

WORLD TRADE ORGANIZATION

RESTRICTED

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**Working Party on the
Accession of Ukraine**

Original: English

ACCESSION OF UKRAINE

Submission from Ukraine

Specific Commitments in Services

Revision

The following submission, dated 8 April 2004, is being circulated at the request of the Delegation of Ukraine.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL SECTION			
ALL SECTORS INCLUDED INTO THE SCHEDULE			
Land ownership		<p>3), 4) Foreigners and stateless persons are not allowed to own land of agricultural designation. Foreigners and stateless persons are not allowed to obtain free-of-charge the land plots, which belong to the State and Municipal property, and to privatize the land plots, which were given to them in use.</p> <p>Foreign legal persons may acquire the property rights only to land plots of non-agricultural designation within inhabited localities in case of acquisition of the real estate objects related with business activity carried out in Ukraine, and outside the inhabited localities - in case of acquisition of real estate objects.</p> <p>There are no restrictions on the rent of land by foreigners and foreign legal persons</p>	
Subsidies and other forms of state support		<p>1), 2), 3), 4) Unbound, referring the subsidies and other forms of state support, including the access to financial and other material resources of the State.</p> <p>Access to subsidies and other forms of state support, including access to the financial and other material resources of the State, must be limited only to the citizens of Ukraine and/or juridical persons of Ukraine.</p> <p>Eligibility for subsidies and other forms</p>	

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Movement of natural persons	<p>4) The entry and temporary stay in Ukraine of a foreign service supplier requires a permit for temporary stay or a work permit.</p> <p>For foreign individuals (paragraphs I and IIb) a work permit is issued for a period of 3 years. This period may be extended for 2 years. To this end an employer should apply in accordance with prescribed procedure to the relevant employment centre not later than a month before the date of expiry of the previous work permit.</p> <p>The entry and temporary stay for the categories of foreign individuals specified in paragraphs IIa and IIc is limited to a 180 days period within one calendar year.</p> <p>Unbound, except as indicated below concerning the temporary entry and stay of natural persons:</p> <p>I. <u>Intra-corporate transferees (executives, managers and specialists)</u></p> <p>("Intra-corporate transferee" shall mean a person employed by a legal entity other than a non profit organization established in the</p>	<p>of state support, including access to the financial and other material resources of the State, may be limited to the particular region, categories of persons suffering from their unfavourable social and economic position, small business enterprises, entities of social importance, public utilities.</p>	

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	<p>territory of WTO Member, and who seeks temporary stay in order to supply services in Ukraine through the commercial presence of his employer)</p> <p>A natural person, employed by a legal entity or who had participation in it (but did not hold the controlling interest) for a period of not less than 1 year, who seeks temporary stay in order to render service to that legal entity's branch, affiliate or subsidiary engaged in similar business operations in the territory of Ukraine.</p> <p>a) a natural person who is a senior employee of a legal entity and who receives instructions principally from the stockholders, the directors or other chief executives of the entity, and who is responsible for the entire or a substantial part of the entity's operations, the entity's operations including: directing the establishment or a department or sub-division of the establishment; supervising and controlling the work of the other supervisory, professional or managerial employees, having the authority personally to hire and fire or recommended hiring, firing or other personnel actions.</p> <p>b) a natural person employed by a legal entity who possesses knowledge at an advanced level of expertise and a proprietary knowledge of the entity's products, services, operations, or management techniques. This</p>		

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	<p>knowledge should reflect the required academic credentials and professional qualifications for performing work within the scope of the particular profession.</p> <p>II. <u>Other essential persons</u></p> <p>(a) <u>Services sellers</u></p> <p>A natural person, who temporary stays in Ukraine and who comes to Ukraine for the purposes of participating in business meetings including negotiations in business contracts for the sale of services, and/or other similar activities.</p> <p>Such a service seller shall not engage in direct sales or supply of services to the general public</p> <p>(b) <u>Persons who provide services without establishing commercial presence in Ukraine (direct provision of services).</u></p> <p>A natural person, who temporary stays in Ukraine and who comes to Ukraine in accordance with a contract for direct provision of services and satisfies the requirements of professional qualifications, indicated in paragraph I b).</p> <p>(c) <u>Persons responsible for the establishment of commercial presence in Ukraine</u></p> <p>A natural person employed by a service</p>		

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	<p>seller or responsible for the establishment of commercial presence in the following cases:</p> <ul style="list-style-type: none"> - representatives of a service seller are not engaged in direct supplies or sales of services; or - representatives of a service seller are employed by an enterprise that does not have an affiliate or subsidiary in Ukraine. 		
II. SECTOR SPECIFIC COMMITMENTS			
I. BUSINESS SERVICES			
1. Profession Services:			
(a) Legal Services			
- Legal advisory and representation services concerning criminal law (CPC 86111)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Legal advisory and representation services in judicial procedure concerning fields of law, other than criminal law (CPC 86119)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Legal advisory and representation services in statutory procedures (CPC 8612) (CPC 86120)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Legal documentation and certification services (CPC 8613) (CPC 86130)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Other legal advisory and information services, other than notary services (CPC 8619) (CPC 86190)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Consultancy on home country law and international law and third country law (part of CPC 861)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Notary services	(1) Only citizens of Ukraine are permitted to supply notary services; (2) None; (3) Only citizens of Ukraine are permitted to supply notary services; (4) Only citizens of Ukraine are permitted to supply notary services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Accounting and bookkeeping services (CPC 862 (except CPC 86211))	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Auditing services (CPC 86211)	(1) None except: a requirement of a compulsory confirmation by an auditor (auditing firm) of Ukraine of a foreign auditor's conclusion in the event that such conclusion is submitted to an institution, organization or a business entity of Ukraine; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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(c) Taxation services (CPC 863)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Architectural services (CPC 8671)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Engineering services (CPC 8672)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Integrated engineering services (CPC 8673)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(g) Urban planning and landscape architecture services (CPC 8674)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(h) Medical and dental services (CPC 9312)	(1) None (2) None (3) None, except: professional qualification requirements according with Ukrainian legislation (4) Unbound, except as provided in the horizontal section	(1) None (2) None (3) Foreigners must speak Ukrainian. (4) Unbound, except as provided in the horizontal section	
(i) Veterinary services (CPC 932)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(j) Private Services provided by Midwives, Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	(1) Unbound (2) None (3) None, except: professional qualification requirements according with Ukrainian legislation (4) Unbound, except as provided in the horizontal section	(1) Unbound (2) None (3) Foreigners must speak Ukrainian. (4) Unbound, except as provided in the horizontal section	
2. Computer and Related Services			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Software implementation services (CPC 842)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Data processing services (CPC 843)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Data base services (CPC 844)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Other computer services: - Maintenance and repair services of office machinery and equipment including computers (CPC 845)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Data preparation services (CPC 849)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
3. Research and Development Services			
(a) R&D services on natural science (CPC 851)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) R&D services on social science and humanities (CPC 852)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Interdisciplinary R&D services (CPC 853)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
4. Real Estate Services			
- Real estate services (CPC 821 -822)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
5. Rental/Leasing Services without Operators			
(e) Other			
- Rental or leasing (other than financial) services (CPC 831-832)	(1) None; (2) None; (3) None;	(1) None; (2) None; (3) None;	
- Including Rental or leasing of studio recording equipment (CPC 83109)**	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	

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6. Other Business Services			
(a) Advertising services (CPC 871)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Market research and public opinion polling services (CPC 864)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Management consulting service (CPC 865)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Services related to management consulting (CPC 866)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Technical testing and analysis services (CPC 8676)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Services incidental to agriculture, hunting and forestry (except fire fighting, timber evaluation, forest management including forest damage assessment services) (part of CPC 881)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Consultancy services on fire fighting, timber evaluation, forest management including forest damage assessment services) (part of CPC 881)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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(g) Services incidental to fishing (CPC 882)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(h) Mining services (CPC 883+5115)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(i) Services incidental to manufacturing (part of CPC 884 + part of CPC 885)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(j) Services incidental to energy distribution (CPC 887)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(k) Placement and supply services of Personnel (CPC 872)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(m) Related scientific and technical consulting services (CPC 8675)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transportation equipment) (CPC 6112, 6122, 633+8861-8866) - Including Automotive Maintenance and Repair Services (CPC 8867)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(o) Building-cleaning services (CPC 874)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(p) Photographic services (except for aerial photography) (CPC 875)	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(q) Packaging services (CPC 876)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(r) Printing, publishing (CPC 88442)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

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(s) Convention services (CPC 87909)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(t) Other	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Translation and interpretation services (CPC 87905)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Specialty design services (CPC 87907)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

II. COMMUNICATION SERVICES

1. and 2. Postal and Courier Services

<p>Services relating to the handling¹ of postal items² according to the following list of sub-sectors, whether for domestic or foreign destinations.</p> <p>Until 1 January 2005, sub-sector (i) is excluded for handling of addressed written communications weighing less than 350 grams. As of 1 January 2005, sub-sector (i) is excluded for handling of addressed written communications weighing less than 50 grams.</p> <p>(i) Handling of addressed written communication on any kind of physical medium³, including:</p>	<p>(1) (2) (3) Licensing systems may be established for sub-sectors (i) to (iv), for which a general Universal Service Obligations exists. These licenses may be subject to particular universal service obligations and/or financial contribution to a compensation fund.</p> <p>(4) Unbound except as indicated in the horizontal section under (i) and (ii)</p>	<p>(1) (2) (3) None</p> <p>(4) Unbound except as indicated in the horizontal section under (i) and (ii)</p>	
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¹ The term "handling" should be taken to include clearance, storing, transport and delivery.

² "Postal item" refers to items handled by any type of commercial operator, whether public or private.

³ E.g. letter, postcards.

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<ul style="list-style-type: none"> - Hybrid mail service - Direct mail <p>(ii) Handling of addressed parcels and packages⁴</p> <p>(iii) Handling of addressed press products⁵</p> <p>(iv) Handling of items referred to in (i) to (iii) above as registered or insured mail</p> <p>(v) Express delivery services⁶ for items referred to in (i) to (iii) above</p> <p>(vi) Handling of non-addressed items</p> <p>(vii) Document exchange⁷</p> <p>(viii) Other services not elsewhere specified</p>			
3. Telecommunication services <p>The following general conditions apply:</p> <p>Commitments undertaken by Ukraine are based on the principles of compilation of schedules covered by the following documents: "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3)</p>			
(a) Voice telephone services (CPC7521)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	The attached Reference Paper on regulatory principles is incorporated as additional commitments by Ukraine

⁴ Books, catalogues and included hereunder.

⁵ Journals, newspapers, periodicals.

⁶ Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

⁷ Provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. Postal item refers to items handled by any type of commercial operator, whether public or private.

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(b) Packet-switched data transmission services (CPC7523) ⁸	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Circuit-switched data transmission services (CPC7523) ⁸	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Telex services (CPC7523)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Telegraph services (CPC7522)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Facsimile services (CPC 7521+7529) ⁸	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(g) Private leased circuit services (CPC 7522+7523) ⁸	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(h) Electronic mail (CPC 7523) ⁸	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

⁸ means that the mentioned services constitute only a part of the full list of activities covered by the classification code (for example, V-mail is a part of 7523)

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(i) Voice mail (CPC 7523) ⁹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(j) On-line information and database retrieval (CPC 7523) ⁹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(k) Electronic data interchange (EDI) (CPC 7523) ⁹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(l) Value-added facsimile services, including store and forward, store and retrieve (CPC 7523) ⁹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(m) Code and protocol conversion	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(n) On-line information services and/or data processing (including transaction processing) (CPC 843) ⁹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

⁹ means that the mentioned services constitute only a part of the full list of activities covered by the classification code (for example, V-mail is a part of 7523)

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(o) Other			
- Mobile voice and data services (CPC 75213)	(1) None;	(1) None;	
- Paging services (CPC 75291)	(2) None;	(2) None;	
- Teleconferencing services (CPC 75292)	(3) None;	(3) None;	
- Integrated telecommunication services, excluding broadcasting ¹⁰ (CPC 7526)	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	
III. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
- Pre-erection work at construction sites (CPC 511)	(1) None;	(1) None;	
	(2) None;	(2) None;	
	(3) None;	(3) None;	
	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	
(a) General construction work for buildings (CPC 512)	(1) None;	(1) None;	
	(2) None;	(2) None;	
	(3) None;	(3) None;	
	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	
(b) Construction work for civil engineering (CPC 513)	(1) None;	(1) None;	
	(2) None;	(2) None;	
	(3) None;	(3) None;	
	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	
(c) Assembly, erection of prefabricated constructions and installation work (CPC 514+516)	(1) None;	(1) None;	
	(2) None;	(2) None;	
	(3) None;	(3) None;	
	(4) Unbound, except as provided in the horizontal section.	(4) Unbound, except as provided in the horizontal section.	

¹⁰ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Building completion and finishing work (CPC 517)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Other	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Special construction work (CPC515)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
IV. DISTRIBUTION SERVICES			
(a) Commission agents' services (CPC 621, 6111, 6113, 6121)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Wholesale trade services (CPC 6121,61111, 6113, 622 (except CPC 62262))	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Wholesale trade services of books, newspapers, magazines (except stationary) (CPC 62262)	(1) None (2) None (3) Foreign investment is limited to 30% (4) Unbound, except as provided in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(c) Retailing services (CPC 631+632+6111+6113 + 6121+613, including audio and video records and tapes CPC 63234)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Franchising (CPC 8929)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
V. EDUCATIONAL SERVICES			
(a) Primary education services (CPC 921)	(1) None; (2) None; (3) None, except in line with Ukrainian legislation, only a citizen of Ukraine may be the head of an educational institution, notwithstanding the type of ownership; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Secondary education services (CPC 922)	(1) None; (2) None; (3) None, except in line with Ukrainian legislation, only a citizen of Ukraine may be the head of an educational institution, notwithstanding the type of ownership; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Higher education services (CPC 923)	(1) None; (2) None; (3) None, except in line with Ukrainian legislation, only a citizen of Ukraine may be the head of a higher education institution of all accreditation levels, notwithstanding the type of ownership; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Adult education services (CPC 924)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Other education services (CPC 929)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
VI. ENVIRONMENTAL SERVICES			
(a) Sewage services (CPC 9401)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Refuse disposal services (CPC 9402)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Sanitation and similar services (CPC 9403)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Other	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Cleaning services of exhaust gases (CPC 9404)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Noise abatement services (CPC 9405)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Nature and landscape protection services (CPC 9406)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Other environmental protection services (CPC 9409)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
VII. FINANCIAL SERVICES			
1. All insurance services and insurance-related services			
Opening and operation of the following is allowed: subsidiaries, representative offices and other forms of commercial presence after registration as a legal entity in Ukraine, which provides the Ukrainian resident status, in the form of stock company, full partnership, limited partnership, or an additional liability company.			
Branches of foreign insurance companies may be established and operate in Ukraine if the insurance companies are residents of Ukraine, and they, according to the Ukrainian legislation, obtained licenses allowing to conduct the particular types of insurance activity.			
(a) Life insurance services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Non-life insurance services (including marine and aviation insurance)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Reinsurance and retrocession services	(1) None, except: only provided prudential requirements are met and a foreign re-insurer should have a continuous experience in the insurance (reinsurance) activity, not less than three years, preceding the year when the insurance contract is concluded which has to be certified by an appropriate accounting report. (2) None (3) None, (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Insurance intermediation, such as brokerage and agency	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claims settlement services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
2. Banking and other financial services (excluding insurance)			
(a) Acceptance of deposits and other repayable funds from the public	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Financial leasing	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) All payment and money transmission services, including credit, charge and debit cards, traveler's checks and banker's draft	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Guarantees and commitments	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in horizontal section	
- money market instruments (including checks, bills, certificates of deposits)	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in horizontal section	
- foreign exchange	(1) None; (2) None; (3) None; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in horizontal section	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- derivative products, including, but not limited to, futures and options	(1) Unbound; (2) Unbound; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in horizontal section	
- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements	(1) Unbound; (2) Unbound; (3) None; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- transferable securities	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- other negotiable instruments, including bullion	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in horizontal section	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	(1) None; (2) None; (3) Only legal persons engaged exclusively in issuance of securities, and banks; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(h) Money broking	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(k) Advisory, intermediation and other auxiliary financial services on all the activities, listed in paragraphs (v)-(xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(l) Provision and transfer of financial information, financial data processing and related software by suppliers of other financial services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
VIII. HEALTH RELATED AND SOCIAL SERVICES			
(a) Hospital services, including Hospital Management Services (CPC 9311)	(1) Unbound; (2) None; (3) None, except for the following: subject to the requirement of the state registration of the health institution; professional qualification requirements according with Ukrainian legislation (4) Unbound, except as provided in the horizontal section	(1) Unbound; (2) None; (3) None, except as under market access. (4) Unbound, except as provided in the horizontal section. Foreigners must speak Ukrainian	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Other human health services (CPC 9319 (except 93191))	(1) Unbound; (2) None; (3) None, except for the following: subject to the requirement of the state registration of the health institution; professional qualification requirements according with Ukrainian legislation (4) Unbound, except as provided in the horizontal section	(1) Unbound; (2) None; (3) None, except as under market access. (4) Unbound, except as provided in the horizontal section. Foreigners must speak Ukrainian	
(c) Social services (CPC 933) ¹¹	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
IX. TOURISM AND TRAVEL RELATED SERVICES			
(a) Hotels and restaurants (including catering), including Hotel Management Services (CPC 641-643)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Travel agencies and tour operators services (CPC 7471)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Tourist guides services (CPC 7472)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

¹¹ means that the mentioned services constitute only a part of the full list of activities covered by the classification code.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
X. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
(a) Entertainment services (including theatre, live bands and circus services) (CPC 9619)	(1) Unbound; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) Unbound; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Cinema theatre operation services (CPC 96199) ¹²	(1) Unbound (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound (2) Unbound (3) None, except for access to subsidies: unbound (4) Unbound, except as provided in the horizontal section	
(b) News agency services (CPC 962)	(1) None (2) None (3) Foreign investment is limited to 30% (4) Unbound, except as provided in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(c) Libraries, archives, museums and other cultural services (CPC 963)	(1) Unbound; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) Unbound; (2) Unbound; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	
(d) Sporting and other recreational services (CPC 9649)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
11. TRANSPORT SERVICES			
1. MARITIME TRANSPORT SERVICES			
- International Transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport)	(1) (a) Liner Shipping: none (b) Bulk, tramp, and other international shipping, including passenger transportation; none (2) None	(1) (a) None (b) None (2) None	The following services at the port are made available to international maritime transport suppliers on reasonable and non discriminatory terms and conditions 1. Pilotage

¹² means that the mentioned services constitute only a part of the full list of activities covered by the classification code.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: none</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services: none</p> <p>(4) (a) Ships' crews: unbound</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under mode 3b) above: Unbound, except as provided in the horizontal section</p>	<p>(3) (a) None</p> <p>(b) None</p> <p>(4) (a) Unbound, except as provided in the horizontal section</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>2. Towing and tug assistance</p> <p>3. Provisioning, fuelling and watering</p> <p>4. Garbage collecting and ballast waste disposal</p> <p>5. Port Captain's services</p> <p>6. Navigation aids</p> <p>7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies</p> <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth and berthing services</p>
<ul style="list-style-type: none"> - Maritime Cargo Handling Services (CPC 741) - Storage and warehousing Services (CPC 742) - Customs Clearance Services for Maritime Transport Services - Container Station and Depot Services - Maritime Agency Services - (Maritime) Freight Forwarding Services 	<p>(1) Unbound¹³</p> <p>(2) None</p> <p>(3) None¹⁴</p> <p>(4) Unbound, except as provided in the horizontal section</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as provided in the horizontal section</p>	<p>(1) Unbound¹³</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as provided in the horizontal section</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as provided in the horizontal section</p>	

¹³ A commitment on this mode of delivery is not feasible.

¹⁴ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
2. Internal waterways transport			
(a) Passenger transportation and freight transportation (excluding cabotage) (CPC 7221 + CPC 7222)	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	(1) Unbound (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(b) Rental services of vessels with crew (CPC7213)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Maintenance and repair of vessels (CPC 8868) ¹⁵	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Pushing and towing services (CPC7224)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(f) Supporting services for internal water transport (CPC 745)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
3. Air Transport Services			
(d) Aircraft repair and maintenance services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

¹⁵ means that the mentioned services constitute only a part of the full list of activities covered by the classification code.

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Sales and marketing of air transport services	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
- Computer Reservation System (CRS)	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	
5. Rail Transport Services			
(a), (b) Passenger and freight transportation (CPC 7111+7112)	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
Off line: - Maintenance and repair of railway transportation equipment (CPC 8868) ¹⁶	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Supporting services for railway transportation services (CPC 743)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
6. Road Transport Services			
(a) Passenger transportation (CPC 7121+7122)	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

¹⁶ means that the mentioned services constitute only a part of the full list of activities covered by the classification code

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Freight transportation (CPC 7123)	(1) Unbound; (2) None; (3) Unbound; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(c) Rental of commercial vehicles with operator (CPC 7124)	(1) None; (2) None; (3) None on condition of the registration as a legal entity; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(d) Maintenance and repair of road transport equipment (CPC 6112+8867)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
(e) Supporting services for road transport services (CPC 744)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	
7. Pipeline Transport			
(a) Transportation of fuels (CPC 7131)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	Ukraine commits itself to provide full transparency in the formulation, adoption and application of measures affecting access to and trade in services of pipeline transportation

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Transportation of other goods (CPC 7139)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	Ukraine undertakes to ensure adherence to the principles of non-discriminatory treatment in access to and use of pipeline networks under its jurisdiction, within the technical capacities of these networks, with regard to the origin, destination or ownership of product transported, without imposing any unjustified delays, restrictions or charges, as well as without discriminatory pricing based on the differences in origin, destination or ownership
8. Services auxiliary to all modes of transport			
(a) Cargo handling services (CPC741)	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(b) Storage and warehouse services (CPC 742)	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(c) Freight transport agency services (CPC 748)	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	(1) None; (2) None; (3) None; (4) Unbound, except as provided in the horizontal section.	

Modes of supply: (1) Cross-Border supply (2) Consumption abroad (3) Commercial Presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Other - Freight Inspection (Part of CPC 749)	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	
XII. Other Services not elsewhere specified			
- Beauty and Physical Well-Being Services - Thai Massage Services excluding Therapeutic Massage (part of CPC Ver. 1.0: 97230) ¹⁷	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	
- Spa Services (part of CPC Ver. 1.0: 97230) ¹⁷ , including Spa Management Services	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	(1) Unbound due to lack of technical feasibility or technical impossibility of a particular mode of supply; (2) None (3) None (4) Unbound, except as provided in the horizontal section	

¹⁷ This subclass not include medical treatment services, cf. 931.

FINAL LIST ON BASIC TELECOMMUNICATIONS SERVICES

REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time; or
- (b) after a reasonable period of time which has been made publicly known.

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

Ukraine – List of Article II (MFN) Exemptions

Sector or sub-sector	Description of the measure indicating its inconsistency with Article II	Country or countries to which the measures applies	Intended duration	Conditions creating the need for the exemption
Audiovisual Services - Production and distribution of audiovisual works through broadcasting and other forms of transmission to the public	Measures, which define works of European origin, in such a way as to extend national treatment to audiovisual works which meet certain linguistic and origin criteria regarding access to broadcasting or similar forms of transmission	Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded	Indefinite. Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed	The measures aim, within the sector, to promote cultural values both within EC Member State, and with other countries in Europe, as well as achieving linguistic policy objectives.
Audiovisual Services - Production and distribution of cinematographic works and television programs	Measures based upon government-to- government framework 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 which cultural cooperation may be desirable.	Indefinite	The aim of such agreements is to promote cultural links between the countries concerned.
Audiovisual Services - Production and distribution of television programs and cinematographic works	Measures granting the benefit of any support programs (such as Action Plan for Advanced Television Services, MEDIA or EURIMAGES) to audiovisual works, and suppliers of such works, meeting certain European origin criteria.	European countries	Indefinite. Exemption needed, for certain countries, only until an economic integration agreement is concluded or completed	These programs aim at preserving and promoting the regional identity of countries within Europe, which have longstanding cultural links.
Air, Internal waterways and Maritime Transportation	Restrictions with regard to establishment and activity of the companies	European Union Member-States	Indefinite	Article 31 of the Agreement on Partnership and Co-operation with the EU
Internal Waterways Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of the kind of economic activity in the territory of Ukraine or between the countries which are parties to the corresponding agreements including agreements relating to the use of the Rhine Main-Danube system	All countries with which agreements are or will be in force	Indefinite	Protection of integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned
Rail Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of this kind of economic activity in the territory of Ukraine or between the countries which are parties to the corresponding agreements	All countries with which agreements are or will be in force	Indefinite	Laws of Ukraine. Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned, taking account of the regional specificity of this kind of services.

Sector or sub-sector	Description of the measure indicating its inconsistency with Article II	Country or countries to which the measures applies	Intended duration	Conditions creating the need for the exemption
Road Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which reserve and/or restrict the supply of this kind of transportation services and specify the terms and conditions of this supply, incl. transit permits and/or preferential road taxes, in the territory of Ukraine or across the borders of Ukraine	All countries with which agreements are or will be in force	Indefinite	Bilateral intergovernmental agreements on international road transportation, international conventions. Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned.
Air Transport Computer Reservation System Services (CRS)	Provision of this type of services through the international investor system "Gabriel" and distributing "Gets" system with gradual transition to "Galileo" system. "Sirena-2" system in the internal market	Parties to the said international systems. CIS countries	Indefinite	The aim of application of such a measure is to guarantee equal access to the market of other countries for Ukrainian suppliers of such kinds of services.