

# WORLD TRADE ORGANIZATION

RESTRICTED

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22 September 1998

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Working Party on the  
Accession of Latvia

Original: English

## DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF LATVIA TO THE WORLD TRADE ORGANIZATION

### Draft Schedule CXLIII – Latvia

#### *Part II – Draft Schedule of Concessions and Commitments on Services*

As indicated in paragraph 132 of the draft Report of the Working Party on the Accession of Latvia (WT/ACC/SPEC/LVA/7), the draft Schedule of Concessions and Commitments on Services resulting from the negotiations between Latvia and WTO Members will be annexed to the Protocol of Accession of Latvia and is reproduced hereunder.

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| 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 commitments |
| I. HORIZONTAL COMMITMENTS   |  |   |                        |
|   | <p><u>Real estate purchase</u><br/>3) Unbound in relation to acquisition of land<br/>Land lease not exceeding 99 years permitted.</p> <p>4) Movement of natural persons<br/>Unbound except for the following categories of natural persons:<br/><u>I. Temporary presence of intracorporate transferees.</u><br/>Natural persons of another Member who have been in the employ of the firm transferring them for one year immediately prior to their transfer.</p> <p>i) Intracorporate transferees occupying senior managerial or executive positions and:</p> <ul style="list-style-type: none"> <li>- directing the establishment or a department or subdivision of the establishment; and</li> <li>- supervising and controlling the work of other supervisory, professional or managerial employees; and</li> <li>- having the authority personally to hire and to fire or other personnel actions.</li> </ul> | <p>3) Unbound in relation to acquisition of land<br/>Land lease not exceeding 99 years permitted.</p> |                        |

| 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 commitments |
|   | <p>ii) Specialists possessing high or uncommon qualifications or knowledge essential for the functioning of the firm. Firms have to be prepared upon request to certify the qualifications of their transferees seeking entry. Vacancies have to be registered at the State Employment Office together with information on necessary qualifications (e.g. education, job experience, language skills, other special requirements). Vacancy has to be open for applications one month.</p> <p>Duration of temporary stay of intracorporate transferees mentioned in this section is limited to a total period of five years.</p> <p><u>II. Persons of an enterprise engaged in substantive business</u></p> <p>Persons who are employees of an enterprise outside Latvia not having commercial presence in Latvia, which has concluded a services contract with an enterprise engaged in substantive business in Latvia, and who have been beforehand employees of the enterprise outside Latvia for a time period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph I (ii) above and who provide a service in Latvia as a professional of a services sector as set out below on behalf of the enterprise outside Latvia; as a further requirement five years of related experience is required. Individual services providers not employed by such enterprise outside Latvia are considered as persons seeking access to Latvian employment market.</p> |                                   |                        |

| 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 commitments |
|   | Services sectors:<br>- Management Consulting Services (CPC 865);<br>- Services related to Management Consulting (CPC 866).   |                                   |                        |
|   | <u>III. Business visitors.</u><br><br>Natural persons of another Member who stay in the Republic of Latvia without acquiring remuneration from or within the Republic of Latvia and without engaging in making direct sales to the general public or supplying services, for the purpose of participating in business meetings, business contacts, including negotiations for the sale of services, or other similar activities, including those to prepare the establishment of commercial presence in the Republic of Latvia.<br>The duration of temporary stay is limited with a 90 day visa. |                                   |                        |
| <b>II. SECTOR SPECIFIC COMMITMENTS</b>  |  |                                   |                        |
| <b>1. BUSINESS SERVICES</b>   |  |                                   |                        |
| <b>A. Professional Services</b>   |  |                                   |                        |
| (a) Legal services (CPC 861, except consultancy on home country and international law                               | 1) None<br>2) None<br>3), (4) Licence issued by the Ministry of Justice and knowledge of Latvian language required. Licensed lawyer can provide all legal services, except representation in criminal proceedings. Representation in criminal proceedings permitted only to sworn solicitors.  | 1) None<br>2) None<br>3) None     |                        |

