

**ADVANCED TRADE NEGOTIATIONS**  
**SIMULATION SKILLS COURSE**

**BILATERAL TRADE AGREEMENT**

**between**

**The Republic of**

Plutona

**and**

Himalia

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## I. PRELIMINARY

The Republic of Plutona and Republic of HIMALIA recognizing the Multilateral Trading System (MTS) as governed by the rules of the World Trade Organization, have agreed to the following terms:

## II. AGREEMENT ON NON-AGRICULTURAL MARKET ACCESS (NAMA)

*Republic of Plutona*

*Agreed coefficient: 10*

*Coefficient for participation in sectorals:  
0*

*Industrial products for participation in sectorals*

*As agreed in the multilateral negotiations.*

*Republic of HIMALIA*

*Agreed coefficient: 47*

*Coefficient for participation in sectorals:  
25*

*Industrial products for participation in sectorals*

*As agreed in the multilateral negotiations.*

*Developing countries only: Industrial products benefiting from flexibilities with subjecting to half the cuts and do not exceed 12% of the country's total value of imported industrial goods.*

- 1. Petroleum*
- 2. Textile*
- 3. Clothing*

### III. AGREEMENT ON AGRICULTURAL MARKET ACCESS

The Republic of Plutona and Republic of Himalia have agreed to reduce agricultural tariffs in accordance with the Simple average rate cut, with minimum cuts per tariff line

<i>Republic of Plutona:</i> <i>Average cuts 55% and minimum cuts 20%</i>		<i>Republic of Himalia:</i> <i>Average cuts 33% and minimum cuts 8%</i>	
<i>Product</i>	<i>% Reduction</i>	<i>Product</i>	<i>% Reduction</i>
1. Apples, fresh	50.00%	Apples, fresh	8.00%
2. Apricots	50.00%	Apricots	8.00%
3. Avocados	65.00%	Avocados	70.00%
4. Bananas, plantains	60.00%	Bananas, plantains	8.00%
5. Brazil nuts	0.00%	Brazil nuts	80.00%
6. Cashew nuts	0.00%	Cashew nuts	10.00%
7. Cherries	50.00%	Cherries	8.00%
8. Coconuts	0.00%	Coconuts	60.00%
9. Cranberries	65.00%	Cranberries	78.00%
10. Dates	65.00%	Dates	50.00%
11. Figs	65.00%	Figs	80.00%
12. Grapes	60.00%	Grapes	8.00%
13. Grapefruits	65.00%	Grapefruit	70.00%
14. Guavas, mangoes	0.00%	Guavas, mangoes	8.00%
15. Lemons and limes	50.00%	Lemons and limes	60.00%
16. Melons	65.00%	Melons, watermelons	70.00%
17. Oranges	50.00%	Oranges	15.00%
18. Papayas (papaws)	0.00%	Papayas (papaws)	70.00%
19. Peaches	50.00%	Peaches	8.00%
20. Pears	50.00%	Pears	8.00%
21. Pineapples	50.00%	Pineapples	8.00%
22. Plums	50.00%	Plums	65.00%
23. Raspberries and currants	62.00%	Raspberries and currants	8.00%
24. Strawberries	62.00%	Strawberries	8.00%
25. Tangerines	50.00%	Tangerines, mandarins	70.00%
26. Fruit and vegetable juices	20.00%	Fruit-vegetable juices	20.00%
27. Jams, fruit jellies	60.00%	Jams, fruit jellies	8.00%

28.	Asparagus	70.00%	Asparagus	70.00%
29.	Aubergine	70.00%	Aubergines (eggplants)	8.00%
30.	Beans	63.00%	Beans	8.00%
31.	Brussels sprouts	70.00%	Brussels sprouts	70.00%
32.	Carrots	70.00%	Carrots	70.00%
33.	Cauliflower and broccoli	70.00%	Cauliflower, broccoli	70.00%
34.	Cucumbers	20.00%	Cucumbers	8.00%
35.	Garlic	70.00%	Garlic	70.00%
36.	Lentils	70.00%	Lentils	8.00%
37.	Lettuce	70.00%	Lettuce	80.00%
38.	Mushroom	60.00%	Mushroom	12.00%
39.	Onions	20.00%	Onions	8.00%
40.	Other cabbages	70.00%	Other cabbages	70.00%
41.	Peas	65.00%	Peas	8.00%
42.	Spinach	70.00%	Spinach	8.00%
43.	Sweet corn	50.00%	Sweet corn	8.00%
44.	Tomatoes	60.00%	Tomatoes	8.00%
45.	Mixtures of vegetables	60.00%	Mixtures of vegetables	8.00%
46.	Potatoes	70.00%	Potatoes	8.00%
47.	Tomato ketch-up	70.00%	Tomato ketch-up	10.00%
48.	Coffee	60.00%	Coffee	8.00%
49.	Cocoa	60.00%	Cocoa	8.00%
50.	Chocolate	20.00%	Chocolate	50.00%
51.	Tea	65.00%	Tea	8.00%
52.	Beer	65.00%	Beer (made from malt)	30.00%
53.	Mineral waters	0.00%	Mineral waters	40.00%
54.	Non-alcoholic beverages	63.00%	Non-alcoholic beverages e.g. fanta	20.00%
55.	Wine	20.00%	Wine	50.00%
56.	Other beverages	50.00%	Other beverages	8.00%
57.	Tobacco	20.00%	Tobacco	8.00%
58.	Pepper	60.00%	Pepper	8.00%
59.	Vanilla	65.00%	Vanilla	70.00%
60.	Ginger	0.00%	Ginger	8.00%
61.	Other spices	60.00%	Other Spices	8.00%

62.	Barley	50.00%	Barley	30.00%
63.	Buckwheat	70.00%	Buckwheat	70.00%
64.	Maize	62.00%	Maize (corn)	8.00%
65.	Millet	50.00%	Millet	0.00%
66.	Oats	20.00%	Oats	8.00%
67.	Rice	20.00%	Rice	8.00%
68.	Rye	20.00%	Rye	8.00%
69.	Sorghum	50.00%	Sorghum	8.00%
70.	Wheat	50.00%	Wheat	8.00%
71.	Other cereals	50.00%	Other cereals	8.00%
72.	Biscuits	65.00%	Biscuits	30.00%
73.	Bread	62.00%	Bread	30.00%
74.	Couscous	50.00%	Couscous	8.00%
75.	Pasta, spaghetti	50.00%	Pasta, spaghetti	70.00%
76.	Pastry cakes	50.00%	Pastry cakes	20.00%
77.	Malt	60.00%	Malt	70.00%
78.	Other cereals preparations	50.00%	Other cereal preps	70.00%
79.	Cassava	70.00%	Cassava (manioc)	8.00%
80.	Sweet potatoes	70.00%	Sweet potatoes	8.00%
81.	Starches	50.00%	Starches	70.00%
82.	Milk	20.00%	Milk	8.00%
83.	Ice cream	50.00%	Ice cream	8.00%
84.	Butter	20.00%	Butter	65.00%
85.	Cheese	20.00%	Cheese	65.00%
86.	Eggs	50.00%	Eggs	8.00%
87.	Margarine	65.00%	Margarine	8.00%
88.	Honey	60.00%	Honey	8.00%
89.	Sugar	60.00%	Sugar	8.00%
90.	Cotton	0.00%	Cotton	8.00%
91.	Cut flowers	65.00%	Cut flowers	8.00%
92.	Natural rubber	65.00%	Natural rubber	65.00%
93.	Raw silk	0.00%	Raw silk	70.00%
94.	Wood	65.00%	Wood	65.00%
95.	Castor oilseeds	0.00%	Castor oilseeds	70.00%

