

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/LTU/52/Add.2
17 November 2000

(00-4910)

**Working Party on the
Accession of Lithuania**

REPORT OF THE WORKING PARTY ON THE ACCESSION OF LITHUANIA TO THE WORLD TRADE ORGANIZATION

Addendum

Schedule – Lithuania

Part II – Schedule of Specific Commitments on Services List of Article II MFN Exemptions

As indicated in paragraph 190 of the Report of the Working Party on the Accession of Lithuania (WT/ACC/LTU/52), the Schedule of Specific Commitments on Services resulting from the negotiations between Lithuania and WTO Members is annexed to the Protocol of Accession of Lithuania and is reproduced hereunder.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|---------------------------|---|--|---------------------|
| I. HORIZONTAL COMMITMENTS | | | |
| | <p>4) Unbound, except for the following categories of natural persons:</p> <p><u>Temporary presence of intra-corporate transferees.</u> Intra-corporate transferees are managers or executives and specialists, as defined respectively in paragraphs (i) and (ii) below, who are employees of firms that provide services in Lithuania through a commercial presence and who have been in that prior employment of their firm outside Lithuania for a period of not less than one year immediately preceding the date of their application for admission.</p> <p>i) Intra-corporate transferees occupying senior managerial or executive positions and:</p> <ul style="list-style-type: none"> - directing the establishment or a department or subdivision of the establishment; or - supervising and controlling the work of other supervisory, professional or managerial employees; or other personnel actions. <p>Duration of temporary stay of transferee managers and executives is three years.</p> | <p>3) <u>Investment</u> None other than investments in organizing the lotteries which are forbidden under the Law on Foreign Capital Investment. Eligibility of subsidies may be limited to legal persons established within the territory of Lithuania or a particular geographical subdivision thereof.</p> <p>4) Unbound, except for measures concerning the categories of natural persons referred in the market access column. Subsidies available only to natural persons may be limited to Lithuanian citizens</p> | |

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| | <p>The stay may be extended for as long as the enterprise exists.</p> <p>ii) Specialists possessing uncommon knowledge essential for the operations of the establishment. Upon request establishments are to certify the qualifications of their transferees seeking entry.</p> <p>Duration of temporary stay of transferee specialists is three years.</p> <p><u>Business visitors</u></p> <p>Natural persons of another WTO Member who enter and temporarily stay in the Republic of Lithuania for purposes related to negotiating and fulfilling services contracts, training staff, setting up of a commercial presence, installing the equipment and similar activities.</p> <p>The duration of temporary stay is up to three months a year.</p> | | |
| II. SECTOR-SPECIFIC COMMITMENTS | | | |
| 1. BUSINESS SERVICES | | | |
| A. <u>Professional services</u> | | | |
| <p>a) Legal services Legal consultant's advisory services on international public law and home country law (part of CPC 861)</p> | <p>1) None 2) None 3) None 4) Unbound, except as indicated in Part I</p> | <p>1) None 2) None 3) None 4) Unbound, except as indicated in Part I</p> | |

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| b) Auditing (Part of CPC 8621) | <p>1) None, except that auditor's report must be prepared in conjunction with an auditor accredited to practice in Lithuania</p> <p>2) None</p> <p>3) None, except not less than 75 per cent of shares should belong to auditors or auditing companies. The establishment is allowed through the all kinds of legal forms of companies except Public Stock Corporation (AB). Qualification requirements for auditors in the country of origin of those auditors or auditing companies should be not lower than in Lithuania.</p> <p>4) Unbound, except as indicated in Part I</p> | <p>1) None, except that auditor's report must be prepared in conjunction with an auditor accredited to practice in Lithuania</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p> | |
| b) Accounting and bookkeeping (Part of CPC 862) | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I.</p> | |
| c) Taxation services (CPC 863) | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I.</p> | |
| d), e), f) Architectural, engineering and integrated engineering services (CPC 8671, 8672, 8673) | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I.</p> | |
| g) Urban planning and landscape architectural services (CPC 8674) | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I.</p> | |

