

Council for Trade in Services

CONSTRUCTION AND RELATED ENGINEERING SERVICES

Background Note by the Secretariat

I. Introduction

1. The Secretariat has prepared this Note at the request of the Council for Trade in Services. The Note is intended to provide background information for sectoral discussions to be conducted by the Council as part of the information exchange programme, as outlined in the Report of the Council for Trade in Services to the General Council (S/C/3), which aims to "facilitate the access of all Members, in particular developing country Members, to information regarding laws, regulations, administrative guidelines and policies affecting trade in services in order to contribute to the assessment of trade in services which would assist future negotiations in the services sector." In keeping with the Council's request, the following is intended to provide basic and general information on the sector concerned, and does not elaborate on country-specific issues or commitments.

2. In the course of the Uruguay Round negotiations, the Secretariat had produced a note "Construction and Engineering Services" in document MTN.GNS/W/53 of 23 May 1989. This note avoids duplicating the information contained in the earlier note which describes at some length the activities of the construction and related engineering sector, and the relevant forms of trade for this sector. Therefore, delegations are invited to refer to the earlier note, as necessary.¹

3. Due to the limited time available, the information contained in the present note cannot be considered complete or exhaustive. Detailed country-specific information on regulatory regimes and trade restrictions could only be provided by Members. The Secretariat would greatly appreciate any comments or additional information from Members on the subject or on any related matters. The section on the sources of information would need to be expanded much further, in particular.

4. It is well understood that i) construction and related engineering services and ii) architectural and engineering services are distinct but closely interrelated service sectors. For purely technical reasons, this note describes only the first sector; the latter is treated as a group of professional services in the Services Sectoral Classification List in document MTN.GNS/W/120 of 10 July 1991, and therefore is discussed in a separate note. It is recognized, however, that the supply of construction-related engineering services involves services provided by professional engineers, and that the two categories of services overlap each other. Construction firms very often provide both service categories. Therefore, there may be a need to review this note when architectural and engineering services are discussed, if necessary.

¹ Other Uruguay Round documents of interest would include, "Report by the Chairman of the Sectoral Ad Hoc Working Group to the GNS", MTN.GNS/W/110 of 6 November 1990, and "Sectoral ad hoc Working Group, Note on the Meeting of 22 October to 5 November 1990", MTN.GNS/W/111 of 12 November 1990.

II. Description of the Sector

5. This sector is classified in the document "Services Sectoral Classification List" in MTN.GNS/W/120 as "3. Construction and Related Engineering Services (CPC 511 - 518)". In general terms, and in accordance with the UN provisional CPC² classification of services, the activities covered under this heading are the following³:

Construction and Related Engineering Services

- General construction work for buildings (CPC 512)

This item includes construction work (including new work, additions, alterations and renovation work⁴) for all types of buildings, residential or non-residential, whether privately or publicly owned.

- General construction work for civil engineering (CPC 513)

This item covers construction work for structures other than buildings such as highways and streets, railways and airfield runways, bridges and tunnels, waterways and harbours, dams, pipelines, communication and power lines, mining and manufacturing plants, and stadia and sports grounds.

- Installation and assembly work (CPC 514, 516)

This item includes such activities as the assembly and erection of prefabricated constructions, installation work for heating and air conditioning, water plumbing, gas fitting, electrical wiring, fire alarm construction, insulation, fencing and lift construction.

- Building completion and finishing work (CPC 517)

This item covers special trade construction work for the completion and finishing of buildings such as glazing, plastering, painting, floor and wall tiling, carpeting, carpentry, interior fitting and decoration, ornamentation fitting.