96.	Copra	0.00%	Copra	70.00%
97.	Cottonseeds	0.00%	Cottonseeds	70.00%
98.	Groundnuts	65.00%	Groundnuts (peanuts)	8.00%
99.	Linseeds	0.00%	Linseeds	70.00%
100.	Olives	70.00%	Olives	70.00%
101.	Palm nuts and kernels	0.00%	Palm nuts and kernels	70.00%
102.	Poppy seeds	0.00%	Poppy seeds	70.00%
103.	Rapeseeds	0.00%	Rapeseeds (mustard)	70.00%
104.	Sesame seeds	0.00%	Sesame seeds	70.00%
105.	Soybeans	60.00%	Soybeans	8.00%
106.	Sunflower seeds	0.00%	Sunflower (safflower) seeds	70.00%
107.	Other oilseeds or oleaginous fruits	0.00%	Other oilseeds or oleaginous fruits	8.00%
108.	Castor oil	30.00%	Castor oil	70.00%
109.	Coconut oil	70.00%	Coconut oil	8.00%
110.	Cottonseeds oil	65.00%	Cottonseeds oil	8.00%
111.	Groundnuts oil	50.00%	Groundnuts oil	8.00%
112.	Linseed oil	65.00%	Linseeds oil	8.00%
113.	Maize oil	65.00%	Maize oil	8.00%
114.	Olive oil	20.00%	Olives oil	67.00%
115.	Palm oil	70.00%	Palm oil	8.00%
116.	Palm kernel oil	70.00%	Palm kernel oil	8.00%
117.	Rapeseeds oil	65.00%	Rapeseeds oil	70.00%
118.	Sesame oil	65.00%	Sesame oil	8.00%
119.	Soybeans oil	60.00%	Soybeans oil	8%
120.	Sunflower seeds oil	70.00%	Sunflower seeds oil	8.00%
121.	Sausages	50.00%	Sausages	8.00%
122.	Meat of bovine animals	60.00%	Meat of bovine animals	8.00%
123.	Meat of poultry	50.00%	Meat of poultry	70.00%
124.	Meat of sheep and goats	60.00%	Meat of sheep and goats	50.00%
125.	Meat of swine	50.00%	Meat of swine	70.00%
126.	Live bovine animals	50.00%	Live bovine animals	8.00%
127.	Live poultry	50.00%	Live poultry	70.00%
128.	Live sheep and goat	50.00%	Live sheep and goat	8.00%
129.	Live swine	50.00%	Live swine	70.00%

130.	Hides and skins	0.00%	Hides and skins	70.00%
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Both parties agreed to give Himalia deeper cut between the range of 60-65% for import tariffs imposed by Plutona on 25 products. This list is called the special request list. The list is as follow:

1. Soya bean oil
2. Banana
3. Meat of Bovine Animals
4. Live Bovine Animals
5. Meat of Sheep and Goats
6. Coffee
7. Maize
8. Sugar
9. Pepper
10. Beans
11. Bread
12. Tomatoes
13. Spices
14. Live Goats and Sheep
15. Grapes
16. Biscuits
17. Soya beans
18. Strawberries
19. Raspberries
20. Cocoa
21. Honey
22. Wood
23. Tea
24. Non-Alcoholic Beverage
25. Mushroom

#### IV. AGREEMENT ON OVERALL TRADE DISTORTING AGRICULTURAL DOMESTIC SUPPORT (OTDS)

The Republic of Plutona and Republic of Himalia have agreed to cut overall trade distorting agricultural domestic support and AMS in accordance with the bands elaborated in the WTO work programme, using a linear approach.

<i>Republic of Plutona</i>	<i>Republic of Himalia</i>
<i>OTDS (% reduction): 81</i>	<i>OTDS (% reduction): Not applicable</i>
<i>AMS (% reduction):75</i>	<i>AMS (% reduction):Not applicable</i>

### DE MINIMIS NEGOTIATIONS

<b>De Minimis level (%)</b>	3	10

#### **V. PUBLIC STOCKHOLDING FOR FOOD SECURITY PURPOSES**

Members agreed on the grounds that production and consumption data be taken into account as some Members have population of 1.4 billion.

Other members also agreed but expressed concerns on dumping issues that can result from PSH.

Some members also echoed that PSH should not become a new trade distorting instrument.



**VI. AGREEMENT ON TRADE IN SERVICES**

**NEGATIVE LISTING PLUTONA**

**ANNEX 1 : EXISTING MEASURES**

<b>Sector</b>	<b>All (Horizontal Commitments)</b>
<b>Sub-Sector</b>	<b>All</b>
<b>Industry Classification</b>	<b>All</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National and Domestic Law</b>
<b>Measures</b>	<b>Plutona Investment Act of 2005 Professional Persons Act of 2016 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Investment</b></p> <ul style="list-style-type: none"> <li>• In Plutona, services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators.*</li> <li>• Limitations on real estate purchase by non resident physical and legal entities. Limitations on agricultural estate purchased by foreign physical and legal entities.</li> <li>• Permission from the Minister of Defence is needed for a citizen to acquire land in areas near borders. According to administrative practices, permission is easily granted for direct investment.</li> <li>• Authorization is required for investments by non Plutona companies, when exceeding 20% of the capital of the company or when the investments result in effective control or in strengthening of the decision making power. Foreign participation in newly privatized companies may be limited to a variable amount, determined by the state Government on a case by case basis, of the equity offered to the public. Voting rights in newly-privatized companies may be restricted in some cases. *</li> <li>• For establishing in certain commercial, industrial or artisanal activities, a specific authorization is needed if the managing director is not holder of a permanent residence permit.</li> <li>• Treatment accorded to subsidiaries (of third country companies) formed in accordance with the law of an autonomous state within Plutona and having their registered office, central administration or principal place of business within Plutona is not extended to branches or agencies established in a member state by a third country company. However, this does not prevent a member state from extending this treatment to branches or agencies established in another member state by a third country company or firm, as regards their operation in the first member state's territory, unless such extension is explicitly prohibited by Plutona law.</li> <li>• Treatment less favourable may be accorded to subsidiaries (of</li> </ul>

third country companies) formed in accordance with the law of a member state which have only their registered office in the territory of Plutona, unless it can be shown that they possess an effective and continuous link with the economy of one of the autonomous states of Plutona.

