

APPENDIX 5 TO ANNEX XV

NORWAY – SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 4.18

Unless otherwise indicated, the classification of services sectors are based on the 1991 Provisional Central Product Classification of the United Nations Statistical Office and the ordering reflects the services sectoral classification list used in the GATT document MTN.GNS/W/120, dated 10 July 1991.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|------------------------------|--|------------------------|
| I. HORIZONTAL COMMITMENTS | | | |
| <p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p> <p>All sectors: Establishment - General authorisation procedures for acquisition</p> <p>All sectors: Formation of legal entity - limited liability company, foundation</p> | <p>3) None</p> | <p>3),4)A foreign citizen that purchases or leases real property as a secondary residence must apply for a concession if the citizen neither lives in Norway, nor has been living in Norway for at least five years.</p> <p>3) The general manager in a joint stock company, and at least half of the members of the board of directors, and of the corporate assembly must be residents of Norway, unless the Ministry of Trade and Industry grants exemptions in each individual case.</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| <p>All sectors: Subsidies (The issue of a definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS)</p> <p>All sectors: Movement of personnel</p> | <p>1) Unbound 2) Unbound 3) None</p> <p>4) None</p> <p>4) Unbound, except for the temporary presence of categories A, B, C and D below:</p> | <p>1) Unbound 2) Unbound 3) Eligibility for subsidies may be limited to juridical persons established in Norway. Unbound for research and development subsidies and for education services leading to the conferring of State recognized exams and/or degrees 4) Subsidies available to natural persons may be limited to Norwegian citizens</p> <p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column.</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|--|-----------------------------------|------------------------|
| | <p>A. Intra Corporate Transferees</p> <p>Managers and executives, specialists and trainees as intra-corporate transferees, provided that the service supplier is the corporation to which these are attached.</p> <p>Definitions:</p> <p>Executives/managers - persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:</p> <ul style="list-style-type: none"> - directing the establishment or a department or subdivision of the establishment; - supervising and controlling the work of other supervisory, professional or managerial employees; - having the authority personally to hire and fire or recommend hiring, firing or other personnel actions. <p>Specialists - persons working within a juridical person who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of the knowledge specific to the establishment, but also whether the person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership in an accredited profession.</p> | | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|--|-----------------------------------|------------------------|
| | <p>Access for executives/managers and specialists is subject to the following conditions:</p> <ul style="list-style-type: none"> - Compliance with an economic needs test is not required. - Temporary entry, stay and work limited to a four year period. - A work permit must be obtained. - The work permit must be issued to a natural person who is considered to be a higher-level skilled worker or to have special qualifications. - The competence of the natural person must be deemed necessary for the recipient of the service. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>Definitions:</p> <p>Trainees - temporary presence of natural persons with a diploma, university degree or post-graduate qualification pursuing post-study work experience for the purposes of obtaining appropriate work experience, business techniques or methods of a service.</p> | | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|--|-----------------------------------|------------------------|
| | <p>Access for trainees is subject to the following conditions:</p> <ul style="list-style-type: none"> - Temporary entry, stay and work limited to a six months period. - A work permit must be obtained. - The work has to be essential for the person's qualifications and be a natural part of his or her vocational training. - The qualifications of the natural person must be relevant for the work in the company. - All other requirements regarding entry, stay, wages, working conditions and social security benefits, shall continue to apply. <p>B. Business Visitors</p> <p>Definitions:</p> <p>a) persons who are representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service supplier, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</p> | | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|--|-----------------------------------|------------------------|
| | <p>b) persons working in a senior position, as defined above, within a juridical person, who are responsible for the setting up in Norway of a commercial presence of a service supplier of a Party when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sales or supplying services, and - the service supplier has no other representative, branch or subsidiary in Norway. <p>For a) and b): Temporary entry, stay and work limited to a three month period. Compliance with an economic needs test is not required.</p> <p>C. Contractual Service Suppliers</p> <p>Definitions:</p> <p>Employees of a foreign based company who are temporarily present in Norway to supply a service pursuant to a service contract concluded between their employer and a client located in Norway</p> | | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|---|-----------------------------------|------------------------|
| | <p>Access is subject to the following conditions:</p> <ul style="list-style-type: none"> - Compliance with an economic needs test is not required - The temporary entry and stay shall be limited to three months in any twelve-month period or for the duration of the contract, whatever is less, except for the temporary entry and stay for the supply of services in the following sub-sectors, where the limit within the twelve months period shall be four months: <ul style="list-style-type: none"> ▪ Legal services ▪ Architectural services ▪ Engineering services ▪ Integrated engineering services - The commitment relates only to the service activity which is the subject of the contract. It does not entitle to exercise the profession as such. - A work permit must be obtained. - A work permit must be issued to a natural person who is considered to be a higher-level skilled worker or to have special qualifications. - The competence of the natural person must be deemed necessary for the recipient of the service. - If it is apparent that there will be a permanent need for such labour, or if during the last six months a permit has been issued for the performance of the same kind of work for the same recipient of the service, a permit shall not be granted. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. | | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

