

ANNEX X

REFERRED TO IN ARTICLE 3.4

LIST OF MFN EXEMPTIONS

APPENDIX 1: Ecuador

APPENDIX 2: Iceland

APPENDIX 3: Liechtenstein

APPENDIX 4: Norway

APPENDIX 5: Switzerland

APPENDIX 1 TO ANNEX X

ECUADOR – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or Subsector	Description of the measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audio-visual services	Ibero-American Cinematographic Integration Agreement: - Freedom of entry, residence and movement is granted to nationals responsible for activities related to cinematographic production. - The showing of Ibero-American cinematographic works is facilitated on existing audio-visual channels or by creating channels in each of the signatory countries.	Argentina, Brazil, Colombia, Cuba, Spain, Italy, Mexico, Nicaragua, Panama, Peru and the Dominican Republic.	Indefinite	Protection of principle of the relevant agreements.
	Latin American Cinematographic Agreement: - National treatment for co-producing cinematographic works. - Cinematographic works must be made by professionals who are nationals of or residents in the member States. - Movement and residence of the artistic and technical personnel working on cinematographic works are facilitated.	Argentina, Brazil, Colombia, Cuba, Spain, Italy, Mexico, Nicaragua, Panama, Peru and the Dominican Republic.	Indefinite	

	- The import and export of material and equipment necessary for making co-produced cinematographic works is facilitated. - Co-producing countries are entitled to the profits of exploitation of the work on their territory. - Whatever system for the use of exchange of service, material and products that suits the co-producers may be agreed. - Directors of such co-productions must be nationals of or resident in one of the member co-producing States in Latin America, the Caribbean or other Spanish speaking or Portuguese speaking countries.			
Land transport	Measures which grant preferential treatment to countries of the Andean Road Freight System.	Andean Countries Group	Indefinite	Protects regional efforts in this area.

APPENDIX 2 TO ANNEX X

ICELAND – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
ALL SECTORS	Measures aimed at promoting Nordic cooperation such as: - guarantees and loans to investment projects and exports (The Nordic Investment Bank) - financial support to R&D projects (The Nordic Industrial Fund) - funding of feasibility studies for international projects (The Nordic Fund for Project Exports) - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Corporation).	Denmark, Finland, Iceland, Norway and Sweden (*) Applies to East European companies, which are co-operating with a Nordic company.	Indefinite	To maintain and develop Nordic Cooperation
Audio-visual services; transmission of audio-visual programmes	Measures that are adopted for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (no. 89/552) and which define programmes of European origin in order to extend national treatment to audio-visual programmes meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries parties to the EEA Agreement with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audio-visual services; production and distribution of cinematographic works and television programmes	Measures that are adopted for the implementation of benefits in conformity with such support programmes as MEDIA and EURIMAGES to audio-visual programmes and suppliers to these programmes, meeting specific European origin criteria	European countries	Indefinite	Preservation and promotion of the regional identity of the countries concerned
	Support programmes for the production and distribution of cinematographic works and television programmes (The Nordic Film and TV Fund)	Denmark, Finland, Norway and Sweden	Indefinite	To maintain and develop Nordic cooperation
	Measures based upon government-to-government framework agreements, and plurilateral agreements, on co-production of audio-visual works, which confer National Treatment to audio-visual works covered by these agreements, in particular in relation to distribution and access to funding	All countries with whom cultural cooperation may be desirable (agreements already exist, or are being negotiated, with the following countries: France, Canada)	Indefinite (The promotion of cultural links between countries cannot be time bound)	The aim of these agreements is to promote cultural links between the countries concerned

APPENDIX 3 TO ANNEX X

LIECHTENSTEIN – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audio-visual services	To confer national treatment to audio-visual works covered by bi- or plurilateral agreements on co-production in the field of audio-visual works, in particular in relation to access to funding and to distribution.	All countries with whom cultural co-operation may be desirable.	Indefinite	Promotion of common cultural objectives.
	Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screentime which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audio-visual works and/or to suppliers of audio-visual services meeting specific European origin criteria.	European countries	Indefinite	Promotion of cultural objectives based on long standing cultural links.
	Concessions for the operation of radio or television broadcast stations may be granted to persons of countries other than Liechtenstein.	All countries with whom cultural co-operation may be desirable.	Indefinite	Promotion of common cultural objectives, and to regulate access to a market limited in scale in order to preserve diversity of supply.
Construction and related Engineering	The right of commercial presence and the right of presence of natural persons is dependent on reciprocity for service providers from Liechtenstein.	All countries	Indefinite	To ensure adequate market access to services providers from Liechtenstein.
Road transport services (passenger and freight)	To regulate, on the basis of mutual access to the market, transport of goods and/or passengers by vehicles registered in countries other than Liechtenstein in, into, out of, or in transit through Liechtenstein territory, normally pursuant to bilateral agreements.	All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approx. 45 countries).	Exemption needed until multilateral liberalisation of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon.	To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment.