Prior written consent of the Land Commission is necessary for the acquisition of land by domestic or foreign companies or foreign nationals. Where such land is for industrial use (other than agricultural industry), this requirement is waived subject to a certificate to this effect from the Minister for Enterprise and Employment. This law does not apply to land within the boundaries of cities and towns.

- None, other than for branches established in a member state by a non Plutona company. Eligibility for subsidies from Plutona or member states may be limited to juridical persons established within the territory of a member state or a particular geographical sub division thereof. Unbound for subsidies for research and development. The supply of a service, or its subsidisation, within the public sector is not in breach of this commitment.

#### **Movement of Natural Persons**

Unbound except for measures concerning the entry into and temporary stay\*\* within an autonomous state of Plutona, without requiring compliance with an economic needs test\*\*\*, of the following categories of natural persons providing services:

- The temporary presence, as intra-corporate transferee\*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:
  1. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:

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\*\* The duration of "temporary stay" is defined by the autonomous states of Plutona and, where they exist, Plutona laws and regulations regarding entry, stay and work. The precise duration can vary according to the different categories of natural persons mentioned in this schedule.

\*\*\* All other requirements of Plutona and its provincial laws and regulations regarding entry, stay, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements.

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> <p>2. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li>1. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>2. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ul> </li> </ul>
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<b>Sector</b>	<b>Tourism and Travel-related Services</b>
<b>Sub-Sector</b>	<b>Hotels and Restaurants</b>
<b>Industry Classification</b>	<b>CPC 641, 642, 643</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Tourism Act of 1998</b>
<b>Description</b>	<b>Cross-border on Trade in Services</b> Not offered except for Catering Services  <b>Investment</b>

	<p>Authorization can be denied in order to protect areas of particular historic and artistic interest.</p> <p>Local economic needs test on opening of new bars, cafés and restaurants.</p> <p><b>Movement of Natural Persons</b> Not offered except as indicated in the horizontal section and subject to the following specific limitation:</p> <ul style="list-style-type: none"> <li>○ Cafés and bars: condition of nationality.</li> </ul>
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<b>Sector</b>	<b>Tourism and Travel-related Services</b>
<b>Sub-Sector</b>	<b>Travel agencies and tour operators services (including tour managers)</b>
<b>Industry Classification</b>	<b>CPC 7471</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Tourism Act of 1998</b>
<b>Description</b>	<p><b>Investment</b></p> <p>Authorization for non Plutona incorporated companies to act as travel agencies is possible only if the company has a permanent base in Plutona and if the person directing the daily operations (or the person asking for the authorization) is a Plutona national.</p> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>● The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ul style="list-style-type: none"> <li>3. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment,</li> </ul> </li> </ul>

\* The duration of "temporary stay" is defined by the autonomous states of Plutona and, where they exist, Plutona laws and regulations regarding entry, stay and work. The precise duration can vary according to the different categories of natural persons mentioned in this schedule.

\*\*\* All other requirements of Plutona and its provincial laws and regulations regarding entry, stay, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements.

-An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:</p> <ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> <p>4. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li>3. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>4. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ul> </li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p>
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<b>Sector</b>	<b>Tourism and Travel-related Services</b>
<b>Sub-Sector</b>	<b>Tourist Guides Services</b>
<b>Industry</b>	<b>CPC 7472</b>

<b>Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Tourism Act of 1998</b> <b>Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross-border Supply</b> On Market Access, Cross-border supply for this Tourist Guides Services shall not be permitted.</p> <p><b>Movement of Natural Persons</b> Unbound except as indicated in the horizontal section and subject to the following specific limitations:</p> <ul style="list-style-type: none"> <li>• The right to exercise the profession is reserved for the local organizations of tourist guides.</li> <li>• Access to the activity is subject to condition of nationality.</li> </ul>

<b>Sector</b>	<b>Health Related and Social Services</b>
<b>Sub-Sector</b>	<b>Hospital Services</b>
<b>Industry Classification</b>	<b>CPC 9311</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Health Reform Act of 2001</b> <b>Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b> Cross Border supply for Hospital Services shall not be permitted.</p> <p><b>Investment</b> On Market Access, the number of beds and use of heavy medical equipment is limited on the basis of a health plan established on the basis of needs. Private health and sanitary services need authorization from local health authorities. Criteria are based on a ratio in function of population.</p> <p><b>Movement of Natural Persons</b> Not offered except as indicated in the horizontal section and subject to the following specific limitations:</p> <ul style="list-style-type: none"> <li>• Access to management functions is subject to prior authorization. In granting the authorization conditions such as professional experience and skills, availability of local managers and degree of specialization required, are taken into consideration.</li> <li>• Condition of nationality for public hospitals.</li> </ul>

<b>Sector</b>	<b>Health Related and Social Services</b>
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<b>Sub-Sector</b>	<b>Social Services (Convalescent and Rest Houses, Old People's Homes)</b>
<b>Industry Classification</b>	<b>CPC 933</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National and Domestic Law</b>
<b>Measures</b>	<b>Health Reform Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b> Cross Border supply for Hospital Services shall not be permitted.</p> <p><b>Investment</b> On Market Access, Provision of services is permitted by the competent authorities according to local needs</p> <p><b>Movement of Natural Persons</b> Not offered except as indicated in the horizontal section and subject to the following specific limitations:</p> <ul style="list-style-type: none"> <li>• Access to management functions is subject to prior authorization. In granting the authorization conditions such as professional experience and skills, availability of local managers and degree of specialization required, are taken into consideration.</li> </ul>

<b>Sector</b>	<b>Financial Services</b>
<b>Sub-Sector</b>	<b>All Insurance</b>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Plutona Insurance Reform Law of 2004 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b> Compulsory air transport insurance policies can be underwritten only by a subsidiary established in Plutona or by a branches established in Plutona. If a foreign insurance company has established a branch in Plutona, it may conclude insurance contracts in Plutona relating to international transport only through the branch established in Plutona.</p> <p>Air and maritime transport insurance, covering goods, vehicles, aircraft, hull and liability insurance regarding risks located in Plutona can be underwritten only by insurance companies established in Plutona or companies having their head office in Plutona. This reservation does not apply to international transport involving imports into Plutona.</p>

Only persons or companies established in Plutona may act as intermediaries for such insurance business in Plutona.