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|--|---|---|---------------------|
| h) Medical and dental services (CPC 9312) | 1) None 2) None ¹ 3) None, except supply of service is subject to authorization which is based on a health services plan established in function of needs, taking into account the population and already existing medical and dental services. 4) Unbound, except as indicated in Part I | 1) None 2) None 3) Must communicate in Lithuanian language (refers to persons employed by company). 4) Unbound, except as indicated in Part I Foreigners must pass additional qualification exam. | |
| i) Veterinary services (CPC 932) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I Foreigners must pass additional qualification exam. | |
| j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191) | 1) Unbound 2) None ¹ 3) Access limited to sole proprietorship only. Economic needs test may be applied. 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None, except as under market access 4) Unbound, except as indicated in Part I. | |
| B. Computer and related services | | | |
| Computer and related services (CPC 841, 842, 843, 844, 845-849) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| C. Research and Development services | | | |
| b) Research and development services on social sciences and humanities (CPC 852) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |

¹ Except public medical insurance will not reimburse medical costs incurred abroad.

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|--|---|---|---------------------|
| OE. Rental/Leasing services without operators | | | |
| a) relating to ships (CPC 83103) | 1) None 2) None 3) Ships must be owned by Lithuanian natural persons or companies established in Lithuania. 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| b) relating to aircraft (CPC 83104) | 1) None 2) None 3) To be registered in the Aircraft Register of Lithuania, the aircraft must be owned either by natural persons which are citizens of Lithuania or by legal persons, registered in the Enterprise's Register of Lithuania and meeting specific criteria regarding ownership of capital and control (including nationality of directors). 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| c) relating to other transport equipment (CPC 83101-83102, 83105) | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | |
| d) relating to other machinery and equipment (CPC 83106-83109) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| e) Other (CPC 832), including pre-recorded video cassettes for use in home entertainment equipment (CPC 83202) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) None | |
| F. Other business services | | | |
| a) Advertising services (CPC 871) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |

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|---|---|---|---------------------|
| b) Market research and public opinion polling services (CPC 8640) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| c) Management consulting services (CPC 865) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| d) Services related to management consulting (CPC 866) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| e) Technical testing and analysis services (CPC 8676) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| f) Consulting services incidental to agriculture, hunting and forestry (Part of CPC 88) | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | |
| i) Services incidental to manufacturing (CPC 884-885, except for 88442) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| j) Services incidental to energy distribution (CPC 887*) (Covers consultancy services related to the transmission and distribution on a fee basis of electricity, gaseous fuels, steam and hot water to household, industrial, commercial and other users) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| m) Related scientific and technical consulting services (CPC 8675) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

* Service specified constitutes only a part of the total range of activities covered by the CPC concordance.

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| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|--|---|---------------------|
| n) Maintenance and repair of equipment (not including maritime vessels, aircraft, or other transport equipment) (CPC 633, 8861-8866) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| o) Building-cleaning services (CPC 874) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| p) Photographic services (CPC 875) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| q) Packaging services (CPC 876) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| r) Printing, publishing (CPC 88442) | 1) None 2) None 3) Establishment rights in publishing sector granted only to Lithuanian incorporated legal persons. 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| s) Convention services (CPC 87909) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| t) Other / Translation and interpretation services (CPC 87905) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 2. COMMUNICATION SERVICES | | | |
| B. <u>Courier services (CPC 7512)</u> | | | |
| | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|---|--|---|
| C. Telecommunications services (excluding broadcasting) | | | |
| The commitments taken by Lithuania are based on the scheduling principles provided by the following documents: "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3) | | | Lithuania undertakes the obligations to basic telecom contained in the reference paper attached hereto. |
| Basic Telecommunication services | | | |
| a) Voice telephone services (CPC 7521) | 1), 3) Company "Lietuvos telekomas" has exclusive rights for providing fixed-line telephone services. None as of 1 January 2003. 2) None 4) Unbound, except as indicated in Part I | 1), 3) Company "Lietuvos telekomas" has exclusive rights for providing fixed-line telephone services. None as of 1 January 2003. 2) None 4) Unbound, except as indicated in Part I | |
| b) Packet-switched data transmission services (CPC 7523**) c) Circuit-switched data transmission services (CPC 7523**) d) Telex services (CPC 7523**) e) Telegraph services (CPC 7522) f) Facsimile services (CPC 7521** +7529**) g) Private leased circuit services (CPC 7522** +7523**) | 1), 3) None, except that all traffic, coming from or directed to any switched network in Lithuania, must be sent through "Lietuvos telekomas" network. None as of 1 January 2003. 2) None 4) Unbound, except as indicated in Part I | 1), 3) None, except as under market access. 2) None 4) Unbound, except as indicated in Part I | |

