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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information concerning the entry into force of the Agreement renewing the Agreement for scientific and technological cooperation between the European Community and the Federative Republic of Brazil

The Agreement renewing the Agreement for scientific and technological cooperation between the European Community and the Federative Republic of Brazil, signed on 19 January 2004 ⁽¹⁾, has, in accordance with Article XII.1 thereof, entered into force on 30 October 2012. The renewal of the Agreement for a further period of five years, in accordance with Article XII.2 thereof, is effective as from 8 August 2012.

⁽¹⁾ OJ L 295, 11.11.2005, p. 38.

DECISION No 1/2012 OF THE JOINT CARIFORUM-EU COUNCIL
of 26 October 2012

on amending Annex IV to the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, by incorporating the commitments of the Commonwealth of The Bahamas

(2012/755/EU)

THE JOINT CARIFORUM-EU COUNCIL,

Having regard to the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part ⁽¹⁾ (hereinafter referred to as 'the Agreement'), and in particular Article 229 thereof,

Whereas:

- (1) The Agreement has been provisionally applied since 29 December 2008.
- (2) Article 63 of the Agreement provides for changes to be made to Annex IV by a decision of the CARIFORUM-EU Trade and Development Committee with a view to incorporating the schedule of commitments of The Commonwealth of the Bahamas in services and investment no later than six months after the signature of the Agreement.
- (3) Such negotiations were successfully concluded on 25 January 2010, and it has been agreed by the Trade and Development Committee that the schedule of commitments of The Commonwealth of the Bahamas should be incorporated into the Agreement by means of a Decision of the Joint CARIFORUM-EU Council.
- (4) It is therefore appropriate to amend Annexes IV E and IV F of the Agreement in order to introduce the commitments in services and investment for the Commonwealth of The Bahamas, to delete the exclusion of The Commonwealth of the Bahamas in point 3 of Annex IV E and in point 6 of Annex IV F, and to provide for the provisional application of those amendments until the entry into force of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

(1) Annex IV of the Agreement is hereby amended as follows:

(a) Annex IV E is amended as follows:

(i) point 3 is replaced by the following:

'3. This Schedule includes all CARIFORUM States, except Haiti, unless otherwise stated. Subject to reservations, limitations or exclusions applying to

all sectors, sub-sectors of A, B, C and D that are not listed are open in all Signatory CARIFORUM States without limitations on market access or national treatment. CARIFORUM States that are not listed in sub-sectors included in this list are, subject to reservations, limitations or exclusions otherwise applying to all sectors, open without limitations on market access or national treatment in these sub-sectors. All reservations, limitations or exclusions included in this Annex applicable to the CARIFORUM States and indicated as "CAF" therein are not applicable to The Bahamas.;

(ii) after the Schedule, the Appendix to Annex IV E — The Bahamas, as set out in Annex I to this Decision, is hereby added;

(b) Annex IV F is amended as follows:

(i) point 6 is replaced by the following:

'6. This Schedule includes all CARIFORUM States, except Haiti, unless otherwise stated.;

(ii) after the Schedule, the Appendix to Annex IV F — The Bahamas, as set out in Annex II to this Decision, is hereby added;

(2) all other provisions contained in points 1 to 9 of Annex IV E, and in points 1 to 11 of Annex IV F are applicable to The Bahamas.

Article 2

1. This Decision shall enter into force on the day of its adoption.

2. From the entry into force of this Decision and until the entry into force of the Agreement, the amendments to Annex IV E and IV F shall be provisionally applicable.

Done at Brussels, 26 October 2012.

For the CARIFORUM States
J. DEL CASTILLO SAVIÑÓN

For the EU Party
K. DE GUCHT

⁽¹⁾ OJ L 289, 30.10.2008, p. 3.

ANNEX I

Appendix to Annex IV E — The Bahamas

Sector or sub-sector	Description of reservations, limitations or exclusions
ALL SECTORS	Exchange control - Residents need to obtain approval by the Central Bank to operate foreign currency or Bahamian dollar accounts and to acquire foreign currency assets, pursuant the Exchange Control Regulations Act and Finance Regulations. Non-residents have a right to operate foreign currency accounts. - Resident juridical persons may receive approval to operate foreign currency accounts to cover expenses directly incurred in foreign currency. Both non-resident juridical persons and foreign nationals may be approved to operate Bahamian dollar accounts to satisfy recurring expenses in Bahamian dollars. - All applications for the abovementioned exchange control approvals must satisfy the requirements of The Bahamas' National Investment Policy in terms of the sectors and activities in which foreign investments are permitted. - For the purposes of exchange controls, a "resident" is either a citizen of The Bahamas, or a licensed juridical person, either foreign or domestic-owned, that is permitted to engage in transactions with other residents. A non-resident is either a foreign national or an juridical person that is not permitted to do business with residents, irrespective of whether a physical presence in The Bahamas is maintained.
	Land holding Foreign persons and juridical persons wishing to acquire real estate for commercial purposes must apply for a permit from the Investments Board. Foreign persons or juridical persons intending to acquire more than two contiguous acres of land for any purpose must obtain a permit from the Investments Board. Investment The Bahamas prohibits the exploration, exploitation and processing of radioactive materials, the recycling of nuclear fuel, the generation of nuclear energy, the transportation and storage of nuclear waste, the use and processing of nuclear fuel and regulation of its application for other purposes, as well as the production of heavy water. Investments by foreign persons, with a minimum capitalisation of USD 250 000, are approved by the National Economic Council (NEC) under terms of the National Investment Policy (NIP) on the basis of an economic needs and benefits test. Major criteria under the NIP include employment generation, skills development, regional development, local needs and environmental impacts. Joint ventures between Bahamian and foreign investors are also subject to NEC approval under the NIP on the basis of the economic needs and benefits tests outlined above.
A. AGRICULTURE, HUNTING, FORESTRY	
Agriculture and hunting (ISIC rev 3.1: 01)	None.
Forestry and logging (ISIC rev 3.1: 02)	None.
B. FISHING (ISIC rev.3.1: 05)	All vessels engaged in fishing within the Exclusive Economic Zone must be solely owned by Bahamian natural or juridical persons as indicated in the Fisheries Resource (Jurisdiction and Conservation) Act.

