GATS Negotiations: Revised offer from ICELAND

At the July meeting in 2004, Members agreed that revised offers in services should be submitted by May 2005.

Iceland hereby submits its revised offer in the framework of the ongoing services negotiations under the General Agreement on Trade in Services (GATS) and in the context of the Doha Development Agenda (DDA).

The modifications to the consolidated Schedule of Specific Commitments are inscribed as outlined in the editorial conventions contained in the following documents from the Secretariat; JOB(05)/6 and JOB(02)/88.

Consistent with GATS Article I.3, this offer does not include services supplied in the exercise of governmental authority.

Furthermore, pursuant to Article VI of the GATS, Iceland reserves the right to establish, maintain and fully exercise its national legislation in order to meet national policy objectives.

This offer is conditional upon satisfactory commitments being received from other negotiating partners. Iceland reserves the right to withdraw, modify, extend or reduce this offer in whole or part, at any time prior to the conclusion of the negotiations. Iceland further reserves the right to make technical amendments to this offer and make corrections to rectify any errors or inaccuracies as well as to clarify and interpret the terms and conditions of this offer.

ICELAND – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: (1) Cro	oss-border supply (2) Consumption abroad	(3) Commercial presence (4) Prese	ence of natural persons
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL CO	MMITMENTS		
ALL SECTORS INCLUDED IN THIS SCHEDULE	3) All foreign investment and currency transfers must be reported to the Central Bank of Iceland for statistical purposes Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland. Investment by non-residents in the manufacturing industry, other than power intensive industry, trade services, communications and fish farming may not exceed 25% of the total investment of the relevant sector without special permission.	3) Treatment accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State or an EFTA Member State and having their registered office, central administration or principal place of business within an EEA Member State or an EFTA Member State may not be extended to branches or agencies established in an EEA Member Stat or an EFTA Member State by a third-country company Treatment less favourable may be accorded to subsidiaries of a third-country company formed in accordance with the law of an EEA Member State having only their registered office in the territory of an EEA Member State unless if they show that they possess an effective and continuous link with the economy of one of the EEA Member States or an EFTA Member State	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Total investment by a non-resident or the joint investment of financially related non-residents in enterprises in the abovementioned sectors may not exceed 250 mill. ISK within a year unless a special concession is given		
		The majority of founders of limited liability companies must be resident in Iceland unless exempted from this requirement by the Ministry of Commerce. Citizens of other EEA and EFTA Member States are exempted from the residency requirement	
	All foreign investment of a Foreign State or companies/organizations owned by a Foreign State requires a special concession of the Ministry of Commerce	Managers and the majority of the members of the board of directors in all domestic enterprises must be domiciled resident in Iceland unless exempted from this requirement by the Ministry of Commerce. Citizens of other EEA and EFTA Member States are exempted from the residency requirement	
	Non-residents cannot conclude an agreement on real-estate lease without the permission of the Ministry of Justice if the lease is for a period exceeding three years and not for use in conducting its normal business activities	At least one of the auditors of an Icelandic limited liability company must be a resident in Iceland or a competent resident CPA company	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Non-residents may only acquire real estate in conjunction to their business activities and can only obtain ordinary proprietary rights linked to the real estate. Non-residents are thus excluded from obtaining full property rights of real estate if unusual rights are linked to it, such as exploitation rights as regards waterfalls, geothermal energy, etc Contracts concerning ownership and long-term use of real-estate by non-residents are not valid until the Ministry of Justice has endorsed it in writing Non-residents, natural as well as legal persons, involved in trade in goods or reputal of wideos, need a trade negative but	Non-residents may only acquire real estate in conjunction to their business activities and can only obtain ordinary proprietary rights linked to the real estate. Non-residents are thus excluded from obtaining full property rights of real estate if unusual rights are linked to it, such as exploitation rights as regards waterfalls, geothermal energy, etc Contracts concerning ownership and long-term use of real-estate by non-residents are not valid until the Ministry of Justice has endorsed it in writing	
	rental of videos, need a trade permit but such regulated trade licences are required for both Icelandic and non-resident providers of service		
	All provision of services by natural persons, as self-employed or taking part in a business enterprise with unlimited liability, needs a concession, by the Ministry of Commerce, if the persons involved are non-residents		