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| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|--|---|---------------------|
| Value-added services: | | | |
| h) electronic mail (CPC 7523**) i) voice mail (CPC 7523**) j) on-line information and data base retrieval (CPC 7523**) k) electronic data interchange (EDI) (CPC 7523**) l) enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**) m) code and protocol conversion n) on-line information and/or data processing (including transaction processing) (CPC 843**) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| o) other | | | |
| Mobile telephone services (CPC 75213) - Analog/Digital cellular service, - PCS (Personal Communications Service) - Paging services, - Mobile data services. | 1), 3) None, except for: The provision of international services must be based on facilities, provided by "Lietuvos telekomas". None as of 1 January 2003. 2) None 4) Unbound, except as indicated in Part I | 1), 3) None, except as indicated under market access. 2) None 4) Unbound, except as indicated in Part I | |
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | |
| <u>A. Construction work for buildings</u> (CPC 512), <u>B. Construction work for civil engineering</u> (CPC 513), <u>C. Installation and assembly work</u> (CPC 514, 516) <u>D. Building Completion and Finishing Work</u> (CPC 517) <u>E. Other</u> (CPC 511, 515, 518) | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |

*Unbound due to lack of technical feasibility

** Service specified constitutes only a part of the total range of activities covered by the CPC concordance.

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| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|---|---|---------------------|
| 4. DISTRIBUTION SERVICES | | | |
| <u>A. Commission agents' services</u> (CPC 621) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| <u>B. Wholesale trade services</u> (CPC 622) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| <u>C Retailing services</u> (CPC 631, 632,633, 6111, 6113, 6121), including audio and video records and tapes (CPC 63234) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) None | |
| <u>D. Franchising</u> (CPC 8929) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 5. EDUCATIONAL SERVICES | | | |
| <u>A. Primary education services</u> (CPC 921) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None, except for permit issued by the Ministry of Education and Science for the State recognized teaching institutions required 4) Unbound, except as indicated in Part I | |
| <u>B Secondary education services</u> (CPC 922) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None, except for permit issued by the Ministry of Education and Science for the State recognized teaching institutions required 4) Unbound, except as indicated in Part I | |
| <u>C Higher education services</u> (CPC 923) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I Self employed persons are excluded. | 1) None 2) None 3) None 4) Unbound, except as under market access. | |

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|---|--|--|---------------------|
| <u>D Adult education</u> (CPC 924) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| 6. ENVIRONMENTAL SERVICES | | | |
| <u>A. Sewage services</u> (CPC 9401) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| <u>B Refuse disposal services</u> (CPC 9402) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I. | |
| <u>C. Sanitation and similar services</u> (CPC 9403) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| <u>D. Other</u> (CPC 9404, 9405) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| Nature and landscape protection services (CPC 9406, other than destined to national parks); Other (CPC 9409). | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 7. FINANCIAL SERVICES | | | |
| A. <u>Insurance and insurance-related services</u> | | | |
| All sectors | Insurance companies are not allowed to provide both life and non-life insurance. Separate incorporation is required for those two types (a) and (b) of services. | | |
| (i) Direct insurance (including co-insurance): | | | |
| a) Life, accident and health insurance services (CPC 81211, 81291) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

* Unbound due to lack of technical feasibility

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| b) Non-life insurance services (except for maritime and aviation insurance) (CPC 8129 not including 81291 and part of 81293) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| c) Maritime and aviation insurance (part of CPC 81293) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (ii) Reinsurance and retrocession (part of CPC 81299) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (iii) Insurance intermediation, such as brokerage and agency (CPC 81401) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services (CPC 81402, 81403, 81404) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| B. <u>Banking and other financial services as defined in the “Annex on Financial Services”</u> | | | |
| All sectors | 3) At least one manager must be Lithuanian citizen. | | |
| (v) Acceptance of deposits and other repayable funds from the public | 1) None 2) None 3) None, except as indicated in horizontal part of section “Banking and other financial services” 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction | 1) None 2) None 3) None, except as indicated in horizontal part of section “Banking and other financial services” 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

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|---|---|--|---------------------|
| (vii) Financial leasing | 1) None 2) None 3) Financial leasing can be reserved for special financial institutions (such as banks and insurance companies) None as of 1 January 2001, except as indicated in horizontal part of section "Banking and other financial services". 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (ix) Guarantees and commitments | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I. | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

