

# WORLD TRADE ORGANIZATION

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Trade in Services

Original: English

## SLOVENIA

### Draft consolidated Schedule of Specific Commitments<sup>1</sup>

Attached is a draft consolidated version of the Schedule of Specific Commitments of Slovenia in word format. This document does not substitute for the legally binding commitments undertaken by Slovenia in its Schedule of Specific Commitments (GATS/SC/99; GATS/SC/99/Suppl.1)

Attached to the draft consolidated schedule is Slovenia's Article II (MFN) Exemption List (GATS/EL/99) in word format.

The draft consolidated version of the Schedule and the MFN Exemption List were prepared by the Secretariat, at the request of Members, to facilitate the process of negotiations, including the presentation of initial offers.

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<sup>1</sup> This document has been prepared, in English only, under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

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>I. HORIZONTAL COMMITMENTS</b>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p><u>Investments:</u></p> <p>3) For financial services, authorization is issued by the authorities indicated in sector specific commitments and according to conditions indicated in sector specific commitments. There are no limitations on establishment of a new business establishment ("greenfield" investments). Services considered in the Republic of Slovenia as public utilities at a national or local level may be subject to public monopolies or to granting of concessions to private operators, as indicated in sector specific commitments.</p> <p>Real Estate: Juridical persons, established in the Republic of Slovenia with foreign capital participation, may acquire real estate on the territory of the Republic of Slovenia.</p> <p>Branches<sup>1</sup> established in the Republic of Slovenia by foreign persons may only acquire real estate, except land, necessary for the conduct of the economic activities for which they are established.</p>	<p>3) The establishment of branches by foreign companies is conditioned with the registration of the parent company in a court register in the country of origin for at least one year.</p> <p>Subsidies: None, other than for branches established in the Republic of Slovenia by a foreign company. Eligibility for subsidies from the Republic of Slovenia may be limited to juridical persons established within the territory of the Republic of Slovenia or a particular geographical sub-division thereof. Unbound for subsidies for research and development. The supply of a service, or its subsidization, with the public sector is not in breach of this commitment.</p>	

<sup>1</sup> According to the Law on Commercial Companies, a branch established in the Republic of Slovenia is not considered a juridical person, but as regards their operation, their treatment is equal to a subsidiary, which is in line with Article XXVIII, paragraph (g) of the GATS.

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>Ownership of real estate in the border areas of 10 km by companies in which majority of capital or voting rights belongs directly or indirectly to juridical persons or nationals of another Member is subject to special permission.</p> <p>4) Unbound, except for measures concerning the entry into and temporary stay, without requiring compliance with an economic need test,<sup>2</sup> of a natural person which falls in one of the following categories:</p>	<p>At least half of the ordinary members of the Board of Directors have to be nationals of the Republic of Slovenia. The managing director of a limited liability company or at least the procurator has to be a Slovenian national. A non-Slovenian national, who is a director of a branch, established in the Republic of Slovenia by a foreign juridical person, has to be a resident in the Republic of Slovenia.</p> <p>4) Unbound except for measures concerning the categories of natural persons referred to in the Market Access Column.</p> <p>To the extent that any subsidy is made available to natural persons, their availability may be limited to nationals of the Republic of Slovenia.</p>	

<sup>2</sup> All other requirements of laws and regulations regarding entry, stay, work and social security measures shall continue to apply, including regulations concerning period of stay, minimum wages as well as collective wage agreements.

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><u>Business Visitors:</u></p> <p>A natural person, who stays in the Republic of Slovenia without acquiring remuneration from or within the Republic of Slovenia and without engaging in making direct sales to the general public or supplying services, for the purpose of participating in business meetings, business contacts, including negotiations for the sale of services, or other similar activities, including those to prepare the establishment of commercial presence in the Republic of Slovenia.</p> <p>The duration of temporary stay is limited with a 90 day visa.</p> <p><u>Intra-Corporate Transferee:</u><sup>3</sup></p> <p>Natural persons of another Member who have been employed by juridical persons of another Member for a period of not less than three years immediately preceding the entry or have been partners in it (other than majority shareholders):</p>		

<sup>3</sup> An "intra-corporate transferee" is defined as a natural person working within a juridical person, other than a non-profit making organization, established in the territory of a WTO Member, and being temporarily transferred in the context of the provision of a service through commercial presence in the territory of the Republic of Slovenia; the juridical persons concerned must have their principal place of business in the territory of a WTO Member and the transfer must be to an establishment of that juridical person, effectively providing like services in the territory of the Republic of Slovenia.

