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GATS 2000

REQUEST FROM THE EC AND ITS MEMBER STATES (HEREAFTER THE EC)

TO

TRINIDAD AND TOBAGO

GENERAL REMARKS

At the WTO Ministerial Conference in Doha in November 2001, ministers agreed that initial requests for specific commitments should be submitted by 30 June 2002.

In line with this decision, and committed to the objectives and principles stated in Article IV and XIX GATS, as well as the negotiating guidelines agreed by the Council for Trade in Services on 29 March 2001, the EC encourages Trinidad and Tobago to participate actively in the negotiations.

The EC considers that the progressive liberalisation of services is of benefit for all members, including developing and least developed countries. In this context, the EC recognises the importance of liberalisation being underpinned by domestic regulatory frameworks designed to ensure the achievement of public policy objectives.

This request covers horizontal commitments, MFN exemptions and the following service sectors:

- Professional services
- Business services (other than professional services)
- Telecommunication services
- Construction and related engineering services
- Distribution services
- Environmental services
- Financial services
- Tourism and travel related services
- News Agency services
- Transport services
- Energy services

The EC proposes that Trinidad and Tobago's current GATS commitments are revised in accordance with this Request. The EC is both seeking improved commitments and clarification of existing commitments as set out in this

Request. The EC is furthermore looking for a reduction in scheduled limitations whether these are horizontal or sector specific in nature. In so doing, the EC is not seeking the dismantling of public services nor the privatisation of state owned companies.

In conformity with the objectives set out in the EC's overall approach to services negotiations (document S/CSS/W /15), the EC reiterates its commitment to promote regulatory disciplines in accordance with Article VI:4 of the GATS. The EC, however, reserves its right to address at any time to Trinidad and Tobago specific requests concerning regulatory issues.

The EC further requests that commitments are entered in accordance with the scheduling guidelines adopted by the Council of Trade in Services on 23 March 2001 (S/L/92). In particular, for each commitment or limitation entered the EC requests:

- that the sector and sub-sector are clearly identified in accordance with the classification list in Document MTN.GNS/W/120 or other internationally recognised classification (e.g. Financial Services Annex) and/or corresponding CPC number. If there is no appropriate classification, the schedule should contain a sufficiently detailed definition to avoid any ambiguity as to the scope of the commitment. In that respect, the EC would like to recall the classification proposed in its negotiating proposal with regard to environmental and energy services. While discussions on classification in these sectors are still ongoing, the EC would like to invite Trinidad and Tobago to present its offer in accordance with this approach

- that any remaining limitation on market access (hereafter "MA") or on national treatment (hereafter "NT") are clearly described and only be inscribed in the market access or national treatment columns if the measures of a nature foreseen by Articles XVI-XVII GATS.

The EC remains available to provide any clarification and answer any question on this request. Questions can be addressed to the European Commission via the EC GATS contact point (mailbox address: TRADE-GATS- CONTACT-POINTS@cec.eu.int), via the Delegation of the European Commission in Geneva, or directly to the European Commission (Directorate- General Trade, Unit D2 (Trade in services, including e-commerce), Brussels, B-1049, Belgium, fax 32-2-299 24 35) .

Note: The EC reserves the right to *revise and/or supplement this request. For each service sector, W120 classification has been followed unless expressly indicated and CPCs refer to the Provisional CPC classification. The precise scope for each sector* is *without prejudice to the EC's final positions on classification issues and* to *the EC' s classification of their existing commitments.*

HORIZONTAL COMMITMENTS

EC REQUEST TO TRINIDAD AND TOBAGO

MODE 3

Under MA, Trinidad and Tobago specifies that licenses are required for the acquisition of land above certain dimensions and for the acquisition of shares by foreigners. **EC Request:** Please specify the criteria for the delivery of licenses.

Under MA, Trinidad and Tobago specifies that a foreigner wishing to invest in Trinidad and Tobago has to register with the Register of Companies. **EC Request:** Please specify the criteria for registration.

MODE 4

Trinidad and Tobago has made no specific horizontal commitments on Mode 4, but refers to its Immigration Laws.

Definitions

- It is not clear what is meant by the terms "managers", “executives”, "specialists" and, “experts”. **EC Request:** Please define these terms.