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|----------------------|--|-----------------------------------|------------------------|
| | <p>D. Independent Professionals</p> <p>Definitions:</p> <p>Self-employed natural persons temporarily present in Norway to supply a service pursuant to a service contract between them and a client located in Norway.</p> <p>Access is subject to the following conditions:</p> <ul style="list-style-type: none"> - Compliance with an economic needs test is not required. - The temporary entry and stay shall be limited to three months in any twelve-month period or for the duration of the contract, whatever is less. - The commitment relates only to the service activity which is the subject of the contract. It does not entitle to exercise the profession as such. - A work permit must be obtained. - A work permit must be issued to a natural person who is considered to be a higher-level skilled worker or to have special qualifications. - The competence of the natural person must be deemed necessary for the recipient of the service. - If it is apparent that there will be a permanent need for such labour, or if during the last six months a permit has been issued for the performance of the same kind of work for the same recipient of the service, a permit shall not be granted. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. | | |

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|--|--|---|------------------------|
| | - | | |
| II. SECTOR SPECIFIC COMMITMENTS | | | |
| <p>1. BUSINESS SERVICES</p> <p>A. Professional Services</p> <p>(a) Legal services - legal advice on foreign law (concerned parts of CPC 861)</p> <p>(b) Accounting, auditing and bookkeeping services (CPC 862)</p> <p>- Auditing services by registered and licensed auditors</p> | <p>1) None</p> <p>2) None</p> <p>3) The advocate is personally responsible for his activities. To have an interest (own shares and/or be a member of the board of the firm) in a firm of Norwegian advocates is only possible when taking active part in the business.</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>1) None</p> <p>2) None</p> <p>3) Foreign advocates can give advice on foreign law and international law after application. Some restrictions on co-operation with Norwegian advocates as a consequence of legislation on how a firm of Norwegian advocates may be organised.</p> <p>4) Unbound except as indicated in the horizontal section. As for 3), but no restrictions on advice on a strictly occasional basis.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) Public certification required based on Norwegian exam and two years experience in Norway. Audit reports must be drafted in Norwegian Permanent residence in Norway required.</p> <p>4) Unbound except as indicated in the horizontal section. As 3).</p> | |

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|--|---|---|------------------------|
| - Accounting and bookkeeping services | 1) Accounting shall take place in Norway. The King may decide that accounting takes place abroad. 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. For authorised accountants, permanent residence in Norway required, and a minimum of two years practice in Norway during the five preceding years. | |
| (c) Taxation services (CPC 863) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (d) Architectural services (CPC 8671) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (e) Engineering services (CPC 8672) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (f) Integrated engineering services (CPC 8673) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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|--|---|--|------------------------|
| (g) Urban planning and landscape architectural services (CPC 8674) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (h) Medical and dental services (CPC 9312) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) Authorisation or licence required. Must speak Norwegian and have passed certain national exams in different areas in order to get license or authorisation. Foreign exams giving equivalent competence may be recognized. 4) Unbound except as indicated in the horizontal section. As 3). | |
| (i) Veterinary services (CPC 932) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. Foreign exams giving equivalent competence may be recognized. | |
| (j) Deliveries and related services, nursing services, physiotherapeutic and para-medical services (CPC 93191) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. Authorisation or licence required. Must speak Norwegian and have passed certain national exams in different areas in order to get license or authorisation. Foreign exams giving equivalent competence may be recognized. | |