Sector or subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	Measures based on bilateral agreements between Switzerland and Liechtenstein, with the objective of providing for the movement of all categories of natural persons supplying services.	Switzerland	Indefinite	Elements of a comprehensive set of bilateral agreements between Switzerland and Liechtenstein.
	According to the Liechtenstein legislation the right of presence of natural persons in all sectors is dependent on reciprocity for services providers from Liechtenstein.	All countries	Indefinite	To ensure adequate market access to services providers from Liechtenstein.

APPENDIX 4 TO ANNEX X

NORWAY – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Road transport: Passenger and Freight	Provisions of existing and future road transport agreements with one or more countries to reserve traffic rights for carriage to/from Norway and between third countries concerned. Road cabotage can also be allowed for specific countries	All countries	Indefinite	Regional specificity of road transport services
Audio-visual services: Transmission of audio-visual programmes to the public	Measures that are taken for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (No. 89/552) and which define programmes of European origin in order to extend national treatment to audio-visual programs meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives
Audio-visual services: Motion picture and video tape production and distribution services	To confer national treatment on audio-visual works through government-to-government framework agreements on film co-production. Such works may in some cases receive access to funding when this would not otherwise be available to co-production.	All countries	Indefinite	The aim of such agreements is to promote cultural links between the countries concerned

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audio-visual services: Production and distribution of cinematographic works and television programmes in Nordic countries	Measures that are adopted for the implementation of benefits in conformity with such support programs as the NORDIC FILM and TV FUND in order to enhance production and distribution of audio-visual works produced in Nordic countries	Finland, Norway, Sweden, Iceland and Denmark	Indefinite	Preservation and promotion of the regional identity of the countries concerned
Audio-visual services: Production and distribution of cinematographic works and television programs	Measures that are adopted for the implementation of benefits in conformity with such support programs as MEDIA and EURIMAGES to audio-visual programs and suppliers to these programs, meeting specific European origin criteria	European countries	Indefinite	Preservation and promotion of the regional identity of the countries concerned

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	Measures aimed at promoting Nordic co-operation, such as: - guarantees and loans to investment projects and exports (The Nordic Investment Bank); - financial support to R&D projects (The Nordic Industrial Fund); - funding of feasibility studies for international projects (The Nordic Fund for Project Exports); - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Co-operation)	Denmark, Sweden, Finland, Iceland and Norway (*) Applies to East European companies, which are co-operating with one or more Nordic companies.	Indefinite	To maintain and develop Nordic co-operation
CRS and sales and marketing of air transport services	The obligations of CRS system vendors or of parent and participating air carriers shall not apply where equivalent treatment is not accorded in the country of origin of the parent carrier or of the system vendor	All countries where a CRS system vendor or a parent air carrier is located	Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Domestic Maritime Transport: Passenger and Freight	Provisions of agreements on access to domestic maritime transport	Denmark, Finland, Iceland, Germany, Sweden and UK	Indefinite	These agreements go beyond the rights covered by the EEA agreement and are thus applicable. The exemption will allow for entering partial and progressive commitments in this sector.

APPENDIX 5 TO ANNEX X

SWITZERLAND – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audio-visual services	To confer national treatment to audio-visual works covered by bilateral or plurilateral agreements on co-production in the field of audio-visual works, in particular in relation to access to funding and to distribution Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screen time which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audio-visual works and/or to suppliers of audio-visual services meeting specific European origin criteria	All countries with whom cultural cooperation may be desirable (at present agreements exist with member countries of the Council of Europe and with Canada) European countries	Indefinite Indefinite	Promotion of common cultural objectives Promotion of cultural objectives based on longstanding cultural links
Audio-visual services - only terrestrial broadcasting or when broadcaster wants to be supported financially through revenues of reception fees	Concessions for the operation of radio or television broadcast stations may be granted, on the basis of reciprocity with regard to foreign capital participation in this sector	All countries in which access to broadcasting services is granted on the same basis as under Swiss law	Indefinite	Promotion of common cultural objectives, and to regulate access to a market limited in scale (given the size of Switzerland) in order to preserve diversity of supply

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Internal waterways transport	To allow transport services on the Rhine including cabotage to vessels registered in countries other than Switzerland on the basis of the Mannheim Convention (including related additional articles and protocols) and other agreements on internal waterways transport in Europe	Beneficiaries of the Mannheim Convention and other agreements relating to internal waterways transport in Europe to which Switzerland may be a member	Indefinite	To regulate transport capacity on inland waterways
Road transport services (passenger and freight)	To regulate, on the basis of mutual access to the market, transport of goods and/or passengers by vehicles registered in countries other than Switzerland in, into, out of, or in transit through Swiss territory, normally pursuant to bilateral agreements	All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approximately 45 countries)	Exemption needed until multilateral liberalization of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon	To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment
All sectors	Measures based on bilateral agreements between the Principality of Liechtenstein, or the European Union and/or its Member States and Switzerland, with the objective of providing for the movement of all categories of natural persons supplying services	The Principality of Liechtenstein and the EU	Indefinite	Elements of a comprehensive set of bilateral agreements between Switzerland and the Principality of Liechtenstein and between Switzerland and the EU