Modes of supply:	(1) Cross-border supply	(2) Consumption abroad	(3) Commercial presence	(4) Presence of natural persons
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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Movement of Personnel	Movement of Personnel	
All sectors: Movement of personnel	Temporary entry of service providers	Temporary entry of service providers	
	4) Unbound except the temporary entry of the following service providers as intra-corporate transferees, which Iceland shall permit without requiring compliance with labour market tests: Executives: persons who primarily direct the management of the organization covered by the agreement and establish its goals and generally have a wide decision-making authority. Executives would not necessarily perform tasks related to the actual provision of the service. Managers: persons who direct the Organization covered by the agreement or its department and are in a senior level responsible of the service providing functions of the organization by supervising and controlling and having also authority to hire and fire personnel or recommend such and other personnel	4) None for the categories offered under market access. Unbound except for measures concerning the categories of natural persons referred to in the market access column.	
	actions.		

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Specialists: persons within the organization who possess knowledge at an advanced level of expertise or otherwise essential or proprietal to the organization's service, research equipment, techniques or management.		
All sectors: Subsidies	Service sellers: persons who as representatives of a service provider covered by the agreement are seeking temporary entry for purposes of negotiation for the sale of services or entering into agreements to sell services for that service provider, where this selling activity is not directed to the general public. Subsidies ¹	<u>Subsidies</u> ¹	
(The issue of a definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS).	3) None	3) Eligibility for subsidies may be limited to juridical persons established within the territory of Iceland. Subsidies related to research and development are unbound.	
	4) None	4) Subsidies available only to natural persons may be limited to Icelandic citizens.	

¹ The definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS.

Sector or Sub-sector		Limitations on Market Access	Limitations on National Treatment	Additional Commitments				
II. SECTOR SPECIFIC COMMITMENTS								
1.	BUSINESS SERVICES							
A.	Professional Services							
	Legal Services (Applicable parts of CPC 861)							
	- Legal advice activities on home country law	 None None Mone Members of the General Bar Association of Iceland have an exclusive right to represent clients before courts in Iceland. 	 2) None 1),3), Unbound 4) Unbound except as indicated in the horizontal section. Icelandic law exam or an equivalent thereto 	e				
		4) Unbound except as indicated in the horizontal section. Members of the General Bar Association of Iceland have an exclusive right to represent clients before all the major courts in Iceland.	-	,				
	- Legal advice on international law and foreign legal consultancy	 None None None Unbound except as indicated in the horizontal section 	1) None 2) None 3) None 4) None					

Secto	or or Sub-sector	Limitations on Market Access		Limit	ations on National Treatment	Additional Commitments
(b)	Accounting, auditing and book- keeping services (CPC 862)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section. Requirement of residence. Icelandic exam for certified accountants required subject to exemption by the Minister of Finance.	1) 2) 3) 4)	None None None None Icelandic exam for certified accountants (CPA's) required or an equivalent thereto subject to exemption by the Minister of Finance.	
(c)	Taxation services (CPC 863)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(d)	Architectural services (CPC 8671)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(e)	Engineering services (CPC 8672)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	

Secto	or or Sub-sector	Limitations on Market Access		Limit	ations on National Treatment	Additional Commitments
(f)	Integrated Engineering services (CPC 8673)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None None	
(g)	Urban planning and landscape architectural services (CPC 8674)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(i)	Veterinary services (CPC 932)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section. Number of veterinarians in rural districts is limited.	1) 2) 3) 4)	None None Ability in the Icelandic language required. Ability in the Icelandic language required.	
(k)	Other	1) 2) 3) 4)	 None None None Unbound except as indicated in the horizontal section 	1) 2) 3) 4)	- None - None - None - None	