Sector or sub-sector	Description of reservations, limitations or exclusions
C. MINING AND QUARRYING	Certain activities in small scale mining may be reserved to Bahamian nationals. The Bahamas reserves the right to grant approval for private or public exploration, mining, processing, importation and exportation of minerals. The Bahamas reserves the rights in the exclusive economic zone, continental plateau and the seabed for prospecting and exploration.
Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10)	None.
Extraction of crude petroleum and natural gas (ISIC rev 3.1: 11)	None.
Mining of metal ores (ISIC rev 3.1: 13)	None.
Other mining and quarrying (ISIC rev 3.1: 14)	None.
D. MANUFACTURING	
Manufacture of food products and beverages (ISIC rev 3.1: 15)	None.
Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials (ISIC rev 3.1: 20)	The Bahamas reserves the right to adopt or maintain restrictions on small scale investment in this sector.
Manufacture of refined petroleum products (ISIC rev 3.1: 232)	None.
Manufacture of chemicals and chemical products other than explosives (ISIC rev 3.1: 24 excluding manufacture of explosives)	None.
Manufacture of machinery and equipment (ISIC rev 3.1:29)	The Bahamas reserves the right to adopt or maintain measures on investment in the production of weapons and ammunition.
Manufacture of furniture; manufacturing n.e.c. (ISIC rev 3.1: 36)	The Bahamas reserves the right to adopt or maintain restrictions on small scale investments in this schedule.

Sector or sub-sector	Description of reservations, limitations or exclusions
E. PRODUCTION, TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER (excluding nuclear-based electricity generation)	
Production of electricity; transmission and distribution of electricity on own account (part of ISIC rev 3.1: 4010) ⁽¹⁾	Unbound.
Manufacture of gas; distribution of gaseous fuels through mains on own account (part of ISIC rev 3.1: 4020) ⁽²⁾	Unbound.
Production of steam and hot water; distribution of steam and hot water on own account (part of ISIC rev 3.1: 4030) ⁽³⁾	Unbound.

⁽¹⁾ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

⁽²⁾ Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

⁽³⁾ Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.'