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| <p>B. Computer and Related Services</p> <p>- CPC 84 according to the description of sectoral coverage in Attachment I</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |
| <p>C. Research and Development Services</p> <p>(b) R&D services on social sciences and humanities (CPC 852)</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |
| <p>D. Real Estate Services</p> <p>(b) Real Estate Services on a fee or contract basis (CPC 822)</p> <p>- Real estate agency</p> <p>- Real estate agent</p> | <p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> <p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section. Upon request, education/examination from abroad may be accepted.</p> <p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section. Upon request, education/examination from abroad may be accepted.</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

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|--|--|---|------------------------|
| E. Rental/Leasing Services without Operators | | | |
| a), b), c) Relating to ships ¹ , aircraft, other transport equipment (CPC 83102, CPC 83103, CPC 83104, CPC 83105) | 1) None 2) None 3) None other than: Aircrafts: to be registered in the aircraft register of Norway, the aircraft must be owned either by Norwegian natural persons or by Norwegian juridical persons. 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (c) Car-hiring (CPC 83101) | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (d) Relating to other machinery and equipment (CPC 83106-83109) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| F. Other Business Services | | | |
| (a) Advertising services (CPC 871) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

¹ Registration requirements for ships in the Norwegian shipping registries (NIS and NOR) are described in Section 11A - Maritime Transport.

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|--|---|---|------------------------|
| (b) Market research and public opinion polling services (CPC 864) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (c),(d) Management and administrative services (including management, consultancy) (CPC 865, CPC 866) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (e) Technical testing and analysis services (CPC 8676), except for public services functions such as statutory classification required for ships and floating vessels registered in NIS and NOR. | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (f) Advisory and consulting services related to agriculture, hunting and forestry (concerned parts of CPC 881) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (g) Advisory and consulting services related to fishing (concerned parts of CPC 882) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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| (h) Services incidental to mining (CPC 883 + 5115) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (i) Advisory and consulting services related to manufacturing (CPC 884, CPC 885) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (k) Placement and supply services of personnel | | | |
| - Labour recruitment and provision of personnel (nationals and residents with work permit) (concerned parts of CPC 872) | 1) None, except when the activity is assessed to take place in Norway the rules mentioned under 3) will apply. 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| - Executive search services (CPC 87201) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| l) Investigation and security activities (CPC 873) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) Manager must be a Norwegian citizen resident in Norway 4) Unbound except as indicated in the horizontal section. As 3). | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

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|---|---|---|------------------------|
| (m) Related scientific and technical consulting services (CPC 8675), | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 and CPC 8861-8866) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (o) Building-cleaning services (CPC 874) | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (p) Photographic services (CPC 875) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (q) Packaging services (CPC 876) | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

* Unbound due to lack of technical feasibility.

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|--|--|--|------------------------|
| (r) Printing and publishing (CPC 88442) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (s) Convention services (CPC 87909) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (t) Other - Exhibition management services (parts of CPC 87909) - Interior design (concerned parts of CPC 87907) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|--|
| <p>2. COMMUNICATION SERVICES</p> <p>B. Courier Services (CPC 7512)</p> <p>C. Telecommunication Services</p> <p>(a) Voice telephony</p> <p>(b) Packet-switched data transmission services</p> <p>(c) Circuit-switched data transmission</p> <p>(d) Telex services</p> <p>(e) Telegraph services</p> <p>(f) Facsimile services</p> <p>(g) Leased circuit services</p> <p>(o) Other</p> <p>- Mobile and personal communications services and systems</p> <p>- Value-added services (excludes voice telephony, telegraph and telex, packet- and circuit-switched data services, mobile radio telephony, paging and satellite services)</p> | <p>1) None</p> <p>2) None</p> <p>3) No limitations except as specified for transportation services</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal commitments</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal commitments</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>Norway undertakes additional commitments as contained in Attachment II, all parts of which are equally binding.</p> |

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| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | |
| A. General Construction Work for Buildings (CPC 512) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| B. General Construction Work for Civil Engineering (CPC 513) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| C. Installation and Assembly Work (CPC 514, CPC 516) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. For electrical work, plumbing and water sanitation, foreign exams giving equivalent competence may be recognized on a case by case basis. | |
| D. Building Completion and Finishing Work (CPC 517) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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| E. <u>Other</u> - Pre-erection work at construction sites (CPC 511) - Special trade construction work (CPC 515) - Renting services relating to equipment for construction/demolition of buildings/civil engineering works, with operator (CPC 518) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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|--|---|---|------------------------|
| 4. DISTRIBUTION SERVICES First hand sales of raw fish and private import of alcohol are exempted | | | |
| A. Commission agents' services (CPC 621) (Trade in arms, alcohol and pharmaceuticals exempted) | 1) None, except unbound for electricity 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None, except unbound for electricity 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| B. Wholesale Trade Services (CPC 622) (Import and trade in arms and pharmaceuticals exempted) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| C. Retailing Services (CPC 631+632+6111+6113+6121) (Trade in pharmaceutical products, alcohol and arms exempted) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| D. Franchising (CPC 8929) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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|---|--|--|------------------------|
| <p>5. EDUCATION SERVICES</p> <p>Educational services leading to the conferring of State recognized exams and/or degrees</p> <ul style="list-style-type: none"> - Primary and lower secondary education services - Upper secondary education services - Higher education services - Adult education <p>Educational services not leading to the conferring of State recognized exams and/or degrees</p> | <ul style="list-style-type: none"> 1) As 3) 2) None 3) Primary and secondary education are public service functions. Authorisation may be given to foundations and other legal entities to offer additional parallel or specialized education. 4) Unbound except as indicated in the horizontal section <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. Teaching qualifications from abroad may be recognized, and an exam must be passed. <ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

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| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| <p>6. ENVIRONMENTAL SERVICES</p> <p>With the exemption of public service functions whether owned and operated or contracted out by local, regional or central government.</p> | | | |
| <p>A. Wastewater management (CPC 9401)</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |
| <p>B. Solid/Hazardous waste management. - Refuse Disposal Services (CPC 9402) - Sanitation and Similar Services (CPC 9403)</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |
| <p>C. Protection of ambient air and climate - Services to reduce exhaust gases and other emissions and improve air quality (CPC 94040)</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |
| <p>D. Remediation and cleanup of soil & water - Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060)</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) Unbound, except for advisory services 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| E. Noise & vibration abatement - Noise abatement services (CPC 94050) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| F. Protection of biodiversity and landscape - Nature and landscape protection services (part of CPC 94060) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| G. Other environmental & ancillary services - Other environmental protection services not classified elsewhere (CPC 94090) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|-----------------------------------|------------------------|
| 7. FINANCIAL SERVICES | | | |
| <p>i. Norway undertakes commitments on financial services in accordance with the "Understanding on Commitments in Financial Services" (the Understanding) of the WTO General Agreement on Trade in Services (GATS).</p> <p>ii. The market access commitments in respect of modes 1) and 2) apply to the transactions indicated in paragraphs B.3 and B.4 of the market access section of the Understanding respectively.</p> <p>iii. The restrictions and limitations listed in the schedule under mode 1) apply to regulatory measures directed towards non-resident financial service suppliers established outside the European Economic Area. The limitations listed in the schedule under mode 2) apply to regulatory measures directed towards financial service consumers residing in Norway.</p> <p>iv. The following restrictions and limitations apply:</p> | | | |
| A. Insurance and Insurance-Related Services | <p>1) In addition to the services listed in paragraph B.3 (a) of the Understanding, non-resident insurance companies may supply insurance related to passenger vessels (including cruise vessels), ocean-going fishing vessels, offshore exploration or insurance contracts regarding domestic companies with an activity of at least 10-man-years or annual sales above a certain threshold. As of 2005 this threshold is set at NOK 50 million.</p> <p>Non-resident insurance companies must supply the services listed above and in paragraph B.3(a) of the Understanding through an insurance broker authorised in Norway.</p> <p>2) None</p> | <p>1) None</p> <p>2) None</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|---|---|------------------------|
| | <p>3) No single or coordinated group of investors may acquire or hold more than 10 per cent of the share capital in a Norwegian insurance company. A foreign or Norwegian financial institution may however, subject to approval acquire and hold up to 25 per cent of such shares when this is part of a strategic alliance agreement. The Ministry of Finance and Customs may in special circumstances make exemptions from these limitations on single investor ownership.</p> <p>Notwithstanding the foregoing, foreign insurance companies may establish partly or wholly owned subsidiaries in Norway. The other owners of such partly owned subsidiaries must be foreign or Norwegian financial institutions.</p> <p>For subsidiaries or branches of financial institutions not incorporated within Norway, a separation requirements applies between life insurance, non-life insurance and credit risk insurance.</p> <p>Insurance companies incorporated in Norway must be organised as joint stock companies or mutual insurance companies. Insurance brokerage firms incorporated in Norway must be organised as joint stock companies.</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>3) For mutual insurance companies the manager, at least half the members of the board of directors and half the members of the corporate assembly must be permanent residents of Norway. The Ministry of Industry and Trade may grant exemptions from these rules.</p> <p>4) Unbound except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|---|------------------------|
| <p>B. Banking and Other Financial Services (excluding insurance)</p> | <p>1) None 2) None 3) No single or coordinated group of investors may acquire or hold more than 10 per cent of the share capital of commercial banks, central securities depositories or financing undertakings, or more than 10 per cent of the equity certificates of savings banks. A foreign or Norwegian financial institution may, however, subject to approval acquire and hold up to 25 per cent of such shares, except for clearing houses, or equity certificates when this is part of a strategic alliance agreement. In addition, the Ministry of Finance and Customs may in special circumstances make exemptions from these limitations on single investor ownership in such institutions.</p> <p>Notwithstanding the foregoing, foreign banks and financing undertakings may establish partly or wholly owned subsidiaries in Norway. The other owners of such partly owned subsidiaries must be banks or financial institutions respectively.</p> <p>Commercial banks, central securities depositories, securities firms and management companies for collective investment funds incorporated in Norway must be organised as joint stock companies.</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>1) None 2) None 3) None</p> <p>In savings banks and financing undertakings which are not organised as joint stock companies, the members of decision-making bodies must be Norwegian citizens and permanently residing in Norway. The Ministry of Finance and Customs may grant exemptions from these rules.</p> <p>4) Unbound except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | |
| <p>A. Hotels and Restaurants</p> <p>Hotels, camping sites and other commercial accommodations, restaurants, cafes, pubs, bars (CPC 641, CPC 642, CPC 643)</p> <p>B. Travel Agencies and Tour Operators Services (CPC 7471)</p> <p>C. Tourist Guides Services (CPC 7472)</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES | | | |
| B. News Agency Services (CPC 962) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| 11. TRANSPORT SERVICES | | | |
| <p>A. Maritime Transport²</p> <p>International transport (freight and passengers) (CPC 7211 and 7212 and CPC 7213 wherever applicable) International towing and pushing services (part of CPC 7214). Less domestic transport (1) and domestic towing and pushing services</p> | <p>1) None 2) None 3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by Norwegian citizens or by a Norwegian company where Norwegian citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted.</p> <p>(b) Ships on the Norwegian International Ship Register (NIS): None</p> <p>(c) Other forms of commercial presence (2): None</p> | <p>1) None 2) None 3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the Norway. The majority of the members of the board, including the chairman, must be Norwegian citizens resident in the EEA area having resided in the Norway the preceding two years.</p> <p>(b) NIS: Ships with more than 40 per cent non Norwegian ownership must have a management function in Norway. This may be the operation by a Norwegian ship-owning company with head office in Norway, or a Norwegian management company or if the ship is registered directly in the NIS by a foreign company, a Norwegian representative is required. The representative must be domiciled in Norway and be authorised to receive a lawsuit on behalf of the ship owner.</p> <p>(c) Other forms of commercial presence (2): None</p> | |

² See Attachment III on Notes to Maritime Transport.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|---|------------------------|
| <p>Domestic freight transportation (part of CPC 7212), limited to the following services</p> <ul style="list-style-type: none"> - Transport feeder services related to international cargo - Transport of empty containers for international trade - Maritime transport servicing offshore petroleum exploration and production | <p>4) (a) Ships' crew NOR: Unbound except as indicated in the horizontal section.</p> <p>(b) Ships' crew NIS: Unbound except as indicated in the horizontal section.</p> <p>(c) Shore personnel: Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by Norwegian citizens or by a Norwegian company where Norwegian citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted.</p> <p>(b) Other forms of commercial presence: None</p> <p>4) Unbound, except as indicated in the horizontal section</p> | <p>4) (a) NOR: Unbound except as indicated in the horizontal section.</p> <p>(b) NIS: None, except for the captain who must be a Norwegian citizen. Exemptions from this rule may be granted.</p> <p>(c) Shore personnel: Unbound except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the Norway. The majority of the members of the board, including the chairman, must be Norwegian citizens resident in Norway, having resided in Norway the preceding two years.</p> <p>(b) Other forms of commercial presence: None</p> <p>4) Unbound, except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| Domestic maritime towing and pushing services, including anchor handling, servicing petroleum exploration and production (part of CPC 7214) | 1) Unbound 2) None 3) (a) Ships on the Norwegian Ordinary Ship Register (NOR). Ships have to be owned by Norwegian citizens or by a Norwegian company where Norwegian citizens own at least 60 per cent of the capital. Exemptions from the 60 per cent rule may be granted. (b) Other forms of commercial presence: None 4) Unbound, except as indicated in the horizontal section | 1) Unbound 2) None 3) (a) NOR: When the ship-owning company is a limited liability company, it must be headquartered in the Norway. The majority of the members of the board, including the chairman, must be Norwegian citizens resident in Norway, having resided in Norway the preceding two years. (b) Other forms of commercial presence: None 4) Unbound, except as indicated in the horizontal section | |
| Maritime auxiliary services: Maritime cargo handling services (3) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| - Storage and warehousing services (CPC 742); customs clearance services (4); container station and depot services (5) | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

* Unbound due to lack of technical feasibility

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|---|
| - Maritime agency services (6); freight forwarding services (7) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| - Other supporting auxiliary transport services (8) | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| Auxiliary services as required by maritime transport operators: | | | <p>The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 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, including communications, water, electrical supplies |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|------------------------------|-----------------------------------|--|
| | | | <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth, berthing services</p> <p>10. Container handling, storage and warehousing, freight transport.</p> <p>Where the road, rail, 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, railwaycarriages and related equipment, for the purpose of onward forwarding of international cargoes carried by sea, or have access to and use of these forms of transport services for the purpose of providing multimodal transport services.</p> |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| <p>C. Air Transport Services (Definitions of services are found in the Air Transport Annex of GATS)</p> <p>- Computer reservations systems (CRS) services</p> <p>- Selling and marketing of air transport services</p> <p>- Aircraft repair and maintenance services</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>1) Unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries</p> <p>2) None</p> <p>3) Unbound for obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) Unbound for distribution through CRS of air transport services provided by CRS parent carrier.</p> <p>2) None</p> <p>3) Unbound for distribution through CRS of air transport services provided by CRS parent carrier.</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| - Ground handling | 1) Unbound 2) None 3) None, except that categories of activities depend of the size of the airport. The number of providers in each airport can be limited due to available space constraints and to not less than two suppliers for other reasons. Non-discriminatory preapproval may apply. 4) Unbound except as indicated in the horizontal section | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| E. Rail Transport Services | | | |
| (c) Pushing and towing services (CPC 7113) | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (d) Maintenance and repair of rail transport equipment (CPC 8868) ³ | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (e) Supporting services for rail transport services (CPC 743) | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

