ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONS

APPENDIX 1:	Costa Rica
APPENDIX 2:	Panama
APPENDIX 3:	Iceland
APPENDIX 4:	Liechtenstein
APPENDIX 5:	Norway
APPENDIX 6:	Switzerland

APPENDIX 1 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONSBYCOSTA RICA

COSTA RICA

1. Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Law No. 6043 of 02 March 1977– *Ley sobre la ZonaMarítimoTerrestre* –Articles 9, 10, 11, 12 and 31, and Chapters III and VI. Law No.2825 of 14 October 1962- *Ley de Tierras y Colonización (ITCO IDA)*- Chapter 2. RegulationNo.10 of 28 April 2008- *Reglamento Autónomo de Arrendamientos en Franjas Fronterizas*- Chapters 1 and 2.
Succinct description of the measure:	A concession is required to perform any type of development or activity in the maritime-terrestrial zone.[1] Such a concession shall not be granted to or held by: (a) foreign nationals that have not resided in the country for at least five years; (b) enterprises with bearer shares; (c) enterprises domiciled abroad; (d) enterprises incorporated in the country solely by foreign nationals; or (e) enterprises where more than 50% of the capital shares or stocks are owned by foreigners. The entities or its partners that have concessions shall not yield or transfer quotas or shares to foreigners. Within the maritime-terrestrial zone, no concession may be granted within the first fifty meters counted from the high tide line nor in the area comprised between the high tide line and the low tide line.

[1] The maritime-terrestrial zone is the 200-meter strip located along the entire length of the Atlantic and Pacific coast lines of Costa Rica, measured horizontally from the ordinary high tide line. The maritime-terrestrial zone also covers all islands located within the Costa Rican territorial waters.

	Excluding land that is under private domain and has legitimate title, all other land comprised within the 2.000 meters wide alongside Costa Rica´s borders with Nicaragua and Panama is inalienable and cannot be acquired by *denuncio* or possession. In case of natural persons, a foreign national must have permanent resident status in Costa Rica, with a certification issued by the General Directorate of Migration and Alien Affairs, to lease these lands. In case of juridical persons, which capital stock belongs to foreign nationals in more than 50%, the permanent resident requirement applies for the foreign national owners.

COSTA RICA

2. Sector:	All sectors
Sub-sector:	**-**
Legal source or authority of the measure:	Law No. 3284 of 30 April 1964– *Código de Comercio* – Article 226. Law No. 218 of 08 August 1939 – *Ley de Asociaciones* – Article 16. ExecutiveDecree No. 29496 of 17 April 2001 – *Reglamento a la Ley de Asociaciones* – Article 34.
Succinct description of the measure:	Associations located abroad that would like to act in Costa Rica are obliged to constitute and maintain in the country a power of attorney; likewise, foreign juridical persons that have or want to open branches in the territory of Costa Rica are obliged to constitute and maintain in the country a power of attorneyfor the branches' business.

COSTA RICA

3. Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Treatment accorded to subsidiaries of juridical persons of an EFTA State constituted in accordance with the Costa Rican legislation and having their registered office, central administration or principal place of business within the territory of Costa Rica is not extended to branches, agencies or representative offices established in the territory of Costa Rica by a juridical person of an EFTA State. Treatment less favourable may be accorded to subsidiaries of a juridical person of an EFTA State constituted in accordance with the Costa Rican legislation, which have only their registered office or central administration in the territory of Costa Rica; unless it can be proved that they maintain substantive business operations in the territory of Costa Rica.

COSTA RICA

4. Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Reservations maintained at local governments' level (municipalities) are consolidated; nevertheless such reservations are not listed. These reservations shall not be construed as nullifying the commitments taken by Costa Rica in Chapter 7 of the Agreement.

COSTA RICA

5. Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to adopt or maintain any measure with respect to subsidies.

COSTA RICA

6. Sector:	Energy sector
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to maintain or adopt any measure with respect to the energy sector.

COSTA RICA

7. Sector:	Minority Affairs and Native Groups
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to adopt or maintain any measure that grants rights or preferences to a socially or economically disadvantage minority or to native groups.

COSTA RICA

8. Sector:	Natural Resources
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to adopt or maintain any measure with respect to natural resources. This reservation does not apply to agriculture, hunting, forestry and logging, since non-conforming aspects of Costa Rica's existing measures in relation to such sectors are covered in Reservation 11of this Appendix.