ANNEX II

'Appendix to Annex IV F — The Bahamas

Sector or sub-sector	Limitations on market access	Limitations on national treatment
A. HORIZONTAL COMMITMENTS		
	All modes: Exchange control 1. Residents need to obtain approval by the Central Bank to operate foreign currency or Bahamian dollar accounts and to acquire foreign currency assets, pursuant the Exchange Control Regulations Act and Finance Regulations. Non-residents have a right to operate foreign currency accounts. 2. Resident juridical persons may receive approval to operate foreign currency accounts to cover expenses directly incurred in foreign currency. Both non-resident juridical persons and foreign nationals may be approved to operate Bahamian dollar accounts to satisfy recurring expenses in Bahamian dollars. 3. All applications for the abovementioned exchange control approvals must satisfy the requirements of The Bahamas' National Investment Policy in terms of the sectors and activities in which foreign investments are permitted.	All modes: Subsidies, fiscal incentives, scholarships, grants and other forms of domestic financial support may be restricted to Bahamian nationals or Bahamian-owned enterprises.
	4. For the purposes of exchange controls, a "resident" is either a citizen of The Bahamas, or a licensed juridical person, either foreign or domestic-owned, that is permitted to engage in transactions with other residents. A non-resident is either a foreign national or a juridical person that is not permitted to do business with residents, irrespective of whether a physical presence in The Bahamas is maintained.	
	Mode 3: Investments by foreign persons of a value greater than USD 250 000, are subject to approval by the National Economic Council (NEC) under terms of the National Investment Policy (NIP) on the basis of an economic needs and benefits test. Major criteria under the NIP include employment generation, skills development, regional development, local needs and environmental impacts. Joint ventures between Bahamian and foreign investors are also subject to NEC approval under the NIP on the basis of the economic needs and benefits tests outlined above.	Mode 3: Bahamian nationals and companies wholly owned by Bahamian nationals are exempt from real estate taxes on real estate in the Family Islands.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	Mode 3: Foreign persons and juridical persons wishing to acquire real estate for commercial purposes must apply for a permit from the Investments Board. Foreign persons or juridical persons intending to acquire more than five contiguous acres of land for any purpose must obtain a permit from the Investments Board.	Mode 3: Service suppliers that establish a commercial presence to provide a service on a one-time basis only, after which the commercial presence will be dissolved, are required to pay a licence fee of 1 % of the contract value at the beginning of the contract.
	Mode 4: Unbound except for key personnel (business visitors, managers and specialists and graduate trainees) not available locally. Under the Immigration Act and Regulations, a work permit must be obtained prior to entry into The Bahamas by foreign nationals intending to take up employment. Labour market tests are applied in determining whether such foreign workers are to be admitted.	
B. SECTOR-SPECIFIC COMMITMENTS		
1. BUSINESS SERVICES		
A. PROFESSIONAL SERVICES		
(a) Legal services		
Legal documentation and certification		
(CPC 86130)		
	1) None except that legal services in respect of domestic law are subject to a nationality condition.	1) None.
	2) None except that legal services in respect of domestic law are subject to a nationality condition.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
Consulting in home law of the service provider		
(CPC 86119)		
	1) None except that legal services in respect of domestic law are subject to a nationality condition.	1) None.
	2) None except that legal services in respect of domestic law are subject to a nationality condition.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(b) Accounting, auditing and book-keeping services		
Accounting and Auditing Services (CPC 8621)		
	1) Unbound.	1) None.
	2) None.	2) Unbound.
	3) None except that Bahamian licensed accountants must be used in respect of accounting and auditing services provided to Bahamian juridical persons.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(c) Taxation (CPC 863)		
	1) None.	1) None.
	2) None.	2) None.
	3) None except that Bahamian licensed specialists must be used in respect of tax services provided to Bahamian juridical persons.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(d) Architectural services (CPC 8671)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(e) Engineering services (CPC 86724, 86725)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(f) Integrated engineering services (CPC 8673)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(g) Urban planning and landscape architectural services		
Landscape architectural services (CPC 86742)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(h) Medical and dental services (CPC 9312)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Neurosurgery		
	1) Unbound.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Epidemiological services (CPC 931**)		
	1) Unbound.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Catscan services (CPC 931**)		
	1) Unbound.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(i) Veterinary services (CPC 932)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(j) Services provided by midwives, nurses, physiotherapists and paramedical personnel (CPC 93191)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
B. COMPUTER AND RELATED SERVICES		
(a) Consultancy services related to the installation of computer hardware (CPC 841)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound for services related to residential computer installations. None for commercial businesses	3) Unbound for services related to residential computer installations. None for commercial businesses
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(b) Software implementation services (CPC 842)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound for services related to residential computer installations. For computer installations in business establishments, joint ventures with Bahamian firms are permitted. None after 2013.	3) Unbound for services related to residential computer installations.
	4) None.	4) None.
(c) Data processing services (CPC 843)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in horizontal commitments. Subject to economic needs test for CSS.	4) Unbound except as indicated in horizontal commitments.
(d) Database services (CPC 844)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS.	4) Unbound except as indicated in the horizontal commitments.
(e) Other (CPC 849) (Data preparation services and other computer services n.e.c.)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound for home office equipment. For commercial equipment, subject to an economic needs test based on type of service.	3) Unbound for home office equipment.
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. RESEARCH AND DEVELOPMENT SERVICES		
(a) Research and development services in natural sciences and engineering (CPC 851)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS and IP.	4) Unbound except as indicated in the horizontal commitments.
(b) Research and development in social sciences and humanities (CPC 852)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Inter-disciplinary research and development services (CPC 853)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
E. RENTAL/LEASING SERVICES WITHOUT OPERATORS		
(b) Relating to aircraft (CPC 83104)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(c) Relating to other transport equipment (CPC 83102)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Relating to other machinery and equipment (CPC 83106, 83107, 83108, 83109)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
F. OTHER BUSINESS SERVICES		
(a) Advertising services (CPC 871)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(b) Market research and public opinion polling services (CPC 864)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Management consulting services (CPC 865)		
	1) None.	1) None.
	2) None.	2) None.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Services related to management consulting (CPC 866)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(e) Technical testing and analysis services (CPC 8676)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(f) Services incidental to agriculture, hunting and forestry (CPC 881)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(g) Services incidental to fishing (CPC 882)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(h) Services incidental to mining (CPC 883, 5115)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound.	4) Unbound.
(i) Services incidental to manufacturing (CPC 8841, 8842, 8843, 8844 and 8846)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(k) Placement and supply services of personnel (CPC 872)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(l) Investigation and security (CPC 873)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(m) Related scientific and technical consulting services (CPC 86753)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 except for CPC 63302, 8861-8866)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except for joint ventures.	3) Unbound except for joint ventures.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(o) Building cleaning services (CPC 874)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(p) Photographic services (CPC 87501-87507)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(q) Packaging services (CPC 876)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(r) Publishing and printing on a fee or contract basis (CPC 88442)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(s) Convention services (CPC 87909**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(t) Other (CPC 87905)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
2. COMMUNICATION SERVICES		
B. Courier services (CPC 7512)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS.	4) None.
C. TELECOMMUNICATIONS SERVICES (public and non-public use)		
(a) Voice telephone services (CPC 7521)	1) None. 2) None.	1) None. 2) None.
(b) Packet-switched data transmission services (CPC 7523)	3) Unbound. None after 2013. 4) Unbound except as indicated in the horizontal commitments.	3) Unbound. None after 2013. 4) Unbound except as indicated in the horizontal commitments.
(c) Circuit-switched data transmission services (CPC 7523**)		
(d) Telex services (CPC 7523**)		
(e) Telegraph services (CPC 7522)		

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(f) Facsimile services (CPC 7521, 7529)		
(g) Private leased circuits (CPC 7522, 7523)		
(h) Electronic mail (CPC 7523)		
(i) Voice mail (CPC 7523)		
(j) Online information and data base retrieval (CPC 7523)		
(k) Electronic data interchange (EDI)(CPC 7523)		
(l) Enhanced/value added facsimile services including store and forward, store and retrieve		
(m) Code and protocol conversion		
(n) Online information and/or data processing (including transaction processing) (CPC 843)		
(o) Other:		
Internet and internet access (except voice) (CPC 75260)		
Personal communication services (except mobile data services, paging services and trunked radio systems)		
Telecommunication equipment sales, rental, maintenance, connection, repair and consulting services (CPC 75410, 75450)		
Trunked radio system services		
Paging (CPC 75291)		
Teleconferencing services (CPC 75292)		
International voice, data and video transmission services supplied to firm involved in information processing within free zones		
Video transmission services (satellite based) (CPC 75241**)		
Connection and interconnection services (CPC 7543 and 7525)		