- Other (CPC 511, 515, 518)

This item includes pre-erection work at construction sites, as well as special trade construction work such as foundation work, water well drilling, roofing, concrete work, steel

² The description below is based on the UN provisional CPC of 1991. Further detail on the description of subsectors is found in the United Nations, "Provisional Central Product Classification", U.N. Statistical Papers, Series M No.771991. An analysis of the recently developed CPC Rev. 1 can be found in the document "A Qualitative Assessment of the Relevance of the Changes Resulting from CPC Rev.1 for Trade Negotiating Purposes", S/CSC/W/9 of 9 October 1997.

³ It needs to be pointed out that not all countries have adopted the CPC classification in making commitments in this sector. However, compared to other sectors such as financial services, the number of countries adopting national definitions is very small for construction services. See document S/CSC/W/9 for details.

⁴ Although repair and maintenance work are not explicitly mentioned in the UN CPC description, it may be assumed that they would normally be included, unless involving services which belong elsewhere in the classification.

bending and erection, and masonry work. It also covers renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator.

III. Economic Importance of the Sector and its Main Economic Features

6. Construction is one of the oldest of all industries, retaining its role as a core economic activity from the early days of human civilization to this day. It not only provides the infrastructure for all other industries, but also constitutes one of the largest single sectors in the economy on its own. With its close link to public works and hence the implementation of fiscal policy, it has always been considered as a strategically important industry for creating employment and sustaining growth. For the developing economies, the construction sector carries particular importance because of its link to the development of basic infrastructure, training of local personnel, transfers of technologies, and improved access to information channels.

7. In most industrialized economies, the share of construction in total GDP is in the range of around 5 to 7 per cent.⁵ It is slightly lower in the United States (3.8 per cent) and Mexico (3.7), and higher in Japan (10.3). For Korea, the share in GDP is 13.9 per cent.⁶ Although disaggregated data are not always available for developing economies, the share of construction in GDP does not differ very much from the industrialized countries in such countries as India (5.7 per cent), Philippines (5.6), Malaysia (4.5), Thailand (7.0) and Singapore (7.1).⁷ The sector is also important as a major employer. The share of the sector in total employment is somewhat higher than in terms of value-added, but the range is still between 5 to 7 per cent for most OECD countries, except for Germany (8.7 per cent), Japan (10.5) and Mexico (9.7). In the United States alone, 7.5 million people are employed by the construction industry. The corresponding figure for the European Union is around 9 million.⁸

8. Construction services are primarily supplied through the establishment of service suppliers at or near the site of the work by local or regional operators. On-site establishment is normally confined to the duration of the particular project, while regional or local presence may be ensured on a permanent basis to service or promote several projects at one time. Joint ventures between foreign and domestic firms are quite common, often out of necessity for the financing of projects, transfers of technology and know-how, and assistance to the foreign firms in clearing local laws, regulations and practices.

9. By contrast, cross-border trade in this sector appears to be negligible, except in the engineering design phase. A large number of Members have inscribed "Unbound*" meaning "not technically feasible" in mode 1 of their schedules of commitments (see V. below).⁹ However, with

⁵ In terms of gross output (not value-added), these shares would be twice as high.

⁶ OECD, National Accounts 1960-1995, Volume 2. These shares are calculated using GDP data in current prices. The data are in principle for 1995, but in some cases for 1992-94. Definitional differences exist with regard to the scope of "construction" in the national accounts statistics across countries, but are not taken up in this note due to the general nature of the discussion.

⁷ Statistical Database System of the Asian Development Bank. Constant price data for 1992 are provided for the Latin American countries in the Economic and Social Database of the Inter-American development Bank. The shares of construction in GDP are also very much alike, with 5.4 per cent for Argentina, 5.9 for Brazil, 5.2 for Chile, 5.0 for Colombia, and 6.7 for Venezuela.

⁸ OECD, *op. cit.* and European Commission, Panorama of EU Industry 1997.

