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**Committee on Specific Commitments**

**COMPILATION OF CONDITIONAL COMMITMENTS IN GATS SCHEDULES**

**NOTE BY THE SECRETARIAT<sup>1</sup>**

*Revision*

This Revision has been prepared in response to a request by the Committee on Specific Commitments at the meeting of 10 March 2021. As requested, it adds financial services to the initial compilation for the sake of completeness. Therefore, the Note now encompasses the conditional commitments on all sectors in the Schedules of Specific Commitments under the GATS. As indicated previously, for the purpose of this Note, conditional commitments refer to those entries which contain certain conditions attached to the entry into force, implementation, or updating of specific commitments. Most of the conditions are related to domestic processes. For the sake of completeness, this Note also includes those entries where the conditions may appear vague or indefinite.

Also as requested, an additional column is included in the compilation to reflect any developments in the implementation of relevant conditional commitments, subject to the availability of information. Sources include notifications, reports of Trade Policy Review, Services Trade Policy Database of I-TIP Services, or updates provided by Members at meetings of the Committee on Specific Commitments. Members are invited to verify and complement the information in this respect.

This Note is to serve transparency purposes only and is without prejudice to the positions of Members and to their rights and obligations under the WTO.

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members and to their rights and obligations under the WTO.

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Albania GATS/SC/131	<p>7.B Banking and other financial services</p> <p>(f) -Derivative products including but not limited to futures and options</p> <p>- exchange rate and interest rate instruments, including such as swaps, forward rate arrangement, etc.</p> <p>-transferable securities</p> <p>- other negotiable instruments and financial assets, including bullion</p>	Additional commitments	Albania will afford market access on a national treatment bases to foreign financial services suppliers upon the occurrence of the earlier of either of the following events: the establishment of a prudential regulation with respect to the activities in question, or the actual appearance of such activities, with official authorization or acquiescence, in the domestic market.	<p>Albania reinforced its legislation in order to incorporate the Basel Committee's prudential principles, the Financial Action Task Force on Money Laundering's anti-money laundering recommendations and the EU acquis. (Para. 30 of WT/TPR/S/337/Rev.1 of 1 August 2016)</p> <p>The licensing process of a stock exchange is determined in Articles 78, 79 and 80 of Law No. 9879, dated 21 February 2008, "On securities".</p> <p><u>Securities dealers</u>: Any company who wants to carry out transactions with securities must be established as a joint-stock company incorporated in the Republic of Albania. Foreign securities dealers only through an agent established in Albania (the agent does not need to have the Albanian nationality nor to be a physical person) or through a subsidiary (Decision No. 55 of the AFSA Board of 30 March 2011, amended by Decision No. 123 of 25 November 2013).</p> <p><u>Asset managers</u>: Assets managers are regulated by Law No. 10198, of 10 December 2009, "On collective investment undertakings". Same treatment of foreign asset managers as Albanian nationals.</p> <p><u>Stock exchange</u>: For the time being, there are no companies listed in Albania, although the legal possibility to do so exists through the Law "On securities" (Articles 78, 79 and 80 of Law No. 9879, dated 21 February 2008). In accordance with Article 3 of Regulation No. 120, dated 2 October 2008, "On the licensing and supervision of the securities exchange", the shares of a company operating as a stock exchange in the territory of Albania may also be owned by a foreign stock exchange. Owners of the stock exchange shall be legal persons established in Albania or in a country of the EU or the OECD. (Box 4.6 of WT/TPR/S/337/Rev.1 of 1 August 2016)</p> <p><u>Portfolio management services (81323)</u>: Decision N° 72 of the Supervisory Council of the Bank of Albania, dated 2 June 1999, concerns the calculation of the Regulatory Capital to cover market risks which shall mean the risk of loss for on and off balance sheet positions as a result of changes in prices of financial markets.</p> <p>(Notification by Albania under GATS Article III:3, S/C/N/404)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Albania (Cont'd)	<p>(g) - Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues (8132)</p> <p>(h) Money broking (81339)</p> <p>(i) Asset management, such as cash or portfolio management, pension fund management, custodial and trust services.</p>			<p><u>All types of services related to banking:</u> Decision N° 71 of the Supervisory Council of the Bank of Albania, dated 11 September 2002, amends the Regulation "on granting a license to conduct banking activity in the Republic of Albania". (Notification by Albania under GATS Article III:3, S/C/N/406)</p> <p><u>Intermediation services n. e. c. (81199); Financial consultancy services (81332); Other services auxiliary to financial intermediation (81339):</u> Decision N° 96 of the Supervisory Council of the Bank of Albania, dated 26 November 2003, specifies the terms, conditions and procedures for the granting of a license to non-bank financial subjects to conduct activities. (Notification by Albania under GATS Article III:3, S/C/N/408)</p> <p><u>Intermediation services n.e.c (81199); Other services auxiliary to financial intermediation n.e.c (81339):</u> Decision No. 25 of the Supervisory Council of the Bank of Albania, dated 29 March 2000, establishes the conditions for the foundation, the exercising of banking activities, licensing and supervision of cooperative banks by the Bank of Albania, as well as the characteristics of these banks. (Notification by Albania under GATS Article III:3, S/C/N/429)</p> <p><u>Other services auxiliary to financial intermediation n.e.c. (81339):</u> Decision No. 58 of the Supervisory Council of the Bank of Albania, dated 24 July 2002, permits the banks licensed from the Bank of Albania to conduct banking activities linked with precious metal. (Notification by Albania under GATS Article III:3, S/C/N/438)</p> <p>Albania introduced a number of measures falling under the prudential regulation on banking services.</p> <p>(See notifications by Albania under GATS Article III:3, S/C/N/401; S/C/N/409-411; S/C/427-428; S/C/N/432)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Armenia GATS/SC/137	2.B Courier Services  2.C Telecommunication Services  2.D Audiovisual Services	Additional Commitments	If, e.g. based on an international financial project, any condition relating to market access or national treatment is altered and results in a more liberal access, Armenia will modify its commitments under this Schedule and incorporate the new conditions immediately.	Courier and other express postal services are liberalized, and there are no restrictions on the participation of foreign investors.  (Para. 78 of WT/TPR/S/228/Rev.1 of 22 April 2010)  Armenia's existing legal framework in telecommunication is more liberal than its GATS commitments. The telecommunications market was fully liberalized in 2007 with the elimination of all monopoly rights of ArmenTel. There are no restrictions on the participation of foreign investors in Armenia's telecom sector.  (Paras. 44, 65 and 71 of WT/TPR/S/228/Rev.1 of 22 April 2010)
Bangladesh GATS/SC/8/Suppl.1	2.C Telecommunication Services	Additional Commitments	The creation of regulatory disciplines is under review. If the outcome of this review permits then additional commitments on regulatory disciplines will be attached before 1 January 1998.	Strategic policies for developing a digital Bangladesh and providing affordable telecommunication services led to institutional and regulatory developments involving the creation of the Ministry of Posts, Telecommunications and Information Technology in 2014, and the issuance of directives on services and tariffs. The telecoms sector has emerged as a very competitive mobile telephone market with significant foreign participation.  (Para. 23 of WT/TPR/S/385/Rev.1 of 21 May 2019; Para. 68 of WT/TPR/S/270/Rev.1 of 26 November 2012)
Brazil GATS/SC/13/Suppl.3/Rev.1	7.A All insurance and insurance-related services  - Work accident insurance  7.B.1) Services provided by financial institutions	Additional Commitments	Brazil will undertake commitments regarding commercial presence in the work accident insurance market within two years after the adoption by the National Congress of legislation regulating such presence.          For factoring services, national treatment shall be granted in commercial presence, if these services are defined as financial services in future legislation adopted by the National Congress.	The National Social Security Institute (INSS) is the sole authorized supplier of work accident insurance. The only activity monopolized by law is worker's compensation insurance, which is provided by the INSS, administered by the Government.  (Para. 131 of WT/TPR/S/75 of 27 September 2000)