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>(a) Natural persons occupying a senior position, who primarily direct the management of the establishment, receiving general supervision, direction, principally from the board of directors or stockholders of the business or their equivalent, including:</p> <ul style="list-style-type: none"> <li>- directing the establishment or a department or sub-division of the establishment;</li> <li>- supervising and controlling the work of other supervisory, professional or managerial employees;</li> <li>- having the authority personally to hire and fire or other personnel actions.</li> </ul>		

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>(b) Natural persons working within a juridical person who possess special knowledge and uncommon qualifications essential to the establishment's service, research equipment, techniques or management. In assessing such special knowledge, account will not be taken only of knowledge specific to the establishment, but also of whether the person has a high level of qualifications referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <p>The duration of temporary stay for intra-corporate transferees" is limited with a "business visa" and a residence permit, which may be ranted up to one year with extensions.</p>		

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>II. SECTOR SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES			
A. <u>Professional Services</u>			
(a) Legal Services (CPC 861)	<ol style="list-style-type: none"> <li>1) Unbound for drafting of legal documents</li> <li>2) None</li> <li>3) Commercial presence is restricted to sole proprietorship or to a law firm with unlimited responsibility (partnership) only. Only lawyers with licence to practice may be partners. For activities involving national law acceptance into the Bar. Association ("Odvetniška zbornica Slovenije") is required. Consent of the Bar Association is required for the establishment of any law firm. Conditions for acceptance into the Bar Association for lawyers who are not Slovenian nationals and have a licence to practice in another Member, have to have a certificate of knowledge of the Slovenian law and must be proficient in the Slovenian language.</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound for drafting of legal documents</li> <li>2) None</li> <li>3) Conditions for acceptance into the Bar Association for lawyers who are not Slovenian nationals and have a licence to practice in another Member, have to have a certificate of knowledge of the Slovenian law and must be proficient in the Slovenian language.</li> </ol>	

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>Notaries Public are persons performing a public service. Concession rights can be acquired by licence.</p> <p>4) Unbound except as indicated in Part I</p>	<p>4) Unbound except as indicated in Part I.</p>	
(b) Accounting, Auditing and Bookkeeping services <sup>4</sup> (CPC 862)	<p>1) Unbound</p> <p>2) None</p> <p>3) Commercial presence should take the form of a juridical person. The share of foreign persons in auditing companies may not exceed 49 per cent of the equity. Provision of auditing services through auditing companies only.</p> <p>4) Unbound except as indicated in Part I and subject to limitations on natural persons employed by juridical persons only.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I and in the Market Access Column</p>	
(d) Architectural Services (CPC 8671)	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	
(e) Engineering Services (CPC 8672)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I</p>	<p>1) None for pure planning services; the submission of plans for approval by the competent authorities requires co-operation with an established supplier of planning services.</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I.</p>	

<sup>4</sup> According to Slovene Law, auditing services are a matter of firms, not natural persons.



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
(f) Integrated Engineering Services (CPC 8673)	1) None  2) None 3) None 4) Unbound except as indicated in Part I	1) None for pure planning services; the submission of plans for approval by the competent authorities requires co-operation with an established supplier of planning services. 2) None 3) None  4) Unbound except as indicated in Part I.	
(h) Medical <sup>5</sup> and Dental Services (CPC 93121, 93122**)	1) Unbound 2) None 3) Membership of Doctors Association required. Conditions for acceptance into Doctors Association for doctors who are not Slovenian nationals is licence to practice in an another Member and have a good command of the Slovenian language <sup>6</sup> 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None  4) Unbound except as indicated in Part I.	
<b>B. <u>Computer and Related Services</u></b>			
(a) Consultancy Services related to the Installation of Computer Hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Software Implementation Services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

<sup>5</sup> Excluding the following activities: social medicine, sanitary, epidemiological, medical/ecological services; the supply of blood, blood preparations and transplants; autopsy.