Sector or sub-sector	Limitations on market access	Limitations on national treatment
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES		
A. GENERAL CONSTRUCTION WORK FOR BUILDINGS (CPC 5126**) Hotels and resorts in excess of 100 rooms, restaurants and similar buildings		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except for specialty construction	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING (CPC 5131, 5132, 5133, 51340, 51350, 51360, 51371, 51372, 51390)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except for specialty construction	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
C. INSTALLATION AND ASSEMBLY WORK (CPC 514, 516)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
D. BUILDING COMPLETION AND FINISHING WORK (CPC 517)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
E. OTHER (CPC 511, 515, 518)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
4. DISTRIBUTION SERVICES		
A. COMMISSION AGENTS' SERVICES (CPC 621)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments. Licence required for CSS and IP.
B. WHOLESALE TRADE SERVICES (CPC 622)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
C. RETAILING SERVICES (CPC 631, 632, 6111, 6113)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Sale, maintenance and repair services of motor cycles and snowmobiles; sales of related parts and accessories (CPC 612) (Excluding maintenance and repair services of motorcycles CPC 61220)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Retail sales of motor fuel (CPC 61300)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
D. FRANCHISING (CPC 8929)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
5. EDUCATIONAL SERVICES		
(a) Primary education services (CPC 921) (except non-profit, public and publicly funded juridical persons)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(b) Secondary education services (CPC 922) (except non-profit, public and publicly funded juridical persons)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Higher education services (CPC 923) (except non-profit, public and publicly funded juridical persons)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Adult education (CPC 924) (except non-profit, public and publicly funded juridical persons)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(e) Other education services (CPC 929)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
6. ENVIRONMENTAL SERVICES		
A. SEWAGE SERVICES (CPC 9401)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Waste and waste water management (CPC 9401**)		
	1) Unbound.	1) Unbound.
	2) None.	2) Unbound.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. REFUSE DISPOSAL SERVICES (CPC 9402)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Non-hazardous waste collection services (CPC 9402**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Hazardous waste treatment and disposal services (CPC 9402**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
D. OTHER		
Cleaning service of exhaust gas (CPC 94040)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments. Subject to an economic needs test for CSS.	4) Unbound except as indicated in the horizontal commitments.
Noise abatement services (CPC 94050)		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Remediation and clean-up of soil and waters (CPC 94060**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Closed loop pollution control systems for factories (CPC 94090**)		
	1) Unbound.	1) Unbound.
	2) None.	2) Unbound.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Recycling services (CPC 94090**)		
	1) Unbound.	1) Unbound.
	2) None.	2) Unbound.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
7. FINANCIAL SERVICES		
A. ALL INSURANCE AND INSURANCE RELATED SERVICES		
(a) Life, accident and health insurance services (CPC 8121)		
	1) Unbound.	1) None.
	2) None.	2) None.
	3) None.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(b) Non-life insurance services (CPC 8129)		
	1) Unbound, except the insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit.	1) None.
	2) None.	2) None.
	3) None.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Reinsurance and retrocession (CPC 81299**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Services auxiliary to insurance (brokering and agency services) (CPC 8140 except actuarial services)		
	1) Unbound.	1) Unbound.
	2) None.	2) None.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Actuarial services (CPC 81404)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Consultancy, actuarial, risk assessment and claim settlement services (CPC 814**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. BANKING AND OTHER FINANCIAL SERVICES (excluding insurance)		
(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)		
	1) Unbound.	1) Unbound.
	2) Unbound.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(b) Lending of all types including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)		
	1) Unbound.	1) Unbound.
	2) Unbound.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(c) Financial leasing (CPC 8112)		
	1) Unbound.	1) Unbound.
	2) Unbound.	2) Unbound.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) All payment and money transmission services (money transmission services only) (CPC 81139**)		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) Unbound except subsidiaries of authorised foreign exchange dealers.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(e) Guarantees and commitments (CPC 81199**)		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) Unbound except joint ventures with Bahamian firms.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise (CPC 81339**, 81333, 81321**)		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) Unbound for Bahamian dollars. None for foreign currency.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(h) Money broking (CPC 81339**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(i) Asset management, such as cash or portfolio management, all forms of collective investment management (CPC 81323)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound on Bahamian dollar assets. None for foreign currency.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in horizontal commitments.
(k) Advisory and other auxiliary financial services on all the activities listed in Article 103(2)(a)B, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(l) Provision and transfer of financial information and financial data processing and related software by providers of other financial services (CPC 8131)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. OTHER		
Registration of offshore companies and trust (not including insurance companies and banks) to do offshore business		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) Unbound except joint ventures with Bahamian firms.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
8. HEALTH RELATED AND SOCIAL SERVICES (other than those listed under 1. A h-j)		
A. HOSPITAL SERVICES (CPC 93110)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. OTHER HUMAN HEALTH SERVICES (CPC 9319 other than 93191 and 93193)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Residential health facilities services other than hospital services (CPC 93193)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. SOCIAL SERVICES (CPC 93311)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
9. TOURISM AND TRAVEL-RELATED SERVICES		
A. HOTELS AND RESTAURANTS (incl. catering)		
Hotels (CPC 641)		
	1) None.	1) None.
	2) None.	2) None.
	3) None for hotels in excess of 100 rooms. Unbound for hotels of less than 100 rooms.	3) None.
	4) Unbound except as indicated in horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Letting services of furnished accommodation (CPC 6419)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Meal serving with full restaurant service or in self-service facilities; catering services (CPC 64210, 64220, 64230)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except for specialty, gourmet and ethnic restaurants and restaurants located in hotels, resort complexes or tourist attractions.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Beverage serving services with entertainment (CPC 64310 and 64320)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES (CPC 7471)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
C. TOURIST GUIDE SERVICES (CPC 7472)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
D. OTHER		
Hotel development		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Hotel management		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Marina services		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Spa services		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)		
A. ENTERTAINMENT SERVICES (including theatre, live bands and circus services) (CPC 9619)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. NEWS AGENCY SERVICES (CPC 9621)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. LIBRARIES, ARCHIVES, MUSEUMS AND OTHER CULTURAL SERVICES (CPC 963)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
D. SPORTING AND OTHER RECREATIONAL SERVICES (CPC 96411-3) (except gambling)		
	1) Unbound.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
E. OTHER		
Rental and leasing of yachts (CPC 96499**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
11. TRANSPORT SERVICES		
A. MARITIME TRANSPORT SERVICES		
(a) Passenger transportation (less cabotage) (CPC 7211)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(b) Freight transportation (less cabotage) (CPC 7212)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Rental of vessels with crew (less cabotage) (CPC 7213)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms	3) Unbound except joint ventures with Bahamian firms
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Maintenance and repair of vessels (CPC 8868**)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound below 100 tonnes. None above 100 tonnes.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(e) Pushing and towing services (CPC 7214)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound except joint ventures with Bahamian firms.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(f) Supporting services for maritime transport		
Vessel salvaging and refloating services (CPC 74540)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Ship registration for the control, regulation and orderly development of merchant shipping		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
B. INTERNAL WATERWAYS TRANSPORT		
(b) Freight transportation (CPC 7222)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Maintenance and repair of vessels (CPC 8868)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. AIR TRANSPORT SERVICES		
(b) Freight transportation (CPC 732)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Rental of aircraft with crew (CPC 734)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Maintenance and repair of aircraft (CPC 8868**)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(e) Supporting services for air transport (CPC 746**)		
Computer reservation system (CRS) services		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Airport management		
	1) Unbound.	1) Unbound.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
E. RAIL TRANSPORT SERVICES		
(a) Passenger transportation (CPC 7111)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(b) Freight transport (CPC 7112)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(c) Pushing and towing services (CPC 7113)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Maintenance and repair of rail transport equipment (CPC 8868)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(e) Supporting services for rail transport services (CPC 743)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
F. ROAD TRANSPORT SERVICES		
(a) Passenger transportation (CPC 7121, 7122)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(b) Freight transportation (CPC 7123)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments. Subject to economic needs test for CSS and IP.	4) Unbound except as indicated in the horizontal commitments.
(c) Rental of commercial vehicles with operator (CPC 7124)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(e) Supporting services for road transport services (CPC 7442)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) Unbound.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
H. SERVICES AUXILIARY TO ALL MODES OF TRANSPORT		
(b) Storage and warehouse services (CPC 742)		
	1) None.	1) None.
	2) None.	2) None.
	3) Unbound.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
(d) Other supporting and auxiliary transportation services (CPC 74900)		
Free zone operation		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.
Trans-shipment services (CPC 749)		
	1) None.	1) None.
	2) None.	2) None.
	3) None.	3) None.
	4) Unbound except as indicated in the horizontal commitments.	4) Unbound except as indicated in the horizontal commitments.'