Sector or Sub-sector		Limitations on Market Access	Limitations on National Treatment Additional Commitments
B.	Computer and Related Services		
(a)	Consultancy services related to the installation of computer hardware (CPC 841)	 None None None Unbound except as indicated in the horizontal section 	1) None 2) None 3) None 4) None
(b)	Software development (including software implementation) CPC 842)	 None None None Unbound except as indicated in the horizontal section 	1) None 2) None 3) None 4) None
(c)	Data processing services (CPC 843)	 None None None Unbound except as indicated in the horizontal section 	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None
(d)	Data base services (CPC 844)	 None None None Unbound except as indicated in the horizontal section 	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None

Sector	r or Sub-sector	Limitations on Market Access		Limit	ations on National Treatment	Additional Commitments
(e) C.	Other - Maintenance and repair services of office machinery and equipment including computers (CPC 845) - Other computer services (CPC 849) Research and development	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	Concession needed if personal-data is to be processed outside Icelandic jurisdiction None None None	Commitments
	<u>Services</u>					

Secto	or or Sub-sector	Limitations on Market Access		Limit	ations on National Treatment	Additional Commitments
(a)	R&D services on Natural Sciences (CPC 851)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	3),4)	A license is needed for the importation of research equipment. Natural history specimens must not be exported from the country unless permitted by the Icelandic Institute Museum of Natural History ("Náttúrufræðistofnun Íslands"). None. No foreigners are permitted to undertake scientific research work in the field of natural sciences without having first obtained a research permit issued by the Icelandic Council of Science field of natural sciences without having first obtained a research permit issued by the Icelandic Council of Science	
(b)	R&D services on social sciences and humanities (CPC 852)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	3),4)	Archaeological finds must not be exported from the country unless permitted by the National Archaeological Museum Council ("Þjóðminjaráð") ("Safnaráð") All archaeological research whether by Icelandic or foreign researchers is subject to a permit granted by the Icelandie Archaeological Preservation Agency Committee ("fornleifanefnd") ("Fornleifanefnd ríkisins")	

Secto	or or Sub-sector	Limit	ations on Market Access	Limitations on National Treatment		Additional Commitments
(c)	Interdisciplinary R&D services (CPC 853)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None None	
D.	Real Estate Services					
(a)	Real estate services involving own or leased property (CPC 821)	1) 2) 3) ,4) 4)	None None Deposits or liability insurance to cover loss caused to clients. All licenses to provide services on sales of real estate are personal authorizations. Unbound except as indicated in the horizontal section	1) 2) 3),4)	None None Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	
(b)	On a Fee or Contract basis (CPC 822)	1) 2) 3) ,4) 4)	None None Deposits or liability insurance to cover loss caused to clients. All licences to provide services on sales of real-estate are personal authorization. Unbound except as indicated in the horizontal section	1) 2) 3),4)	None None Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	

Secto	or or Sub-sector	Limita	ations on Market Access	Limit	ations on National Treatment	Additional Commitments
E.	Rental/Leasing Services without Operators	1) 2) 3)	None None Leasing services must be provided either by corporation with a limited liability (leasing companies) or registered commercial banks or savings banks	1) 2) 3)	None None Majority of the board of a leasing company shall be resident in Iceland. The manager shall be resident in Iceland and a citizen of a Nordic Country.	
		4)	Unbound except as indicated in the horizontal section	4)	None	
(a)	Relating to ships (CPC 83103)	1) 2) 3)	None None To be registered in the ship register the ship must be owned by Icelandic natural or juridical persons who are resident in Iceland. Further nationality restrictions on fishing vessels.		None None None	
(b)	Relating to aircraft (CPC 83104)	1) 2)	Unbound except as indicated in the horizontal section None None	1) 2)	None None	
		4)	To be registered in the aircraft register the aircraft must be owned by Icelandic natural or juridical persons resident in Iceland Unbound except as indicated in the horizontal section	4)	None	

Secto	or or Sub-sector	Limitations on Market Access		Limi	tations on National Treatment	Additional Commitments
(c)	Relating to other transport equipment (CPC 83101 + 83102 + 83105)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None Residency requirement for car rental services Residency requirement for car rental services	
(d)	Relating to other machinery and equipment (CPC 832) (CPC 83106 - 83109)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(e)	Other (CPC 832)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
F.	Other Business Services					
(a)	Advertising services (CPC 871)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence

Secto	or or Sub-sector	Limi	tations on Market Access	Limi	tations on National Treatment	Additional Commitments
(b)	Market research and public opinion polling services (CPC 864)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	Concession needed if personal data is to be processed outside Icelandic jurisdiction None None None	
(c)	Management consulting services (CPC 865)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(d)	Services related to man. consulting (CPC 866)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(e)	Technical testing and analysis services (CPC 8676)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(f)	Services incidental to agriculture, hunting and forestry (CPC 881)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	

Modes of supply: (1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Secto	or or Sub-sector	Limit	tations on Market Access	Limit	tations on National Treatment	Additional Commitments
(i)	Services incidental to manufacturing (CPC 884 + 885 /except for 88442)	1) 2) 3) 4)	None None None Unbound except as indicated in the	1) 2) 3) 4)	None None None	
	•	.,	horizontal section	.,		
(k)	Placement and	1)	None	1)	None	
	supply services of	2)	None	2)	None	
	personnel (CPC 872)	3) 4)	None Unbound except as indicated in the horizontal section	3) 4)	None None	
(m)	Related scientific	1)	None	1)	None	
	and technical	2)	None	2)	None	
	consulting services	3)	None	3)	None	
	(CPC 8675)	4)	Unbound except as indicated in the horizontal section	4)	None	
(n)	Maintenance and	1)	None	1)	None	
` '	repair of equipment	2)	None	2)	None	
	(CPC 633+8861-	3)	None	3)	None	
	8866; not including maritime vessels, aircraft or other transport equipment)	4)	Unbound except as indicated in the horizontal section	4)	None	
(o)	Building-cleaning	1)	None	1)	None	
•	services (CPC 874)	2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Secto	r or Sub-sector	Limitations on Market Access		Limit	tations on National Treatment	Additional Commitments
(p)	Photographic	1)	None	1)	None	
	services (CPC 875)	2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
(q)	Packaging services	1)	None	1)	None	
	(CPC 876)	2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
(r)	Printing, and	1)	None	1)	None	
	publishing (CPC	2)	None	2)	None	
	88442)	3),4)	Nationality or FResidency requirement of at least one year for publishing of newspapers or magazines within the national territory. Nationality and FResidency requirement for editors	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
(s)	Convention	1)	None	1)	None	
	services (CPC	2)	None	2)	None	
	87909)	3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section.	4)	None	

Secto	or or Sub-sector	Limi	itations on Market Access	Limit	eations on National Treatment	Additional Commitments
	OMMUNICATION VICES					
C. <u>T</u>	elecommunication ces					
(a) (b) (c) (d) (e)	Voice telephony Packet-switched data transmission services Circuit-switched data transmission services Telex services Telegraph services	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	Iceland undertakes additional commitments as contained in the attachment, all parts of which are equally binding.
(f) (g) (o)	Facsimile services Leased circuit services Other Mobile and personal communications services and systems					

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Sector or Sub-sector		Limitations on Market Access		Limit	ations on National Treatment	Additional Commitments
	Value-added	1)	None	1)	None	
	services ²	2)	None	2)	None	
	Electronic mail,	3)	None	3)	None	
	Voice mail, On-	4)	Unbound except as indicated in the	4)	None	
	line information		horizontal section			
	and Data Base					
	Retrieval,					
	EDI, Code and					
	Protocol					
	Conversion					
3.	CONSTRUCTION					
	AND RELATED					
	ENGINEERING					
	SERVICES					
A.	General	1)	None	1)	None	
	Construction Work	2)	None	2)	None	
	for Buildings (CPC	3)	None	3)	None	
	512)	4)	Unbound except as indicated in the horizontal section.	4)	None	
B.	<u>General</u>	1)	None	1)	None	
	Construction Work	2)	None	2)	None	
	for Civil	3)	None	3)	None	
	Engineering (CPC	4)	Unbound except as indicated in the	4)	None	
	513)		horizontal section			

² Excludes voice telephony, telegraph, telex, packet and circuit switched data services, mobile radiotelephony, paging and satellite services.