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|---|--|--|---------------------|
| (x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: a) money market instruments (cheques bills, certificate of deposits, etc.); b) foreign exchange c) derivative products including, but not limited to, futures and options d) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements; e) transferable securities; f) other negotiable instruments and financial assets, including bullion; | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (xi) Participation in issues of all kind of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (xii) Money broking | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

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|--|---|--|---------------------|
| (xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services | 1) None, except for pension fund management: commercial presence required 2) None 3) Establishment only as Public Stock Corporations (AB) and Close Corporations (UAB) which should be founded in closed manner (when all initially issued stock are acquired by incorporators). For the purpose of asset management, the establishment of a specialised management company is required. Only firms having their registered office in Lithuania can act as the depositories of the assets. As indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (xiv) Settlement and clearing services for financial assets; including securities, derivative products, and other negotiable instruments; | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (xv) Provision and transfer of financial information, and financial data processing and related software by other financial services. | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy; | 1) None 2) None 3) None, except as indicated in horizontal part of section "Banking and other financial services" 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|---|--|--|---------------------|
| 8. HEALTH RELATED AND SOCIAL SERVICES | | | |
| A. Hospital services (CPC 9311) | 1) Unbound 2) None ² 3) None, except authorization by health authorities is required which is based on a health services plan established in function of needs, taking into account the population and already existing health services. 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None, except foreign private establishment and their consumers may not be entitled to receive financial support from public resources, including usage of public medical insurance funds. 4) Unbound, except as indicated in Part I | |
| C. Social services (only privately funded) (part of CPC 933) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | |
| <u>A. Hotels and restaurants (incl. catering)</u> (CPC 641, 642, 643) | 1) Unbound* 2) None 3) Limitations on access to establish a commercial presence in environmental protected zones. 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |
| <u>B. Travel agencies and tour operators</u> (CPC 7471) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES | | | |
| <u>A. Other entertainment services</u> (CPC 9619), <u>excluding cinema theatre operation services</u> (part of CPC 96199) | 1) Unbound 2) Unbound 3) None, except prohibition to establish and maintain gambling houses, to organize gambling games ³ 4) Unbound, except as indicated in Part I | 1) Unbound 2) Unbound 3) None, except as under market access (also exception indicated in Part I regarding prohibition of foreign investments to lotteries) 4) Unbound, except as indicated in Part I | |

² Except public medical insurance will not reimburse medical costs incurred abroad.

* Unbound due to lack of technical feasibility

³ Law on Enterprises; supplement 1995

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|---|---|---------------------|
| <u>B. Cinema theatre operation services</u> (Part of CPC 96199) | 1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I | 1) Unbound 2) Unbound 3) None, except for access to subsidies: unbound 4) None | |
| <u>C. Libraries, archives, museums and other cultural services</u> (CPC 963) | 1) Unbound 2) Unbound 3) Licenses for researching, preservation and restoration of the immovable cultural values, for preparation of the conditions, programmes and projects of such works, for preservation and restoration of movable cultural values are necessary. 4) Unbound, except as indicated in Part I | 1) Unbound 2) Unbound 3) None, except as under market access 4) Unbound, except as indicated in Part I | |
| <u>D. Sporting and recreational services</u> (CPC 964) (except CPC 96492 - gambling and betting services) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| 11. TRANSPORT SERVICES | | | |
| A. Maritime transport services | | | |
| e) Pushing and towing services (CPC 7214) | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | 1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I | |
| f) Supporting services for maritime transport Ship agency services (CPC part of 7480) | 1) None 2) None 3) In order to obtain a licence to establish a commercial presence a manager must speak the Lithuanian language. 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |
| B. Internal Waterways Transport: | | | |
| c) Rental of vessels with crew (CPC 7223) | 1) Unbound* 2) None 3) Unbound 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) Unbound 4) Unbound, except as indicated in Part I | |

* Unbound due to lack of technical feasibility

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|--|--|---------------------|
| C. <u>Air Transport Services</u> | | | |
| d) Maintenance and repair of aircraft (CPC 8868) | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |
| E. <u>Rail Transport Services</u> | | | |
| d) Maintenance and repair of rail transport equipment (CPC 8868) | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |
| e) Supporting services for rail transport services Rail freight agency and forwarding services (CPC part of 7480) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | |
| F. <u>Road Transport Services</u> | | | |
| a) Passenger transportation (CPC 7121+7122) (except cabotage) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | |
| b) Freight transportation (CPC 7123) (except cabotage) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | |
| G. <u>Pipeline Transport</u> (CPC 713) | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I | |
| H. <u>Services auxiliary to all modes of transport</u> | | | |
| a) cargo handling (CPC 741), b) storage and warehouse (CPC 742) | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | 1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I | |
| (c) Freight transport agency services (CPC 748) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