⁹ Some countries have indicated "Unbound*" in mode 2 (consumption abroad).

advanced communications systems, blueprints and designs can be transmitted electronically, and possibly certain pre-erection work such as site investigation may be conducted cross-border. Although such developments would affect the supply of architectural and engineering services more than the construction sector, they could alter the technical feasibility of certain services belonging to this sector.¹⁰

10. Disaggregated sectoral trade data could not be readily found for cross-border trade and supply through commercial presence for construction services, with the exception of those for the United States which publishes data on i) cross-border trade in architectural, engineering and construction services and ii) sales of majority-owned affiliates of U.S. firms and purchases from majority-owned affiliates of foreign firms.¹¹ They indicate that cross-border exports of U.S. suppliers amount to less than forty percent of sales by affiliates of U.S. firms abroad. In the case of cross-border imports, they are only about 5 per cent of the amount of purchases from affiliates of foreign firms. It can probably be assumed that most of the cross-border transactions are for architectural and engineering services.

11. Given the cyclical nature of construction services, the trade flows and supply through commercial presence do not show an unequivocally rising trend. Recent figures show, however, further rises in cross-border exports and imports of "construction, engineering, architectural and mining services" in the period 1995-6, as well as sales of "construction services" by U.S. affiliates of foreign companies in 1994-5. By contrast, sales of construction services by foreign affiliates of U.S. companies were stagnant in the period 1994-5.¹²

12. Construction services may be carried out by general contractors who complete the entire work for the proprietor of the project, or by specialized subcontractors who undertake parts of the work. It is common to observe in each country a small number of large firms, a relatively less significant group of medium-sized firms, and a large mass of small firms who are either specialists in certain fields or who operate in small geographical areas. Construction services supplied internationally typically relate to large-scale projects such as airports, harbours and petrochemical plants, and are often undertaken by specialized contractors with local sub-contracting. Internationally active companies constitute still only a handful of the total, but recently, particularly with the development of the Single Market in Europe, international activity is reportedly rising, along with a certain concentration of the industry.¹³ It is also reported that the ratio of construction revenue from foreign markets to total construction revenue has steadily increased in Japan, as the overseas operations of major Japanese construction firms have expanded worldwide.¹⁴ The annexed Table 1 shows available data for the revenues of the top 225 international contractors in construction services.

¹⁰ It is noted that the Committee on Specific Commitments has been discussing this issue on a cross-sectoral basis.

¹¹ Analysis of such data are provided in a number of publications of the U.S. International Trade Commission, the most recent of which is "General Agreement on Trade in Services: Examination of the Schedules of Commitments Submitted by Asia/Pacific Trading Partners, Investigation No. 332-374, August 1997.

¹² U.S. Department of Commerce, Survey of Current Business, October 1997. It need to be noted, however, that the two sets of data on cross-border trade and sales of affiliates employ slightly different sectoral definitions, and therefore are not directly comparable. There is also a certain duplication in the figures, due to such cases as in which the parent company and its affiliate abroad jointly deliver a service, and the sale is recorded first as a receipt of the affiliate (the entire amount) and then as intra-firm trade between the affiliate and the parent (for the share of the parent).

¹³ European Commission, *op. cit.*

¹⁴ Industrial Structure Council, Japan, 1998 Report on the WTO Consistency of Trade Policies by Major Trading Partners.

13. The international supply of construction services involves large movements of workers at all levels of skill. Although it has not been possible to obtain detailed figures for the movement of workers related to the industry, a large portion of the movement of workers into the industrialized countries and the Middle East, from Asia, Latin America and other regions are believed to be construction-related.

14. Public-sector financing and public procurement play an important role in the consumption of construction services, generating as much as half of the total demand for the services, but with a global trend towards privatization of state-owned enterprises and activities, the importance of the public sector would appear to be declining.¹⁵ It may be added that public procurement of construction services has sometimes given rise to trade disputes or bilateral discussions between industrialized countries.¹⁶ However, no case specifically addressing the construction sector has been raised for consultation or otherwise under the Dispute Settlement Mechanism of the WTO so far.¹⁷

IV. Regulatory Structure and Relevant Trade Restrictions

15. The construction sector is subject to many different aspects of domestic regulation. They include controls on land use, building regulations and technical requirements, building permits and inspection, registration of proprietors, contractors and professionals, regulation of fees and remunerations, environmental regulations, etc. Such measures are applied not only at the national level, but also very frequently at the sub-federal or local government level. Standards may be fixed by the governments or by standard-setting bodies or private-sector associations.