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Brunei Darussalam GATS/SC/95/Suppl.1	2.C Telecommu- nication Services  - Local Public switched voice telephone services  - International Public switched voice telephone services  - Public cellular mobile telephone service	Additional Commitments	<p>The period of exclusivity for local public switched voice telephone services will be extended for up to 10 years after privatisation of JTB. The government will conduct a review of policy with respect to whether to permit additional suppliers of such services upon the expiry of this period.</p> <p>The period of exclusivity for the two operators expires in year 2010. The government will conduct a review of policy with respect to whether to permit additional suppliers of such services upon the expiry of this period.</p> <p>Issuance of a licence to provide public cellular mobile telephone services employing other than AMPS and GSM technologies will be considered by the government in year 2010 if public interest and economic conditions justify the issuance of such licence.</p>	<p>The Telecommunications Order 2001 confers upon Authority for Information Technology Industry (AITI) the exclusive privilege to operate and provide telecommunication systems and services in Brunei and allows AITI to issue licences to operators and to manage the radio communications spectrum.</p> <p>Under the Telecommunication Successor Company Order 2001, JTB was transformed into Telekom Brunei (TelBru), a state-owned company registered under the Companies Act. Telekom Brunei (TelBru) continues to be the only operator in the fixed-line market.</p> <p>Competition in Brunei's mobile telephony market was introduced in 2005. Nonetheless, there are only two mobile operators.</p> <p>(Paras. 4.100, 4.101 and 4.102 of WT/TPR/S/309/Rev.1 of 7 April 2015)</p>
Cambodia GATS/SC/140	7. FINANCIAL SERVICES  - Banking and other financial services	Limitations on market access Mode 3	Unbound for subsectors (f) – (l), until the Government of Cambodia determines what types of entities can conduct these services, the related laws and regulation are established, and such business is authorized by the government or other relevant designated authority.	<p>Since 2007, the Securities and Exchange Commission of Cambodia (SECC) has assisted the Government on the strategic and regulatory aspects of the securities market in Cambodia as well as on the licensing of all relevant securities-related operators, including the securities market operator, securities depository, clearance and settlement of facility operators, underwriters, dealers, brokers, investment advisors, securities representatives, investment advisory representatives, securities-specialized accounting firms, cash settlement agents, securities registrars, securities transfer agents and paying agents.</p> <p>Since 2011, the Cambodian Stock Exchange (CSX), a joint venture between the Government of Cambodia and Korea Exchange (KRX), has offered increased access to the equity capital markets in Cambodia.</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Cambodia (Cont'd)				<p>The main legislations include: the Law on the Issuance and Trading of Non-Government Securities, dated 19 October 2007 (Securities Law) and its implementing Sub-decree No. 54, dated 8 April 2009 (Securities Sub-decree); implementing regulations issued by the SECC; and the Law on Government Securities, dated 10 January 2007 (Government Securities Law).</p> <p>(Paras. 4.80, 4.81 and 4.83 of WT/TPR/S/364/Rev.2 of 27 March 2018)</p>
Egypt GATS/SC/30/Suppl.3	2.C Telecommu- nication Services	Footnote	Continuation of ENT beyond 31/12/2005 shall be subject to consultations between Egypt and WTO Members, taking into consideration progress of the CTS discussions on ENT.	<p>The license guidelines state that the National Telecommunication Regulatory Authority (NTRA) shall examine the application from the technical, financial and economic aspects.</p> <p>(The Rules &amp; Conditions Of The Award Of Licence To Establish Telecom Networks and Provide Telecom Services In A.R.E)</p>
European Union GATS/SC/157	<p>7. FINANCIAL SERVICES</p> <p>7.A Insurance and Insurance- Related Services (second part)</p>	<p>Headnote (first part)</p> <p>Limitations on market access Mode 2</p>	<p>Hungary: - Legislation permitting market access of branches is currently being prepared. Details and conditions to apply are still being determined. It is intended to bind the effects of this legislation as soon as it has been adopted.</p> <p>Slovenia: Reinsurance and retrocession Reinsurance companies in the Republic of Slovenia have priority in the collection of insurance premiums. In case that these companies are not able to equalise all risks, these can be reinsured and retroceded abroad. (None upon the adoption of the new law on Insurance Companies).</p>	<p>Hungary: Foreign branches are allowed in the financial services sector. For insurance services, the central branch office (branch capital) must be located in Hungary.