Quantitative Restrictions

It is not clear whether any quantitative restrictions, or measures with similar effect, are applied under the immigration laws. **EC request:** Clarify whether any quantitative restrictions apply to intra-corporate transferees, business visitors or contractual service suppliers. (For definitions of these terms, see below.)

Economic Needs Tests

Employment of more than 30 days is subject to obtaining a work permit. **EC request:** Make a commitment not to apply ENTs to intra-corporate transferees or business visitors. Clarify whether any ENTs apply to contractual service suppliers.

Definitions of terms used:

Intra-corporate transferees

An intra-corporate transferee (ICT) is an employee of a foreign firm, who is temporarily transferred to an affiliate of that firm (branch, subsidiary, office, joint venture etc.) in your country. The EC requests that commitments on intra-corporate transfers cover managers, executives and specialists (terms

should be defined in the schedule), as well as « persons with a university degree or equivalent technical qualification who are transferring for career development purposes or to obtain training in business techniques or methods ».

Business Visitors

A Business Visitor is a representative of a foreign services supplier who is seeking temporary entry into your country for one of the folIowing purposes: (a) to hold meetings and/ or to negotiate the sale of services; (b) to conclude contracts to sell services; or (c) to set up a Mode 3 presence. A Business Visitor does not himself directly provide services or sell to the public. Business visitors are usually granted entry for 90 days periods at a time.

Contractual Service Suppliers

A contractual service supplier is a juridicial person with no commercial presence in your country, who has obtained a service contract in your country which requires the presence of its employees in your country in order to fulfil that contract. The employees can be required to have a university degree or equivalent technical qualification, plus the appropriate professional qualifications where this is required by domestic law. The length of stay may be limited to the length of the contract. The Ec requests that commitments on contractual service suppliers cover employees working in the following sectors:

1. Business Services

Legal Services
Accounting and bookkeeping services
Engineering Services
Integrated engineering services
Computer and Related Services
Management consulting services
Services related to management consulting
Related scientific and technical consulting

6. Environmental Services

Sub-sectors A-D, F and G

7. Financial Services

Services auxiliary to insurance, such as consultancy, acturial, risk assessment and claim settlement services

Advisory and other auxiliary financial services on all the activities listed in the subparagraphs (v) to (xv) of the classification of the Annex on Financial Services, including credit reference and analysis,

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investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy

Note: Mode 4 is *covered horizontally in this part for all service sectors.* The *sectoral requests in the following pages only refer to mode* 4 *when specifically related to one particular service sector.*

PROFESSIONAL SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has committed this sector only partially. The EC requests that it be committed as follows:

A. LEGAL SERVICES (CPC 861)

- This sub-sector is only committed for consultancy in international law. **EC Request:** Extend sectoral coverage of commitments to law of jurisdiction where the service supplier or its personnel are qualified lawyers

B. ACCOUNTING, AUDITING AND BOOKKEEPING SERVICES (CPC 862)

This sub-sector is not committed. **EC Request:**

For accounting and bookkeeping services:

- Modes 1, 2, 3: Take full commitments, i.e. schedule "none" under MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

For auditing services:

- Modes 2, 3: Take commitments under MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

E. ENGINEERING SERVICES (CPC 8672)

F. INTEGRATED ENGINEERING SERVICES (CPC 8673)

These sub-sectors are not committed. **EC Request:**

- Modes 1, 2, 3: Take commitments under MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

The EC also invites Trinidad and Tobago to consider taking commitments in the sub-sector of architectural services.

BUSINESS SERVICES (OTHER THAN PROFESSIONAL)

EC REQUEST TO TRINIDAD AND TOBAGO

B. COMPUTER AND RELATED SERVICES

Trinidad and Tobago has committed this sector only partially. EC request: Extend sectoral coverage to all of CPC 84 and schedule commitments at the two-digit level as follows:

Computer and Related Services (CPC 84)

- Modes 1, 2, 3: Take full commitments, i.e. schedule "none" under MA and NT;
- Mode 4: Commit as referred to in the horizontal section.