COSTA RICA

9. Sector:	Arms and Explosives
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to adopt or maintain any measure with respect to the arms and explosives.

COSTA RICA

10. Sector:	Fishing and Aquaculture
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Costa Rica reserves the right to adopt or maintain any measure with respect to fishing and aquaculture.

COSTA RICA

11. Sector:	Agriculture, hunting, forestry, logging and fishing
Sub-sector:	-
Legal source or authority of the measure:	Law No. 7317 of 30 October 1992 – *Ley de Conservación de la Vida Silvestre* – Articles 2, 28, 29, 31, 38, 39, 61, 64 and 66. ExecutiveDecree No. 32633 of 10 March 2005 – *Reglamento a la Ley de Conservación de la Vida Silvestre* – Chapter V.
Succinct description of the measure:	A license for scientific or cultural collection of species, huntingand fishing shall be issued for a maximum of one year for nationals or residents, and six months or less for all other foreigners. Nationals and residents shall pay a lower fee than non-resident foreigners to obtain this license. Non-resident foreigners can only practice hunting of certain pigeon species in the terms and conditions established in the respective legislation.

APPENDIX 2 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONS BY PANAMA

PANAMA

1. Sector:	Retail Sales
Sub-Sector:	-
Legal Source or Authority of the measure:	Article 293 of the Political Constitution of the Republic of Panama of 1972, as amended. Articles 5 and 10 of Law No. 5 of January 11, 2007. Article 12 of Executive Decree No. 26 of July 12, 2007.
Succinct description of the measure:	1. Only the following persons may own a retail business in Panama: (a) Panamanians national by birth; (b) natural persons who, on the date of entry into force of the 1972 Constitution were a naturalised person and married to a Panamanian national or have children with a Panamanian national; (c) Panamanians by naturalization, who are not covered by the description under (b), after three years of the date on which they have obtained their naturalisation letter; (d) Panamanian juridical persons or juridical persons organized under the law of a foreign country and foreign natural persons who on the date of entry into force of the 1972 Constitution, owned a retail business in Panama according to the domestic law; and (e) a juridical person, whether organized under the laws of Panama or any other Country, if ownership of that person is held by natural persons described in subparagraph (a), (b), (c), or (d), as set out in paragraph 5 of Article 293 of the Constitution. 2. Notwithstanding paragraph 1(e), a foreign national may own a juridical person engaged in retail business if: (a) the products sold by the juridical person in retail business are exclusively products that are

	produced at its direction and bear its label; or (b) the juridical person is engaged primarily in the sale of a service, and the products that it sells are necessarily associated with the sale of that service. 3. Senior managers and directors of a retail business must meet the same nationality requirements as owners of a retail business**.**

PANAMA

2. Sector:	All Sectors
Sub-Sector:	-
Legal Source or Authority of the measure:	Article 17 of the Labour Code.
Succinct description of the measure:	Any employer shall maintain Panamanians workers, or foreigners married with a Panamanian, or foreigners with at least 10 years of permanent residence in the Country, in a proportion no less than 90% of the total ordinary workers of the Company; and, it may retain foreign workers up to 15% of qualified personal, specialist or key personal. Based on an employer request, this proportion can be diminished when it involves workers who are specialist or strictly technicians and just for the necessary time, subject to the approval of the Ministry of Labour.

PANAMA

3. Sector:	All Sectors
Sub-Sector:	-
Legal Source or Authority of the measure:	Articles 290 and 291 of the Political Constitution of the Republic of Panama of 1972, as amended.
Succinct description of the measure:	1. No foreign government, foreign official, or foreign state enterprise, may own real property in Panama, except property used for an embassy. 2. No foreign national or enterprise or enterprise organised under the laws of Panama owned entirely or partially by foreign nationals may own real property within 10 kilometres of Panama's borders.

PANAMA

4. Sector:	Public Utilities
Sub-Sector:	-
Legal Source or Authority of the measure:	Article 285 of the Political Constitution of the Republic of Panama of 1972, as amended.
Succinct description of the measure:	1. Panama may require that the majority of the capital of a private enterprise operating a public utility be owned by Panamanian persons. However, Panama may provide exceptions to the preceding sentence by law. 2. Panama may require that the senior managers and members of the board of directors of such an enterprise be Panamanian nationals. 3. For greater certainty, it should be considered as a public utility: potable water supply, sanitary sewer, electricity, telecommunications, radio and television, transmission and distribution of natural gas.

