, DE, EE, EL, ES, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None. AT, BG, CY, CZ, FI, HU, LT, LV, RO, SK: Economic needs test. DK: Economic needs test except for CSS stays of up to three months.

Sector or sub-sector	Description of reservations
Environmental services (CPC 9401 ⁽⁷⁾ , CPC 9402, CPC 9403, CPC 9404 ⁽⁸⁾ , part of CPC 94060 ⁽⁹⁾ , CPC 9405, part of CPC 9406, CPC 9409)	BE, EE, ES, FR, HR, IE, IT, LU, MT, NL, PL, PT, SI, SE, UK: None. AT, BG, CY, CZ, DE, DK, EL, FI, HU, LT, LV, RO, SK: Economic needs test.
Travel Agencies and Tour Operators Services (including tour managers ⁽¹⁰⁾) (CPC 7471)	AT, CZ, DE, EE, ES, FR, IT, LU, NL, PL, SI, SE: None. DK: Economic needs test except for CSS stays of up to three months. IE: Unbound except for tour managers. BG, EL, FI, HU, LT, LV, MT, PT, RO, SK: Economic needs test. BE, CY: Unbound, except for tour managers (persons whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations) HR: Residency requirement. UK: Unbound.
Entertainment Services other than audiovisual services (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	AT, BG, CZ, DE, DK, EE, EL, ES, FI, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SK, SE: Advanced qualification ⁽¹¹⁾ may be required. Economic Needs Test. SI: Duration of stay limited to 7 days per event. For circus and amusement park services duration of stay is limited to a maximum of 30 days per calendar year. FR: Unbound for CSS, except if: — The artists have obtained an employment contract from an authorised entertainment enterprise. — The work permit is delivered for a period not exceeding nine months renewable for the duration of three months. — Compliance with an Economic Need Test is required. Main criteria: assessment of the labour market situation in the area of activity concerned in the geographical area where the service is to be provided. — The entertainment enterprise must pay a tax to the Office Français de l'Immigration et de l'Intégration. CY: Economic needs test for Live Bands and Discotheque Services. BE, UK: Unbound.

⁽¹⁾ In order for third-country nationals to obtain EU-wide recognition of their qualifications, it is necessary that a Mutual Recognition Agreement be negotiated within the framework defined in Article 18 of the Agreement.

⁽²⁾ Like the provision of other services, Legal Services are subject to licensing requirements and procedures applicable in Member States of the European Union. For lawyers providing legal services in respect of public international law and foreign law, these may take inter alia the form of compliance with local codes of ethics, use of home title (unless recognition with the host title has been obtained) insurance requirements, simple registration with the host country Bar or a simplified admission to the host country Bar through an aptitude test and a legal or professional domicile in the host country.

⁽³⁾ Does not include legal advisory and legal representational services on tax matters, which are to be found under Legal Advisory Services in respect of public international law and foreign law.

⁽⁴⁾ Part of CPC 85201, which is to be found under Medical and dental services.

⁽⁵⁾ For all Member States except DK, the approval of the research organisation and the hosting agreement have to meet the conditions set pursuant to EU Directive 2005/71/EC.

⁽⁶⁾ Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under Computer services.

⁽⁷⁾ Corresponds to sewage services.

⁽⁸⁾ Corresponds to Cleaning Services of Exhaust Gases.

⁽⁹⁾ Corresponds to parts of Nature and Landscape Protection Services.

⁽¹⁰⁾ Services suppliers whose function is to accompany a tour group of a minimum of 10 persons, without acting as guides in specific locations.

⁽¹¹⁾ Where the qualification has not been obtained in the EU and its Member States, the Member State concerned may evaluate whether this is equivalent to the qualification required in its territory.