F. OTHER BUSINESS SERVICES

NB. *Requests[if any] on h) - services incidental to mining and j) - services incidental to energy distribution, are covered in the section "Energy Services" of this request.*

Trinidad and Tobago has committed this sector only partially. The EC requests that it be committed as follows:

a) Advertising (CPC 871)

b) Market research (CPC 86401)

d) Services related to management consulting (CPC 866)

For each of the above sub-sectors:

- Modes 1, 2, 3: Take full commitments, i.e. schedule "none" under MA and NT;
- Mode 4: Commit as referred to in the horizontal section.

c) Management consulting service (CPC 865)

- This sub-sector has only be committed for "International Marketing (CPC 86503)". **EC request:** Extend sectoral coverage to all of CPC 865.

The EC also invites Trinidad and Tobago to consider taking commitments in Rental and leasing of Ships without Operators (CPC 83103) and Related scientific and technical consulting (CPC 8675)

TELECOMMUNICATION SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

A competitive telecommunications market reduces costs for industry and private users, and facilitates and improves communication between both businesses and individuals. This enables companies in all sectors to react more quickly and adequately to the needs of consumers, to gain efficiency, raise their productivity and provide more goods and services more efficiently and at a better price. In particular, investments in this sector stimulate the development of electronic commerce, which can spur growth in almost all services sectors, regardless of the level of development of the country.

However, in order to achieve a really competitive telecommunications market in terms of price and supply, an adequate regulatory framework must be put in place, along the lines of the reference paper drafted during the telecommunications negotiations concluded in 1997. Such a regulatory framework is the necessary catalyst, if properly enforced, for competition to bear fruit where it is allowed.

- Trinidad and Tobago has indeed already taken partial commitments in this sector by committing to the reference paper of the Basic Telecommunications negotiations and opening its market fully to competition on most services by 2010. The EC suggests that Trinidad and Tobago take further commitments in this sector by committing to open earlier to full competition services that it promised to open to competition by 2010 in particular data transmission services which provide the key infrastructure that benefits the rest of the economy. Thus, the schedule should read “None” for market access and national treatment in the following sub-sector: (CPC 7523) data and message transmission services.

As regards voice services, the EC suggests to allow competition (i.e. the schedule should read "None" for market access and national treatment) at least in mobile services.

CONSTRUCTION AND RELATED ENGINEERING SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has not committed sub-sector. The EC requests that it be committed as follows:

A. GENERAL CONSTRUCTION WORK FOR BUILDINGS (CPC 512)

B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING (CPC 513)

C. INSTALLATION AND ASSEMBLY WORK (CPC 514+516)

D. BUILDING COMPLETION AND FINISHING WORK (CPC 517)

E. OTHER (CPC 511+515+518)

EC Request for each of the above sub-sectors:

- Mode 3: Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4: Commit as referred to in the section "Horizontal commitments".

DISTRIBUTION SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has not committed this sector. The EC invites it to commit this sector as follows:

B. WHOLESALE TRADE SERVICES (CPC 622, 6111+6113+6121)

C. RETAILING SERVICES (CPC 631+632, 6111+6113+6121+613)

For each of the above sub-sectors:

- Modes 1, 2, 3: To consider undertaking commitments for market access and national treatment.
- Mode 4: Commit as referred to in the section "Horizontal commitments".

Note : The EC is prepared to discuss exceptions for a very limited number of extremely sensitive goods, such as arms, ammunitions and explosives.

Note : In accordance with the W120 classification the EC Request on "Repair services of personal and household goods" (CPC 633) is included under "1. Business services / F. Other business / n. Maintenance and repair".

ENVIRONMENTAL SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has not committed this sector. This request is based on the EC proposal for the classification of environmental services. While discussions on classification in this sector are still ongoing, the EC would like to invite Trinidad and Tobago to present its offer in accordance with this proposal, without prejudice to the outcome of the discussion on the classification of environmental services:

A. WATER FOR HUMAN USE & WASTEWATER MANAGEMENT

Water collection, purification and distribution services through mains, except steam and hot water.

This sub-sector only concerns the distribution of water 'through mains' (i.e. urban sewage systems). This excludes any cross-border transportation either by pipeline or by any other means of transport, nor does it imply access to water resources.