PANAMA

5. Sector:	Power and Energy
Sub-Sector:	-
Legal Source or Authority of the measure:	Articles 4, 21, 35 and 47 of Main Text of August 31, 2011 related to Law No. 6 of February 3, 1997.
Succinct description of the measure:	1. Electric power generation and transmission in the territory of Panama may be supplied only by the Government of Panama. 2. It is required to be Panamanian in order to be a member of the Board of Directors of an electrical enterprise of the State, belonging more than 51% to the State. 3. The Government of Panama may intervene in the energy sector as a matter of public policy and according to the electrical energy supply regulation.

PANAMA

6. Sector:	Mining
Sub-Sector:	Extraction of non-metallic, metallic (except precious minerals) minerals, precious alluvial minerals, precious non-alluvial minerals, fuel minerals (except Hydrocarbons) and reserve minerals.
Legal Source or Authority of the measure:	Articles 4, 131, 132, and 135 of Decree Law No. 23 of August 22, 1963, as amended. Article 11 of Law No. 3 of January 28, 1988. Article 1 of Law Decree No. 30 of February 22, 2011.
Succinct description of the measure:	1. Preference shall be given to Panamanians for positions in all phases of mining operations, in accordance with the Labour Code. Notwithstanding the previous paragraph, the holders of mining concessions (engaged in mining operations covered by extraction, benefit or transport concessions) and contractors (carrying out mining operations), may employ foreign executive, scientific, technical and expert personnel, subject to: (a) a necessity requirement for the efficient development of the mining operations; and (b) a limitation of foreign personnel, which cannot exceed 25% of all the employees, and the salaries that they receive do not exceed 25% of the total of salaries. 2. All the concessionaires, with exception of those that only possess concessions for exploration or extraction of minerals for construction or as fertilizers,[1] should: (a) establish programs related to their mining operations in the country for the benefit of all the non specialized and semi-specialized workers, so that they can learn more efficient methods to carry out mining operations; (b) provide at their costs, instruction and theoretical and practical training to Panamanian employees, that should be professional and specialized workers, in educative or professional institutions, and on the facilities or activities, within or out of the country; The nature and scope of such training programs of training shall be reported annually to the

[1] For greater certainty, minerals for construction are usually non-metallic minerals (“Class I”, former “Class A”), which means those from sedimentary sites (chemical, biochemical and groundwater) that lead concentrations of exogenous, like gypsum, sulfur, phosphates, amorphous silica and derivatives, etc.; used normally and primarily for construction or as fertilizers, or as slag heap of abandoned mines.

	Directorate National of Mining Resources. 3. The Directorate National of Mining Resources shall establish the terms and conditions in which such foreign persons may be employed. 4. The Panamanian government shall not initiate, promote, and approve, the exploration or extraction of mines in Cerro Colorado or in other mineral deposit within the Ngöbe Bugle or any other reservation.[2] 5. Panama reserves the right to adopt or maintain any measure to assure that a foreign government or a foreign state enterprise (official or semi-official entity or institution) does not acquire a mining concession.

[2] For greater certainty, a Reservation is a special political division ruled by specific regulations applied only for indigenous ethnic groups.

PANAMA

7. Sector:	Mining
Sub-Sector:	Exploration and Exploitation of non-metallic minerals used as construction, ceramic, refractory, and metallurgical materials.
Legal Source or Authority of the measure:	Article 3 of Law No. 109 of October 8, 1973. Article 7 of Law No. 32 of February 9, 1996.
Succinct description of the measure:	1. Only a Panamanian national or an enterprise organized under Panamanian law may obtain a contract for the exploration and exploitation of limestone, sand, quarry stone, crude, clay, gravel, debris, feldspar, plaster, and other non-metallic minerals. 2. The following entities, by itself or by interposed persons, cannot obtain, operate or get benefits directly or indirectly from contracts mentioned in the previous paragraph: (a) foreign governments, official or semi-official entities or institutions; or (b) juridical persons in which there is direct or indirect participation of any foreign government, except when the Executive Branch, upon a justified request previously submitted by the interested juridical person, decides otherwise.

