

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/EST/5
25 February 1999

(99-0743)

**Working Party on the
Accession of Estonia**

Original: English

WORKING PARTY ON THE ACCESSION OF ESTONIA

Preliminary List

The Ministry of Foreign Affairs of the Republic of Estonia has submitted the following preliminary list of concessions and commitments in services on a provisional basis.

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
1. HORIZONTAL COMMITMENTS			
All sectors	<p>4)Unbound, except for measures concerning temporary entry and stay in Estonia of natural persons (hereafter 'persons') supplying the services listed in the part of Specific Commitments of this schedule (hereafter 'specific services') and who are nationals of another member and who fall into the categories listed below:</p> <p>Section 1:Essential persons transferred to Estonia within a business or company providing the specific services (intra-corporate transferees) as of the year 1999: Section 1 covers employees of a company (hereafter 'enterprise') providing the specific services in Estonia through a branch, subsidiary or affiliate of this enterprise established in Estonia and who have been beforehand employees of this enterprise based outside Estonia for a period with the duration of no less than one year immediately preceding the date of submitting their application for entry and stay in Estonia:</p> <p>a) Executives and senior managers: persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of this enterprise. Executives and senior managers do not directly perform tasks related to the actual provision of the specific services by their enterprise.</p> <p>b) Specialists: highly qualified persons who, within their enterprise, are essentially needed for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of this enterprise. (The category of specialists may include, but is not limited to, members of licensed professions.)</p> <p>Entry and stay in Estonia for the persons covered by Section 1 is limited to a three-year period that may be extended for up to two additional years for a total term not to exceed five years.</p>	<p>1,2) Only Estonian taxpayers, i.e. those legal persons registered under Estonian Law and Estonian citizens are eligible for national subsidies of Estonia.</p> <p>4)Unbound except for measures concerning the categories of natural persons referred to in the column 'Limitations on market access'.</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>Section 2: Other essential persons entering and staying in Estonia:</p> <p>a) Services Salespersons: Persons employed or mandated by an enterprise and who stay temporarily in Estonia in order to conclude the contract for the sale of a service on behalf of the enterprise which employs them or has mandated them. Services salespersons may not sell services directly to the general public, supply services themselves or on their own behalf receive remuneration from a source located within Estonia.</p> <p>b) Persons responsible for setting up of a commercial presence of an enterprise in Estonia: Persons who are employees of and receive remuneration from an enterprise not having commercial presence in Estonia and who are therefore entering Estonia for the purpose of setting up of a commercial presence of this enterprise in Estonia. These persons should have been beforehand employees of this enterprise based outside Estonia for a period with the duration of no less than one year immediately preceding the date of submitting their application for entry and stay in Estonia. Persons responsible for the setting-up of a commercial presence may not engage in making direct sales to the general public, supply services themselves or on their own behalf receive remuneration from a source located within Estonia</p> <p>c) Employees of an enterprise engaged in substantive business: Persons who are employees of and receive remuneration from an enterprise based outside Estonia and not having commercial presence in Estonia, which has concluded a services contract with an enterprise engaged in substantive business activities in Estonia, and who have been beforehand employees of this enterprise based outside Estonia for a period with the duration of no less than one year immediately preceding the date of submitting their application for entry and stay in Estonia, and who in Estonia, as professionals and on behalf of the enterprise outside Estonia, provide a service belonging to any of the three sectors as set out below. As a further requirement five years of working experience in a related field is required. Individual services providers not employed by such enterprise based outside Estonia are considered as persons seeking access to the employment market of Estonia and do not fall in this category.</p> <p>Service sectors: Architectural, Engineering and other Technical Services (CPC 867) Management Consulting Services (CPC 865) Services related to Management Consulting (CPC866)</p> <p>Entry for the persons covered by Section II is limited to a maximum duration of ninety days of stay in Estonia per every period of six months.</p>		

[illegible]