<sup>6</sup> Establishment in the form of legal person is subject to authorization by Ministry of Health. Entry into Public Health Network is subject to a concession from the Institute for Health Insurance of the Republic of Slovenia.

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) Data Processing Services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Data Base Services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Other (CPC 845+849)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Research and Development Services</u> <sup>7</sup>			
(a) R&D Services on natural sciences (CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) R&D Services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Interdisciplinary R&D Services (CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

<sup>7</sup> Public utility exist, concession rights can be granted to the private operators established in the Republic of Slovenia.

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
E. <u>Rental/Leasing Services without Operators</u>			
(a) Relating to Ships (CPC 83103)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Relating to Aircraft (CPC 83104)	1) None 2) None 3) To be registered in the aircraft register of the Republic of Slovenia, the aircraft must be owned either by a juridical or natural persons meeting specific nationality or domicile criteria, which are applied as well to the member of the board. 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Relating to Other Transport Equipment (CPC 83102, 83105)	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Relating to Other Machinery and Equipment (CPC 83106, 83107, 83108, 83109)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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>F. <u>Other Business Services</u></b>			
(a) Advertising Services, excluding direct mail advertising, outdoor advertising and excluding for goods subject to import authorization and excluding pharmaceutical products, alcohol, tobacco, toxic explosives, weapons and ammunition (CPC 8711** 8712**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(b) Market Research and Public Opinion Polling Services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(c) Management Consulting Services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(d) Services related to Management Consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(e) Technical Testing and Analysis Services <sup>8</sup> (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

<sup>8</sup> Public utility exist, concessions rights can be granted to the private operators established in the Republic of Slovenia.

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
(j) Services Incidental to Energy Distribution - for gas only <sup>8</sup> (CPC 887**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(n) Maintenance and Repair of Equipment (not incl. maritime vessels, aircraft or other transport equipment) (CPC 633+8861+8866)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
(p) Photographic Services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
2. COMMUNICATION SERVICES			
B. <u>Courier services</u>	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I	
Special Delivery Service only (CPC 7512**)			

<sup>8</sup> Public utility exist, concessions rights can be granted to the private operators established in the Republic of Slovenia

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>C. <u>Telecommunication Services</u></p> <p>The setting up and operation of telecommunication networks infrastructure as well as the provision of voice telephone, packet and circuit-switched data services, telegraph, telex, mobile radio telephone, satellite and paging services are excluded (public monopoly). Value-added services Including:</p>			

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
(h) Electronic Mail (CPC 7523**)           (i) Voice Mail (CPC 7523**)           (j) On-line Information and Data Base Retrieval (CPC 7523**)           (l) Enhanced/Value-added Facsimile Services, incl. store and forward, store and retrieve (CPC 7523**)           (m) Code and Protocol Conversion (CPC n.a.)	1) None as from 1 January 1998 2) None 3) Foreign participation may not exceed 99 per cent of the equity. Licence for operation granted is subject to obligations of value-added telecommunication services providers, to use the basic telecommunications network. 4) Unbound except as indicated in Part I	1) None as from January 1, 1998 2) None 3) None 4) Unbound except as indicated in Part I	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	

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. <u>Installation and Assembly Work</u> (CPC 514, 516)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	
E. <u>Other:</u>  - Pre-erection work at construction sites and special trade construction work (CPC 511, 515)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
4. DISTRIBUTION SERVICES  (Excluding distribution of pyrotechnically goods, ignitable articles and blasting devices, firearms, ammunition and military equipment, toxic substances and certain medical substances).			
A. <u>Commission Agents' Services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	



