

ANNEX IV C

RESERVATIONS ON KEY PERSONNEL AND GRADUATE TRAINEES

(referred to in Article 81)

UNITED KINGDOM

1. The list of reservations below indicates the economic activities liberalised by the United Kingdom pursuant to Article 69 for which limitations on key personnel and graduate trainees in accordance with Article 81 apply and specifies such limitations. The lists are composed of the following elements:

- (a) A first column indicating the sector or sub-sector in which limitations apply.
- (b) A second column describing the applicable limitations.

The United Kingdom does not undertake any commitment for key personnel and graduate trainees in economic activities which are not liberalised (remain unbound) pursuant to Article 69.

2. In identifying individual sectors and sub-sectors:

- (a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 4, *ISIC REV 3.1*, 2002.
- (b) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, *CPC prov*, 1991.
- (c) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, *CPC ver 1.0*, 1998.

3. Commitments on key personnel and graduate trainees do not apply in cases where the intent or effect of their temporary presence is to interfere with or otherwise affect the outcome of any labour/management dispute or negotiation.

4. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures, and measures regarding employment, work and social security conditions when they do not constitute a limitation within the meaning of Article 67 of the Agreement. Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, need to have a legal domicile in the territory where the economic activity is performed, need to comply with national regulations and practices concerning minimum wages and with collective wage agreements in the host country), even if not listed, apply in any case to key personnel and graduate trainees of the other Party's investors. In accordance with Article 60(3) of the Agreement, the list below does not include measures concerning subsidies granted by the Parties.

5. The list below is without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.

6. In those sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation in the United Kingdom or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.

7. The rights and obligations arising from this list of reservations shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

Sector or sub-sector	Description of reservations
6. BUSINESS SERVICES	
E. Rental/Leasing Services without Operators	
(e) Relating to personal and household goods (CPC 832)	Nationality condition for graduate trainees Nationality condition for specialists
(f) Telecommunications equipment rental (CPC 7541)	Nationality condition for specialists and for graduate trainees.
F. Other Business Services	
(l) 3. Maintenance and Repair of motor vehicles, motor-cycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	For maintenance and repair of motor vehicles, motorcycles and snowmobiles, nationality condition for specialists and for graduate trainees
5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods <sup>(1)</sup> (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	Nationality condition for specialists and for graduate trainees
(r) 5. Duplicating services (CPC 87904) <sup>(2)</sup>	Nationality condition for specialists and for graduate trainees
16. TRANSPORT SERVICES	
A. Maritime transport	
(a) International passenger transportation (CPC 7211 less national cabotage transport) (b) International freight transportation (CPC 7212 less national cabotage transport) <sup>(3)</sup>	Nationality condition for ships' crews

<sup>1</sup> Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1 to 6.F.l) 4. Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer services.

<sup>2</sup> Does not include printing services, which fall under CPC 8842 and are to be found under 6.F p).

<sup>3</sup> Includes feeder services and movement of equipment by international maritime transport suppliers between ports located in the United Kingdom when no revenue is involved.

Sector or sub-sector	Description of reservations
17. SERVICES AUXILIARY TO TRANSPORT <sup>(1)</sup>	
<p>A. Services auxiliary to Maritime Transport</p> <p>(a) Maritime Cargo Handling Services</p> <p>(b) Storage and warehousing Services (part of CPC 742)</p> <p>(c) Customs Clearance Services</p> <p>(d) Container Station and Depot Services</p> <p>(e) Maritime Agency Services</p> <p>(f) Maritime Freight Forwarding Services</p> <p>(g) Rental of Vessels with Crew (CPC 7213)</p> <p>(h) Pushing and towing services (CPC 7214)</p> <p>(i) Supporting services for maritime transport (part of CPC 745)</p> <p>(j) Other supporting and auxiliary services (part of CPC 749)</p>	Nationality condition for crews for pushing, towing services, and for supporting services for maritime transport.
<p>B. Services auxiliary to internal waterways transport</p> <p>(e) Pushing and towing services (CPC 7224)</p> <p>(f) Supporting services for internal waterway transport (part of CPC 745)</p>	Nationality condition for crews
19. OTHER SERVICES NOT INCLUDED ELSEWHERE	
(a) Washing, Cleaning and Dyeing services (CPC 9701)	Nationality condition for specialists and for graduate trainees
(b) Hairdressing services (CPC 97021)	Nationality condition for specialists and for graduate trainees
(c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	Nationality condition for specialists and for graduate trainees
(d) Other beauty treatment services n.e.c (CPC 97029)	Nationality condition for specialists and for graduate trainees
(e) Spa services and non therapeutic massages, to the extent that they are provided as relaxation physical well-being services and not for medical or rehabilitation purposes <sup>(2)</sup> (CPC ver. 1.0 97230)	Nationality condition for specialists and for graduate trainees

<sup>1</sup> Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.1) 1 to 6.F.1)4.

<sup>2</sup> Therapeutic massages and thermal cure services are to be found under 6.A.h) Medical services, 6.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (13.A and 13 C).