Secto	or or Sub-sector	Limitations on Market Access			ations on National Treatment	Additional Commitments
C.	Installation and Assembly Work (CPC 514+516)		2	1) 2) 3) 4)	None None None None	
D.	Building Completion and Finishing Work (CPC 517)		2	1) 2) 3) 4)	None None None	
4.	DISTRIBUTION SERVICES (excluding trade in arms, alcoholic beverages, tobacco and pharmaceutical products)					
A.	Commissions Agents' Services (CPC 621)		2	1) 2) 3) 4)	None None None	
В.	Wholesale Trade Services (CPC 622)		2	1) 2) 3) 4)	None None None	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Secto	r or Sub-sector	Limit	ations on Market Access	Limit	ations on National Treatment	Additional Commitments
C.	Retailing Services	1)	None	1)	None	
	(CPC 631+632	2)	None	2)	None	
	6111 + 6113 +	3)	None	3)	None	
	6121)	4)	Unbound except as indicated in the horizontal section	4)	None	
D.	Franchising (CPC	1)	None	1)	None	
	8929)	2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
E.	Other	1)	- None	1)	- None	
		2)	- None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
	NVIRONMENTAL VICES					
A.	Sewage Services	1)	Unbound*	1)	Unbound*	
	(CPC 9401)	2)	None	2)	None	
	,	3) ,4)	Environmental operation license required	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	

^{*} Unbound due to lack of technical feasibility.

Sect	or or Sub-sector	Limitations on Market Access		Limit	tations on National Treatment	Additional Commitments
B.	Refuse Disposal	1)	Unbound*	1)	Unbound*	
	Waste (CPC 9402)	2)	None	2)	None	
		3) ,4)	Environmental operating license required	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
C.	Sanitation and	1)	Unbound*	1)	Unbound*	
	Similar	2)	None	2)	None	
	Services (CPC	3)	None	3)	None	
	9403)	4)	Unbound except as indicated in the horizontal section	4)	None	
D.	Other (CPC 9409)	1)	Unbound*	1)	Unbound*	
		2)	None	2)	None	
		3) ,4)	Environmental operating license required	3)	None	
		4)	Unbound except as indicated in the horizontal section.	4)	None	

Modes of supply: (1) Cr	oss-border supply (2) Consumption abroad	(3) Commercial presence (4) Pres	ence of natural persons						
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments						
7. FINANCIAL SERV	TICES								
(i) Iceland undertakes (the Understanding).									
(ii) Market access comparagraphs 3 and 4 of the U	nitments with respect to modes 1) and 2) and by finderstanding.	bound in this Schedule to the extent of the obl	igations in B.3 and B.4						
A. <u>Insurance and</u> <u>Insurance related Services</u>	1) The supply of direct insurance is reserved for Icelandic insurance undertakings or authorized insurance undertakings from another EEA and EFTA Member State. The supply of insurance broker services is reserved for insurance brokers authorized by the Ministry of Commerce or insurance brokers authorized by competent authorities of another EEA Member State or an EFTA Member State.	1) None							

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	2) None	2) None	
	3) Insurance undertakings not established in an EEA Member State or an EFTA Member State require authorization to establish branch offices in Iceland.	The majority of the founders Founders of an insurance undertaking must be Icelandic residents or legal entities registered in Iceland, citizens of another EEA or EFTA Member State residing in an EEA or EFTA Member State or legal entities registered in an EEA or EFTA Member State.	
		Managers and board members of insurance undertakings shall be resident in Iceland. Citizens of other EEA and EFTA Member States are exempted from the residency requirement. The Minister of Commerce may grant exemptions from this requirement.	