### **Consumption of Services**

Compulsory air insurance policies can be underwritten only by a subsidiary established in Plutona or by a branch established in Plutona.

If a foreign insurance company has established a branch in Plutona, it may conclude insurance contracts in Plutona relating to international transport only through the branch established in Plutona.

Air and maritime transport insurance, covering goods, vehicles, aircraft, hull and liability insurance regarding risks located in Plutona can be underwritten only by insurance companies established in Plutona or companies having their head office in Plutona. This reservation does not apply to international transport involving imports into Plutona.

Only persons or companies established in Plutona may act as intermediaries for such insurance business in Plutona.

### **Investment**

On Market Access, the right of establishment does not cover the creation of representative offices or other permanent presence of insurance companies, except where such offices are established as agencies, branches or head offices.

Foreign companies may carry out insurance intermediation in Plutona only through a company formed in accordance with the laws of Plutona.

In order to establish a branch in Plutona, foreign insurance companies need to demonstrate prior operational experience of at least five years.

The establishment of branches of insurance companies not having their head office in Plutona is subject to the representative of the branch having received the special authorization as referred to under mode 4.

### **Movement of Natural Persons**

Not offered except as indicated in the horizontal section and subject to the following specific limitations on market access:

- The general agent of an insurance branch shall be a national of Plutona. The Ministry of Trade and Industry may grant exemption from this requirement. Managers and members of the Board of Directors of a company shall be nationals of Plutona.
- However, the Minister of Trade and Industry may grant exemption from this requirement. Exemption is granted on a non



	<p>discriminatory basis.</p> <p>Not offered except as indicated in the horizontal section and subject to the following specific limitations on national treatment:</p> <ul style="list-style-type: none"> <li>• The general agent of an insurance branch will need to have resided in Plutona for the last two years. The Ministry of Labour may grant exemption.</li> <li>• The representative of a branch of an insurance company which does not have its head office in Plutona is subject to a special authorization. The conditions to be met are related to the technical qualification and good standing of the person.</li> </ul>
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<b>Sector</b>	<b>Banking and other Financial Services (excluding insurance)</b>
<b>Sub-Sector</b>	
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Plutona Banking Reform Law of 2004 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b> Any activities relative to the investment advisory services of all foreign banks, may be allowed without having to establish any commercial presence in Plutona, provided that it shall be subject to the supervision of the Central Bank of Plutona.</p> <p><b>Consumption of Service</b> Issues of securities denominated in Plutona dollars can be managed only by a credit institution, subsidiary or branch, established in Plutona.</p> <p><b>Investment</b> On Market Access, the establishment of a specialized management company is required to perform the activities of management of unit trusts and investment companies.</p> <ul style="list-style-type: none"> <li>• Only firms having their registered office in Plutona can act as depositories of the assets of investment funds;</li> <li>• Financial institutions may engage in securities trading in securities listed in an official stock exchange or in the government securities market only through securities firms incorporated in Plutona.</li> <li>• The establishment of non Plutona banks may be subject to an economic needs test.</li> <li>• Participation by non Plutona investors in the share capital of a bank established in Plutona is limited in principle to 51%. For the establishment of a branch, there will be no minimum amount of</li> </ul>

	<p>foreign exchange must be imported, and will not be converted into Plutona dollars and will be kept in Plutona as long as a foreign bank continues to operate in Plutona, subject to the supervision of the Central Bank of Plutona.</p> <ul style="list-style-type: none"> <li>• The services of provision of venture capital, factoring, enterprise development, pension and investment fund management and broker/dealer services may be provided only by companies incorporated in Plutona.</li> </ul> <p>Representative offices of foreign intermediaries cannot carry out promotional activities in the area of investment in securities.</p> <ul style="list-style-type: none"> <li>• Branches and subsidiaries of non Plutona banks need permission to manage Plutona dollars denominated paper.</li> </ul> <p><b>Movement of Natural Persons</b> Not offered except as indicated in the horizontal section and subject to the following specific limitations:</p> <ul style="list-style-type: none"> <li>• Condition of Plutona nationality is required for the president of the Board of Directors, the Directors General and no less than two thirds of the administrators, and also, when the securities firm has a Supervisory Board or Council, for the members of such board or its Director General, and no less than two-thirds of the members of the supervisory council.</li> <li>• Condition of residence for "financial salesmen" is required.</li> </ul>
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<b>Sector</b>	<b>Environmental Services</b>
<b>Sub-Sector</b>	<b>Sewage disposal Services, Refuse Disposal Services, Sanitation and similar services, Cleaning Services of Exhaust Gases, Nature and Landscape Protection Services</b>
<b>Industry Classification</b>	<b>CPC 9401, 9402, 9403, 9404, and 9406</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Environmental Reform Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b> Cross Border supply for Hospital Services shall not be permitted.</p> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service</li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an

supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:

5. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:
    - directing the establishment or a department or sub division of the establishment;
    - supervising and controlling the work of other supervisory, professional or managerial employees;
    - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.
  6. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.
- The temporary presence of natural persons in the following categories:
    5. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
    6. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:
      - the representatives are not engaged in making direct sale or supplying services; and
      - the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.

Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous

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establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.
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<b>Sector</b>	<b>Communication Services</b>
<b>Sub-Sector</b>	<b>Postal and Courier Services</b>
<b>Industry Classification</b>	<b>CPC 7511 and 7512</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Postal and Courier Reform Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	All modes of supply of service for Postal and Courier services are not offered.

<b>Sector</b>	<b>Communication Services</b>
<b>Sub-Sector</b>	<b>Telecommunication Services</b>
<b>Industry Classification</b>	<b>CPC 7523**</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Telecommunications Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Investment</b></p> <p>The direct or indirect participation of natural persons, who are non nationals of Plutona or non Plutona companies or firms in the capital of carriers of complementary telecommunications services, whose exploitation involves the use of complementary telecommunications infrastructures, cannot exceed 51%. Complementary telecommunications infrastructures are all public telecommunications infrastructures which are not part of the basic telecommunications network.</p> <p><b>Movement of Natural Persons</b></p> <p>Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service</li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an

supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:

7. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:
    - directing the establishment or a department or sub division of the establishment;
    - supervising and controlling the work of other supervisory, professional or managerial employees;
    - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.
  8. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.
- The temporary presence of natural persons in the following categories:
    7. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
    8. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:
      - the representatives are not engaged in making direct sale or supplying services; and
      - the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.

Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous

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establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.
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<b>Sector</b>	<b>Construction and Related Engineering Services</b>
<b>Sub-Sector</b>	<b>General Construction work for Buildings</b>
<b>Industry Classification</b>	<b>CPC 512, 513, 515, 517, and 518</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Building Code of 1996 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross border Trade in Services</b> Not Offered.</p> <p><b>Investment</b> Exclusive rights are granted for maintenance and management of highways. Nationality condition for managers of the board of directors of construction companies supplying in the public sector.</p> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>● The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ol style="list-style-type: none"> <li>9. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> </li> <li>10. Persons working within a juridical person who possess</li> </ol> </li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li>9. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>10. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ul> </li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p><b>Also subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>• Nationality condition for managers of construction companies supplying in the public sector.</li> </ul>
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<b>Sector</b>	<b>Distribution Services</b>
<b>Sub-Sector</b>	<b>Commission Agents' Services</b>
<b>Industry Classification</b>	<b>CPC 621</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Distribution and Retail Act of 2003</b>

	<b>Alien Treatment Act of 2015</b>
<b>Description</b>	<p data-bbox="472 170 903 203"><b>Cross-border Trade in Services</b></p> <p data-bbox="472 203 1382 275">Not offered for Traders and brokers working in markets of national interest</p> <p data-bbox="472 315 884 349"><b>Movement of Natural Persons</b></p> <p data-bbox="472 349 976 383">Not permitted except for the following:</p> <ul style="list-style-type: none"> <li data-bbox="472 389 1382 611">● The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ul style="list-style-type: none"> <li data-bbox="520 618 1382 801">11. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> <li data-bbox="616 808 1382 880">○ directing the establishment or a department or sub division of the establishment;</li> <li data-bbox="616 887 1382 958">○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li data-bbox="616 965 1382 1037">○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> </li> <li data-bbox="520 1043 1382 1317">12. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</li> </ul> </li> <li data-bbox="472 1323 1382 1395">● The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li data-bbox="520 1402 1382 1653">11. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li data-bbox="520 1659 1382 1722">12. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a</li> </ul> </li> </ul>

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	<p>member state of Plutona, of a commercial presence of a service provider when:</p> <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p><b>Also subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>• Condition of nationality for activities of traders, commissioners, and brokers working in markets of national interest.</li> <li>• Residence Requirement</li> </ul>
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<b>Sector</b>	<b>Distribution Services</b>
<b>Sub-Sector</b>	<b>Wholesale Trade Services</b>
<b>Industry Classification</b>	<b>CPC 622</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Distribution and Retail Act of 2003 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross-border Trade in Services</b> The cross border trade in services for wholesale trade services shall not be offered to pharmacies. Further, only the government can engage in any sale/trade involving tobacco.</p> <p><b>Investment</b> State monopoly on tobacco and matches. Wholesale pharmacies are authorized according to the needs of the population and within established quotas.</p> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service</li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily

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supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:

13. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:

- directing the establishment or a department or sub division of the establishment;
- supervising and controlling the work of other supervisory, professional or managerial employees;
- having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.

14. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.

- The temporary presence of natural persons in the following categories:

13. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.

14. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:

- the representatives are not engaged in making direct sale or supplying services; and
- the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.

Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are

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transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p><b>Also subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>• Condition of nationality for wholesale of pharmaceuticals.</li> <li>• Residence Requirement</li> </ul>
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<b>Sector</b>	<b>Distribution Services</b>
<b>Sub-Sector</b>	<b>Retailing Services</b>
<b>Industry Classification</b>	<b>CPC 631, 632, 633, 61112, 6113, 6121 excusing 63211</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Distribution and Retail Act of 2003 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross-border Trade in Services</b> The cross border trade in services is not offered except for mail order.</p> <p><b>Investment</b> Not offered for retail of alcoholic beverages.</p> <p>No Economic needs test on establishment of any new department store/outlet shall be imposed and authorization can be denied in order to protect areas of particular historic and artistic interest on the following specific areas:</p> <ul style="list-style-type: none"> <li>• State monopoly on tobacco;</li> </ul> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ul style="list-style-type: none"> <li>15. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment,</li> </ul> </li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:</p> <ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> <p>16. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li>15. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>16. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ul> </li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p><b>Also subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>• Condition of nationality for tobacconists.</li> </ul>
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<b>Sector</b>	<b>Distribution Services</b>
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<b>Sub-Sector</b>	<b>Franchising</b>
<b>Industry Classification</b>	<b>CPC 8929</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Distribution and Retail Act of 2003 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ol style="list-style-type: none"> <li>1. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> </li> <li>2. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</li> </ol> </li> <li>• The temporary presence of natural persons in the following categories: <ol style="list-style-type: none"> <li>17. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be</li> </ol> </li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>engaged in making direct sales to the general public or in supplying services themselves.</p> <p>18. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:</p> <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p>
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<b>Sector</b>	<b>Business Services Services</b>
<b>Sub-Sector</b>	<b>Professional Services (Legal)</b>
<b>Industry Classification</b>	<b>CPC 861</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Federal Lawyers Act Professional Persons Act of 2016 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross Border Trade in Services</b></p> <p>Not offered for drafting of legal documents. Marketing of legal advice activities is restricted to lawyers with a Plutona licence to practise and law firms registered in Plutona.</p> <p><b>Investment</b></p> <p>Access subject to acceptance into a Bar Association according to the "Federal Lawyers Act" which requires establishment and is restricted to sole proprietorship or partnership only.</p> <p>Marketing of legal advice activities is restricted to law firms registered in Plutona. Only lawyers with a Plutona licence to practise and law</p>

firms registered in Plutona may own shares in a Plutona law firm. Only lawyers with a Plutona licence to practise may sit on the board or be part of the management of a Plutona law firm.

### **Movement of Natural Persons**

Not permitted except for the following:

- The temporary presence, as intra-corporate transferee\*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:
  1. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:
    - directing the establishment or a department or sub division of the establishment;
    - supervising and controlling the work of other supervisory, professional or managerial employees;
    - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.
  2. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.
- The temporary presence of natural persons in the following categories:
  1. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
  2. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a

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\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>service provider when:</p> <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p>Plutona will remove the condition on the nationality.</p> <p><b>But they will be subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>● Marketing of legal advice activities is restricted to lawyers with a Plutona license to practise. Requirement of a Plutona legal examination in order to obtain a Plutona licence to practise.</li> </ul>
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<b>Sector</b>	<b>Business Services</b>
<b>Sub-Sector</b>	<b>Accounting, Auditing, Bookkeeping, Taxation and Auditing, Architectural, Engineering Services</b>
<b>Industry Classification</b>	<b>CPC 862, 863, 8671, 8672 and 8673</b>
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Federal Lawyers Act Professional Persons Act of 2016 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross-border Trade in Services</b> Not offered.</p> <p><b>Investment</b> Access is restricted to natural persons. Provision through partnership or professional association only</p> <p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>● The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service</li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily

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supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:

3. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:
    - directing the establishment or a department or sub division of the establishment;
    - supervising and controlling the work of other supervisory, professional or managerial employees;
    - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.
  4. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.
- The temporary presence of natural persons in the following categories:
    3. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
    4. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:
      - the representatives are not engaged in making direct sale or supplying services; and
      - the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.

Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are

transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p>Plutona will remove the condition on the nationality.</p> <p><b>But they will be subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>Marketing of legal advice activities is restricted to lawyers with a Plutona license to practise. Requirement of a Plutona legal examination in order to obtain a Plutona licence to practise.</li> </ul>
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<b>Sector</b>	<b>Business Services</b>
<b>Sub-Sector</b>	<b>All Computer Related Services and other Business services</b>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>National Data Privacy Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ol style="list-style-type: none"> <li>Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> <li>directing the establishment or a department or sub division of the establishment;</li> <li>supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> </li> </ol> </li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>2. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ul style="list-style-type: none"> <li>5. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>6. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ul> </li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p>
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<b>Sector</b>	<b>Transport Services</b>
<b>Sub-Sector</b>	<b>Maritime Transport Services, Internal Waterways Transport Services, Space Transport Service and Pipeline Transport Services,</b>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Transport Act of 2001 Maritime Reform Act of 1996</b>

	<b>Alien Treatment Act of 2015</b>
<b>Description</b>	All modes of supply of service for Postal and Courier services are not offered.

<b>Sector</b>	<b>Transport Services</b>
<b>Sub-Sector</b>	<b>Air Transport Services, Rail Transport Services and Services auxiliary to all modes of transport</b>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Transport Act of 2001 Civil Aviation Reform Act of 1998 Alien Treatment Act of 2015</b>
<b>Description</b>	<p><b>Cross-Border Trade in Services</b> Not offered.</p> <p><b>Movement of Natural Persons</b> <b>Movement of Natural Persons</b> Not permitted except for the following:</p> <ul style="list-style-type: none"> <li>• The temporary presence, as intra-corporate transferee*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement: <ol style="list-style-type: none"> <li>1. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> <li>○ directing the establishment or a department or sub division of the establishment;</li> <li>○ supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>○ having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.</li> </ul> </li> <li>2. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge</li> </ol> </li> </ul>

\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <ul style="list-style-type: none"> <li>• The temporary presence of natural persons in the following categories: <ol style="list-style-type: none"> <li>1. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</li> <li>2. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when: <ul style="list-style-type: none"> <li>○ the representatives are not engaged in making direct sale or supplying services; and</li> <li>○ the service provider has its principal place of business in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</li> </ul> </li> </ol> </li> </ul> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p>
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<b>Sector</b>	<b>Transport Services</b>
<b>Sub-Sector</b>	<b>Road Transport Services</b>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	<b>Market Access and National Treatment</b>
<b>Level of Government</b>	<b>National</b>
<b>Measures</b>	<b>Transport Act of 2001 Alien Treatment Act of 2015</b>
<b>Description</b>	<b>Cross-border Trade in Services</b> Not offered.  <b>Investment</b> Not Offered

### **Movement of Natural Persons**

Not permitted except for the following:

- The temporary presence, as intra-corporate transferee\*, of natural persons in the following categories, provided that the service supplier is a juridical person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:
  17. Persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:
    - directing the establishment or a department or sub division of the establishment;
    - supervising and controlling the work of other supervisory, professional or managerial employees;
    - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions.
  18. Persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.
- The temporary presence of natural persons in the following categories:
  19. Persons not residing in the territory of a member state of Plutona, who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
  20. Persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up, in a member state of Plutona, of a commercial presence of a service provider when:
    - the representatives are not engaged in making direct sale or supplying services; and
    - the service provider has its principal place of business

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\* An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organisation, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of an autonomous state of Plutona; the juridical persons concerned must have their principal place of business in the territory of a WTO Member other than Plutona and its autonomous states and the transfer must be to an establishment (office, branch or subsidiary) of that juridical person, effectively providing like services within Plutona.

	<p>in the territory of a WTO Member other than Plutona and has no other representative, office, branch or subsidiary in that member state.</p> <p>Plutona directives on mutual recognition of diplomas do not apply to nationals of third countries. Recognition of the diplomas which are required in order to practise regulated professional services by non Plutona nationals remains within the competence of each autonomous state, unless Plutona law provides otherwise. The right to practise a regulated professional service in one member state does not grant the right to practise in another member state.</p> <p><b>Also subject to the following specific limitation:</b></p> <ul style="list-style-type: none"> <li>• Residence Requirement for managers</li> </ul>
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## NEGATIVE LISTING OF HIMALIA

### ANNEX 1 – EXISTING MEASURES

<b>HORIZONTAL COMMITMENTS</b>	
<b>Sector</b>	All
<b>Obligations concerned</b>	National Treatment Market Access Article
<b>Level of Government</b>	Centre, federal
<b>Measures</b>	All
<b>Description</b>	<p>For mode 3 on national treatment, in case of collaboration with public sector enterprises or government undertakings as joint venture partners, preference in access will be given to foreign service suppliers/entities which offer the best terms for transfer of technology.</p> <p>Mode 4 has:</p> <ul style="list-style-type: none"> <li>• unbound limitations on national treatment except for measures</li> </ul>