</p> <p>Please refer to Article 4(1) of Act CCXXXVII of 2013 on credit institutions and financial enterprises; Article 48 in conjunction with 6(1) of Act LXXXVIII of 2014 on Insurance Activities; Articles 162-175 of Directive 2009/138/EC of 25 November 2009 Solvency II.</p> <p>(Retrieved from the Services Trade Policy Database of I-TIP Services, based on the OECD STRI regulatory database)</p> <p>Slovenia (Reinsurance and retrocession): There are no limits on foreign participation in the reinsurance sector. There are no restrictions on the establishment of foreign branches.</p> <p>Please refer to Articles 21, 137-139 of Insurance Act (Official Gazette of RS, no. 93/2015); Articles 162-175 of Directive 2009/138/EC of 25 November 2009 Solvency II.</p> <p>(Retrieved from the Services Trade Policy Database of I-TIP Services, based on the OECD STRI regulatory database)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
European Union (Cont'd)	7.B Banking and other financial services (excluding insurance) (second part)	<p>Limitations on market access Mode 3</p> <p>Limitations on market access Modes 1&amp;2</p> <p>Limitations on market access Mode 3</p>	<p>Reinsurance and retrocession Foreign participation in reinsurance company is limited up to a controlling share of the capital. (None, except for branches, upon the adoption of the new law on Insurance Companies)</p> <p>Slovenia: - Unbound except accepting credits (borrowing of all types) and accepting guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors. (Remark: consumer credits shall be free upon the adoption of the new Foreign Exchange Law). - All above mentioned credit arrangements must be registered with the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p> <p>Slovenia: - Foreign persons may become shareholders of banks or acquire additional shares of banks only subject to prior approval of the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p> <p>- When considering issuing a licence to a bank to set up as a wholly-owned or with a majority of foreign investors or approval of acquiring additional shares of banks; the Bank of Slovenia shall take into account the following guidelines: - the existence of investors from different countries; - the opinion of the foreign institution in change of banking supervision.</p>	<p>Slovenia (Banking and other financial services):</p> <p>Any person intending to acquire bank shares in order to achieve or exceed a qualifying holding shall obtain authorisation from the Bank of Slovenia prior to acquiring such a holding in a bank.</p> <p>The provision of banking services is subject to authorisation as laid out in Articles 97 to 102 of the Banking Act. In connection with the assessment of a request to issue authorisation to provide banking services, the Bank of Slovenia shall obtain the opinion of the supervisory authority of a Member State, primarily with regard to circumstances that are important for the assessment of the suitability of holders of qualifying holdings, and the assessment of the reputation and experience of members of the bank's governance bodies who participate in the management of other companies within a group that are deemed important.</p> <p>(Articles 60-75 and 97-102 of Banking Act, Official Gazette of RS, no. 25/15)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
European Union (Cont'd)			<p>(Remark: this provision shall be abolished on the adoption of the new Law on Banking.)</p> <p><i>Original footnote:</i> Besides the amount of the capital the Bank of Slovenia shall, when considering issuing an unlimited or a limited banking licence also take into account the following guidelines (for both domestic and foreign applicants)</p> <ul style="list-style-type: none"> <li>- the national-economic preferences for certain banking activities;</li> <li>- the existing regional coverage of the Republic of Slovenia by banks;</li> <li>- the actual bank's performance of activities compared to those stipulated by the existing licence.</li> </ul> <p>(Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p> <p>- Branches of foreign banks must be incorporated in the Republic of Slovenia and have legal personality.</p> <p>(Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p>	<p>According to the Directive 2013/36/EU, the conditions for the authorisation of a foreign credit institution cannot give rise to a more favourable treatment than the one from which benefit the remaining credit institutions. This implies that third country branches are authorised.</p> <p>The Bank of Slovenia may make the issuing of the authorisation conditional to establish a branch by a third-country bank by requiring that the parent bank deposits a certain amount of money or other appropriate financial asset in the Republic of Slovenia, or submits another appropriate insurance as a guarantee for the settlement of liabilities arising from transactions concluded in the Republic of Slovenia.</p> <p>Please refer to Articles 35, 36 and 47 of Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms; Articles 120-124 of Banking Act (Official Gazette of RS, no. 25/15).</p> <p>(Retrieved from the Services Trade Policy Database of I-TIP Services, based on the OECD STRI regulatory database)</p>



SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
European Union (Cont'd)			Foreign persons may become shareholders or partners in a Stock Broking Company up to 24% of the capital of the Stock Broking Company by prior approval of the Securities Market Agency. (Remark: this provision shall be abolished upon the adoption of the new Law on Securities Market.)	
Ghana GATS/SC/35/Suppl.1	2.C Telecommu- nication Services (a) Voice telephone services (7521) (g) Private leased circuit service (7522**, 7523**)	Additional Commitments	The duopoly operators are granted exclusivity for a period of five years. At the expiration of this period, the Government will conduct a review of its policy to determine whether to license additional suppliers of such services.	<p>The National Communications Regulations of 2003 constitute the regulatory framework for the telecom sub-sector. The main objectives of the National Telecommunications Policy, published in 2004, were to achieve fully open, private, and competitive markets for all telecom services.</p> <p>Ghana's commitments regarding the telecommunication sector under the GATS were limited by the duopoly arrangements that prevailed at the time. In fact, Ghana's current market access and national treatment conditions are very favourable to foreigners, and most of the companies operating are foreign-owned. Specifically, most of the limitations in its Schedule are no longer in force.</p> <p>(Para. 4.134 and 4.138 of WT/TPR/S/298/Rev.1 of 11 July 2014)</p>
Hong Kong, China GATS/SC/39/Suppl.2	2.C Telecommu- nication Services - Local services (a)-(g); (o)	Limitations on market access Mode 3	Four licences for local fixed network services were issued in 1995. New licences will not be considered before June 1998. Whether more licences will be issued thereafter is subject to review in 1998.	<p>Local fixed telecommunication network services have been fully liberalized since January 2003.</p> <p>(Notification under Article III:3 of the GATS, S/C/N/312, dated 28 January 2005; statement by Hong Kong, China at the CSC meeting of 2 December 2020. Para. 2.7 of S/CSC/M/84)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
India GATS/SC/42/Suppl.3	2.C Telecommu- nication Services (a) Voice telephone service (CPC 7521**) Wire based (i.e. for fixed network of subscribers)  (o) Other Cellular mobile telephone services	Limitations on market access Mode 3  Additional Commitments          Limitations on market access Mode 3	There will be one operator other than Department of Telecommunications (DOT)/Mahanagar Telephone Nigam Ltd. (MTNL) in each service area for a period of 10 years from the grant of licence after which the position will be reviewed.  The subject of opening up of national long-distance service beyond service area to competition will be reviewed in the year 1999. Also, the subject of opening up of international service to competition will be reviewed in the year 2004.  There will be two cellular service operators in each service area. The position will be reviewed after 10 years.	Competition was allowed from the private sector in value-added telecommunication services and cellular mobile telephone services (CMTS) in 1992, followed by fixed line local telephone services in 1994. The New Telecommunications Policy, 1999 (NTP 99) sought to address improving efficiency by establishing a more competitive environment for the sector.  Under the new policy, fixed-line service providers (FSPs) and cellular mobile service providers (CSMPs) will be granted non-exclusive licences for individual service areas for an initial period of 20 years, extendable by additional ten-year periods.  Private-sector participation in domestic long-distance telephony was permitted in August 2000, followed by international long-distance voice telephony on 1 April 2002 (two years ahead of India's commitments in the GATS).  As a result of these steps, all telecommunication services are now open to private participation and competition.  (Para. 98 of WT/TPR/S/100 of 22 May 2002)
Indonesia GATS/SC/43/Suppl.2	2.C Telecommu- nication Services - Local services  - Long distance services  - International services	Additional Commitments	The period of exclusivity for local services expires in 2011. The Government will conduct a review of policy with respect to whether to permit additional suppliers of such services upon the expiry of this period.  The period of exclusivity for long distance services expires in 2006. The Government will conduct a review of policy with respect to whether to permit additional suppliers of such services upon the expiry of this period.  The period of exclusivity for international services expires in 2005. The Government will conduct a review of policy with respect to whether to permit additional suppliers of such services upon the expiry of this period.	In 2002, the Government ended Telkom's exclusive rights to provide fixed-line services in Indonesia. The Government also sold 42% of its shares in Indonesian Satellite (Indosat), Indonesia's second-largest mobile-phone operator, to Temasek Holdings, the state-owned investment arm of the Government of Singapore. Indosat's monopoly on international calls ended in 2003.  (Para. 4.73 of WT/TPR/S/278/Rev.1 of 16 July 2013)  As at May 2020, there were seven cellular operators and four fixed- line operators in Indonesia.  (Paras. 4.221 and 4.222 of WT/TPR/S/401/Rev.1 of 5 February 2021)