Modes of supply:	(1) Cross-border supply	(2) Consumption abroad	(3) Commercial presence	(4) Presence of natural persons
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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Any investor, whether resident or non-resident, who acquires or intends to acquire a qualifying holding in an insurance undertaking must give advance notice to the Insurance Financial Supervisory Authority. The Authority may refuse the acquisition or the exercise of ownership if it believes that the acquisition will affect the sound functioning of the enterprise.	Branch offices of non-EEA insurance undertakings must be managed by a resident agent. Insurance brokers must be resident in Iceland or citizens or legal entities of another EEA Member State or an EFTA Member State residing in an EEA Member State or an EFTA Member State. The Minister of Commerce may grant exemptions from this requirement.	
	4) Unbound except as indicated in the horizontal section.	4) None	
B. Banking and Other Financial Services (excluding insurance)	 None None Credit institutions and undertakings engaged in securities services established in a non-EEA Member State or an EFTA Member State can establish a branch or a representative office, 	 Domestic financial institutions shall inform the Central Bank of Iceland of the balances of service providers' accounts held by non- residents. None A founder of a credit institution shall be a natural or legal person resident in Iceland. The Minister of Commerce can grant exemptions from this requirement. Citizens and legal persons of other EEA and 	
	subject to authorization by the Financial Supervisory Authority, FME. Ministry of Commerce.	EFTA Member States are exempted from the residency requirement	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Credit institutions and undertakings engaged in securities services can only be established as companies with limited liability. Commercial banks and savings banks have exclusive rights to accept deposits and other repayable funds from the public. Public issue of securities shall be conducted by securities undertakings or other parties authorized to provide such services.	Managers and the majority of the board members of credit institutions and undertakings engaged in securities services and UCITS shall be resident in Iceland. Citizens of other EEA and EFTA Member States are exempted from the residency requirement. The Minister of Commerce may grant citizens of non-EEA Member States or non-EFTA Member States the same exemptions. Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland.	
	4) Unbound except as indicated in the horizontal section.	4) None	

Secto	Sector or Sub-sector		ations on Market Access	Limit	ations on National Treatment	Additional Commitments
TRA	OURISM AND VEL RELATED VICES					
	Hotels and nurants (including ing) (CPC 641-643)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None Condition of licenses is one year previous residency Condition of licenses is one year previous residency	
В.	Travel Agencies and Tour Operators (CPC 7471)	1) 2) 3) ,4) 4)	None None Deposits or liability insurance to cover loss caused to clients <i>due to bankruptcy</i> Unbound except as indicated in the horizontal section	1) 2) 3),4)	None None Condition of licenses is one year previous residency of the manager	
C.	Tourist Guides Services (CPC 7472)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None The right to exercise the profession is reserved for resident authorized tourist guides. Foreign Nonresident tourist guides may be granted temporary work permit license on ad hoc basis.	

Sector	r or Sub-sector	Limit	ations on Market Access	Limit	ations on National Treatment	Additional Commitments
10.	RECREATIONAL CULTURAL AND SPORTING SERVICES (other than audiovisual services)					
A.	Entertainment Services (including theatre, live bands and circus services) (CPC 9619)	1) 2) 3) 4)	None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None Targeted financial support to specific local, regional or national activities. None	
В.	News Agency Services (CPC 962)	1),2),3	B)None other than access to management functions is subject to discretionary authorizations by competent authorities Condition of nationality and residency for the editor of a paper or magazine. Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	

Sector	r or Sub-sector	Limit	ations on Market Access	Limit	ations on National Treatment	Additional Commitments
C.	Libraries, Archives, Museums and other Cultural Service (CPC 963)	1) 2) 3)	None None None	1) 2) 3)	None None Targeted financial support to specific local, regional or national activities	
		4)	Unbound except as indicated in the horizontal section	4)	None	
D.	Sporting and other Recreational Services (CPC 964)	1) 2) 3) ,4) 4)	None None Gambling, coin machines and like activities are subject to licensing. Professional Boxing is illegal but amateur boxing is allowed in Iceland. Unbound except as indicated in the horizontal section	1) 2) 3)	None None Targeted financial support to specific local, regional or national activities None	
E.	- Other	1) 2) 3)	None None None	1) 2) 3) specif	None None Targeted financial support to ic local, regional or national activities	
		4)	Unbound except as indicated in the horizontal section	4)	- None	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
A. Maritime Transport Services International transport (freight and passengers) CPC 7211 and 7212 including Cabotage transport 1).	 None None None Establishment of a registered company for the purpose of operating a fleet under Icelandic flag: Unbound except as indicated in the horizontal section. Other forms of commercial presence 2): None. Ships' crew: Unbound except as indicated in the horizontal section. Key personnel employed in relation to a commercial presence as defined under mode 3(b) above: Unbound except as indicated in the horizontal section. 	1) None 2) None 3)(a) Unbound (b) None 4)(a) Unbound (b) Unbound	