PANAMA

8. Sector:	Fisheries
Sub-Sector:	Fishing
Legal Source or Authority of the measure:	Article 286 of Law No. 8 (the Fiscal Code of the Republic of Panama), of January 27, 1956. Articles 5 and 6 of Decree Law No. 17 of July 9, 1959. Article 1 of Decree No. 116 of November 26, 1980. Article 3 of Executive Decree No. 124 of November 8, 1990. Article 1 of Executive Decree No. 71 of October 20, 1992. Administrative Resolution 003 of January 7, 2004. Article 3 of Executive Decree No. 239 of July 15, 2010.
Succinct description of the measure:	1. Only a Panamanian national or enterprise owned or controlled by Panamanian nationals may sell for consumption in Panama fish caught in the jurisdictional waters of Panama. 2. Only a Panamanian-built vessel may perform commercial or industrial shrimp fishing in the jurisdictional waters of Panama.[3] 3. Only a vessel owned by a Panamanian national or an enterprise organized under Panamanian law may fish for tuna in waters of the Jurisdiction of Panama in vessels with a capacity of less than 150 tons. International tuna fishing vessels must use the services of legal shipping agencies domiciled in Panama in order to obtain a license to fish for tuna in Panamanian jurisdictional waters. 4. Only a vessel owned by a Panamanian national or an enterprise organised under Panamanian law may obtain a license for inshore fishing (artisanal). 5. Panama reserves the right to adopt or maintain any measure relating to requirements for investments in, ownership or control of, and operation of vessels engaged in fishing and related activities in Panamanian jurisdictional waters. 6. Panama reserves the right to control the use of beaches, beach lands, water areas and the bottom of the sea.

[3] Under Panamanian law, jurisdictional water means the contiguous zone, territorial sea, continental shelf, *aguas archipiélagas* (insular waters), and internal waters.

PANAMA

9. Sector:	All Sectors
Sub-Sector:	-
Legal Source or Authority of the measure:	Articles 133-142 of Law No. 64 of October 10, 2012.
Succinct description of the measure:	Panama requires the collective management of rights through a non lucrative Panamanian organisation, subject to the authorization of the copyright authority. Organisations approved by Panamanian authorities are entailed to collect royalties through cultural collective funds and grants.

PANAMA

10. Sector:	All Sectors
Sub-sector:	Natural Resources
Legal source or authority of the measure:	Articles 62, 102, 104 of Law No. 41 of 1998.
Succinct description of the measure:	1. Natural resources belong to the public domain and its use and conservation have a social interest, without prejudice of legitimate rights acquired by private persons. 2. Communal lands of ethnic groups are inalienable, imprescriptibly and guaranteed against seizure. Members of communal lands have preference when granting an authorisation related with the access and use of natural resources within its communal land.

PANAMA

11. Sector:	Native Populations and Minorities
Sub-Sector:	-
Legal Source or Authority of the measure:	Not applicable
Succinct description of the measure:	Panama reserves the right to adopt or maintain any measure denying to foreign investors and their investments or to foreign service suppliers any right or preference granted to minorities with social or economic disadvantages and native populations in their reservation areas.

PANAMA

12. Sector:	All Sectors
Sub-Sector:	Activities Related to the Panama Canal
Legal Source or Authority of the measure:	Not applicable
Succinct description of the measure:	1. Panama reserves the right to adopt or maintain any measure related to the ownership of the Panama Canal and any juridical person that may succeed the Panama Canal Authority (PCA). A member of the board of directors of any such juridical person must be a Panamanian national. 2. The PCA may require that an enterprise operating in the Panama Canal be legally constituted under the law of Panama and enter into a joint venture or other legal entity with the PCA. The PCA may adopt or maintain any measure limiting the number of concessions operating in the Panama Canal. 3. The PCA may impose performance requirements consistent with Article 3 of the Agreement No. 151 of November 21, 2007 as a condition for the granting and maintaining of a compatibility license for activities in the Panama Canal Area as defined in Annex II of Law No. 21 of 1997. 4. The Panama Canal includes the aquatic route proper, as well as its anchorages, dock berths, and entrances; lands and marine, lacustrine, and fluvial waters; locks; auxiliary dams; docks; and water control structures.