	<p>referred to under Market Access.</p> <ul style="list-style-type: none"> <li>● Unbound limitations on market access except for measures affecting the entry and temporary stay of natural persons who fall in any of the following categories: <ul style="list-style-type: none"> <li>a) Business Visitors <p>Persons who visit Himalia for the purposes specified in (i) and (ii) below and who will not receive remuneration from within Himalia:</p> <ul style="list-style-type: none"> <li>i) for business negotiations, or</li> <li>ii) for preparatory work for establishing a commercial presence in Himalia.</li> </ul> <p>Entry for persons in this category shall be for a period of not more than 120 days subject to possible renewal by competent authority and according to national laws.</p> </li> <li>b) Intra-corporate transferees <p>At the level of Managers, Executives and Specialists who have been in the employment of a juridical person of another Member for a period not less than one year prior to the date of application for entry into Himalia and are being transferred to a branch or a representative office or a juridical person owned or controlled by the aforesaid juridical person.</p> <p>Managers are:</p> <p>Persons who direct a branch office or one or more departments as their head, or supervise or control the work of other supervisory, professional or managerial personnel and have the authority to appoint or remove the personnel and powers to exercise discretionary authority over day-to-day operations.</p> <p>Executives are:</p> <p>Persons who are in senior positions within a juridical person including a branch who primarily direct the management, have wide decision-making powers and are either members of the board of directors or receive directions from the board or the general body of</p> </li> </ul> </li> </ul>
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	<p>shareholders.</p> <p style="text-align: center;">Specialists are:</p> <p>Persons who possess high qualifications and knowledge at an advanced level relevant to the organisation's activities or of the organisation's research, equipment, techniques or management and may include persons who are members of accredited professional bodies.</p> <p>Entry for persons in the above categories shall be for a maximum period of 5 years.</p> <p>c) Professionals</p> <p style="text-align: center;">Natural persons to be engaged by a juridical person in Himalia as part of a services contract for rendering professional services for which he/she possesses the necessary academic credentials and professional qualifications with three years experience in the field of physical sciences, engineering or other natural sciences.</p> <p>Entry and stay in this category shall be for a maximum period of one year.</p> <p>The above rules on entry and period of stay are subject to renewal by competent authority appointed by the government and according to national laws.</p>
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<b>Sector</b>	Legal Service (CPC861)
<b>Obligations concerned</b>	National Treatment Most-Favoured-Nation Treatment Market Access Article  Local Preference
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2003
<b>Description</b>	Foreign legal firm/its partnership concern/or the lawyer can't advertise their service.  Foreign legal firms are allowed subject to their practice limiting only to

	<p>the extent it deals with mergers and acquisitions.</p> <p>Lawyers should have received legal training or education in Himalia.</p> <p>The lawyers should have passed the Himalian Bar council exam</p> <p>Partners to maximum of 5 should be allowed.</p> <p>Licenses need to be obtained from the Himalian Bar Council .</p>
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<b>Sector</b>	Retail Service (CPC631 、 CPC632 、 CPC61112 、 CPC 、 61130 CPC61210)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2010
<b>Description</b>	Allowed only in partnership with the domestic firms/companies, with maximum shareholding of 49%, not subject to national treatment.  Foreign legal firms are allowed subject to their practice limiting only to the extent it deals with mergers and acquisitions.

<b>Sector</b>	Computer and Related Services Service (CPC)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).

<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2000
<b>Description</b>	Can't advertise their service.  Foreign legal firms are allowed subject to their practice limiting only to the extent it deals with mergers and acquisitions.

<b>Sector</b>	Education Service (CPC921, CPC 922 · CPC923 CPC 924 · CPC929)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2015
<b>Description</b>	Unbound limitation on market access and national treatment except for Mode 3 for higher education services where foreign nationals can secure upto 2 licenses per year subject to renewal depending upon their performance standards.

<b>Sector</b>	Telecommunication Service
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2014

<p><b>Description</b></p>	<p>Mode 1-4 have unbound limitation on national treatment. Limitation on market access are unbound for mode1, 2 and 4.</p> <p>Limitations on market access are subject to the following:</p> <p>For mode 3 for voice telephone service, the service will be permitted to be provided only after the operator gets a licence from the Designated Authority who shall determine the need, if any, for issuance of new licences. The terms and conditions of the licence will be as laid down by the Designated Authority or Government or the prevailing laws in the country.</p> <p>There will be two operator other than Himalia Telecom in each service area for a period of 10 years from the grant of licence after which the position will be reviewed.</p> <p>The private operator should be a company registered in Himalia in which total foreign equity must not exceed 30%.</p> <p>Service operator will be permitted to provide long distance service within the licensed service area only.</p> <p>Resale of voice telephone services will not be permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>For mode 3 for circuit switched data, Licensed voice telephone service operators will be permitted for transmission of data on the Public Switched Voice Telephone Network.</p> <p>For mode 3 for facsimile services, Licensed voice telephone service operators will be permitted for transmission of facsimile on the Public Switched Voice Telephone Network in its licensed service area. Franchisees of service operators can provide commercial facsimile services.</p>
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	<p>For mode 3 for private leased circuit services, Licensed voice telephone service operators will be permitted to provide leased circuits to their customers, for their own use within their licensed service area. Resale of such leased circuits will not be permitted.</p> <p>For mode 3 for other cellular mobile services, The service will be permitted to be provided only after the operator gets a licence from the Designated Authority who shall determine the need, if any, for issuance of new licences. The terms and conditions of the licence will be as laid down by the Designated Authority or Government or the prevailing laws in the country.</p> <p>Only digital (GSM) technology will be permitted and this will only be terrestrial based.</p> <p>There will be two cellular service operators in each service area. The position will be reviewed after 10 years. The right of Himalia Telecom to enter into each service area is reserved.</p> <p>The private operator should be a company registered in Himalia in which total foreign equity must not exceed 35%.</p> <p>The detailed terms and conditions for providing the service will be as per licence conditions.</p> <p>For mode 3 for electronic mail, Only through incorporation with a foreign equity ceiling of 51 per cent.</p> <p>For mode 3 for audio visual services, i) Only through representative offices which will be allowed to function as branches of companies incorporated outside Himalia. ii) Import of titles restricted to 100 per year.</p>
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<b>Sector</b>	Environmental Service (CPC 9401,9402,9403)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment);

	Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Central
<b>Measures</b>	ABC Act. 2006
<b>Description</b>	Unbound limitations exist on market access and national treatment in all 4 modes

<b>Sector</b>	Insurance Service (CPC812)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2009
<b>Description</b>	<p>Limitations on national treatment: unbound for modes 1-4.</p> <p>Limitation on market access is unbound for non-life, limited to insurance of freight for all modes.</p> <p>For limitation on market access, reinsurance can be taken with foreign insurers to the extent of the residual uncovered risk after obligatory or statutory placements domestically with Himalian insurance companies.</p> <p>Reinsurance of domestic risks can be placed with foreign reinsurers through overseas brokers, to the extent mentioned under reinsurance and retrocession.</p> <p>Except for the reinsurance business, the resident representatives and representative offices cannot undertake any other activity in Himalia.</p> <p>All the expenses of the resident representatives and representative offices have to be met by remittances from abroad and no income can be received in Himalia from Himalian residents, unbound limitations otherwise.</p>

<b>Sector</b>	Banking Service (CPC)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2011
<b>Description</b>	<p>Mode 1 and 2 are not open on the grounds of market access and national treatment. For modes 3 and 4, the following rules apply, otherwise the limitations are unbound:</p> <p>(i) Lending will be permitted through branch operations of a foreign bank licensed and supervised as a bank in its home country.</p> <p>(ii) Grant of license as permissible under existing laws.</p> <p>(iii) A limit of 20 licences per year both for new entrants and existing banks.</p> <p>(iv) Banks are allowed to install ATMs at branches and at other places identified by them. Installation of ATM at a place other than in licensed branches is treated as a new place of business and requires a licence. Licences issued for ATMs installed by foreign banks will not be included in the ceiling of 12 licences referred to in item (iii) above.</p> <p>(v) Investments in other financial services companies by branches of foreign banks licensed to do banking business in Himalia individually not to exceed 10% of owned funds or the invested company's capital.</p> <p>Chairman of the Local advisory board must be resident Himalian nation except for the members and who may be a foreign national.</p>

<b>Sector</b>	Legal Service (CPC)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-

	Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2011
<b>Description</b>	Can't advertise their service.  Foreign legal firms are allowed subject to their practice limiting only to the extent it deals with mergers and acquisitions.