Sector	or Sub-sector	Limitations on Market Access	Limit	tations on National Treatment	Additional Commitments
	Maritime Auxiliary Services				
-	Maritime Cargo Handling Services 3)	 None None None Unbound, except as indicated in the horizontal section 	1) 2) 3) 4)	None None None	
-	Storage and Warehousing Services (CPC 742); Customs Clearance Services 4); Container Station and Depot 5)	 Unbound* None None Unbound, except as indicated in the horizontal section 	1) 2) 3) 4)	Unbound* None None None	
-	Maritime Agency Services 6); Freight Forwarding Services 7)	 None None None Unbound, except as indicated in the horizontal section 	1) 2) 3) 4)	None None None	
-	Other Supporting and Auxiliary Transport Services 8)	 None None None Unbound, except as indicated in the horizontal section 	1) 2) 3) 4)	None None None	

^{*} A commitment on this mode of delivery is not feasible.

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Auxiliary Services as required by Maritime Transport Operators:			The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:
			1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling, watering 4. Garbage collecting, ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based
			operational services essential to ship operations, incl. communications, water, electrical supplies 8. Emergency repair facilities 9. Anchorage, berth,
			berthing services 10. Container handling, storage and warehousing, freight transport.

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			Where road, coastal
			shipping and related
			auxiliary services are
			not otherwise fully
			covered in this
			schedule, a multimodal
			transport operator shall
			have the ability to rent,
			hire or charter trucks
			and related equipment
			for the purpose of
			inland forwarding of
			international cargoes
			carried by sea, or have
			access to and use of
			such multimodal
			activities for the
			purpose of providing
			multimodal transport
			services.

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Air Transport</u> <u>Services</u>			
Maintenance and repair of aircraft and parts thereof	 Unbound* None None Unbound except as indicated in the horizontal section 	1) Unbound* 2) None 3) None 4) None	
Sales and marketing	1) None2) None3) None	 For distribution through CRS of air transport services provided by CRS parent carrier: unbound None None For distribution through CRS of air transport services provided by CRS parent carrier: unbound None 	
	4) Unbound except as indicated in the horizontal section	4) None	

^{*} Unbound due to lack of technical feasibility

Sector or Sub-sector Limitations on Market A		ations on Market Access	s Limitations on National Treatment			
	Computer Reservations System	1)	None	1)	For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of	
		2) 3)	None None	2) 3)	one or more third countries: unbound None None For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: None	
		4)	Unbound except as indicated in the horizontal section	4)	None	
F.	Road Transport Services					
(a)	Passenger transportation (CPC 7121 + 7122)	1) 2) 3) ,4) 4)	None None Authorization required for commercial land transport services. Numerical quotas may be imposed as well as exclusive licenses for certain areas or routes. Unbound except as indicated in the horizontal section	1) 2) 3)	None None None	
(b)	Freight transportation (CPC 7123)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Secto	or or Sub-sector	Limi	tations on Market Access	Limi	tations on National Treatment	Additional Commitments
(c)	Rental of commercial vehicles with operator (CPC 7124)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None None	
(d)	Maintenance and repair of road transport equipment (CPC 6112+8867)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
(e)	Supporting services for road transport services (CPC 744)	1) 2) 3) 4)	None None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	None None None	
Н.	Services auxiliary to all modes of transport					
(b)	Storage and warehousing services (CPC 742)	1) 2) 3) 4)	Unbound* None None Unbound except as indicated in the horizontal section	1) 2) 3) 4)	Unbound* None None None	

^{*} Unbound due to lack of technical feasibility.