PANAMA

13. Sector:	All Sectors
Sub-Sector:	Issues related to State enterprises or governmental organisations
Legal Source or Authority of the measure:	Not applicable
Succinct description of the measure:	1. When selling or disposing shareholding interests or goods of an existing State enterprise or governmental organisation,[4] Panama reserves the right to prohibit or impose limitations on the rendering of services and the property of such interests or goods, and on the technical, financial capacity and experience of the owners of such interests or goods, to control any resulting enterprise, by foreign investors or its investments. 2. Panama reserves the right to limit the transfer or disposal of any interest held in an existing State enterprise, such that only nationals of Panama may receive such interest. However, the preceding sentence pertains only to the initial transfer or disposal of such interest, except as provided in Panama's entry on public utilities. 3. For greater certainty, (a) where Panama transfers an interest in an existing state enterprise to another state enterprise, such transfer shall not be considered to be an initial transfer or disposal of the interest for purposes of the preceding paragraph; and (b) where Panama transfers or disposes of an interest in an existing state enterprise in multiple phases, the preceding paragraph shall apply separately to each such phase. 4. In relation to the sale or another form of disposition, Panama can adopt or maintain any measure related to the nationality of senior executives or members of the Board of Directors.

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[4] For the purpose of this entry: (b) "State enterprise" means an enterprise that is property of or is under control of the Republic of Panama and includes an enterprise established after the date of entry into force of this Agreement only for the purposes of selling or disposing shareholding interests in, or in the assets of, an existing governmental enterprise or entity.

APPENDIX 3 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONS BY ICELAND

ICELAND

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Law No. 138/1994 Respecting Private Limited Companies, Law No. 2/1995 Respecting Public Limited Companies, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises.
Succinct description of the measure:	The majority of the founders, the manager(s) and at least half the board of directors, of a private limited company or a public limited company must either be resident in Iceland, in another member state of the European Economic Area, in another member state of the European Free Trade Association or in the Faroe Islands.[1] The Minister of Commerce can grant exemptions from these restrictions.
Purpose or motivation of the measure:	To secure that the legal venue of the majority of the board of directors and managers is within Icelandic jurisdiction.

1 The exclusion of the residency criteria for residents of an EEA Member State, an EFTA State or the Faroe Islands is not a reservation on national treatment, but the sentence is included to give an exhaustive description of the measure.

ICELAND

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Law No. 19/1966 on the Right to Own and Use Real Estate, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises.
Succinct description of the measure:	Only Icelandic citizens and Icelandic legal entities and citizens and legal entities from another member state of the European Economic Area, another member state of the European Free Trade Association or from the Faroe Islands are allowed to own real estate in Iceland unless the ownership and use is linked to an investment in real estate pertaining to the business activity of the investor.[2] The same applies to the hiring of a real estate if the duration of the lease lasts for more than 3 years. These restrictions do not apply to a non-European Economic Area (EEA) citizen who has been residing in Iceland for at least five years. The Minister of Justice can grant exemptions from these restrictions.
Purpose or motivation of the measure:	Fluctuations in real estate prices due to possible excess foreign demand can adversely affect the domestic market for housing and summer houses (secondary homes).

[2] The exclusion of citizenship and legal entity criteria for residents of an EEA Member State, an EFTA State or the Faroe Islands is not a reservation on national treatment, but the sentence is included to give an exhaustive description of the measure.

ICELAND

Sector:	Fisheries
Sub-sector:	Fishing, whaling
Legal source or authority of the measure:	Law No. 22/1998 on the Fishing and Fish processing of Foreign Vessels in Iceland's Economic Zone, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises, Law No. 26/1949 on Whaling.
Succinct description of the measure:	Only the following may conduct fishing operations within the Icelandic fisheries jurisdiction: (a) Icelandic citizens and other Icelandic persons. (b) Icelandic legal persons which are wholly owned by Icelandic persons or Icelandic legal persons which: (i) are controlled by Icelandic entities; (ii) are not under more than 25% ownership of foreign residents calculated on the basis of share capital or initial capital. However, if the share of an Icelandic legal person in a legal person conducting fishing operations in the Icelandic fisheries jurisdiction or fish processing in Iceland is not above 5%, the share of the foreign resident may be up to 33%; (iii) are in other respects under the ownership of Icelandic citizens or Icelandic legal persons controlled by Icelandic persons.
Purpose or motivation of the measure:	The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustainable yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