* Unbound due to lack of technical feasibility

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional Comments |
|--|--|--|---------------------|
| d) freight inspection (part of CPC 749) | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | 1) None 2) None 3) None 4) Unbound, except as indicated in Part I | |

REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that:

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1. Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2. Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1. This section applies to linking with suppliers, providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2. Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided:

- (a) under non-discriminatory terms, conditions (incl. technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (incl. technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3. Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4. Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5. Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licencing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

LITHUANIA - LIST OF ARTICLE II (MFN) EXEMPTIONS

| Sector or subsector | Description on measure indicating its inconsistency with Article II | Countries to which the measure applies | Intended duration | Conditions creating the need for the exemption |
|---|--|--|---|---|
| Legal services | Attorneys from foreign countries can participate as advocates in court only in accordance with bilateral agreements on legal assistance. | All countries with which agreements are or will be in force. | Indefinite | Ability to control the legality and responsibility |
| Audiovisual services: - Production and distribution of audiovisual works through broadcasting or other forms of transmission to the public | Measures which define works of European origin, in such a way as to extend national treatment to audiovisual works which meet certain linguistic and origin criteria regarding access to broadcasting or similar forms of transmission. | Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded. | Indefinite Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed | The measures aim, within the sector, to promote cultural values both within EC Member States, and with other countries in Europe, as well as achieving linguistic policy objectives |
| Audiovisual services: - Production and distribution of cinematographic works and television programmes | Measures based upon government-to-government framework agreements on coproduction of audiovisual works, which confer national treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding. | All countries with whom cultural cooperation may be desirable | Indefinite | The aim of such agreements is to promote cultural links between the countries concerned |
| Audiovisual services: - Production and distribution of television programmes and cinematographic works | Measures granting the benefit of any support programmes (such as Action Plan for Advanced Television Services, MEDIA or EURIMAGES) to audiovisual works, and suppliers of such works, meeting certain European origin criteria | European countries | Indefinite Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed | These programmes aim at preserving and promoting the regional identity of countries within Europe which have long-standing cultural links. |
| Tourist guides services | Tourist guides from foreign countries can provide tourist guides services only in accordance with bilateral agreements (contracts) on tourist guides services assistance on a reciprocity basis. | All countries with which agreements (contracts) are or will be in force | Indefinite | Preservation and promotion of the cultural identity |

| Sector or subsector | Description on measure indicating its inconsistency with Article II | Countries to which the measure applies | Intended duration | Conditions creating the need for the exemption |
|---|--|---|-------------------|---|
| Road Transport Passenger and Freight | Measures that are taken under bilateral agreements and which set the provisions of transport services and specify operating conditions, including bilateral transit and other transport permits for transport services into, through and out of the territory of the Republic of Lithuania to the contracting parties concerned, road taxes and levies. | All countries with which agreements are or will be in force | Indefinite | To protect the transport infrastructure and the environment and to regulate traffic rights in the territory of Lithuania and between countries concerned. |
| Sale and marketing of air transport services and computer reservation systems (CRS) | Preferential market access resulting from bilateral air transport agreements. | All countries | Indefinite | Reciprocal provisions concerning supply of air transport services as a result of bilateral air transport agreements |
| Purchase of land | According to the Constitution of the Republic of Lithuania local governments (municipalities), other national entities as well as those foreign entities conducting economic activities in Lithuania which are specified by the constitutional law in compliance with the criteria of European and other integration which Lithuania has embarked on are permitted to acquire into their ownership non-agricultural land plots required for the construction and operation of buildings and facilities necessary for their direct activities. The land plot acquisition procedure, terms and conditions, as well as restrictions shall be established by the constitutional law. | All countries determined by the constitutional law: Member-states of OECD*, NATO*, EU and associated countries of EU; | Indefinite | Desire to create more favourable conditions for greater economic cooperation for Lithuania and the countries concerned. |

* Provided that these countries were OECD and NATO members before 20 June 1996.