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Secto	or or Sub-sector	Limitations on Mar	ket Access Lim	itations on National Treati	nent Additional Commitments
(c)	Freight transport	1) None	1)	None	
	agency services	2) None	2)	None	
	(CPC 748)	3) None	(3)	None	
		4) Unbound exc horizontal sec	eept as indicated in the ction 4)	None	
d)	Other (CPC 749)	1) None	1)	None	
		2) None	2)	None	
		3) None	(3)	None	
			tept as indicated in the ction 4)	None	
<u>I.</u>	Other Transport	1) None	1)	None	
	Services	2) None	2)	None	
		3) None	3)	None	
		4) Unbound exc	eept as indicated in the 4)	None	
		horizontal section	•		

Additional Commitments by Iceland

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services underpinning the market access commitments by Iceland.

Definitions

<u>Users</u> mean service consumers and service suppliers.

<u>Essential facilities</u> mean facilities of a public telecommunications transport network and 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. <u>Competitive safeguards</u>

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 <u>Safeguards</u>

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.

2. <u>Interconnection</u>

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.

2.2 Interconnection to be ensured

Within the limits of permitted market access, 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 affiliates²,
- (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 the procedures for interconnection negotiations

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

2.4 Transparency of interconnection arrangements

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

2.5 Interconnection: dispute settlement

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

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

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

3. Universal service

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

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, however, vary from the terms, conditions and rates applicable to interconnection between public telecommunications networks or services.

² Different terms, conditions and rates may be set in Iceland for operators in different market segments, on the basis of non-discriminatory and transparent national licensing provisions, where such differences can be objectively justified because these services are not considered "like services".

4. <u>Public availability of licensing criteria</u>

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

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

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

5. <u>Independent regulators</u>

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.

ATTACHMENT

NOTES TO MARITIME TRANSPORT

"Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date. A "multimodal transport operator" means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

- 1. "Cabotage" is defined as maritime transport of goods and passengers between ports in Iceland.
- 2. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of the other Members to undertake locally all activities, which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the annex on telecommunications);
- (e) the setting of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.
- 3. "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:
- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

- 4. "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.
- 5. "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.
- 6. "Maritime agency services" means the activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines of shipping companies, for the following purposes:
- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.
- 7. "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.
- 8. "Other supporting and auxiliary transport services" means freight brokerage services; bill auditing and freight rate information services; transportation document preparation services; packing and crating and unpacking and de-crating services; freight inspection, weighing and sampling services; and freight receiving and acceptance services (including local pick-up and delivery).

ICELAND - 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
ALL SECTORS				
	Measures aimed at promoting Nordic cooperation such as: - guarantees and loans to investment projects and exports (The Nordic Investment Bank) - financial support to R&D projects (The Nordic Industrial Fund) - funding of feasibility studies for international projects (The Nordic Fund for Project Exports) - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Corporation).	Denmark, Finland, Iceland, Norway and Sweden (*) Applies to East European companies, which are co- operating with a Nordic company.	Indefinite	To maintain and develop Nordic Cooperation

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; transmission of audiovisual programmes	Measures that are adopted for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (no. 89/552) and which define programmes of European origin in order to extend national treatment to audiovisual programmes meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries parties to the EEA Agreement with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives
Audiovisual services; production and distribution of cinematographic works and television programmes	Measures that are adopted for the implementation of benefits in conformity with such support programmes as MEDIA and EURIMAGES to audiovisual programmes and suppliers to these programmes, meeting specific European origin criteria	European countries	Indefinite	Preservation and promotion of the regional identity of the countries concerned

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
	Support programmes for the production and distribution of cinematographic works and television programmes (The Nordic Film and TV Fund)	Denmark, Finland, Norway and Sweden	Indefinite	To maintain and develop Nordic cooperation
	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 cooperation may be desirable (agreements already exist, or are being negotiated, with the following countries: France, Canada)	Indefinite (The promotion of cultural links between countries cannot be time bound)	The aim of these agreements is to promote cultural links between the countries concerned

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
CRS and sales and marketing of air transport services	Provisions, whereby the obligations of CRS system vendors or of parent and participating air carriers shall not apply where equivalent treatment to that applied under Icelandic regulations is not accorded in the country of origin of the parent carrier or of the system vendor	All countries where a CRS system vendor or a parent air carrier is located	Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS