

APPENDIX 5 TO ANNEX XVIII

REFERRED TO IN ARTICLE 8.4 (RESERVATIONS)

RESERVATIONS BY SWITZERLAND

SWITZERLAND

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Federal Act of 30 March 1911 (Code of Obligations) supplementing the Swiss Civil Code (Systematic Collection of Federal Laws and Regulations, RS 220).
Succinct description of the measure:	<p>For a “corporation” (<i>société anonyme/ Aktiengesellschaft</i>), a “corporation with unlimited partners” (<i>société en commandite par actions/ Kommanditaktiengesellschaft</i>), a “limited liability company” (<i>société à responsabilité limitée/ Gesellschaft mit beschränkter Haftung</i>) and a “cooperative” (<i>société cooperative/ Genossenschaft</i>) at least one member of the governing body of the legal person or another person with the right to represent the legal person must be domiciled in Switzerland.</p> <p>A foreign legal person may also establish one or several branch offices in Switzerland. At least one person of the branch office with the right to represent the branch office must be domiciled in Switzerland.</p>
Purpose or motivation of the measure:	To facilitate judicial proceedings.

SWITZERLAND

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Federal Act of 16 December 1983 on the Acquisition of Real Estate by Persons Abroad (RS 211.412.41).
Succinct description of the measure:	Acquisition of real estate by persons abroad is subject to authorisation by the relevant cantonal authority. For the purpose of a permanent business establishment or a main residence, authorization is granted upon verification of the purpose.
Purpose or motivation of the measure:	Scarcity of available land.

SWITZERLAND

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	Foreign participation in Swiss companies may be subject to prior investment notification requirements, examination and authorisation by the relevant Swiss authorities.
Purpose or motivation of the measure:	Investment policy considerations and national security.

SWITZERLAND

Sector:	Energy sector
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Switzerland reserves the right to maintain or adopt any measure with respect to the energy sector.
Purpose or motivation of the measure:	Energy policy considerations and national security.