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>Other legal advisory and information services (CPC 86190) including:</p> <p>a) Practice of International Law</p> <p>b) Practice of law of jurisdiction where service supplier qualifies as a lawyer under a relevant authority of this jurisdiction. (Such consultancy excludes the following:</p> <p>i) appearing for a person other than himself or herself as attorney in any court, or before any magistrate or other judicial officer of the Republic of Estonia;</p> <p>ii) preparing any instrument effecting the transfer or registration of title to real estate located in Estonia;</p> <p>iii) preparing any will or trust instrument effecting the disposition of any property located in the Republic of Estonia and owned by a resident thereof, or any instrument relating to the administration of such property;</p> <p>iv) preparing any instrument in respect of the marital or parental relations, rights, or duties of a resident of the Republic of Estonia, or the custody or care of children of such a resident.(otherwise according to CPC 86190))</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</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
b) Accounting, Auditing and Bookkeeping services (CPC 862)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
c) Taxation services (CPC 863)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
d) Architectural, Engineering and Other Technical Services (CPC 867)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None except that at least one responsible person (project manager or consultant) must be resident of Estonia 4) Unbound, except as provided in the horizontal section	
e) Medical and Dental Services (CPC 9312)	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section.	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section. Any professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad.	

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. Computer and Related Services (CPC Division 84)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Research and Development Services (CPC Division 85)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
E. Rental/Leasing Services without Operator	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
e) Other (CPC 832), including pre-recorded video cassettes for use in home entertainment equipment (CPC 83202)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) None	
F. Other Business Services :			
a) Advertising Services (CPC 871)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
b) Market Research and Opinion Polling (CPC 864)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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) Management Consulting Services (CPC 865)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
d) Services Related to Management Consulting (CPC 866)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
e) Technical Testing and Analysis Services (CPC 8676)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
i) Consulting Services Relating to Manufacturing (part of CPC 884 + part of 885 except for 88442)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
n) Maintenance and Repair of Equipment (not including maritime vessels, aircraft, or other transport equipment) (CPC 633 + 8861-8866)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
p) Photographic Services (CPC 876) (except aerial photography of the territory of the Republic of Estonia)	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section	

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
r) Printing, Publishing (CPC 88442)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
s) Convention Services (part of CPC 87909)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
2. COMMUNICATION SERVICES			
The commitments taken by Estonia in the communication services are based on the scheduling principles provided by the following documents:			
<ul style="list-style-type: none"> - “Notes for Scheduling Basic Telecom Services Commitments” (S/GBT/W/2/REV.1), and, - “Market Access Limitation” (S/GBT/W/3) 			
B. Courier Services (CPC 7512)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Telecommunication Services Domestic and international services provided using any network technology (wire based or wireless including satellite), in a facilities based or resale basis, in the following market segments			Estonia undertakes, as of six months from Estonia’s accession to the WTO, the additional commitments as contained in the Reference Paper attached hereto.

