

Understanding Services Schedules

**EPA Awareness Workshop: Doing
Business in the EU**

Hilton Trinidad Conference Centre

February 3, 2010

SUMMARY

- Context
- Background - GATS
- Key Services Terms
- Elements of GATS Schedule
- EPA - GATS Comparison
- Elements of EPA Schedule

Context

- What? - Purpose of presentation
- Why? – Technical nature
- Where? –
 - WTO website www.wto.org
 - MTI website www.tradeind.gov.tt
 - OTN website www.crn.m.org

GATS

General Agreement on Trade in Services

- Framework Text
- Annexes
- Schedules of Specific Commitments
- Lists of MFN exemptions submitted by member governments

Modes of Supply

1. **Cross-border supply** — supply of services cross-border into another country e.g. postal services.
2. **Consumption abroad** — supply of services to foreigners within home country e.g. hairdressing services, tourism.
3. **Commercial presence** — supply of services by a foreign service suppliers established and operating in host country e.g. a branch, agency, or wholly-owned subsidiary.
4. **Presence of natural persons** — supply of services through entry and temporary stay of foreign individuals in a country e.g. teaching, consultancy services.

Main Concepts

MFN Treatment - GATS Arts. II, XVI

- Obligation to treat like services and service suppliers of a Member no less favourably than those of any other Member.

National treatment – GATS Art. XVII

- Obligation to treat services and service suppliers of any other Member no less favorably than domestic services and service suppliers.

GATS Schedules

Hybrid Approach

- Sectors open for foreign services & suppliers
- Restrictions to market access
- MFN and National treatment are qualified
 - Five (5) Market Access limitations (non-discriminatory quantitative restrictions)
- Horizontal & Specific sector commitments

Schedule Formats

- Positive & negative list.
 - Positive – lists sectors in which specific commitments are made.
 - Negative – lists restrictions and restricted sectors
- GATS, EPA Services commitments – positive list format
- NAFTA-type Services commitments – negative list

Services Classifications

- Various types of classifications for services activities
 - ISIC – International Standard Industrial Classification
 - CPC – Central Product Classification
 - WTO classification - W/120
 - 12 sectors
 - National classifications
 - TTNSA, USCS
- EPA – ISIC, CPC, WTO classifications

WTO Services Classification

- **Business services - professional, computer, R&D, Real Estate, Leasing, Energy, Other**
- **Communication services**
- **Construction and related services**
- **Distribution services**
- **Educational services**
- **Environmental services**
- **Financial services**
- **Health and social services**
- **Recreational, Cultural services**
- **Tourism Services**
- **Transport services**
- **Other Services**

GATS Services Schedule

EU Schedule extract

- [EU Schedule Bldg cleaning sector.doc](#)

EPA vs. WTO - Format

- GATS - 4 modes of supply in 1 list.
- EPA commitments divided into several lists according to modes;
 - List A - Mode 3: Commercial presence
 - List B - Modes 1, 2: Cross border supply
 - Mode 4:
 - List C – Key personnel and graduates
 - List D – CSS and IP

EPA vs. WTO – Format ¹²

- Both EPA and WTO schedules are listed by sector (W/120),
- EPA schedule -2 columns: Sector and Reservations
- WTO Schedule – 4 columns: Sector, Market Access and National Treatment Limitations & Additional Comments.

EPA Schedule

- List A
- Schedules\09-Annexes IV-VII.en8.doc

EPA vs. WTO – Concessions

The EU offers market access:

- 29 sectors for CARIFORUM Contractual Service Suppliers (CSS) to supply services ***once a contract has been secured.***
- The EU has liberalized 11 sectors for temporary entry by CARIFORUM Independent Professionals (IPs) or self employed persons.
- CARIFORUM market access is asymmetrical.

CSS Services Sectors

- Legal advisory services
- Accounting and bookkeeping services
- Taxation advisory services
- Architectural services
- Urban planning and landscape architecture services
- Engineering services
- Integrated engineering services
- Medical and dental services
- Veterinary services
- Midwives services
- Services provided by nurses, physiotherapists and paramedical personnel
- Computer and related services
- Research and development services
- Advertising services
- Market research and opinion polling

CSS Services Sectors

- Management consulting services;
- Services related to management consulting;
- Technical testing and analysis services;
- Related scientific and technical consulting services;
- Maintenance and repair of equipment, including transportation equipment, notably in the context of an after-sales or after-lease services contract;
- Chef de cuisine services;
- Fashion model services;
- Translation and interpretation services;
- Site investigation work;
- Higher education services (only privately-funded services);
- Environmental services;
- Travel agencies and tour operators' services;
- Tourist guides services;
- Entertainment services other than audiovisual services

Independent Professionals Sectors

- Legal advisory services (Non-EU law)
- Architectural services
- Urban planning and landscape architecture services
- Engineering services
- Integrated engineering services
- Computer and related services
- Research and development services
- Market research and opinion polling
- Management consulting services
- Services related to management consulting
- Translation and interpretation services

Reservations - Key personnel and graduate trainees

Sector or sub-sector:

- ALL SECTORS

Description of reservations:

- Economic needs test
- BG, HU: Economic needs test is required for graduate trainees

Reservations - Key Personnel and Graduate Trainees

- Engineering services and Integrated engineering services
 - Estonia: At least one responsible person (project manager or consultant) must be resident
 - Bulgaria: Foreign specialists must have experience in the field of construction of at least two years
 - Greece, Hungary, Slovak Republic: Residence requirement

Points to consider

- Schedules
 - Do not stand alone
 - Incorporate market openings, restrictions simultaneously
 - Provide a picture of regulatory circumstance
 - Further research is necessary

Thank you

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