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. <u>Wholesale Trade Services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Retailing Services</u> (CPC 631, 632**, 61112, 6113, 6121 excluding 63211)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
5. EDUCATIONAL SERVICES			
B. <u>Secondary Education Services</u>			
- Privately Funded Only (CPC 922**)	1) None 2) None 3) None  4) Unbound except as indicated in Part I	1) None 2) None 3) None other than: majority of the Board must be of Slovenian nationality  4) Unbound except as indicated in Part I	
C. <u>Higher Education Services</u>			
- Privately Funded Only (CPC 923**)	1) None 2) None 3) None  4) Unbound except as indicated in Part I	1) None 2) None 3) None other than: majority of the Board must be of Slovenian nationality  4) Unbound except as indicated in Part I	

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. <u>Adult Education Services</u> (CPC 924)	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	
6. ENVIRONMENTAL SERVICES <sup>9</sup>			
A. <u>Sewage Services</u> (CPC 9401)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	
B. <u>Refuse Disposal Services</u> (CPC 9402)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	
C. <u>Sanitation and Similar Services</u> (CPC 9403)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	
D. <u>Other:</u> - Nature and Landscape Protection Services (CPC 9406)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	

<sup>9</sup> Public utility exist, concession rights can be granted to the private operators established in the Republic of Slovenia.

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>7. FINANCIAL SERVICES</p> <p>1. The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Article 2.(a) of the Annex on Financial Services.</p> <p>2. As a general rule and in a non-discriminatory manner, financial institutions incorporated in the Republic of Slovenia must adopt a specific legal form.</p> <p>3. Insurance and banking activities should be performed by legally separate suppliers of financial services.</p> <p>4. Investment services can be provided only through banks and investment firms.</p>			
<p>A. <u>Insurance and Insurance-related Services</u> as defined in the "Annex on Financial Services" (Para.5.(a)(i)-5.(a)(iv))</p> <p>(i) Direct Insurance (including co-insurance)</p> <p>(A) life</p> <p>(B) non-life</p>	<p>1),2)Unbound except for maritime shipping and commercial aviation and freight, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and goods in international transit.</p> <p>Insurance activities provided by mutual insurance institutions are limited to incorporated companies established in the Republic of Slovenia.</p> <p>3) Establishment is subject to a licence issued by the Ministry of Finance. Foreign persons can establish an insurance company only as a joint venture with domestic person, where participation of foreign persons is limited up to 99 per cent. The limitation on the maximum foreign ownership shall be abolished with the adoption of the new Law on Insurance Companies.</p>	<p>1),2)Unbound except for maritime shipping and commercial aviation and freight, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and goods in international transit.</p> <p>3) None</p>	

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>A foreign person may acquire or increase shares in a domestic insurance company subject to a prior approval of the Ministry of Finance.</p> <p>Ministry of Finance, when issuing a licence or approval of acquiring shares in a domestic insurance company, takes into account the following criteria:</p> <ul style="list-style-type: none"> <li>- the dispersion of ownership of shares and the existence of shareholders from different countries;</li> <li>- the supply of new insurance products and the transfer of related know how, if the foreign investor is an insurance company.</li> </ul> <p>Unbound for foreign participation in insurance company under privatization.</p> <p>Membership of the mutual insurance institution is limited to companies established in the Republic of Slovenia and domestic natural persons.</p> <p>4) Unbound except as indicated in Part I.</p>	<p>4) Unbound except as indicated in Part I.</p>	

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
(ii) Reinsurance and retrocession	<p>1) Unbound</p> <p>2) Reinsurance companies in the Republic of Slovenia have priority in the collection of insurance premiums.</p> <p>In case that these companies are not able to equalize all risks, these can be reinsured and retroceded abroad. (None upon the adoption of the new law on Insurance Companies).</p> <p>3) Foreign participation in reinsurance company is limited up to a controlling share of the capital (None, except for branches, upon the adoption of the new law on Insurance Companies).</p> <p>4) Unbound except as indicated in Part I.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in Part I.</p>	