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
a)Voice Telephone Services (CPC 7521) d)Telex services(CPC7523) e)Telegraph services (CPC7522) g) Leased circuit services, including private leased circuit services (CPC7522 + CPC7523) For public use For non-public use	1), 3) None, except that domestic intercity and international services have to be switched over the public telephone network of the Estonian Telephone Company Ltd. according to the Concession Agreement between the Government of the Republic of Estonia and the Estonian Telephone Company. As of January 1, 2003 None. 2) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
b)Packet switched data transmission services (CPC7523) c)Circuit switched data transmission services(CPC7523) f)Facsimile services (CPC7521 + 7529) h)Electronic mail (CPC 7523) i)Voice mail (CPC 7523) j)On-line information and data base retrieval (CPC 7523) k)Electronic data interchange (CPC 7523) l)Enhanced /value-added facsimile services (including store and forward, store and retrieve) (CPC 7523) m)Code and protocol conversion n)On-line information and /or data processing (including transaction processing) (CPC 843)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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 services: - Mobile and personal communications services and systems (CPC 75213 (comprising also CPC7523 and CPC 75291)) A. Analogue/Digital cellular services B. PCS(Personal Communications Services) C. Mobile data services - Paging services	1), 3) None, except that domestic intercity and international interconnection of a mobile network with another mobile or fixed network has to be switched over the public telephone network of the Estonian Telephone Company Ltd. according to the Concession Agreement between the Government of the Republic of Estonia and the Estonian Telephone Company. As of 1 January 2003 None. 2) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
3. CONSTRUCTION SERVICES (CPC Division 51+52)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None except that at least one responsible person (project manager or consultant) must be resident of Estonia. 4) Unbound, except as provided in the horizontal section	
4. DISTRIBUTION SERVICES			
A. Commission Agents' Services (CPC division 621)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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. Wholesale Trade Services (CPC division 622)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Retailing Services (CPC 631; 632; 633; 6111; 6113; 6121), including audio and video records and tapes (CPC 63234)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
D. Franchising (CPC 8929)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
5. EDUCATIONAL SERVICES			
Private Education Services with the length of student participation not exceeding six months	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
Compulsory Education Services (primary and secondary I)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
– Non Compulsory Secondary Education Services	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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
– Higher Education Services (CPC 923)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
– Adult Education Services (CPC 924)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
– Other Adult Education Services not Provided by the State	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
6. ENVIRONMENTAL SERVICES			
Sewage and Refuse Disposal, Sanitation and Other Environmental Protection Services (CPC Division 94) (include: Sewage services (contracted by private industry), Refuse disposal services (contracted by private industry), Sanitation and similar services, and Other environmental services (include Cleaning services of exhaust gases; Noise abatement services; Nature and landscape protection services))	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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
Other environmental services	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
7. FINANCIAL SERVICES			
A. Insurance (including reinsurance) and pension fund services, except compulsory social security services (CPC812) (i) Direct insurance (A) Life insurance and pension fund services (CPC8121) Life insurance services (CPC81211) (B) Non-life insurance services (CPC8129)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section. The management body of an insurance joint-stock company with foreign capital participation may include citizens of foreign countries in proportion to the foreign participation, but not more than half of the members of the management group; the head of the management of a subsidiary or an independent company must permanently reside in Estonia.	
(ii) Reinsurance and retrocession	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(iii) Insurance intermediation, such as brokerage and agency	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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
(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
B. Banking and Other Financial Services as defined in the "Annex on Financial Services"			
(v) Acceptance of deposits and other repayable funds from the public	1) Requirement of authorisation by <i>Eesti Pank</i> and registration under Estonian Law as a joint stock company, a subsidiary or a branch. 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction (vii) Financial leasing (viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (ix) Guarantees and commitments	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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>(x) Trading for own account or for account of customers, whether on an exchange, in an over-the counter market or otherwise, the following:</p> <p>(a) money market instruments (including cheques, bills, certificates of deposits);</p> <p>(b) foreign exchange</p> <p>(c) derivative products including, but not limited to, futures and options;</p> <p>(d) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements;</p> <p>(e) transferable securities;</p> <p>(f) other negotiable instruments and financial assets, including bullion</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
xi) Participation in issues of all kind of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>xii) Money broking</p> <p>xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</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
xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisition and on corporate restructuring and strategy	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
8. HEALTH SERVICES AND SOCIAL SERVICES (CPC Division 93)	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section.	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section. Professionals trained outside Estonia are required to present a certificate of auxiliary training courses of Tartu University. This requirement also applies to Estonian nationals trained abroad.	
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotel and Restaurant Services (CPC Division 641-643)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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. Travel Agency and Tour Operator Services (CPC 7471) (Tour Guide Services included)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Tourist Guide Services (CPC 7472)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (CPC Division 96; does not include CPC 96199)	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section	1) Unbound 2) None 3) Unbound 4) Unbound, except as provided in the horizontal section	
Cinema theatre operation services (CPC 96199) (The service specified constitutes only part of the total range of activities covered by the CPC concordance)	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) Unbound 2) Unbound 3) None 4) None	
11. TRANSPORT SERVICES			
A. Maritime Transport Services			
d) Maintenance and Repair of Vessels (CPC 8868)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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. Air Transport Services			
d) Maintenance and Repair of Aircraft (CPC 8868)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
- Sales and Marketing	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
E. Rail Transport Services			
d) Maintenance and Repair of Rail Transport Equipment (CPC 8868)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
F. Road Transport Services			
a) Maintenance and Repair of Road Transport Equipment (CPC 6112+8867)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
- International Truck transport services	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