16. A large part of such measures is intended to maintain the safety of the objects constructed and the construction work involved, to implement urban and land use planning, or to protect the health and safety of workers and users, as well as environmental quality, all in the interest of the public. They would normally be applied on a non-discriminatory basis, although some technical standards and specifications may be applied only to foreign suppliers. Even if the same measures are applied to all suppliers, domestic or foreign, they may be found to be more onerous to foreign suppliers.¹⁸ Measures which affect the mobility of labour at all levels of skill affect suppliers, but restrictions on the movement of experts or specialists may have a particularly strong impact on foreign construction firms, as high-level skills are not easily replaceable. Measures which affect the mobility of construction equipment and those which affect the supply of related services such as insurance and transport would also have a bearing on the sector. Capital and exchange controls are also relevant.

¹⁵ European Commission, *op. cit.* No systematic effort was made in preparing this note to collect data on government procurement, but references can be made to data to be supplied by Members which are signatories to the Agreement on Government Procurement under its Article XIX:5.

¹⁶ See, for example, USTR, the 1997 National Trade Estimate 1997 and, Industrial Structure Council, Japan, *op.cit.*

¹⁷ A case involving government procurement of services in general under the GPA is "United States - Measures Affecting Government Procurement" complaint by the European Communities and that by Japan in documents WT/DS88/1 and WT/DS95/1.

¹⁸ It should be noted that many of the regulations and standards are applied to the specification of construction material or supplies which are traded as goods. The Sectoral and Trade Barriers Database of the European Commission states, "The extensive licensing requirements and the number of licenses needed for contractors to be qualified to do business in Japan represent a barrier to market penetration for foreign firms to do business in Japan". Such requirements are, however, usually imposed on a non-discriminatory basis.

17. Difficulties for foreign service suppliers may be created not only by the nature of the restriction but also by the fact that the required permits and licenses are granted by a large number of national and local authorities or industry associations. They may not always welcome foreign competition in the markets or may not be sensitive to the trade effects of regulation. Registration fees and other charges could place a burden on the operators. The lack of transparency concerning the rules that apply, as well as the informal nature of business practices could cause frustration. Competition policy is relevant, as the sector has often given rise to anti-competitive behaviour and practices in the past; informal guidelines, business practices and pressures from industry associations and sometimes collusion among suppliers have played a role in limiting competition in the sector.

18. Restrictions on the establishment and operation of a commercial presence by foreign firms, such as limitations on foreign investment including those on foreign ownership (for example, only minority ownership allowed for foreigners) or on the types of legal entity allowed (such as a local incorporation requirement, or a prohibition on establishing branches) can constitute obstacles to market access. As mentioned above, the formation of a joint operation or a joint venture company with local suppliers or subcontractors is often an economic necessity, but requirements to do so would create a burden on the foreign suppliers' ability to make its own decisions based on business conditions. Other market access limitations would include economic needs tests for commercial presence and limits on the contract amount accessible to foreign firms. Sometimes, market access is allowed to foreign suppliers only when resources and materials are not available locally.