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>(iii) Insurance intermediation, such as brokerage and agency</p> <p>(iv) Services auxiliary to insurance, such as:</p> <ul style="list-style-type: none"> <li>- consultancy;</li> <li>- actuarial;</li> <li>- risk assessment;</li> <li>- claim settlement services.</li> </ul>	<p>1) Unbound</p> <p>2) None</p> <p>3) For providing consultancy and claim settlement services, incorporation is required as a legal entity by consent of the Bureau of insurance. For actuaries and risk assessment activities provision of services through professional establishment only.</p> <p>Operation is limited to activities referred under 7A(i) and (ii) of this Schedule.</p> <p>4) Unbound except as indicated in Part I and for actuarial and risk assessment residence is required in addition to a qualifying examination, membership in the Actuarial Association of the Republic of Slovenia and proficiency in the Slovene language.</p>	<p>1) None</p> <p>2) None</p> <p>3) For sole proprietors a residence in the Republic of Slovenia is required.</p> <p>4) Unbound except as indicated in Part I</p>	
<p>B. <u>Banking and Other Financial Services</u> as defined in the "Annex on Financial Services"</p>			
<p>(v) Acceptance of deposits and other repayable funds from the public</p>	<p>1),2)Unbound except accepting credits (borrowing of all types), and accepting guarantees and commitments from foreign credit institutions by domestic legal entities and sole proprietors.</p>	<p>1),2)None</p>	
<p>(vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions</p>	<p>(Remark: consumer credits shall be free upon the adoption of the new Foreign Exchange Law).</p>		

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
(vii) Financial leasing  (viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts	<p>All above mentioned credit arrangements must be registered with the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p> <p>1) Foreign persons can only offer foreign securities through domestic banks and stock broking company. Members of the Slovenian Stock Exchange must be incorporated in the Republic of Slovenia.</p> <p>2) Legal entities established in the Republic of Slovenia can be depositories of the assets of Investments Funds.</p>		

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>(ix) Guarantees and commitments</p> <p>(x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p>(A) money market instruments (including cheques, bills, certificates of deposits)</p> <p>(B) foreign exchange</p> <p>(C) derivative products including, but not limited to, futures and options</p> <p>(D) exchange rate and interest rate instruments including products such as swaps, forward rate agreements</p>	<p>3) Establishment of all types of banks are subject to a licence of the Bank of Slovenia.</p> <p>Foreign persons may become shareholders of banks or acquire additional shares of banks only subject to prior approval of the Bank of Slovenia. (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p> <p>Under license of the Bank of Slovenia, banks, subsidiaries and branches of foreign banks can be permitted to provide all or limited banking services, depending on the amount of the capital.</p> <p>When considering issuing a licence to a bank to set up as a wholly-owned or with a majority of foreign investors or approval of acquiring additional shares of banks; the Bank of Slovenia shall take into account the following guidelines<sup>10</sup>:</p>	<p>3) None</p>	

<sup>10</sup> Besides the amount of the capital the Bank of Slovenia shall, when considering issuing an unlimited or a limited banking licence also take into account the following guidelines (for both domestic and foreign applicants):

- the national economic preferences for certain banking activities;
  - the existing regional coverage of the Republic of Slovenia by banks;
  - the actual bank's performance of activities compared to those stipulated by the existing licence.
- (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)



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>(E) transferable securities</p> <p>(F) other negotiable instruments and financial assets, including bullion</p> <p>(xi) Participation in issues of all kinds of securities, including underwriting and placement as agent and provision of services related to such issues (excluding treasury bonds)</p>	<ul style="list-style-type: none"> <li>- the existence of investors from different countries;</li> <li>- the opinion of the foreign institution in charge of banking supervision.</li> </ul> <p>(Remark: this provision shall be abolished on the adoption of the new Law on Banking.)</p> <p>Unbound in relation to foreign participation in banks under privatization.</p> <p>Branches of foreign banks must be incorporated in the Republic of Slovenia and have legal personality (Remark: this provision shall be abolished upon the adoption of the new Law on Banking.)</p>		

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
(xii) Money broking	Unbound with respect to all types of mortgage banks, savings and loans institutions.		
(xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services (excluding pension fund management)	Unbound with respect to establishment of private pension funds (non-compulsory pension funds).  Management Companies are commercial companies established solely for the purpose of managing investment funds.		

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
(xiv)Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments	<p>Foreign persons may directly or indirectly acquire a maximum up to 20 per cent of shares or voting rights of management companies; for a larger percentage an approval of the Securities Market Agency is required.</p> <p>An Authorized (privatization) Investment Company is an investment company established solely for the purpose of gathering the ownership certificates (vouchers) and the purchase of shares issued in accordance with regulations on ownership transformation. An Authorized Management Company is established solely for the purpose of managing the authorized investment companies.</p> <p>Foreign persons may directly or indirectly acquire a maximum up to 10 per cent of shares or voting rights of Authorized (privatization) Management Companies; for a larger percentage an approval of the Securities Market Agency is required with the consent of the Ministry of Economic Relations and Development.</p>		

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>Investments of the Investments Funds into securities of foreign issuers are limited to 10 per cent of the investments of the Investments Funds. Such securities shall be listed on those stock exchanges previously determined by the Securities Market Agency.</p> <p>Foreign persons may become shareholders or partners in a Stock Broking Company up to 24% of the capital of the Stock Broking Company by prior approval of the Securities Market Agency. (Remark: this provision shall be abolished upon the adoption of the new Law on Securities Market.)</p> <p>Securities of a foreign issuer which have not yet been offered in the territory of the Republic of Slovenia may only be offered by a Stock Broking Company or a bank licensed to carry out such transactions. Prior to launching the offer the Stock Broking Company or a bank shall obtain the permission of Securities Market Agency.</p> <p>The request for this permission to offer securities of a foreign issuer in the Republic of Slovenia shall be accompanied by draft prospectus, documentation that the guarantor of the issue of securities of the foreign issuer is a bank or a stock broking company, except in the case of the issue of shares of a foreign issuer.</p>		
	4) Unbound except as indicated in Part I	4) Unbound except as indicated in Part I.	

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
(xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	
(xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy			
8. HEALTH SERVICES AND SOCIAL SERVICES			
A. <u>Hospital Services</u>			
- Private Hospital and Sanatorium Services (CPC 9311** excluding services provided by the public sector)	1) Unbound* 2) Public medical insurance programs may not cover cost of medicare supplied abroad  3) Authorization by health authorities; when authorizing the establishment of hospitals due consideration on a case-by-case basis is taken of the density of population, existing facilities, transport infrastructure, specialization and the distance between hospitals.	1) Unbound* 2) Service consumers may not be entitled to receive financial support from public resources. Subject to authorization by Institute for Health Insurance of the Republic of Slovenia ("Zavod za zdravstveno zavarovanje"). 3) Foreign private establishment and their service consumers may not be entitled to receive financial support from public resources including usage of public medical insurance programmes.	

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>B. <u>Other Human Health Services</u></p> <p>- Residential Health Facilities Services like Health Resort Hotels and Therapeutic Bath Services (CPC 93193)</p>	<p>Entry into public Health network is subject to concession from Institute for Health Insurance of the Republic of Slovenia.</p> <p>4) Unbound except as indicated in Part I</p> <p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I</p>	<p>4) Unbound except as indicated in Part I.</p> <p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I.</p>	

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
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels, Restaurants and Catering</u> (CPC 641, 642, 643 excluding catering in transport services sector)	1) Unbound* 2) None 3) None other than location in the protected areas of particular historic and artistic interest and within national or landscape parks is subject to authorization which can be denied. 4) Unbound except as indicated in Part I.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I.	
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) Commercial presence required 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required.	1) Commercial presence required 2) None 3) None 4) Unbound except as indicated in Part I and commercial presence required	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than Audiovisual Services)			
D. <u>Sporting and Other Recreational Services</u> other than ski school services, ski and mountain guide services, gambling and betting services (CPC 9641, 96491)	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	