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Israel GATS/SC/44/Suppl.1	2.C Telecommu- nication Services	<p>Limitations on market access Mode1</p> <p>Limitations on market access Mode 2</p>	<p>The existing monopoly's exclusive rights in domestic Telecommunication services and infrastructure mentioned in paragraphs: a(I), a(III), b, c, f, g, will terminate not later than the year 2001. The government will publish the rules and regulatory policy regarding the way of opening the above mentioned to competition in the future.</p> <p>The government issued two licenses to two operators that won a tender issued by the government for the operation of international services in addition to those offered by the present operator (BEZEQ International, which is a fully (100%) subsidiary of BEZEQ - the local PTT). The companies have exclusivity until 1.1.2002 and the government will reexamine its policy regarding further competition in the field of international services towards the year 2001.</p>	<p>Over the years, Israel has pursued progressive liberalization and privatization of its telecoms market. It began in 1994 with the entry of Cellcom to compete with Bezeq (the incumbent) in mobile telephony. As of January 2018, there were six domestic fixed services operators; six mobile network operators (MNOs); three mobile virtual network operators (MVNOs); and eight mobile operators providing international services.</p> <p>In order to promote competition, the Ministry of Communications licensed a third communications infrastructure operator.</p> <p>(Paras. 4.75 and 4.76 of WT/TPR/S/376/Rev.1 of 10 October 2018)</p>
Jamaica GATS/SC/45/Suppl.1	<p>2.C Telecommu- nication Services:</p> <ul style="list-style-type: none"> <li>- Voice Telephone Services (7521)</li> <li>- Internet and internet access services (75260)</li> </ul>	Additional Commitments	<p>The Government is in the process of reviewing this with the exclusive private operator in the context of the draft Telecom Bill and the establishment of the regulatory regime in 1997. If the outcome of this review is favourable, the Government will submit an improved commitment on private voice telephone services.</p> <p>The Government is in the process of reviewing this with the exclusive private operator in the context of the draft Telecom Bill and the establishment of the regulatory regime in 1997. If the outcome of this review is favourable, the Government will submit an improved commitment on voice over Internet.</p>	<p>In 1999, the Government started a process of liberalizing the telecommunications industry, which included a renegotiation of the contract with Cable and Wireless Jamaica Limited (C&amp;WJ), the sole supplier of fixed and mobile telephony, the passing of new legislation and the adoption of a phased approach for its implementation. In September 1999, the Government concluded an agreement with C&amp;WJ, which was granted a 25-year exclusive right to operate basic telephony services in 1988. The new agreement ended the company's status as a monopoly in the provision of basic telecommunications services well before the originally scheduled date of 2013 (renewable to 2038). C&amp;WJ's monopoly rights ended as of 1 March 2003.</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Jamaica (Cont'd)	- Video transmission services (satellite-based) (75241**)		The Government is in the process of reviewing this with the exclusive private operator in the context of the draft Telecom Bill and the establishment of the regulatory regime in 1997. If the outcome of this review is favourable, the Government will submit an improved commitment on video telephony services.	The passing of the Telecommunications Act (Act No. 1 of 16 February 2000) redefined telecommunications policy in Jamaica and facilitated the gradual opening up of the market to new players. The Act put in place a reform process divided into three phases. Phase I, which started on 1 March 2000, opened the market to competition in wireless cellular services, the provision of customer equipment, and the resale of data, international voice and Internet access. Phase II of the liberalization process started on 1 September 2001 and introduced competition in domestic facilities and services, and allowed subscriber TV providers (STVOs) to become Internet service providers (ISPs). Phase III, which started on 1 March 2003, international voice and data facilities opened up to competition.  (Paras. 129 and 130 of WT/TPR/S/139/Rev.1 of 9 March 2005)
Japan GATS/SC/46/Suppl.3	7.B Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)	Additional Commitments	Appropriate authorities permit the Pension Welfare Service Public Corporation to allow investment advisory companies to participate in the management of its fund assets through a variation on the "Shiteitan" framework. At the time of the next comprehensive review of the Japanese pension system in 1999, this scheme would be reviewed.	Law No. 19 in 2000: Pension Welfare Service Public Corporation was disestablished. Government Pension Investment Fund was allowed to manage the pension fund by itself. With respect to the management of the pension fund of Government Pension Investment Fund, no asset allocation regulation were applied to the total assets of Government Pension Investment Fund, and investment advisory companies were allowed to participate in the management of the pension fund of Government Pension Investment Fund.  (Notification by Japan of 6 November 2001, S/C/N/179)
Jordan GATS/SC/128	4. DISTRIBUTION SERVICES	Additional commitments	If, in future, Jordan's legislation permits non-Jordanian investors to own a greater percentage of equity with respect to projects or an economic activity in this sector, such liberalization will immediately be bound in Jordan's schedule of specific commitments.	Foreign ownership is limited to a maximum of 50% in wholesale and retail trade, franchising, commercial and insurance agents.  (Table 2.4 of WT/TPR/S/325/Rev.1 of 5 February 2016)

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
FYR of Macedonia GATS/SC/138	<p>1.A Professional Services (h) Medical and dental services (CPC 9312) (j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)</p> <p>8.A Hospital services (CPC 9311)</p> <p>8.B Other Human Health Services (CPC 9319 (other than 93191))</p>	Additional commitments	The reform process is ongoing. FYROM will negotiate taking commitments after 1 January 2004.	<p>North Macedonia's health sector is primarily regulated by the Law on Health Protection and the Law on Health Insurance. The provision of health services is allowed via all four modes of supply.</p> <p>Any foreign hospital may be a shareholder or establish locally incorporated companies, branches or subsidiaries in the Republic of North Macedonia. The healthcare activity shall be performed in a network of healthcare institutions and outside the network of healthcare institutions. The healthcare activity in the network shall be performed by public and private healthcare institutions, which perform the activity on the basis of a license. The healthcare activity referred to in Article 26(1) of the Law on Health Protection, except the activities referred to in Article 29(1) of this Law, shall be provided outside the network by private healthcare institutions that meet the requirements referred to in Article 60. The healthcare institutions outside the network shall carry out a healthcare activity by means of which they gain funds solely from patients who cover the health services by their own funds. Private healthcare institution may be established by domestic and foreign legal entities and natural persons. Private healthcare institutions cannot be established for carrying out the activities referred to in Article 29(1) points 1, 2, 4, 5, 6, 10, 11, 13, 14, 15 and 16 of the Law on Health Protection, unless otherwise provided for by law.</p> <p>A foreign citizen who carries out a healthcare activity in the Republic of North Macedonia, in addition to the requirements prescribed in Article 126 of the Law, must have a good command of the North Macedonian language which should be proven by a certificate for a successfully passed language examination from an authorized education institution. Healthcare workers without university (higher) degree cannot get a licence.</p> <p>Please refer to the Law on Health Protection (consolidated text 2016).</p> <p>(Retrieved from the Services Trade Policy Database of I-TIP Services)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
FYR of Macedonia (Cont'd)	7. FINANCIAL SERVICES	Headnote	A single legal person (insurance company or a bank) cannot provide both insurance and banking services. FYROM will conduct a review of the situation in the light of developments in the regulation of financial services sectors and will report whether this limitation can be abolished. Such a review will take place by 31 December 2008.	An insurance company is prohibited from engaging in banking activities or other non-insurance activities. However, commercial banks can sell insurance policies.  Please refer to Article 4 (1) of the Law on Insurance Supervision; Article 7 (1) paragraph 19 of the Banking Law (consolidated text 2017).  (Retrieved from the Services Trade Policy Database of I-TIP Services)
Mauritius GATS/SC/55/Suppl.1	2.C Telecommu- nication Services	Additional commitments	The reference paper will be incorporated in the legislation to be adopted soon by the National Assembly. <sup>2</sup>	The ICT Act, enacted in 2001, established the basis for liberalization of the subsector by removing the exclusive rights granted to Mauritius Telecom (MT) over fixed (domestic and international) telecommunications services. In 2004, Mauritius developed a National Telecommunications Policy, which specifically identifies implementation of the WTO agreement on telecommunications, adoption of measures aimed at promoting competition, and strengthening of the interconnection regime as priorities.  (Para. 116 of WT/TPR/S/198/Rev.1 of 11 June 2008)  With respect to the implementation of the Reference Paper on telecommunications, Mauritius indicated that in terms of Essential Facility, a policy decision on the submarine landing station is under consideration. As regards the competitive safeguards, arrangements are currently being made for the implementation of the provisions of the Act. On the subject of Interconnection, Mauritius has achieved significant degree of compliance in terms of the physical and technical specs. As regards the economic regulation element, a directive to bring in the cost-based IUC is underway. The setting up of a Universal Service Framework is underway and the regulator is making the appropriate regulations. As regards the public availability of licensing criteria, this has been implemented fully, and the said info, as well as copy of all licences issued by ICTA is available on the website of the ICTA. With regard to establishment of Independent Regulator, this has been done since July 2002, when the ICT Act 2001 was proclaimed. Finally, as regards allocation of scarce resources, viz. radiofrequency spectrum, numbering and right of way, these have been achieved fully.

<sup>2</sup> The Reference Paper is not attached to the Schedule.

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Mauritius (Cont'd)				<p>There is a national radiofrequency spectrum allocation chart for Mauritius as well as a National Numbering Plan for the next 20 years. The other scarce resource which is the right of way has also been addressed as part of the provisions in the ICT Act 2001. The National ICT Strategic Plan, endorsed by Government in October 2007, has additional initiatives aligned with implementation initiatives of the principles of the reference paper.</p> <p>(Page 14 of WT/TPR/M/198/Add.1 of 30 May 2008)</p>
Mexico GATS/SC/56/Suppl.2	2.C Telecommu- nication Services  - Commercial agencies	Limitations on market access Mode 3	The establishment and operation of commercial agencies is invariably subject to the relevant regulations. The Ministry of Communications and Transport (SCT) will not issue permits for the establishment of a commercial agency until the corresponding regulations are issued.	<p>In 2014, the Federal Telecommunications and Broadcasting Law (LFTR) was enacted; this repealed the Federal Telecommunications Law of 1995. The LFTR regulates the use, development and exploitation of the radio-frequency spectrum; the public telecommunications networks; access to the infrastructure; orbital resources and satellite communications; the provision of public telecommunications and broadcasting services of general interest; convergence of services.</p> <p>(Paras. 4.150 and 4.151 of WT/TPR/S/352/Rev.1 of 23 June 2017)</p>
Nepal GATS/SC/139	4.B Wholesale services 4.C Retailing services   7. FINANCIAL SERVICES  - Banking and other financial services	Limitations on market access and national treatment Modes 1,2,3 and 4   Limitations on market access Mode 3	<p>Unbound except until such time that Nepal grants such rights to any WTO Member in any subsector, or until Nepal determines the types of foreign entities which may provide these services, or that Nepal authorizes such rights under its laws and regulations, the supply of these services; whichever is earlier.</p> <p>For derivative products under Nepal 'f' and settlement of and clearing services for financial assets, including securities, derivative products, and other negotiable instruments under 'j' unbound until HMG/Nepal determines what types of entities can conduct these services, the related laws and regulations are established and such business is authorised by the government or other designated authority.</p>	<p>The Foreign Investment and Technology Transfer Act (FITTA), 1992 allows 100% foreign investment except for a negative list of 21 industries, including retail businesses (excluding international chain retail businesses with a minimum investment of NR 500 million, operating in at least two countries).</p> <p>(Para. 2.39 of WT/TPR/S/381/Rev.1 of 27 February 2019)</p>

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Papua New Guinea GATS/SC/118/ Suppl.1	2.C Telecommu- nication Services (a) – (g) ; (o)	Limitations on market access Mode 3	All Telecommunication Services are subjected to a five year exclusivity (1997-2002) to TELIKOM PNG Ltd. as the monopoly service provider. The issuance of additional operating licenses and their terms and conditions will be considered and announced at least two years prior to the end of the exclusivity period.	Telikom, a subsidiary of KTH, had the monopoly in local, national, and international mobile and fixed-line services until July 2007. Plans to privatize 51% of equity in Telikom to an overseas company were abandoned by the Government in the early 2000s.  The National ICT Policy Phase II Reforms Final Report introducing open competition was approved in March 2009. The National Information and Communications Technology Authority (NICTA) grants four types of telecommunications licences, all valid for ten-year periods: General Telecommunications Carrier Licence (GL); Public Mobile Telecommunications Licence (MC); Value-added Services (carrier grade and ISP grade) Licence; and Restricted General Licence/Private Network Licence (RGC).  (Paras. 4.99 and 4.101 of WT/TPR/S/387/Rev.1 of 28 June 2019; Para. 90 of WT/TPR/S/239/Rev.1 of 8 February 2011)
Saudi Arabia GATS/SC/141	11.H Services auxiliary to all modes of transport	Additional commitments	The services related to CPC 749 are currently provided by the public sector. As far as market access to services included in CPC 749 become open under the Saudi legislation to private entities, national treatment will be granted.	
Senegal GATS/SC/75/Suppl.1	2.C Telecommu- nication Services (a) – (g); (o)	Limitations on market access, Mode 1       Limitations on market access, Mode 3	Exclusively through the Sonatel network, on which Sonatel has a monopoly in international traffic until 31 December 2003 at the earliest and 31 December 2006 at the latest. After 2003 the authorities will examine the possibility of opening up the sector to other operators. After 2003 the authorities will examine the possibility of opening up the sector to other operators.  Sonatel's monopoly also applies to local and long-distance traffic until 31 December 2003 at the earliest and 31 December 2006 at the latest. After 2003 the authorities will examine the possibility of opening up the sector to other operators.	Sudatel obtained a "global" telecommunications licence in September 2007 and has been providing prepaid mobile phone services under the Espresso brand since early 2009. This in principle eliminates the SONATEL monopoly in the fixed-line network, but SONATEL still has a de facto monopoly. Senegal thus considers it has fulfilled its specific commitments under the GATS.  (Para. 197 of WT/TPR/S/223/SEN/Rev.1 of 22 December 2009)



SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
South Africa GATS/SC/78/Suppl.2	2.C Telecommu- nication Services  - Facilities based and public switched telecommu- nication services	Additional Commitments	Authorities to consider by 31/12/2003 the feasibility of suppliers additional to the duopoly.  Liberalization of resale services to take place between 2000 and 2003 with authorities to define terms and conditions as well as the maximum limit for foreign investment.	Competition in the fixed line segment was introduced in 2006 when Neotel was licensed to compete against Telkom (which used to have monopoly power in the sector). Neotel was licensed as South Africa's first alternative infrastructure-based telecom provider, able to deliver wireline and wireless data telecoms services at national and international levels.  (Para. 4.110 of WT/TPR/S/324/Rev.1 of 05 February 2016; Para. 269 of WT/TPR/S/222/ZAF/Rev.1 of 14 December 2009)
Sri Lanka GATS/SC/79/Suppl.1	2.C Telecommu- nication Services  - International basic voice telecommu- nication services  - Domestic local and long-distance basic telephone services: Mobile cellular services  - Satellite- based services  GMPCS services supplied through own gateways	Limitations on market access Modes 1&3  Limitations on market access Mode 3  Limitations on market access Mode 3	Monopoly guaranteed for Sri Lanka Telecom Ltd (SLT) until 31 December 1999. Government of Sri Lanka (GOSL) proposes thereafter to issue an additional licence, depending mainly on satisfactory progress having been made with respect to tariff rebalancing.  Four operators' licences. This number will be reviewed by the GOSL in the year 2000.  Issuing of licences is under consideration.	The Commission permitted use of Global Mobile Personal Communications Services (GMPCS) in Sri Lanka with effect from 9 April 1999, subject to the issuance of a licence under Section 22 of Sri Lanka Telecommunications Act No. 25 of 1991 as amended.  (Notification pursuant to Article III:3 of the GATS, S/C/N/167 of 27 August 2001)  The monopoly of Sri Lanka Telecom (SLT) over international and voice telecommunication services ended in 2002. The telecommunications sector has opened up to several providers in most subsectors, including in fixed-access telephone services, cellular mobile phones and satellite services. The market comprises five mobile services providers and three fixed-line operators.  Sri Lanka has proceeded with liberalizing many of its telecom subsectors, thus the applied regime is more liberal than its GATS commitments.  (Paras. 4.149 and 4.150 of WT/TPR/S/347/Rev.1 of 1 March 2017)

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Suriname GATS/SC/80/Suppl.1	2.C Telecommu- nication Services For public use -Fixed network infrastructure -Local, domestic, long distance and international  - Mobile services (terrestrial and satellite based)	Limitations on market access Mode 3  Limitations on market access Mode 3	The duopoly operators are granted exclusivity for a period of five years ending on 1 January 2003. Before the expiration of this period, the Government will determine the circumstances under which additional operators can be licensed.  Licenses are granted for a period of five years ending on 1 January 2003. Before the expiration of this period, the Government will determine the circumstances under which additional operators can be licensed	Both five-year restrictions ended in 2003 but the possibility of extending the number and/or duration of licenses after that is still at the discretion of the Government. Licensed operators also have the exclusive right to provide long-distance and international services over fixed and mobile networks, and cannot be bypassed.  Many regulatory aspects were detailed in a series of state decrees, issued in 2007, that cover issues including licensing.  (Paras. 4.96 and 4.98 of WT/TPR/S/391/Rev.1 of 27 November 2019)
Thailand GATS/SC/85/Suppl.2	2.C Telecommu- nication Services	Headnote  Limitations on market access Mode 3  Limitations on national treatment Mode 3	Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, commitments on public telecommunication services will be introduced, and carried out in accordance with the implementing regulations to be issued by virtue of those acts.  Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the market access elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.  Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the national treatment elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services	Thailand has issued the Telecommunication Business Act which has introduced the increasing of foreign equity participation, and other new laws and regulations related to the Reference Paper. Thailand is currently in a public hearing stage, and the results of public hearings will be presented to the cabinet and parliament for their approval. After that, Thailand will proceed with WTO procedures for the certification of improvements to schedules of specific commitments.  (Statement by Thailand at the Trade Policy Review meeting on 24 and 26 November 2020. Paras. 5.8-5.9 of WT/TPR/M/400).

SCHEDULE	SECTOR	ENTRY AS	CONDITIONAL COMMITMENTS	UPDATES
Thailand (Cont'd)		Additional commitments	Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.	
Turkey GATS/SC/88/Suppl.2	2.C Telecommunication Services (a) – (b)	Limitations on market access Modes 1&3	Türk Telekomünikasyon A.Ş. is the exclusive operator. Exclusive right will end by 31.12.2005, subject to adoption of the relevant legislation by the parliament.	The exclusive right of Türk Telekomünikasyon AŞ ended on 31 December 2003 as stipulated in the Law No. 4502 governing the telephony and telegraph services. (Statement by Turkey at the CSC meeting of 2 December 2020, Para. 2.12 of S/CSC/M/84)
Uganda GATS/SC/89/Suppl.1 /Rev.1	2.C Telecommunication Services  Facilities based public-switched voice telecommunication services on fixed network infrastructure	Limitations on market access Mode 3	Uganda Telecom Limited (UTL) and Second National Operator (SNO) duopoly exclusivity, subject to Uganda Government review after 2003.	The telecommunications sector has been liberalized since 2006. A licensing regime was introduced that allows suppliers to select among three categories of licences: the Public Service Provider (PSP) Licence, the Public Infrastructure Provider (PIP) Licence, and the National Telecommunication Operator (NTO) Licence.  (Paras. 4.114 and 4.115 of WT/TPR/S/384/Rev.1 of 5 June 2019)
Yemen GATS/SC/152	7.B Banking and Other Financial Services	Limitations on market access, Mode 3	None when the Government authorises such business, determines what types of entities can conduct these services, the related laws and regulation are established.	