19. With its extensive use of skilled and unskilled labour, the construction sector is strongly affected by limitations on the movement of natural persons. Nationality and residency requirements or other staffing requirements for persons employed by foreign firms could constitute limitations on market access and national treatment.¹⁹ Requirements to employ and train local staff may place a burden on the supplier. Such requirements, even if imposed on an equal basis to all domestic as well as foreign firms, could still constitute *de facto* national treatment limitations.²⁰ Although in principle outside the scope of the GATS, immigration policy, labour market regulations, and levies and charges for social security would also impact the sector significantly.²¹

20. Subsidies and tax incentives are provided in many countries to promote construction work or to encourage growth of the construction sector. If they are granted only to local suppliers, they may be inconsistent with a Member's national treatment obligations. There can also be preferences provided to local contractors in bidding, or requirements to transfer technology. Restrictions on the ownership of land by foreigners are normally applied to all sectors, but may have a strong effect on the construction industry, since property developers will not be able to own apartments and houses under construction until completion.²² When preferential treatment is provided to suppliers of certain

¹⁹ According to the scheduling guidelines in document MTN.GNS/W/164, nationality requirements are normally considered as limitations on market access (equivalent to a zero quota), whereas a residency requirement would need to be judged on a case-by-case basis whether it constitutes a *de facto* national treatment limitation or a non-discriminatory measure subject to the disciplines of Article VI:5.

²⁰ GATS Article XVII:3 states that "*Formally identical* or formally different treatment shall be considered to be less favourable if it modifies the conditions of competition in favour of services or service suppliers of the Member compared to like services or service suppliers of any other Member." (Emphasis added.)

²¹ For example, labour market regulations such as those extending minimum wages and regulations on work hours to foreign workers employed on a temporary basis on construction sites, as well as requirements on foreign workers to participate in social security systems would tend to reduce the cost advantages of the foreign workforce.

²² See, for example, WTO, Trade Policy Review of Switzerland, 1996.

countries in the bidding process, for example, an MFN exemption is required. MFN exemptions concerning the movement of personnel, research and development subsidies, and foreign investment listed for all sectors would also affect this sector significantly.

21. Problems associated with the recognition of credentials and licenses for foreign individuals and firms may also exist, but they may not constitute trade restrictions *per se*. The limitations on foreign investment and on the movement of natural persons may exist as horizontal limitations applied to all service sectors, while sector-specific limitations may also be imposed. Other types of limitations and licensing issues would be more sector-specific.

22. Given the above-mentioned importance of public procurement for this sector, regulations and practices adopted with regard to government procurement are also relevant to the construction industry. Non-discrimination and transparency in the procurement process would need to be ensured. However, it is recalled that the GATS explicitly exempts laws, regulations or requirements governing government procurement from the application of Articles II, XVI and XVII, and that government procurement of services is currently being negotiated under the Working Party on GATS Rules.²³

V. Negotiations on Construction Services and Existing Commitments under the GATS²⁴

23. During the Uruguay Round of trade negotiations, a working group on construction services and engineering services was created to discuss the applicability to the construction and engineering sector of the basic concepts developed for the services agreement. Three meetings were held between June and October 1990.²⁵ Some specificities of the sector identified in the meetings were the relevance of transparency, movement of personnel across borders, movement of equipment and material, movement of capital, transfers of technology to developing countries, and the importance of government procurement. Two draft proposals were made for an annex on this sector by the European Communities and Korea.²⁶ It was decided in the end that no sector-specific provisions or annotations were necessary for the construction and engineering sector.

24. As a result of the Uruguay Round and subsequent accessions, 69 WTO Members have made commitments in 55 schedules²⁷ for at least one of the subsectors under construction and related engineering services. 22 schedules cover all the subsectors in the sector, while 8 schedules cover only

²³ One may also recall that the Agreement on Government Procurement (GPA) also contains a provision in Article III:3 that the national treatment and non-discrimination principles shall not apply to measures affecting trade in services other than laws, regulations, procedures and practices regarding government procurement covered by the GPA.

²⁴ The following analysis of existing commitments under the GATS is based on information generated by the electronic database currently under development in the Secretariat, and needs to be considered as preliminary. Commitments under the GPA are not described, but all GPA signatories have made commitments in construction services, most of them covering all construction services belonging to CPC Division 51.

