

4. The length of stay of contractual services supplier or independent professionals is for a cumulative period of not more than 12 months, with extensions possible at the discretion of the Party, in any 24 month period or for the duration of the contract, whichever is less.

Article 10.9

Short-term business visitors

1. In accordance with Annex 10-B, a Party shall allow the temporary entry and stay of short-term business visitors of the other Party for the purposes of carrying out the activities listed in Annex 10-D, provided that the short-term business visitors:

- (a) are not engaged in selling a good or a service to the general public;
- (b) do not on their own behalf receive remuneration from a source located within the Party where the short-term business visitors are staying temporarily; and
- (c) are not engaged in the supply of a service in the framework of a contract concluded between an enterprise that has no commercial presence in the territory of the Party where the short-term business visitors are staying temporarily, and a consumer in that territory, except as provided in Annex 10-D.

2. Each Party shall allow temporary entry of short-term business visitors without the requirement of a work permit or other prior approval procedures of similar intent.

3. The maximum length of stay of short-term business visitors is 90 days in any six-month period ⁽¹⁾.

Article 10.10

Review of commitments

Within five years following the entry into force of this Agreement, the Parties shall consider updating their respective commitments under Articles 10.7 through 10.9.

CHAPTER ELEVEN

Mutual recognition of professional qualifications

Article 11.1

Definitions

For the purposes of this Chapter:

jurisdiction means the territory of Canada, and each of its provinces and territories, or the territory of each of the Member States of the European Union, in so far as this Agreement applies in these territories in accordance with Article 1.3 (Geographical scope of application);

negotiating entity means a person or body of a Party entitled or empowered to negotiate an agreement on the mutual recognition of professional qualifications ('MRA');

professional experience means the effective and lawful practice of a service;

⁽¹⁾ This is without prejudice to the rights granted under bilateral visa waivers by Member States of the European Union.

professional qualifications means the qualifications attested by evidence of formal qualification and/or professional experience;

relevant authority means an authority or body, designated pursuant to legislative, regulatory or administrative provisions to recognise qualifications and authorise the practice of a profession in a jurisdiction; and

regulated profession means a service, the practice of which, including the use of a title or designation, is subject to the possession of specific qualifications by virtue of legislative, regulatory or administrative provisions.

Article 11.2

Objectives and scope

1. This Chapter establishes a framework to facilitate a fair, transparent and consistent regime for the mutual recognition of professional qualifications by the Parties and sets out the general conditions for the negotiation of MRAs.
2. This Chapter applies to professions which are regulated in each Party, including in all or some Member States of the European Union and in all or some provinces and territories of Canada.
3. A Party shall not accord recognition in a manner that would constitute a means of discrimination in the application of its criteria for the authorisation, licensing or certification of a service supplier, or that would constitute a disguised restriction on trade in services.
4. An MRA adopted pursuant to this Chapter shall apply throughout the territories of the European Union and Canada.

Article 11.3

Negotiation of an MRA

1. Each Party shall encourage its relevant authorities or professional bodies, as appropriate, to develop and provide to the Joint Committee on Mutual Recognition of Professional Qualifications ('MRA Committee') established under Article 26.2.1(b) joint recommendations on proposed MRAs.
2. A recommendation shall provide an assessment of the potential value of an MRA, on the basis of criteria such as the existing level of market openness, industry needs, and business opportunities, for example, the number of professionals likely to benefit from the MRA, the existence of other MRAs in the sector, and expected gains in terms of economic and business development. In addition, it shall provide an assessment as to the compatibility of the licensing or qualification regimes of the Parties and the intended approach for the negotiation of an MRA.
3. The MRA Committee shall, within a reasonable period of time, review the recommendation with a view to ensuring its consistency with the requirements of this Chapter. If these requirements are satisfied, the MRA Committee shall establish the necessary steps to negotiate and each Party shall inform its respective relevant authorities of these steps.
4. The negotiating entities shall thereafter pursue the negotiation and submit a draft MRA text to the MRA Committee.
5. The MRA Committee will thereafter review the draft MRA to ensure its consistency with this Agreement.
6. If in the view of the MRA Committee the MRA is consistent with this Agreement, the MRA Committee shall adopt the MRA by means of a decision, which is conditional upon subsequent notification to the MRA Committee by each Party of the fulfilment of its respective internal requirements. The decision becomes binding on the Parties upon that notification to the MRA Committee by each Party.

*Article 11.4***Recognition**

1. The recognition of professional qualifications provided by an MRA shall allow the service supplier to practice professional activities in the host jurisdiction, in accordance with the terms and conditions specified in the MRA.
2. If the professional qualifications of a service supplier of a Party are recognised by the other Party pursuant to an MRA, the relevant authorities of the host jurisdiction shall accord to this service supplier treatment no less favourable than that accorded in like situations to a like service supplier whose professional qualifications have been certified or attested in the Party's own jurisdiction.
3. Recognition under an MRA cannot be conditioned upon:
 - (a) a service supplier meeting a citizenship or any form of residency requirement; or
 - (b) a service supplier's education, experience or training having been acquired in the Party's own jurisdiction.

*Article 11.5***Joint Committee on Mutual Recognition of Professional Qualifications**

The MRA Committee responsible for the implementation of Article 11.3 shall:

- (a) be composed of and co-chaired by representatives of Canada and the European Union, which must be different from the relevant authorities or professional bodies referred to in Article 11.3.1. A list of those representatives shall be confirmed through an exchange of letters;
- (b) meet within one year after this Agreement enters into force, and thereafter as necessary or as decided;
- (c) determine its own rules of procedure;
- (d) facilitate the exchange of information regarding laws, regulations, policies and practices concerning standards or criteria for the authorisation, licensing or certification of regulated professions;
- (e) make publicly available information regarding the negotiation and implementation of MRAs;
- (f) report to the CETA Joint Committee on the progress of the negotiation and implementation of MRAs; and
- (g) as appropriate, provide information and complement the guidelines set out in Annex 11-A.

*Article 11.6***Guidelines for the negotiation and conclusion of MRAs**

As part of the framework to achieve mutual recognition of qualifications, the Parties set out in Annex 11-A non-binding guidelines with respect to the negotiation and conclusion of MRAs.

*Article 11.7***Contact points**

Each Party shall establish one or more contact points for the administration of this Chapter.