| 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 commitments |
|   | <p>Nationality requirement for sworn solicitors and sworn notaries. Sworn solicitors and sworn notaries have to be at least 25 years old, having knowledge of Latvian language, graduated from University of Latvia or from other university recognized as equal by the Faculty of Law, University of Latvia, and having practical experience.</p> <p>Sworn solicitors have to pass examination in accordance with rules set up by Council of Sworn Solicitors.</p> <p>Sworn notaries have to pass examination in accordance with order set up by the Minister of Justice in cooperation with the Council of Sworn Notaries.</p> <p>4) Unbound, except as indicated in the horizontal section</p> | 4) None   |                        |
| - Consultancy on home country and international law   | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>  | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> |                        |
| (b) Accounting, auditing and bookkeeping services (CPC 862)   | <p>1) None</p> <p>2) None</p> <p>3), 4) The owner of shares or the head of a firm should be qualified as a sworn auditor in Latvia. Sworn auditors can be persons no younger than 25 years and:</p>   | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> |                        |

| 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 commitments |
|   | <ul style="list-style-type: none"> <li>a) having a high school degree in economics or in other specialities, if an examination on basic economics is passed;</li> <li>b) having at least 3 year experience in auditing recognized by the Latvian Association of Sworn Auditors;</li> <li>c) which have passed qualification examination and acquired license of sworn auditor in accordance with requirements of the Latvian Association of Sworn Auditors;</li> <li>d) having excellent reputation.</li> </ul> |  |                        |
| (c) Taxation services (CPC 863)   | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>   | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) None</li> </ul> |                        |
| (d) Architectural services (CPC 8671)   | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Practice of 3 years in Latvia in the field of projecting and university degree required to receive the license enabling to engage in business activity with full range of legal responsibility and rights to sign a project</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>  | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) None</li> </ul> |                        |
| (e) Engineering services (CPC 8672)   | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>   | <ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) None</li> </ul> |                        |

| 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 commitments |
| (f) Integrated engineering services (CPC 8673)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| (g) Urban planning services (part of CPC 8674)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| (g) Landscape architectural services (part of CPC 8674)   | 1) None<br>2) None<br>3) Practice of 3 years in Latvia in the field of projecting and university degree required to receive the license enabling to engage in business activity with full range of legal responsibility and rights to sign a project<br>4) Unbound except as indicated in the horizontal section   | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| (h) Private medical and dental services (CPC 9312 excluding services provided by the public sector)                 | 1) None<br>2) Public medical insurance programmes do not cover cost of medicare supplied abroad<br>3), (4) Nationality requirement. Practice of medical profession by foreigners requires the permission from local health authorities, based on economic needs for medical doctors and dentists in a given region.<br>4) Unbound except as indicated in the horizontal section. | 1) None<br>2) None<br>3) None<br>4) Foreign medical doctors have limited election rights within the professional chambers |                        |

| 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 commitments |
| (i) Veterinary services<br>(CPC 932)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| (j) Services provided by midwives, nurses in private establishments<br>(CPC 93191 excluding services provided within the public sector)   | 1) Unbound*<br>2) Public insurance programmes do not cover the cost of foreign medical services supplied abroad<br>3) None<br>4) Unbound except as indicated in the horizontal section. Nationality requirements. Access restricted to natural persons only. Economic needs determined by the total number of nurses and midwives in the given region, authorized by local health authorities. | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| <b>B. Computer and related services (except airline computer reservation systems)</b>   |  |  |                        |
| (a) Consultancy services related to the installation of computer hardware<br>(CPC 841)<br>(b) Software implementation services<br>(CPC 842)<br>(c) Data processing services<br>(CPC 843)<br>(d) Data base services<br>(CPC 844)<br>(e) Other<br>(CPC 845+849) | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None     |                        |



| 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 commitments |
| <b>C. Research and Development Services</b>   |  |  |                        |
| (a) Research and experimental development services on chemistry and biology (CPC 85102)                             | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (b) Research and Development services on social sciences and humanities (CPC 852)                                   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| <b>E. Rental / Leasing Services without Operators</b>   |  |  |                        |
| (a) Relating to ships (CPC 83103)   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (d) Relating to other machinery and equipment (CPC 83106-83109)   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (e) Other (CPC 832), including pre-recorded video cassettes for use in home entertainment equipment (CPC 83202)     | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| <b>F. Other Business Services</b>   |  |  |                        |
| (a) Advertising services (CPC 871)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None |                        |

