

WORLD TRADE ORGANIZATION

RESTRICTED

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Council for Trade in Services

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COMMUNICATION FROM THE EUROPEAN COMMUNITIES AND ITS MEMBER STATES

CERTIFICATION

Draft consolidated GATS Schedule

Supplement

The following communication, dated 15 December 2006, from the delegation of the European Communities and its Member States, is being circulated to the Members of the Council for Trade in Services.

With reference to document S/C/W/273 of 9 October 2006 (hereafter: “the certification document”) and to the context of the certification procedure initiated under such document, following certain bilateral contacts and discussions and in the spirit of the Procedures for the certification of rectifications or improvements to schedules of specific commitments (S/L/84 of 18 April 2000), the European Communities and its Member States have decided not to pursue a change of a purely technical character concerning intra-corporate transfers (ICT) from non-profit making organisations, notwithstanding the fact that no formal objection to that change has been notified to the Secretariat pursuant to paragraph 2 of the above-mentioned Procedures.

Accordingly, the text included under the heading “**(i) Intra-corporate transfers (ICT)**” on page 31 of the certification document, which reads as:

“the natural person concerned must work within a juridical person other than a non-profit making organisation, established in the territory of a WTO Member and have been employed by it (for AT, BE, **CY**, DE, DK, ES, FR, FI, EL, IT, IE, LU, **MT**, NL, PT, SE, SI, UK: or have been a partner in it (other than as a majority shareholder)) for at least the year immediately preceding the date of admission (the date of application in the case of EE and LT) (three years in the case of SI). In IT, the natural person must be working within a juridical person constituted as a SPA (joint stock company) or a SRL (capital stock company with limited responsibility).”

Should read as:

“the natural person concerned must work within a juridical person (for AT, BE, **CY**, DE, DK, **EE**, EL, ES, **FI**, FR, IE, IT, **LT**, LU, **LV**, **MT**, NL, PT, **SI**, UK: other than a non-profit making organisation), established in the territory of a WTO Member and have been employed by it (for AT, BE, **CY**, DE, DK, ES, FR, FI, EL, IT, IE, LU, **MT**, NL, PT, SE, SI, UK: or have been a partner in it (other than as a majority shareholder)) for at least the year immediately preceding the date of admission (the date of application in the case of EE and LT) (three years in the case of SI). In IT, the natural person must be working within a juridical person constituted as a SPA (joint stock company) or a SRL (capital stock company with limited responsibility).”

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Similarly, in the clean version of the schedule (included for ease of reference in the certification document), the text included under the heading “(i) **Intra-corporate transfers (ICT)**” on page 323 of the certification document, which reads as:

“the natural person concerned must work within a juridical person other than a non-profit making organisation, established in the territory of a WTO Member and have been employed by it (for AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: or have been a partner in it (other than as a majority shareholder)) for at least the year immediately preceding the date of admission (the date of application in the case of EE and LT) (three years in the case of SI). In IT, the natural person must be working within a juridical person constituted as a SPA (joint stock company) or a SRL (capital stock company with limited responsibility).”

Should read as:

“the natural person concerned must work within a juridical person (for AT, BE, CY, DE, DK, EE, EL, ES, FI, FR, IE, IT, LT, LU, LV, MT, NL, PT, SI, UK: other than a non-profit making organisation), established in the territory of a WTO Member and have been employed by it (for AT, BE, CY, DE, DK, ES, FR, FI, EL, IT, IE, LU, MT, NL, PT, SE, SI, UK: or have been a partner in it (other than as a majority shareholder)) for at least the year immediately preceding the date of admission (the date of application in the case of EE and LT) (three years in the case of SI). In IT, the natural person must be working within a juridical person constituted as a SPA (joint stock company) or a SRL (capital stock company with limited responsibility).”