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1155/2012

of 5 December 2012

amending for the 183rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al Qaida network

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network, ⁽¹⁾ and in particular Article 7(1)(a) and 7a(5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 26 November 2012 the Sanctions Committee of the United Nations Security Council decided to remove six

entities from its list of persons, groups and entities to whom the freezing of funds and economic resources should apply.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 December 2012.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entries under the heading 'Legal persons, groups and entities' are deleted:

- (a) 'Al-Hamati Sweets Bakeries. Addrees: Al-Mukallah, Hadhramawt Governorate, Yemen. Other information: (a) Owned by Mohammad Hamdi Mohammad Sadiq al-Ahdal; (b) Reported to have ceased to exist. Date of designation referred to in Article 2a(4)(b): 17.10.2001.'
 - (b) 'Benevolence International Foundation (alias (a) Al-Bir Al-Dawalia, (b) BIF, (c) BIF-USA, (d) Mezhdunarodnyj Blagotvoritel'nyj Fond). Address: (a) 8820, Mobile Avenue, 1A, Oak Lawn, Illinois, 60453, United States of America, (b) P.O. box 548, Worth, Illinois, 60482, United States of America, (c) (former location) 9838, S. Roberts Road, Suite 1W, Palos Hills, Illinois, 60465, United States of America, (d) (former location) 20- 24, Branford Place, Suite 705, Newark, New Jersey, 07102, United States of America, (e) PO box 1937, Khartoum, Republic of the Sudan, (f) People's Republic of Bangladesh, (g) Gaza Strip, (h) Republic of Yemen. Other information: (a) Employer Identification Number: 36-3823186 (United States of America), (b) Name of the Foundation in the Netherlands is: Stichting Benevolence International Nederland (BIN).'
 - (c) 'Bosanska Idealna Futura (alias (a) BIF-Bosnia, (b) Bosnian Ideal Future. Other information: (a) Bosanska Idealna Futura was officially registered in Bosnia and Herzegovina as an association and humanitarian organization under registry number 59; (b) It was the legal successor of the Bosnia and Herzegovina offices of Benevolence International Foundation doing business as BECF Charitable Educational Center, Benevolence Educational Center; (c) Bosanska Idealna Futura was no longer in existence as at December 2008. Date of designation referred to in Article 2a(4)(b): 21.11.2002.'
 - (d) 'Heyatul Ulya. Address: Mogadishu, Somalia. Date of designation referred to in Article 2a(4)(b): 9.11.2001.'
 - (e) 'Red Sea Barakat Company Limited. Address: Mogadishu, Somalia. Date of designation referred to in Article 2a(4)(b): 9.11.2001.'
 - (f) 'Somali internet Company. Address: Mogadishu, Somalia. Date of designation referred to in Article 2a(4)(b): 9.11.2001.'
-