| 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 commitments |
| (b) Market research and public opinion polling services (CPC 864)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (c) Management consulting services (CPC 865)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (d) Services related to management consulting (CPC 866)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (e) Technical testing and analysis services (CPC 8676)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal sector | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (f) Services incidental to agriculture, hunting and forestry (CPC 881)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (h) Services incidental to mining (CPC 883)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |

| 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 commitments |
| (i) Services incidental to manufacturing<br>(CPC 884, CPC 885, excluding producing of securities, money, coins and stamps)             | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (j) Services incidental to energy distribution<br>(CPC 887)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (m) Related scientific and technical consulting services<br>(CPC 8675)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)<br>(CPC 633+8861-8866) | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (o) Building-cleaning services<br>(CPC 874)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| (p) Photographic services<br>(CPC 875, excluding 87504)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |

| 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 commitments |
| (q) Packaging services (CPC 876)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section   | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| (r) Printing, publishing (CPC 88442)  | 1) None<br>2) None<br>3) Establishment rights in publishing sector granted only to Latvian incorporated legal persons<br>4) Unbound except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (s) Convention services (CPC 87909*)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| (t) Other<br>- Credit reporting services (CPC 87901)<br>- Collection agency services (CPC 87902)<br>- Duplicating services (CPC 87904)<br>- Translation and interpretation services (CPC 87905)<br>- Speciality design services (CPC 87907)<br>- Other business services n.e.c. (CPC 87909) | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None     |                        |

| 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 commitments   |
| B. Land-based courier services (CPC 7512)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None   |  |
| C. Telecommunication services   |  |  |  |
| All sectors   |  |  |  |
|   | <ul style="list-style-type: none"> <li>- Providing of public voice telephony and facilities-based services is reserved to Lattelekom<br/>None as of 1 January 2003</li> <li>- <i>Call-back</i> and <i>refile</i> services are not allowed<br/>None as of 1 January 2003</li> </ul> |  | The Government will reexamine and publish the rules and regulatory policy regarding further competition in the field of basic telecommunication services towards the year 2003. The attached reference paper on regulatory principles is incorporated as additional commitments by the Republic of Latvia. |
| <u>Basic Telecommunication Services</u>   |  |  |  |
| (a) Voice telephone services (CPC 7521)<br>(b) Packet-switched data transmission services (CPC 7523**)<br>(c) Circuit-switched data transmission services | 1) Lattelekom SIA has exclusive rights for telecommunication infrastructure operating and for supplying of basic telecommunication services. None as of 1 January 2003.<br><br>2) None   | 1) Lattelekom SIA has exclusive rights for telecommunication infrastructure operating and for supplying of basic telecommunication services. None as of 1 January 2003.<br>2) None |  |

| 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 commitments |
| (CPC 7523**)<br>(d) Telex services<br>(CPC 7523**)<br>(e) Telegraph services<br>(CPC 7522)<br>(f) Facsimile services<br>(CPC 7521** + 7529**)<br>(g) Private leased circuit services<br>(CPC 7522** + 7523**)   | 3) Latteleom SIA has exclusive rights for telecommunication infrastructure operating and for supplying of basic telecommunication services. None as of 1 January 2003.<br><br>4) Unbound, except as indicated in the horizontal section.  | 3) Lattelekom SIA has exclusive rights for telecommunication infrastructure operating and for supplying of basic telecommunication services. None as of 1 January 2003.<br><br>4) None |                        |
| <u>Other basic and enhanced telecommunication services</u>  |   |  |                        |
| All other basic and enhanced services<br>(h) Electronic mail (CPC 7523**)<br>(i) Voice mail<br>(CPC 7523**)<br>(j) On-line information and data base retrieval<br>(CPC 7523**)<br>(k) Electronic data interchange<br>(CPC 7523**)<br>(l) Enhanced facsimile service<br>(CPC 7523**)<br>(m) Code and protocol conversion<br>(n) On-line information and/or data processing<br>(CPC 843*) | 1) None except for: <ul style="list-style-type: none"> <li>- The provision of enhanced services must be based on facilities provided by Lattelecom until 1 January 2003.</li> </ul> 2) None except for: <ul style="list-style-type: none"> <li>- The provision of enhanced services must be based on facilities provided by Lattelecom until 1 January 2003.</li> </ul> 3) None<br>4) Unbound, except as indicated in the horizontal section. | 1) None<br><br>2) None<br><br>3) None<br>4) None   |                        |

| 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 commitments |
| (o) Other<br>- Analogue/ digital mobile/cellular services (CPC 75213*)<br>- Personal communication services (CPC 75213*)<br>- Paging services (CPC 75291)<br>- Mobile data services (CPC 7523**)<br>- Trunked radio system services (CPC 7523**, 75213*)<br>- Satellite services (CPC 75299) | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section.   | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| <b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>  |   |  |                        |
| A. General construction work for buildings (CPC 512)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| B. General construction work for civil engineering (CPC 513)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| C. Installation and assembly work (CPC 514; CPC 516)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |

| 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 commitments |
| D. Building completion and finishing work (CPC 517)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| E. Special trade construction work (CPC 515)<br>Renting services related to equipment for construction and demolition of building or civil engineering works, with operator (CPC 518) | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| <b>4. DISTRIBUTION SERVICES</b>   |   |  |                        |
| A. Commission agents services (CPC 621)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| B. Wholesale trade services (CPC 622)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| C. Retailing services (CPC 631+632+633+6111+6113+61221), including audio and video records and tapes (CPC 63234)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| D. Franchising (CPC 8929)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |



| 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 commitments |
| <b>5. EDUCATIONAL SERVICES</b>  |   |  |                        |
| A. Primary Education Services (CPC 921)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| B. Secondary Education Services (CPC 922, excluding CPC 9224)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| C. Higher Education Services (CPC 923)  | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| D. Adult Education Services (CPC 924)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| <b>6. ENVIRONMENTAL SERVICES</b>  |   |  |                        |
| A. Sewage services (CPC 9401)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| B. Refuse Disposal Services (CPC 9402)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |

| 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 commitments |
| C. Sanitation and Similar Services (CPC 9403)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section   | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| D. Other environmental services (CPC 9404; CPC 9405; CPC 9406; CPC 9409)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section   | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| 7. FINANCIAL SERVICES   |   |  |                        |
| Measuring applicable to all banking and other financial services:   |   |  |                        |
| A. All insurance and insurance-related services (as defined in the Annex on Financial Services, Para.5.(a)(i)-5.(a)(iv)).   |   |  |                        |
| i), ii) (3) As a general rule and in non-discriminatory manner, foreign insurance institutions must adopt a specific legal form - joint-stock company. The right to establish foreign branches directly will be introduced by the 31 December 2002. |   |  |                        |
| iii) (3) Intermediary can be only natural person (no nationality requirement) and can provide service on behalf of insurance company having the authorization from Insurance Supervisory Authority in Latvia.                                       |   |  |                        |
| i) Direct insurance (including co-insurance)<br><br>(a) life<br>(b) non-life  | 1) Unbound<br>2) None<br>3) None, except as indicated in horizontal part of section "All insurance and insurance-related services"<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br><br>4) None |                        |

| 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 commitments |
| ii) Reinsurance   | 1) None<br>2) None<br>3) None, except as indicated in horizontal part of section "All insurance and insurance-related services"<br>4) Unbound, except as indicated in the horizontal section    | 1) None<br>2) None<br>3) None<br><br>4) None   |                        |
| iii) Insurance intermediation, such as brokerage and agency   | 1) Unbound<br>2) None<br>3) None, except as indicated in horizontal part of section "All insurance and insurance-related services"<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br><br>4) None   |                        |
| iv) Services auxiliary to insurance, such as:<br>- consultancy;<br>- actuarial;<br>- risk assessment;<br>- claim settlement services  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section  | 1) None<br>2) None<br>3) None<br>4) None   |                        |
| <b>B. Banking and Other Financial Services (as defined in the Annex on Financial Services)</b>  |   |  |                        |
| (4) Manager of a branch and a subsidiary of a foreign bank shall be a Latvian tax payer (resident).<br>The commitments on presence of natural persons are bound according to general provisions applicable to all sectors in this list. |   |  |                        |
| (a) Acceptance of deposits and other repayable funds from the public  | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"    | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |

| 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 commitments |
| (b) Lending of all types, including, consumer credit, mortgage credit, factoring and financing of commercial transaction        | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (c) Financial leasing   | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers draft | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (e) Guarantees and commitments  | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |

| 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 commitments |
| (f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: <ul style="list-style-type: none"> <li>- money market instruments (including cheques, bills, certificate of deposits)</li> <li>- foreign exchange</li> <li>- derivative products (including, but not limited to, futures and options)</li> <li>- exchange rate and interest rate instruments, incl. products such as swaps, forward rate agreements</li> <li>- transferable securities</li> <li>- other negotiable instruments and financial assets, including bullion</li> </ul> | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"   | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (g) Participation in issues of all kinds of securities, including under-writing and placement as agent and provision of service related to such issues  | 1) None<br>2) None<br>3) None, except the Bank of Latvia (Central Bank) is a financial agent of the government in the T-bills market<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |

| 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 commitments |
| (h) Money broking   | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"   | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services | 1) Unbound<br>2) None<br>3) None, except pension fund management is provided by state monopoly<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments                                      | 1) Unbound<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"   | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| (l) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services                            | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"  | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |

| 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 commitments |
| (k) Advisory and other auxiliary financial services on all the activities listed in subparagraphs (a) through (l), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services"  | 1) None<br>2) None<br>3) None<br>4) None, except as indicated in the horizontal section of the list and in the horizontal section of the sector "Banking and other financial services" |                        |
| <b>8. HEALTH RELATED AND SOCIAL SERVICES</b>   |  |  |                        |
| <b>A. Hospital Services</b>  |  |  |                        |
| Private hospital and sanatorium services (CPC 9311 excluding services provided by the public sector)   | 1) Unbound<br>2) Public medical insurance programs do not cover cost of medicare supplied abroad<br>3) The head, or his deputy, of the health facility should be qualified as a medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives and nurses are applicable. Private hospital services need authorization by local health authorities. The number of beds and use of heavy medical equipment is based on the needs of population, age scale and death rate.<br>4) Unbound except as indicated in the horizontal section. The head, or his deputy, of the health facility should be qualified as a medical doctor. All the limitations pertaining to medical, and dental services, as well as services of midwives and nurses are applicable. | 1) Unbound<br>2) None<br>3) None<br>4) None  |                        |
| <b>C. Social Services</b>  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section   | 1) None<br>2) None<br>3) None<br>4) None   |                        |

| 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 commitments |
| <b>9. TOURISM AND TRAVEL RELATED SERVICES</b>   |  |   |                        |
| A. Hotel and Restaurant services (incl. catering) (CPC 641-643)   | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None  |                        |
| B. Travel Agencies and Tour Operators Services (CPC 7471)   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| C. Tourist guides services (CPC 7472)   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| D. Other  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None  |                        |
| <b>10. RECREATIONAL CULTURAL AND SPORTING SERVICES</b>  |  |   |                        |
| Cinema theatre operation services (CPC 96199**)   | 1) Unbound<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section   | 1) Unbound<br>2) Unbound<br>3) None, except for access to subsidies: unbound<br>4) None |                        |

\*\* Indicates that the service specified constitutes only part of the total range of activities covered by the CPC concordance



| 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 commitments |
| B. News agency services (CPC 962)   | 1) None<br>2) None<br>3) None<br>4) Unbound except as indicated in the horizontal section      | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| <b>11. TRANSPORT SERVICES</b>   |  |  |                        |
| <b>A. Maritime Transport Services</b>   |  |  |                        |
| (a) Passenger transportation (CPC 7211);<br>(b) Freight transportation (CPC 7212);<br>(c) Rental of vessels with crew (CPC 7213);<br>(d) Maintenance and repair of vessels (CPC 8868)<br>(e) Pushing and towing services (CPC 7214)<br>(f) Supporting services for maritime transport | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |
| B. Internal Waterways Transport (CPC 7221; 7222; 7223, 8868**;<br>7224; 745**)  | 1) Unbound*<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) Unbound*<br>2) None<br>3) None<br>4) None |                        |
| <b>C. Air Transport Services</b>  |  |  |                        |
| (d) Maintenance and repair of aircraft (CPC 8868*)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section     | 1) None<br>2) None<br>3) None<br>4) None     |                        |

| 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 commitments |
| <b>F. Road Transport Services</b>   |  |  |                        |
| (a), (b) Passenger and Freight transportation<br>(CPC 71213, CPC 71222, CPC 71223, CPC 7123 excluding cabotage)     | 1) Unbound<br>2) None<br>3) Authorization required (licence - CPC 71222, 71223, 7123; licence and special permit - CPC 71213), not extended to foreign registered vehicles<br>4) Unbound, except as indicated in the horizontal section. | 1) Unbound<br>2) None<br>3) Requirement on established entities to use vehicles with national registration<br>4) Unbound |                        |
| (d) Maintenance and repair of road transport equipment<br>(CPC 6112)  | 1) Unbound<br>2) None<br>3) Authorization required - licence.<br>4) Unbound, except as indicated in the horizontal section   | 1) Unbound<br>2) None<br>3) None<br>4) None  |                        |
| (e) Supporting services for road transport equipment<br>(CPC 7441, CPC 7449)  | 1) Unbound<br>2) None<br>3) Authorization required (agreement with bus station, licence).<br>4) Unbound, except as indicated in the horizontal section   | 1) Unbound<br>2) None<br>3) None<br>4) None  |                        |
| <b>H. Services Auxiliary to all Modes of Transport</b>  |  |  |                        |
| (a) Cargo-handling services<br>(CPC 741)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section   | 1) None<br>2) None<br>3) None<br>4) None   |                        |
| (b) Storage and warehouse services<br>(CPC 742)   | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section   | 1) None<br>2) None<br>3) None<br>4) None   |                        |

| 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 commitments |
| (c) Freight transport agency services<br>(CPC 748)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |
| (d) Other<br>(CPC 749)  | 1) None<br>2) None<br>3) None<br>4) Unbound, except as indicated in the horizontal section | 1) None<br>2) None<br>3) None<br>4) None |                        |

LATVIA - LIST OF ARTICLE II (MFN) EXEMPTIONS

| Sector or subsector  | Description of measure indicating its inconsistency with Article II  | Countries to which the measure applies  | Intended duration  | Conditions creating the need for the exemption   |
|--|--|---|--|--|
| Road transport; passengers and freight   | Provisions in existing or future bilateral or plurilateral agreements on international road transport (including combined transport - road/rail) reserving or limiting the provision of a transport service into, in, across and out of the Republic of Latvia to the contracting parties to vehicles registered in each contracting party, and providing for tax exemption for such vehicles. | All countries with which Latvia has a bilateral or plurilateral agreement on road transport in force  | Indefinite   | The need for exemption is linked to the region characteristics of road transport services  |
| Sale and marketing of air transport services and computer reservation systems  | 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  |
| Audiovisual Services<br>- Production and distribution of audiovisual works through broadcasting of 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.<br>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 with and within EC Member States, and with other countries in Europe, as well as achieving linguistic policy objectives |

| Sector or subsector   | Description of measure indicating its inconsistency with Article II   | Countries to which the measure applies                        | Intended duration  | Conditions creating the need for the exemption  |
|---|---|---|--|---|
| Audiovisual services<br>-Production and distribution of cinematographic works and television programmes | Measures based upon government-to-government framework agreements, and plurilateral 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 countries concerned   |
| Audiovisual services<br>-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.<br>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 |

ATTACHMENT TO THE REPUBLIC OF LATVIA DRAFT FINAL LIST ON BASIC  
TELECOMMUNICATIONS SERVICES

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 the relevant market for basic telecommunications services as a result of:

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

I. Competitive Safeguards

A. 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.

B. 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 a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

II. Interconnection

A. 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.

B. 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 (including 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 (including 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.

C. Public availability of the procedures for interconnection negotiations

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

D. Transparency of interconnection arrangements

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

E. 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.

III. Universal service

The Republic of Latvia 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 Republic of Latvia.

IV. Public availability of licensing 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 license 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.

V. 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.

VI. 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.

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