ICELAND

Sector:	Fisheries
Sub-sector:	Fish Processing
Legal source or authority of the measure:	Law No. 34/1991 on Investment by Non-Residents in Business Enterprises.
Succinct description of the measure:	Only the following may own or run enterprises engaged in fish processing in Iceland: (a) Icelandic citizens and other Icelandic persons. (b) Icelandic legal persons which are wholly owned by Icelandic persons or Icelandic legal persons which: (i) are controlled by Icelandic entities; (ii) are not under more than 25% ownership of foreign residents calculated on the basis of share capital or initial capital. However, if the share of an Icelandic legal person in a legal person conducting fishing operations in the Icelandic fisheries jurisdiction or fish processing in Iceland is not above 5%, the share of the foreign resident may be up to 33%; (iii) are in other respects under the ownership of Icelandic citizens or Icelandic legal persons controlled by Icelandic persons. Fish processing in this context is freezing, salting, drying and any other process used to initially preserve fish and fish products, including melting and meal processing. This reservation does not apply to secondary fish processing.
Purpose or motivation of the measure:	The reservation on fish processing is an integral part of retaining control in the field of fishing and whaling. The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustained yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

ICELAND

Sector:	Fisheries
Sub-sector:	Fish Auctioning
Legal source or authority of the measure:	Law No. 79/2005 on the Auctioning of Fish.
Succinct description of the measure:	Only Icelandic citizens and Icelandic legal entities and citizens and legal entities from another member state of the European Economic Area, from another member state of the European Free Trade Association or from the Faroe Islands are allowed to own and manage enterprises engaged in fish auctioning in Iceland.[3]
Purpose or motivation of the measure:	The reservation on fish auctioning is an integral part of retaining control in the field of fishing and whaling. The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustained yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

[3] The exclusion of citizenship and legal entity criteria for residents of an EEA Member State, an EFTA State or the Faroe Islands is not a reservation on national treatment, but the sentence is included to give an exhaustive description of the measure.

ICELAND

Sector:	Energy
Sub-sector:	Energy production and distribution
Legal source or authority of the measure:	Law No. 34/1991 on Investment by Non-Residents in Business Enterprises.
Succinct description of the measure:	Only Icelandic citizens and legal entities, and citizens and legal entities from another member state of the European Economic Area, from another member state of the European Free Trade Association or from the Faroe Islands, can own the right to harness hydroelectric and geothermal power other than for own personal home use.[4] The same applies to investment in enterprises engaged in power production and power distribution.
Purpose or Motivation of the Measure:	Apart from the fish stock, hydroelectric power and geothermal power are Iceland's most important natural resources. Their utilisation need to be centrally administered through licensing and co-generation agreements. The power production and power distribution are public utilities which to a large degree operate as public monopolies.

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4 The exclusion of citizenship and legal entity criteria for residents of an EEA Member State, an EFTA State or the Faroe Islands is not a reservation on national treatment, but the sentence is included to give an exhaustive description of the measure.

APPENDIX 4 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONS BY LIECHTENSTEIN

LIECHTENSTEIN

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	*Gewerbegesetz* (Act on Commercial Law) of 10 December 1969, LR (Systematic Collection of Liechtenstein Law) 930.1, and relevant laws as mentioned in Article 2, paragraph 1 of that Act, as well as relevant Parliament or Government decisions.
Succinct description of the measure:	The establishment of a commercial presence by a juridical person (including branches) is subject to the requirement that no objection for reasons of national economy is made (balanced proportion of national and foreign capital; balanced ratio of foreigners in comparison with the number of resident population; balanced ratio of total number of jobs in the economy in comparison with the number of the resident population; balanced geographic situation; balanced development of the national economy, between and within the sectors).
Purpose or motivation of the measure:	To ensure a balanced development of the national economy taking into account the specific geographic situation of the country, its limited resources and the small labour market.

LIECHTENSTEIN

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	*Gewerbegesetz* (Commercial Law Act) of 10 December 1969, LR 930.1; *Personen- und Gesellschaftsrecht* (Company Law) of 20 January 1926, LR 216.0.
Succinct description of the measure:	The establishment of a commercial presence by an individual is subject to the requirement of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The establishment of a commercial presence by a juridical person (including branches) is subject to the following requirements: At least one of the managers has to fulfil the requirements of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The majority of the administrators (authorised to manage and represent the juridical person) must be residents in Liechtenstein and have either to be Liechtenstein citizens or have prior residence during a certain period of time in Liechtenstein. The general and the limited partnership have to fulfil the same conditions as corporations with limited liability (juridical person). In addition, the majority of the associates have to be Liechtenstein citizens or to have prior residence during a certain period of time in Liechtenstein. The Liechtenstein company law does not prohibit joint stock companies from foreseeing in their articles of incorporation the preclusion or limitation of the transfer of registered shares.
Purpose or motivation of the measure:	To facilitate judicial proceedings.