COMMISSION IMPLEMENTING REGULATION (EU) No 1156/2012**of 6 December 2012****laying down detailed rules for implementing certain provisions of Council Directive 2011/16/EU on administrative cooperation in the field of taxation**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC ⁽¹⁾, and in particular Articles 20(1), 20(3) and 21(1) thereof,

Whereas:

(1) Directive 2011/16/EU replaced Council Directive 77/799/EEC of 19 December 1977 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation ⁽²⁾. A number of important adaptations of the rules concerning administrative cooperation in the field of taxation were made, in particular as regards the exchange of information between Member States with a view to enhancing the efficiency and the effectiveness of cross-border exchange of information.

(2) In order to facilitate the exchange of information, Directive 2011/16/EU requires that such exchange take place on the basis of standard forms. Accordingly and with a view to ensuring the appropriateness of the data exchanged and the efficiency of the exchange itself, detailed rules should be laid down in this regard, for the purposes of the exchange of information on request, spontaneous exchange of information, notifications and feedback information. The form to be used should contain a number of fields that are sufficiently diversified, so as to allow Member States to easily deal with all relevant cases, using the fields appropriate for each case.

(3) According to Directive 2011/16/EU, the information should be communicated using the Common Communication Network (CCN) as far as possible. For the other cases, the practical arrangements for the communication should be specified.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Administrative Cooperation for Taxation,

Article 1

1. In regard to the forms to be used, 'field' means a location in a form where information to be exchanged pursuant to the Council Directive may be recorded.

2. The form to be used for requests for information and for administrative enquiries pursuant to Article 5 of Directive 2011/16/EU and their replies, acknowledgments, requests for additional background information, inability or refusal pursuant to Article 7 of that Directive shall comply with Annex I to this Regulation.

3. The form to be used for spontaneous information and its acknowledgment pursuant to Articles 9 and 10 respectively of Directive 2011/16/EU shall comply with Annex II to this Regulation.

4. The form to be used for requests for administrative notification pursuant to Article 13(1) and (2) of Directive 2011/16/EU and their responses pursuant to Article 13(3) of that Directive shall comply with Annex III to this Regulation.

5. The form to be used for feedback information pursuant to Article 14(1) of Directive 2011/16/EU shall comply with Annex IV to this Regulation.

Article 2

1. The reports, statements and other documents referred to in the information communicated pursuant to Directive 2011/16/EU may be sent using means of communication other than the CCN network.

2. Where the information referred to in Directive 2011/16/EU is not exchanged by electronic means using the CCN network, and unless otherwise agreed bilaterally, the information shall be provided under cover of a letter describing the information communicated and duly signed by the competent authority communicating the information.

Article 3

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2013.

⁽¹⁾ OJ L 64, 11.3.2011, p. 1.

⁽²⁾ OJ L 336, 27.12.1977, p. 15.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 December 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Form referred to in Article 1(2)

The form for requests for information and for administrative enquiries pursuant to Article 5 of Directive 2011/16/EU and their replies, acknowledgments, requests for additional background information, inability or refusal pursuant to Article 7 of Directive 2011/16/EU contains the following fields (*):

- Legal basis
- Reference number
- Date
- Identity of the requesting and requested authorities
- Identity of the person under examination or investigation
- General case description and, if appropriate, specific background information likely to allow assessing the foreseeable relevance of the information requested to the administration and enforcement of the domestic laws of the Member States concerning the taxes referred to in Article 2 of Directive 2011/16/EU
- Tax purpose for which the information is sought
- Period under investigation
- Name and address of any person believed to be in possession of the requested information
- Fulfilment of the legal requirement imposed by Article 16(1) of Directive 2011/16/EU
- Fulfilment of the legal requirement imposed by Article 17(1) of Directive 2011/16/EU
- Reasoned request for a specific administrative enquiry and reasons for refusal to undertake the requested specific administrative enquiry
- Acknowledgement of the request for information
- Request for additional background information
- Reasons for inability or refusal to provide information
- Reasons for a failure to respond by the relevant time limit and date by which the requested authority considers it might be able to respond.

(*) However, only the fields actually filled in a given case need to appear in the form used in that case.

ANNEX II

Form referred to in Article 1(3)

The form for spontaneous information and its acknowledgment pursuant to Articles 9 and 10 respectively of Directive 2011/16/EU contains the following fields (*):

- Legal basis
- Reference number
- Date
- Identity of the sending and receiving authorities
- Identity of the person subject to the spontaneous exchange of information
- Period covered by the spontaneous exchange of information
- Fulfilment of the legal requirement imposed by Article 16(1) of Directive 2011/16/EU
- Acknowledgement of the spontaneous information.

(*) However, only the fields actually filled in a given case need to appear in the form used in that case.

ANNEX III

Form referred to in Article 1(4)

The form for request for notification pursuant to Article 13(1) and (2) of Directive 2011/16/EU and their responses pursuant to Article 13(3) of that Directive contains the following fields (*):

- Legal basis
- Reference number
- Date
- Identity of the requesting and requested authorities
- Name and address of the addressee of the instrument or decision
- Other information which may facilitate the identification of the addressee
- Subject of the instrument or decision
- Response of the requested authority, in accordance with Article 13(3) of Directive 2011/16/EU, including the date of notification of the instrument or decision to the addressee.

(*) However, only the fields actually filled in a given case need to appear in the form used in that case.

ANNEX IV

Form referred to in Article 1(5)

The form for feedback pursuant to Article 14(1) of Directive 2011/16/EU contains the following fields (*):

- Reference number
- Date
- Identity of the competent authority issuing the feedback
- General feedback on the information provided
- Results directly related to the information provided.

(*) However, only the fields actually filled in a given case need to appear in the form used in that case.

COMMISSION IMPLEMENTING REGULATION (EU) No 1157/2012**of 6 December 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 December 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	48,7
	MA	63,4
	TN	76,3
	TR	76,0
	ZZ	66,1
0707 00 05	AL	76,3
	JO	174,9
	MA	133,1
	TR	114,9
	ZZ	124,8
0709 93 10	MA	138,9
	TR	122,0
	ZZ	130,5
0805 10 20	AR	49,7
	TR	74,4
	ZA	60,2
	ZW	44,9
	ZZ	57,3
0805 20 10	MA	68,2
	ZZ	68,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	71,1
	HR	85,6
	MA	95,7
	TR	78,9
	ZZ	82,8
0805 50 10	TR	81,4
	ZZ	81,4
0808 10 80	MK	35,9
	US	174,2
	ZA	136,9
	ZZ	115,7
0808 30 90	CN	95,4
	TR	112,1
	US	160,6
	ZZ	122,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 5 December 2012

as regards measures to prevent the introduction into and the spread within the Union of
Pseudomonas syringae pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto

(notified under document C(2012) 8816)

(2012/756/EU)

THE EUROPEAN COMMISSION,

provided for concerning the movement within the Union of these plants originating in the Union.

Having regard to the Treaty on the Functioning of the European Union,

(5) Surveys for the presence of the specified organism should be carried out in all Member States and the results notified.

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular the third sentence of Article 16(3) thereof,

(6) Member States should, if necessary, adapt their legislation in order to comply with this Decision.

Whereas:

(7) This Decision should apply until 31 March 2016 to allow time to monitor the evaluation of the situation.

(1) Italy has informed the Commission that a new aggressive strain of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto, hereinafter 'the specified organism', the causal agent of kiwi canker, is present in its territory and that it has adopted official measures to prevent the further introduction and spread within its territory of the specified organism. The available information also shows that the new aggressive strain of the specified organism is present in a third country that exports the propagating material of kiwi plants, including pollen, to the Union.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Emergency measures against *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto

Pseudomonas syringae pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto, hereinafter 'the specified organism', shall not be introduced into or spread within the Union.

Article 2

Introduction of live pollen and plants intended for planting, other than seeds, of *Actinidia* Lindl. into the Union

Live pollen and plants intended for planting, other than seeds, of *Actinidia* Lindl., hereinafter 'the specified plants', originating in third countries may only be introduced into the Union if they comply with the specific requirements for introduction, as set out in Annex I.

Article 3

Movement of the specified plants within the Union

The specified plants may only be moved within the Union if they meet the specific requirements, as set out in Annex II.

(2) The specified organism is neither listed in Annex I nor in Annex II to Directive 2000/29/EC. It appears from a preliminary pest risk analysis carried out by the Commission on the basis of an assessment prepared by the European and Mediterranean Plant Protection Organization (EPPO) that the specified organism causes harmful effects to plants of *Actinidia* Lindl.

(3) Due to the complexity of the taxonomic identification of the new aggressive strain of the specified organism, it is appropriate to provide for measures applying to the specified organism as such, without restricting measures to the strain concerned.

(4) Measures should be provided for concerning the introduction into the Union of plants for planting of *Actinidia* Lindl. from third countries. Measures should also be

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

*Article 4***Surveys and notifications of the specified organism**

1. Member States shall conduct official annual surveys for the presence of the specified organism on the specified plants.

Member States shall notify the results of those surveys to the Commission and to the other Member States by 31 January of the year following the year of the survey.

2. Each Member State shall immediately notify in writing the Commission and the other Member States of the presence of the specified organism in a part of its territory where that presence was previously unknown.

3. If the specified organism is found or suspected to be present in an area where its presence was previously unknown, the responsible official bodies shall immediately be notified.

*Article 5***Compliance**

Member States shall immediately inform the Commission of the measures they have taken to comply with this Decision.

*Article 6***Application**

This Decision shall apply until 31 March 2016.

*Article 7***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 5 December 2012.

For the Commission

Tonio BORG

Member of the Commission

ANNEX I

SPECIFIC REQUIREMENTS FOR INTRODUCTION INTO THE UNION, AS REFERRED TO IN ARTICLE 2

Section I

Phytosanitary certificate

- (1) Specified plants originating in third countries shall be accompanied by a phytosanitary certificate, as referred to in the first subparagraph of Article 13(1)(ii) of Directive 2000/29/EC (hereinafter 'the certificate'), which includes under the heading 'Additional declaration' the information set out in points (2) and (3).

- (2) The certificate shall include the information that one of the following points is fulfilled:

- (a) The specified plants have been grown throughout their life in a country where the specified organism is known not to occur.
- (b) The specified plants have been grown throughout their life in a pest free area, established as regards the specified organism by the National Plant Protection Organisation (hereinafter 'the NPPO') of the country of origin in accordance with the FAO International Standard for Phytosanitary Measures (hereinafter 'ISPM') No 4 ⁽¹⁾.
- (c) The specified plants have been produced in a pest free place or a pest free site of production, established as regards the specified organism by the NPPO in accordance with the FAO ISPM No 10 ⁽²⁾. The specified plants have been grown in a structure with a degree of isolation and protection from the outside environment that effectively excludes the specified organism. At that place the specified plants have been officially inspected twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export and found free from the specified organism.

That place of production is surrounded by a zone with a radius of at least 500 m, where official inspections were carried out twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export and any plants showing symptoms of infection which were found during those inspections and all adjacent specified plants within the distance of 5 m were immediately destroyed.

- (d) The specified plants have been produced in a pest free place of production established as regards the specified organism by the NPPO in accordance with the FAO ISPM No 10 ⁽²⁾.

That place of production is surrounded by a zone with a radius of 4 500 m. Official inspections, sampling and testing have been carried out at that place of production and throughout that zone twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export. The specified organism has not been found during the official inspections, sampling and testing.

- (3) Where the information set out in point (2)(c) or (2)(d) is given, the certificate shall, in addition, include the information that one of the following points is satisfied:

- (a) The specified plants have been directly derived from mother plants grown under conditions compliant with point (2)(a) or (2)(b) or (2)(c).
- (b) The specified plants have been directly derived from mother plants, which were subject to prior individual testing confirming their freedom from the specified organism.
- (c) The specified plants have been tested according to a sampling scheme able to confirm with 99 % reliability that the level of presence of the specified organism in the specified plants is below 0,1 %.

- (4) Where the information set out in point (2)(b) is given, the name of the pest free area shall be included under the heading 'Place of Origin' of the certificate.

⁽¹⁾ Requirements for the establishment of the pest free areas. ISPM No 4 (1995), FAO 2011.

⁽²⁾ Requirements for the establishment of pest free places of production and pest free production sites. ISPM No 10 (1999), FAO 2011.

*Section II***Inspection**

Specified plants introduced into the Union accompanied by a phytosanitary certificate complying with Section I shall be rigorously inspected and, where appropriate, tested for the presence of the specified organism at the point of entry or at the place of destination established in accordance with Commission Directive 2004/103/EC ⁽¹⁾.

In case the specified plants are introduced into the Union through a Member State other than the Member State of the destination of those plants, the responsible official body of the Member State of entry shall notify the responsible official body of the Member State of destination.

⁽¹⁾ OJ L 313, 12.10.2004, p. 16.

ANNEX II

REQUIREMENTS FOR MOVEMENT WITHIN THE UNION, AS REFERRED TO IN ARTICLE 3

- (1) Specified plants originating in the Union may be moved within the Union only if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC ⁽¹⁾ and if they meet the requirements set out in point (2).
- (2) The specified plants shall satisfy one of the following points:
- (a) The specified plants have been grown throughout their life in a Member State where the specified organism is not known to occur.
 - (b) The specified plants have been grown throughout their life in a protected zone recognised as regards the specified organism in accordance with Article 2(1)(h) of Directive 2000/29/EC.
 - (c) The specified plants have been grown throughout their life in a pest free area, established as regards the specified organism by the responsible official body of a Member State in accordance with the FAO ISPM No 4 ⁽²⁾.
 - (d) The specified plants have been produced in a pest free place or a pest free site of production, established as regards the specified organism by the responsible official body of the Member State of origin in accordance with the FAO ISPM No 10 ⁽³⁾. The specified plants have been grown in a structure with a degree of isolation and protection from the outside environment that effectively excludes the specified organism. At that place the specified plants have been officially inspected twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement and found free from the specified organism.

That place is surrounded by a zone with a radius of at least 500 m, where official inspections were carried out twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement and any plants showing symptoms of infection which were found during those inspections and all adjacent specified plants within the distance of 5 m were immediately destroyed.

- (e) The specified plants have been produced in a pest free place of production, established as regards the specified organism by the responsible official body of the Member State of origin in accordance with the FAO ISPM No 10 ⁽³⁾.

That place of production is surrounded by a zone with a radius of 500 m, hereinafter the 'surrounding zone'. Official inspections, sampling and testing have been carried out at that place of production and throughout the surrounding zone twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement. The specified organism has not been found during the official inspections, sampling and testing.

The surrounding zone is surrounded by a zone with a width of 4 km, where following official inspections, sampling and testing that have been carried out throughout that zone twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement, eradication measures were taken in all cases when the specified organism has been identified on the specified plants. These measures consisted of the immediate destruction of the infected specified plants and all adjacent specified plants within the distance of 5 m.

⁽¹⁾ OJ L 4, 8.1.1993, p. 22.

⁽²⁾ Requirements for the establishment of the pest free areas. ISPM No 4 (1995), FAO 2011.

⁽³⁾ Requirements for the establishment of pest free places of production and pest free production sites. ISPM No 10 (1999), FAO 2011.

- (3) Where the requirements set out in point (2)(d) or (2)(e) are met, the specified plants shall, in addition, satisfy one of the following requirements:
- (a) The specified plants have been directly derived from mother plants grown under conditions compliant with point (2)(a) or (2)(b) or (2)(c) or 2(d).
 - (b) The specified plants have been directly derived from mother plants, which were subject to prior individual testing confirming their freedom from the specified organism.
 - (c) The specified plants have been tested according to a sampling scheme able to confirm with 99 % reliability that the level of presence of the specified organism in the specified plants is below 0,1 %.
- (4) The specified plants introduced into the Union in accordance with Annex I from third countries may be moved within the Union only if they are accompanied by the plant passport referred to in point (1).
-

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