<b>Sector</b>	<b>TOURISM AND TRAVEL-RELATED SERVICES</b> Hotels and other lodging services (CPC 641) Travel Agency and Tour Operations Services (CPC 747)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2013
<b>Description</b>	Unbound limitations on national treatment in all modes. Unbound limitations on market access in mode 1 and 2.  For travel agency and tour operator, hotel and other lodging and services, mode 3 is allowed only through incorporation with a foreign equity ceiling of 51%.

<b>Sector</b>	<b>HEALTH-RELATED AND SOCIAL SERVICES</b> Hospital services (CPC 9311) Social Services (CPC 933)
<b>Obligations Concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Central
<b>Measure</b>	Law No. 21/2009, 19 January Ordinances n.º 417/2009 and 418/2009, 16 April
<b>Description</b>	Unbound limitations on all modes on account for market access and national treatment. For mode 3 is allowed only through incorporation with a foreign equity ceiling of 51%.



<b>Sector</b>	<b>Construction and Related Engineering services; Business services</b>
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2013
<b>Description</b>	Unbound limitations on all modes on account for market access and national treatment. For mode 3 is allowed only through incorporation with a foreign equity ceiling of 51%.

<b>Sector</b>	Transport and distribution services(except for retailing services)
<b>Obligations concerned</b>	Article 10.2 (National Treatment) or 11.3 (National Treatment); Article 10.3 (Most-Favoured-Nation Treatment) or 11.4 (Most-Favoured-Nation Treatment); Article 10.4 (Market Access); Article 10.5 (Local Presence); Article 11.9 (Performance Requirements); or Article 11.10 (Senior Management and Boards of Directors).
<b>Level of Government</b>	Nation
<b>Measures</b>	ABC Act. 2000
<b>Description</b>	Unbound limitations exist on all 4 modes.

## ANNEX II – FUTURE MEASURES

<b>Sector</b>	<b>All Sectors</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Performance Requirements (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt, with respect to the establishment or acquisition of an investment, any measure that is necessary for the maintenance of public order, security and safety pursuant to existing laws, rules and regulations.

<b>Sector</b>	<b>All Sectors</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Local Presence (Article 6) Performance Requirements (Article 8)

	Senior Management and Boards of Directors (Article 7)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain any measure with respect to the transfer or disposition of equity interests or assets held by state enterprises or governmental authorities.

<b>Sector</b>	<b>All Sectors</b>
<b>Obligations concerned</b>	Most-Favored-Nation Treatment (Article 3) Nationality Treatment (Article 4) Market Access (Article 5)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.

<b>Sector</b>	<b>All Sectors</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5)
<b>Description</b>	<b>Investment and Cross border Trade in Services:</b>  Himalia reserves the right to adopt or maintain any measures relating to services and supply thereof other than those established or recognized or should have been established or recognized by the State of Himalia at the date of entry into force of this Agreement.

<b>Sector</b>	<b>All Sectors</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Performance Requirements (Article 7)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures providing rights and privileges to socially, economically, marginally and geographically disadvantaged indigenous, ethnic and minority groups.

<b>Sector</b>	<b>Tourism and Travel Related Services (All Subsectors)</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Senior Management and Board of Directors (Article 7)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain any measure with respect to Tourism and Travel Related Services including the establishment of any business related thereto.

<b>Sector</b>	<b>Health Related and Social Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7) Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures pertaining to Health Related and Social Services.

<b>Sector</b>	<b>Financial Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7) Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures on all aspects of Financial Services, including prudential requirements pertaining to establishment of any branches and management in Himalia.

<b>Sector</b>	<b>Environmental Services</b>
<b>Obligations</b>	Nationality Treatment (Article 4)

<b>concerned</b>	Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7) Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment and Cross-Border Trade in Services:</b>  Himalia reserves the right to adopt or maintain any measure with respect to the following environmental services: treatment and supply of potable water; collection and treatment of municipal sewage; collection, transportation, and disposal of municipal refuse; sanitation and similar services; and nature and landscape protection services.

<b>Sector</b>	<b>Communication Services (All Subsectors)</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7) Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures relating to the operation and provision of communication services.

<b>Sector</b>	<b>Construction and Related-Engineering Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7) Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures relating to construction horizontal and vertical work for civil engineering.

<b>Sector</b>	<b>Educational Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Local Presence (Article 6) Performance Requirements (Article 7)

	Senior Management and Boards of Directors (Article 8)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures with respect to the use of statutorily protected educational establishments, terms, titles and such other measures related to education.

<b>Sector</b>	<b>Professional Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Performance Requirements (Article 7)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain any measures including other requirements pertaining to practice of profession and allied disciplines.

<b>Sector</b>	<b>Computer and Related Services</b>
<b>Obligations concerned</b>	Nationality Treatment (Article 4) Market Access (Article 5) Performance Requirements (Article 7)
<b>Description</b>	<b>Investment:</b>  Himalia reserves the right to adopt or maintain measures with respect to the following computer and related services: consultancy services related to the installation of computer hardware; software implementation services; data processing services; data base services; maintenance and repair services of office machinery and equipment including computers, and. such other allied services.

**The Republic of Plutona and Himalia have agreed on the commitments in services presented above in Section VI.**

**VII. OFFICIAL DECLARATION:**

This Agreement was read and signed on the 28<sup>th</sup> day of June 2018 by H.E. Mr. Sanjeewa Pattiwila Kankanamalage on behalf of the Government of the Republic of Plutona and by H.E. Ms Prachi Singhal on behalf of the Government of the Republic of Himalia.

H.E. Mr. Sanjeewa Pattiwila Kankanamalage

On behalf of the Government of  
the Republic of  
Plutona

H.E. Ms. Prachi Singhal

On behalf of the Government of  
the Republic of  
Himalia