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. Services Auxiliary to All Modes of Transport			
a) Cargo Handling Services (CPC 741)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
b) Storage and Warehouse Services (CPC 742)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	
c) Freight Transport Agency Services (CPC 748) and Other Auxiliary Transport Services, In Particular Freight Inspection Services (part of CPC 749)	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section	

REPUBLIC OF ESTONIA

List of Article II MFN Exemptions

Sector or subsector	Descriptions of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	The nationals of countries other than Estonia are given preferential treatment when granting permits for entry, stay, and work in Estonia to natural persons providing services (other than essential persons as defined in I Horizontal Commitments in the Schedule of Specific Commitments of Estonia on trade in services) on the basis of reciprocity established by agreements between Estonia and these countries.	All countries with whom labour market integration may be mutually desirable.	Indefinite.	To further liberalise the conditions of entry, stay, and work of natural persons belonging to the citizenship of countries with whom Estonia may need free movement of labour to achieve flexibility in the Estonian services-related labour market.
Audiovisual services - Production and distribution of audiovisual works through broadcasting or other forms of transmission to the public	Measures which define works of European origin, in such a way as to extend national treatment to audiovisual works which meet certain linguistic and origin criteria regarding access to broadcasting or similar forms of transmission.	Parties to the Council of Europe convention on Transfrontier Television or other European countries with whom an agreement may be concluded.	Indefinite. Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed.	The measures aim, within the sector, to promote cultural values both within EC Member States, and with other countries in Europe, as well as achieving linguistic policy objectives.
Audiovisual Services -Production and distribution of cinematographic works and television programmes	Measures based upon government-to-government framework agreements, and plurilateral agreements, on co-production 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 co-operation may be desirable.	Indefinite.	The aim of these agreements is to promote cultural links between the countries concerned.
Audiovisual Services - Production and distribution of television programmes and cinematographic works	Measures granting the benefit of any support programmes (such as Action Plan for Advanced Television Services, MEDIA or EURIMAGES) to audiovisual works, and suppliers of such works, meeting certain European origin criteria.	European countries.	Indefinite. Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed.	These programmes aim at preserving and promoting the regional identity of countries within Europe which have long standing cultural links.

REFERENCE PAPER

(Additional Commitments by Estonia in Trade in Telecommunication Services from the year 2003)

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.

1. Competitive Safeguards

1.1 Prevention of Anti-Competitive Practices in Telecommunications

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

1.2 Safeguards

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

- (a) engaging in anti-competitive cross-subsidisation;
- (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.

2. Interconnection

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

2.2 Interconnection to be Ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided¹

- (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.

2.3 Public Availability of Procedures for Interconnection Negotiations

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

2.4 Transparency of Interconnection Arrangements

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

2.5 Interconnection: Dispute Settlement

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

- (a) at any time or
- (b) after reasonable period of time which has been made publicly known

¹ Suppliers of services or networks not generally available to the public, such as closed user groups, have guaranteed rights to connect with the public telecommunications transport network or services on terms, conditions and rates which are non-discriminatory, transparent and cost-oriented. Such terms, conditions and rates may vary from the terms, conditions and rates applicable to interconnection between public telecommunications networks or services.

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal Service

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

4. Public Availability of Licensing Criteria

Where a license 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 licenses.

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

5. Independent Regulators

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

6. Allocation and Use of Scarce Resources

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