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
11. TRANSPORT SERVICES			
A. <u>Maritime Transport Services</u>			
(d) Maintenance and Repair of Vessels (CPC 8868**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I.	
C. <u>Air Transport Services</u>			
(d) Maintenance and Repair of Aircraft (CPC 8868**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I.	
- Computer Reservation System (CRS)	1) None  2) None 3) None  4) Unbound except as indicated in Part I.	1) For obligation of parent or participating carriers in respect of a Computer Reservation System controlled by an air carrier of one or more third countries: unbound.  2) None 3) For obligations of parent or participating carriers in respect of a Computer Reservation System controlled by an air carrier of one or more third countries: unbound 4) Unbound except as indicated in Part I.	
- Sales and Marketing	1) None  2) None 3) None  4) Unbound except as indicated in Part I.	1) For distribution through CRS of air transport services provided by CRS parent carrier: unbound. 2) None 3) For distribution through CRS of air transport services provided by CRS parent carrier: unbound 4) Unbound except as indicated in Part I.	



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
E. <u>Rail Transport Services</u>			
(d) Maintenance and Repair of Rail Transport Equipment (CPC 8868**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound except as indicated in Part I.	
F. <u>Road Transport Services</u>			
(d) Maintenance and Repair of Road Transport Equipment (CPC 6112**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	
H. <u>Services Auxiliary to all Modes of Transport</u>			
(b) Storage and Warehouse Services (CPC 742)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound except as indicated in Part I.	
(c) Freight Transport Agency Services/Freight Forwarding Services (CPC 748)	1) None  2) None 3) None  4) Unbound except as indicated in Part I.	1) None other than customs clearance is subject to limitation to juridical person established in the Republic of Slovenia 2) None 3) None other than customs clearance is subject to limitation to juridical person established in the Republic of Slovenia 4) Unbound except as indicated in Part I.	
Pre-shipment Inspection (CPC 749**)	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	1) None 2) None 3) None 4) Unbound except as indicated in Part I.	

## SLOVENIA – FINAL LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual Services	Measures applied for the implementation of and in conformity with existing or future co-production agreements and which provide for national treatment to the works covered.	Parties to the agreements	Indefinite	The promotion of cultural links between the parties concerned.
	Measures applied for the implementation of and in conformity with existing or future co-production agreements and which provide for national treatment to the works covered.	European Countries	Indefinite	The promotion of cultural exchange among European countries based on traditional cultural links
	Measures applied for the implementation of and in conformity with support programmes such as the Council of Europe Convention on Transfrontier Television, Eureka, Media and Eurimages to audiovisual programmes and supplies to these programmes meeting specific origin criteria.			
	Preferential treatment of audiovisual works meeting European origin criteria regarding screen-time access.	European countries	Indefinite	Promoting common cultural links and protection of common cultural heritage

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Road Transport Passenger and Freight	Measures applied under existing or future agreements and which reserve or limit the provision of transport services and specify operating conditions, including transit permits and/or preferential road taxes of a transport services into, in, across and out of the Republic of Slovenia to the parties concerned.	All countries with which agreements are or will be in force	Indefinite	To protect the integrity of road transport infrastructure and the environment and to regulate traffic rights in the territory of the Republic of Slovenia and between the countries concerned
Computer reservation System and marketing of Air Transport Services	Provision of Article 7 of Regulation (EC) No. 2299/89 as amended by Regulation (EC) No. 3089/93, whereby the obligation of CRS systems vendors or of parent and participating air carriers shall not apply where equivalent treatment to that applied under the Regulation is not accorded in the country of origin of the parent carrier or of the system vendor.	All countries where a CRS system vendor or a parent air carrier is located	Indefinite	The need for the exemption results from the insufficient development of multilaterally agreed rules for the operation of CRS.