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

Wastewater services (CPC 9401)

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

B. SOLID/HAZARDOUS WASTE MANAGEMENT

Refuse disposal services (CPC 94020)

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

Sanitation and similar services (CPC 94030)

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

C. PROTECTION OF AMBIENT AIR AND CLIMATE

Services to reduce exhaust gases and other emissions and improve air quality (CPC 94040)

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

D. REMEDIATION AND CLEANUP OF SOIL & WATER

Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060)

EC Request:

- Mode 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

F. PROTECTION OF BIODIVERSITY AND LANDSCAPE

Nature and landscape protection services (part of CPC 94060)

EC Request:

- Mode 1, 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

G. OTHER ENVIRONMENTAL & ANCILLARY SERVICES

Other environmental protection services not classified elsewhere (CPC 94090)

EC Request:

- Mode 1 and 3: Take commitments for MA and NT
- Mode 4: Commit as referred to in the section "Horizontal commitments"

FINANCIAL SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has committed this sector only partially. The EC requests that it be committed as follows:

INSURANCE

The only committed subsector is reinsurance. **EC Request:**

- Modes 1 and 2: Take full commitments in MAT insurance, in insurance intermediation for MAT insurance and reinsurance, and in services auxilliary to insurance in accordance with the Understanding on Commitments in Financial Services.
- Mode 3: Take full commitments in direct insurance (life and non-life), insurance intermediation and services auxiliary to insurance.
- Mode 4: Commit as referred to in the section "Horizontal commitments"

BANKING AND OTHER FINANCIAL SERVICES

This sector is not committed. **EC Request:**

- Mode 1: Take full commitments in provision of financial information and advisory and other auxiliary financial services.
- Modes 2 and 3: Take full commitments in all subsectors ((v) to (xvi)) of the classification of the Annex on Financial Services.
- Mode 4: Commit as referred to in the section "Horizontal commitments" in all subsectors.

TOURISM AND TRAVEL RELATED SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has committed this sector only partially. The EC requests that it be committed as follows:

A. HOTELS AND RESTAURANTS (INCL. CATERING) (CPC 641-643)

Catering (CPC 64230):

Mode 3: Market access and National treatment: take commitments.

NEWS AGENCY SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has not committed this sector (CPC 962). The EC invites Trinidad and Tobago to consider committing this sector as follows:

EC Request (CPC 962):

- Modes 1 - 3: Consider taking full commitments, i.e. schedule "none" under MA and NT.
- Mode 4: Consider committing as referred to in the section "Horizontal commitments".

TRANSPORT SERVICES

EC REQUEST TO TRINIDAD AND TOBAGO

Trinidad and Tobago has partly committed this sector. The EC requests that it be committed as follows:

A. MARITIME TRANSPORT

Trinidad and Tobago has made partial commitments on ships surveys and repair vessels. **EC Request:** Take commitments in accordance with the attached model schedule (Annex 1). In particular for the following areas:

1) International transport (freight and passengers) CPC 7211 and 7212

2) Additional commitments for access to and use of ports facilities

3) Maritime auxiliary services (maritime cargo handling, storage and warehouse services, customs clearance services, container station and depot services, maritime agency services)

4) Multimodal activities: for inland forwarding of cargoes – commit the ability to rent or lease or to have access to and use of multimodal facilities (as specified in the note to the schedule).

5) Definitions – commit definitions as specified in the model schedule

C. AIR TRANSPORT

1) Maintenance and repair of aircraft and parts thereof

EC Request:
- Mode 3: Take full commitments, i.e. schedule "none", under MA and NT

2) Selling and marketing

EC Request:
- Modes 1,2 and 3: Take full commitments, i.e. schedule "none", under MA and NT
- Mode 4: Commit as referred in the section "Horizontal commitments"

3) Computer Reservation Systems

EC Request:
- Modes 1,2 and 3: Take full commitments, i.e. schedule "none", under MA and NT
- Mode 4: Commit as referred in the section "Horizontal commitments"

4) Groundhandling services, as specified in the attached definitions (Annex 2)

EC Request:

- Modes 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

5) Airport management services, as specified in the attached definitions (Annex 2)

EC Request:

- Mode 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

H. SERVICES AUXILIARY TO ALL MODES OF TRANSPORT

b) Storage and Warehouse Services (CPC 742)

EC Request:

- Modes 2 and 3: Take full commitments, i.e. schedule "none", under MA and NT
- Mode 4: Commit as referred in the section "Horizontal commitments"

c) Freight Transport Agency/Freight Forwarding Services (CPC 748) and Pre-Shipment Inspection (part of CPC 749)

EC Request:

- Modes 1,2 and 3: Take full commitments, i.e. schedule "none", under MA and NT
- Mode 4: Commit as referred in the section "Horizontal commitments"

ANNEX 1: SCHEDULE ON MARITIME TRANSPORT SERVICES

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
TRANSPORT SERVICES MARITME TRANSPORT SERVICES International Transport (freight and passenger) CPC 7211 and 7212 less cabotage transport (as defined below – 1)	1) (a) Liner Shipping: none (b) Bulk, tramp, and other international shipping, including passenger transportation; none 2) None 3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: unbound (b) Other forms of commercial presence for the supply of international maritime transport services (as defined below – 2): none 4) (a) Ships crews: unbound (b) Key personnel employed in relation to a commercial presence as defined under mode 3b) above: Unbound except as in horizontal section	1) (a) None (b) None 2) None 3) (a) Unbound (b) None 4) (a) Unbound (b) Unbound except as in horizontal section	The following services at the port are made available to international maritime transport suppliers on reasonable and no discriminatory terms and conditions 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
MARITIME AUXILIARY SERVICES Maritime Cargo Handling Services (as defined below – 4)	1) Unbound* except for – no limitation on transhipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* except for no limitation on transhipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment 2) None 3) None 4) Unbound except as in the horizontal section	
Storage and warehousing Services CPC 742	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Customs Clearance Services (as defined below – 5)	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Container Station and Depot Services (as defined below – 6)	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Maritime Agency Services (as defined below – 7)	1) None 2) None 3) None 4) Unbound except as in horizontal section	1) None 2) None 3) None 4) Unbound except as in the horizontal section	
(Maritime) Freight Forwarding Services (as defined below – 8)	1) None 2) None 3) None 4) Unbound except as in horizontal section	1) None 2) None 3) None 4) Unbound except as in the horizontal section	

* A commitment on this mode of delivery is not feasible.
** Public utility concession or licensing procedures may apply in case of occupation of the public domain.

NOTE TO THE SCHEDULE

Where road, rail, inland waterways (and) (related) (auxiliary) services are not otherwise fully covered in (this) (a Member's) schedule, a multimodal transport operator (as defined below - 3) shall have the ability to rent or lease trucks, railway carriages or barges and related equipment, for the purpose of inland forwarding of cargoes, or have access to, and use of, these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations. (« Reasonable and non-discriminatory terms and conditions» means, for the purpose of (multimodal transport operations), (this additional commitment), the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date).

DEFINITIONS

1. Without prejudice to the scope of activities which may be considered as «cabotage» under the relevant national legislation, this schedule does not include «maritime cabotage services », which are assumed to cover transportation of passengers or goods between a port located in ... [name of country] ... and another port located in ... [name of the country], traffic originating and terminating in the same port located in [name of country] provided that this traffic remains within ... [name of country]'s territorial waters and transportation of passengers and goods between a port located in ... [name of the country] ... and installations or structures situated on the continental shelf of [name of the country].

2. « Other forms of commercial presence for the supply of international maritime transport services » means the ability for international maritime transport service suppliers of other Members 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 however not be constituted 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, these services being those 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 or 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 the provisions of the annex on telecommunications);

(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;

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

3. « Multimodal transport operators » means the person on whose behalf the bill of lading /multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.
4. « Maritime cargo handling services » means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operation companies. The activities covered include the organisation and supervision of:

- the loading/ discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/ delivery and safekeeping of cargoes before shipment or after discharge

5. « Customs clearance services » (alternatively « customs house brokers' services ») means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.
6. « Container station and depot services » means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/ stripping, repairing and making them available for shipments.
7. « Maritime agency services » means activities consisting in representing within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:
- marketing and sales of maritime transport and related services from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.
8. « Freight forwarding services » means (the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information)..

ANNEX 2: FACILITATING AIR TRANSPORT SERVICES

Ground-handling Services

Efficient ground-handling is essential to the proper functioning of air transport and competition between operators in this area ensures that proper use is made of air transport infrastructure. It helps reduce the operating costs of airlines and improves the quality of service for airport users.