³ Service specific constitutes only a part of the total range of activities covered by the CPC concordance.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| F. Road Transport Services | | | |
| a),b) Passenger and freight transportation (CPC 7121, CPC 7122, CPC 7123; not including domestic transport) | <ol style="list-style-type: none"> 1) Unbound 2) None 3) None, except for passenger transportation for which regular trips and shuttle services are conditioned by an economic needs test based on traffic criteria. 4) Unbound except as indicated in the horizontal section | <ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| (e) Supporting services for road transport services (CPC 744) | <ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | <ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section | |
| G. Pipeline transportation | | | |
| - Offshore upstream pipeline transportation of petroleum and natural gas. Central network control and monitoring services exempted (concerned parts of CPC 71310) | <ol style="list-style-type: none"> 1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section | <ol style="list-style-type: none"> 1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section | |
| H. Services Auxiliary to All Modes of Transport | | | |
| (a) Cargo-handling services (CPC 741) | <ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | <ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| (b) Storage and warehouse services (CPC 742) | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section | |

ATTACHMENT I

UNDERSTANDING ON THE SCOPE OF COVERAGE OF CPC 84 - COMPUTER AND RELATED SERVICES

1. CPC 84 covers all computer and related services.
2. Technological developments have led to the increased offering of these services as a bundle or package of related services that can include some or all of the basic functions listed in paragraph 3. For example, services such as web or domain hosting, data mining services and grid computing each consist of a combination of basic computer services functions.
3. Computer and related services, regardless of whether they are delivered via a network, including the Internet, include all services that provide any of the following or any combination thereof:
 - consulting, adaptation, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, support, technical assistance, or management of or for computers or computer systems;
 - consulting, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, adaptation, maintenance, support, technical assistance, management or use of or for software;⁴
 - data processing, data storage, data hosting or database services;
 - maintenance and repair services for office machinery and equipment, including computers; and
 - training services for staff of clients, related to software, computers or computer systems, and not elsewhere classified.
4. In many cases, computer and related services enable the provision of other services⁵ by both electronic and other means. However, in such cases, there is an important distinction between the computer and related service (*e.g.*, web-hosting or application hosting) and the other service² enabled by the computer and related service. The other service, regardless of whether it is enabled by a computer and related service, is not covered by CPC 84.

⁴ The term “software” may be defined as the sets of instructions required to make computers work and communicate. A number of different programmes may be developed for specific applications (application software), and the customer may have a choice of using ready-made programmes off the shelf (packaged software), developing specific programmes for particular requirements (customized software) or using a combination of the two.

⁵ *E.g.*, W/120.1.A.b. (accounting, auditing and bookkeeping services), W/120.1.A.d. (architectural services), W/120.1.A.h. (medical and dental services), W/120.2.D (audiovisual services), W/120.5 (educational services).

ATTACHMENT II

ADDITIONAL COMMITMENT FOR TELECOMMUNICATION SERVICES

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network 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. *Competitive safeguards*

1.1 Prevention of anti-competitive practices in telecommunications

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

1.2 Safeguards

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

- (a) engaging in anti-competitive cross-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. ***Interconnection***

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

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 provided:⁶

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;⁷
- (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.

⁶ 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.

⁷ Different terms, conditions and rates may be set in Norway 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'.

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*

Norway 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 Norway.

4. *Public availability of licensing criteria*

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. *Independent regulators*

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants. Norway shall ensure that suppliers of another Party affected by the decision of the regulatory authority of Norway have recourse to an administrative body or a court independent of any supplier, in accordance with its laws and regulations.

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 III

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. "Domestic transport" is defined as maritime transport of goods and passengers between ports in Norway, including locations on the continental shelf where petroleum is explored or produced.

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 computerized 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 organised 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 a port area 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 or 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).