LIECHTENSTEIN

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	*Grundverkehrsgesetz* (Law on the acquisition of real estate) of 9 December 1992, LR 214.11.
Succinct description of the measure:	All acquisitions of real estate are subject to authorisation. Such authorisation is granted only if an actual and proven requirement for living or business purposes is given and a certain period of residence has been completed. Non-residents are excluded from the acquisition of real estate.
Purpose or motivation of the measure:	Extreme scarcity of available land. Preservation of access to real estate for the resident population and maintenance of a balanced geographic situation.

LIECHTENSTEIN

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

APPENDIX 5 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

RESERVATIONS BY NORWAY

NORWAY

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Companies Act of 13 June 1997 No. 44 (*aksjeloven*) and Joint Stock Public Companies Act of 13 June 1997, No. 45 (*allmennaksjeselskapsloven*).
Succinct description of the measure:	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. The residency criteria do not apply to nationals of an European Economic Area (EEA) Member State who are permanent residents of one of these States.[1] The Ministry of Trade and Industry may grant exemptions from this provision.
Purpose or motivation of the measure:	The resident criteria are based on reasons of jurisdiction, in order to ensure that the persons responsible for the company's affairs are accessible.

[1] The exclusion of the residency criteria for permanent residents of an EEA Member State is not a reservation on national treatment, but the sentence is included to give an exhaustive description of the measure.

NORWAY

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

NORWAY

Sector:	Repair of Transport Equipment sector
Sub-sector:	**-**
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Norway reserves the right to maintain or adopt any measure with respect to the repair of transport equipment sector in the Investment Chapter, as all activities in this sector shall be treated as services under this Agreement.
Purpose or motivation of the measure:	To ensure the policy that any commitments in this area are adopted in Chapter 4 of the Agreement.

NORWAY

Sector:	Fishing and fish processing
Sub-sector:	-
Legal source or authority of the measure:	Regulation of Participation in Fishing Act of 26 March 1999, No. 15. Economic Zone Act of 17 December 1976, No. 91. The Fishing Limit Act of 17 June 1966, No. 19.
Succinct description of the measure:	A concession to acquire a fishing vessel or share in a company which owns such vessels can only be given to a Norwegian citizen or a body that can be defined as a Norwegian citizen. A company is regarded as having equal rights with a Norwegian citizen when its main office is situated in Norway and the majority of the Board, including the Chair of the Board, are Norwegian citizens and have stayed in the country the last two years. Norwegian citizens also have to own a minimum of 60% of the shares and have to be authorised to vote for at least 60% of the votes. Ownership to the fishing fleet shall be reserved for professional fishermen. To obtain the right to own a fishing vessel, one has to have a record of active, professional fishing on a Norwegian fishing boat for at least three of the last five years. It is prohibited for other persons than Norwegian nationals or companies, as defined above, to process, pack or transship fish, crustaceans and molluscs or parts and products of these inside the fishing limits of the Norwegian Economic Zone. This applies to catches from both Norwegian and foreign vessels. Exceptions are granted under special circumstances.
Purpose or motivation of the measure:	Resource conservation and management.

NORWAY

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Collective copyright and neighbouring rights' management systems; royalties, levies, grants and funds.
Purpose or motivation of the measure:	To preserve and promote linguistic and cultural diversity in Norway.

APPENDIX 6 TO ANNEX XVIII

REFERRED TO IN ARTICLE 5.4

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) supple-menting the Swiss Civil Code (Systematic Collection of Federal Laws and Regulations, RS 220).
Succinct description of the measure:	For a “corporation” (*société anonyme/ Aktiengesellschaft*), a “corporation with unlimited partners” (*société en commandite par actions/ Kommanditaktiengesellschaft*), a “limited liability company” (*société à responsabilité limitée/ Gesellschaft mit beschränkter Haftung*) and a “cooperative” (*société cooperative/ Genossenschaft*) 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. 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.
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 when the acquirer does not use the property to operate a permanent establishment.
Purpose or motivation of the measure:	Scarcity of available land.

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.