For specialised groundhandling suppliers the following activities are requested:

Ground Administration – supervision and administration at the airport (CPC 7461);
Passenger Handling – assisting arriving, departing and transfer passengers (CPC 7461);
Baggage Handling – handling baggage in the sorting area (CPC 7461);
Freight and Mail Handling – physical handling of freight and mail, dealing with security and customs procedures (CPC 74110 (container handling services) and 74190 (other cargo handling services);
Ramp Handling – marshalling and moving the aircraft, loading and unloading of aircraft, transport of passengers, freight, supplies (CPC 7469).
Aircraft Services – cleaning the aircraft, heating and cooling, removal of snow and ice (CPC 7469);
Fuel and Oil Handling – organisation and provision of fuel and oil;
Aircraft Maintenance – covered specifically by the Annex as above;
Flight Operations and Crew Administration – preparation of the flight, inflight and post-flight assistance, crew administration;
Surface Transport – organisation and execution of transport within airport – except to and from aircraft;
Catering Services – administration, storage, preparation and delivery of bar and food supplies (CPC 6423).

Airport management services

Airport management services constitute the core activities of airport services providers and cover: Airport operation services (excl. cargo handling), including passenger air terminal services and ground services on air fields, including runway operating services, on a fee or contract CPC 74610. Activities are also related to “other management consulting services” (CPC 86509) and activities separately specified under “other management services not elsewhere classified"(CPC 86609). A commitment will allow services suppliers to take an equity stake in - and engage in the overall operation and management of - airports when these are open for investments from private operators. Thereby it will bind existing common practices in the sector.

ENERGY SERVICES

EC REQUEST TO TUNISIA

This request includes services that are listed under the negotiating proposal of the EC (S/CSS/W/60). The work on the classification of these services is still underway. For this reason, some activities therefore lack reference to CPC.

The EC wishes to underline the significant contribution of an appropriate use of energy for the promotion of sustainable development.

The EC requests that this area is committed as follows:

A. SERVICES RELATED TO EXPLORATION AND PRODUCTION

Services incidental to mining (CPC 883)

This sub-sector is not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Related scientific and technical consulting services (CPC 8675)

This sub-sector is not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Construction and related engineering services (CPC 511 and CPC 513)

These sub-sectors are not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

B. SERVICES RELATED TO THE CONSTRUCTION OF ENERGY FACILITIES

B.1 Construction of energy facilities

Construction work for civil engineering (CPC 513)

For long distance pipelines, communication and power lines (cables) (CPC 51340)

For local pipelines and cables; ancillary works (CPC 51350)

For constructions for mining and manufacturing (CPC 51360)

These sub-sectors are not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

B.2 Installation and assembly work

Installation and assembly work (CPC 516)
This sub-sector is not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

C. SERVICES RELATED TO NETWORKS

C.1 Operation of transportation/transmission and distribution facilities

Services incidental to energy distribution (including operation of transmission/distribution of electricity)
This sub-sector is not committed. **EC request:**
- Modes 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Transportation of petroleum and natural gas (CPC 71310)
This sub-sector is not committed. **EC Request:**
- Modes 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

D. STORAGE SERVICES

Bulk storage services of liquids or gases (CPC 74220)
This sub-sector is not committed. **EC request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

SERVICES FOR THE SUPPLY OF ENERGY

E.1 Wholesale of energy products

Wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271)
This sub-sector is not committed. **EC Request:**
- Mode 3 : Take full commitments, i.e. schedule "none"
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Wholesale trade services of electricity

EC Request:
- Mods 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

E.2 Retail sale of energy products

Retail sale of fuel oil, bottled gas, coal and wood (CPC 63297)

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments, i.e. schedule “none”
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

E.3 Trading of energy products

EC Request:

- Mode 3 : Take commitments.
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

E.4 Brokering of energy products

EC request:

- Mode 3 : Take commitments.
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

F. SERVICES FOR THE FINAL USE

F.1 Energy audit

Production management consulting services (CPC 86505)

This sub-sector is not committed. **EC request:**

- Mode 3 : Take full commitments, i.e. None.
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

F.2 Energy management

Production management consulting services (CPC 86505)

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments, i.e. None.
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

G. SERVICES RELATED TO DECOMMISSIONING

EC Request:

- Mode 3 : Take full commitments, i.e. schedule “none”
- Mode 4 : Commit as referred in the section “Horizontal commitments”.

MFN EXEMPTIONS

EC REQUEST TO TUNISIA

MFN exemption maritime transport: see EC request on maritime transport

MFN exemption road transport: see EC request on road transport