

ANNEX IX

REFERRED TO IN ARTICLE 3.3

LISTS OF MFN EXEMPTIONS

APPENDIX 1:	Iceland
APPENDIX 2:	Liechtenstein
APPENDIX 3:	Norway
APPENDIX 4:	Switzerland
APPENDIX 5:	Turkey

APPENDIX 1 TO ANNEX IX

ICELAND – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.3

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.3	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
Audiovisual services; transmission of audiovisual 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 audiovisual 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 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual 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 audiovisual 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 audiovisual works, which confer National Treatment to audiovisual 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 2 TO ANNEX IX

LIECHTENSTEIN - LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.3

Sector or subsector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services	To confer national treatment to audiovisual works covered by bi- or plurilateral agreements on co-production in the field of audiovisual 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 audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria.	European countries (incl. Turkey)	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.

Sector or subsector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
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.
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 3 TO ANNEX IX

NORWAY – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.3

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.3	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.
Audiovisual services: Transmission of audiovisual 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 audiovisual 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.
Audiovisual services: Motion picture and video tape production and distribution services	To confer national treatment on audiovisual 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 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual 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 audiovisual works produced in Nordic countries.	Finland, Norway, Sweden, Iceland and Denmark	Indefinite	Preservation and promotion of the regional identity of the countries concerned.
Audiovisual 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 audiovisual 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.
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);	Denmark, Sweden, Finland, Iceland and Norway	Indefinite	To maintain and develop Nordic co-operation.

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
CRS and sales and marketing of air transport services Domestic Maritime Transport: Passenger and Freight	- 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). 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. Provisions of agreements on access to domestic maritime transport.	(*) Applies to East European companies, which are co-operating with one or more Nordic companies. All countries where a CRS system vendor or a parent air carrier is located. Denmark, Finland, Iceland, Germany, Sweden and UK	Indefinite Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS. 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 4 TO ANNEX IX

SWITZERLAND – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.3

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services	To confer national treatment to audiovisual works covered by bilateral or plurilateral agreements on co-production in the field of audiovisual works, in particular in relation to access to funding and to distribution	All countries with whom cultural cooperation may be desirable (at present agreements exist with member countries of the Council of Europe and with Canada)	Indefinite	Promotion of common cultural objectives
	Measures granting the benefit of support programmes, such as MEDIA, to audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria	EU/EFTA countries	Indefinite	Promotion of cultural objectives based on longstanding cultural links
Audiovisual 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 3.3	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 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
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

APPENDIX 5 TO ANNEX IX

TURKEY – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.3

Sector or Sub sector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
ALL SECTORS	(a) Extending full national treatment for the investments of the nationals or companies of countries with which a Bilateral Investment Treaty is concluded. (b)(i) Executing the transfers, in specific periods, of the nationals and companies of certain countries which made investments in Turkey. (ii) Granting foreign exchange risk guarantee for certain countries for the transfers which are not realized due to the difficulties in balance of payments. (c) Covering "trade risk" in subrogation for one country. (d) The agreements with three countries, the MFN Articles of which do not include the derogation paragraphs relating to the privileges which are accorded to the investors of the third countries resulting from its membership in or associated with a free trade zone, an economic cooperation, a customs union or a common market.	All countries with which agreements are or will be in force. Belgium-Luxembourg, Kuwait Japan Japan, Bangladesh, Germany	Indefinite	Desire to create favourable conditions for a greater economic cooperation between Turkey and mentioned countries and to encourage investments by nationals and companies of one country in the territory of the other countries.
ALL SECTORS	The restriction in the transfer of the premiums for long-term insurance schemes and the employment of the foreign country workers by foreign companies is waived for one country.	Libya	Indefinite	To ensure social security and continuous employment of Turkish workers in the mentioned country.
ALL SECTORS	If the amount of the consulate duties collected from the Turkish nationals by any country is higher than the amounts written in the tariff list, the amounts of consulate duties which are collected from the nationals of that country will be increased reciprocally.	All countries	Indefinite	Desire to ensure equal treatment to Turkish nationals.

Sector or Sub sector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
ALL SECTORS	On the condition that the legal provisions are reserved and with the condition of reciprocity, the foreign real persons could own real estates in Turkey by acquisition or by inheritance.	All countries	Indefinite	To secure the right of Turkish nationals to acquire real estates in a foreign country.
Professional Services	If any foreign country lays down legal and administrative conditions against Turkish citizens for performing arts and supplying services, the similar activities of the citizens of that country could be prohibited in Turkey.	All countries	Indefinite	Desire to create favourable circumstances for Turkish citizens to perform their activities under equal conditions in the other countries.
Transportation Services	The income and corporate tax rates for the foreign road, maritime and air transport companies can reciprocally be decreased down to zero or increased to a new rate not exceeding one fold of the existing rate can be determined, as a country by country basis either for each transportation type separately or for all types of them.	All countries	Indefinite	Desire to facilitate and to lower the costs of transportation services between Turkey and other countries.
Transportation Services	Transit or bilateral transportation services, can be excluded from VAT. This exception is granted, with the condition of reciprocity, to the related countries' tax payers who do not have the residence, legal and business centre in Turkey.	All countries	Indefinite	Desire to lower costs and to create favourable conditions for the provision of services in this sector.
Transportation Services	To apply, on the basis of reciprocity, restrictions, prohibitions, different treatments and different tariffs to the goods and transportation vehicles of the countries which apply restrictions, prohibitions and different treatments to the Turkish road, air and maritime transportation vehicles.	All countries	Indefinite	Desire to secure the smooth functioning of mutual transportation services.
Air Transport Services - Ground Handling Services	Reciprocity condition applies	All countries	Indefinite	Desire to ensure effective market access and equivalent treatment for Turkish service suppliers
Road Transport Services	To grant, on the basis of reciprocity, the privileges about the quotas and fees, the exemptions from the permission procedures.	All countries with which agreements are or will be in force.	Indefinite	Desire to facilitate road transport services between Turkey and other countries.

Sector or Sub sector	Description of measure indicating its inconsistency with Article 3.3	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Rail Transport Services	The bilateral reduction in the renting fees of railway wagons of countries mentioned aside (paragraph a) and the application of national treatment to tariff rates on the reciprocal transportation of goods with the countries mentioned aside (paragraph b).	a) Syria, Iraq, Iran, Lebanon b) Commonwealth of Independent States and the Baltic Republics.	Indefinite	Desire to facilitate rail transport services between Turkey and other countries.
Accounting, Auditing and Book-keeping Services	In order to perform the services under the title of "financial advisor", the citizens of the countries which have officially codified the principles for the profession of financial advisory may be authorised, under reciprocal conditions, provided that these persons should have the characteristics required for the professional of financial advisory in Turkey and should have rights to perform similar services in their own countries.	All countries	Indefinite	Desire to create favourable conditions for Turkish financial advisors to perform their jobs under equal conditions all over the world.