²⁵ Minutes of these meetings are available in documents MTN.GNS/CON/1 to /3.

²⁶ These proposals were contained in documents MTN.GNS/CON/W/1 and W/2.

²⁷ The difference between this number of 55 and the 69 Members with commitments is due to the European Union which has submitted a consolidated schedule for its 15 Member States. Aruba and the Netherlands Antilles have separate schedules, but are not counted separately. The slight difference with the number appearing in the document S/CSC/W/9 is essentially due to new accessions and the exclusion of Aruba and the Netherlands Antilles.

one subsector. The average is between 3 and 4 subsectors per schedule, with the largest number of countries making commitments in General Construction Work for Civil Engineering (46 schedules), closely followed by General Construction Work for Buildings (45). The least number of countries made commitments in Other services (32 schedules). Within those subsectors covered, however, coverage was sometimes very limited.

25. With regard to the level of commitments, an analysis can be done by making three distinctions; full commitments (no limitations, implying total liberalization), partial commitments (those made with certain limitations), and no commitments (unbound).²⁸ Looking at market access commitments of countries in this sector, full commitments were made in 51 - 64 per cent of all commitments made (excluding "other" services) for the supply of services through commercial presence (mode 3) (Table 2). These figures decline substantially to 29 - 36 per cent when horizontal commitments are taken into account. In general terms, these figures compare favourably with other service sectors, however, and seem to indicate that relatively liberal commitments were undertaken for this sector.²⁹

26. The most commonly observed market access limitations specific to the sector were limitations on the type of legal entity allowed for commercial presence of service suppliers, followed by limitations on the participation of foreign capital and limitations on the value of transactions or assets, applying to commercial presence (mode 3) (Table 3a).³⁰ Restrictions on the number of natural persons to be employed were also relatively common (mode 4). With regard to national treatment limitations, the most prevalent were references to licensing, standards and qualifications in the presence of natural persons (mode 4). Nationality and residency requirements were also fairly common (Table 3b).

27. There are very few MFN exemptions specific to the construction sector, but some Members provide preferential treatment to suppliers from neighbouring countries, such as preferential short-listing in international competitive bidding.

VI. Sources of Information

28. Given its primarily local or regional character, the main sources for information in this sector will need to be national regulatory authorities and industry associations.³¹ A useful guide to information sources is contained in a publication, "Information Sources in Architecture and Construction".³² Chapter Two of this publication is a guide to associations, organizations and

²⁸ Such a broad categorization of commitments is necessarily very crude and is intended only to evaluate in very roughly the level of commitments made by countries. In practice, a "partial" commitment could be infinitely close to a full commitment if the limitation maintained is nominal; on the contrary, it could be effectively close to "unbound" if the limitations are very broad and restrictive.

²⁹ The proportion of full commitments in mode 3 (commercial presence) for market access was highest for tourism (30 per cent) followed by the construction sector (29 per cent), taking into account the horizontal commitments.

³⁰ Such evaluation is not always straightforward, as a single measure may have restrictive effects in several ways, or may not be easily classified due to its ambiguity or a large room for discretion.

³¹ The European Construction Industry Federation (FIEC) is among the group of business associations with useful information as well as statistics on construction activity. It has an Internet Homepage "<http://www.fiec.be>". A list of mainly North American industry associations can be viewed on the Internet Homepage of the newsletter Engineering News Record, "<http://www.enr.com>".

³² Valerie J. Nurcombe ed., published by Bowker Saur, 1996 Second Edition.

libraries which can be used as information sources in the area of architecture and construction.

29. The Secretariat is not aware of any international organization discussing regulatory issues or trade-related matters with respect to the construction sector on a continuous basis. In related areas, the Organization for Economic Cooperation and Development (OECD) has done work in its Workshop on Professional Services, and also publishes construction price indices. The work undertaken in the Professional Services Workshop seems to be particularly useful in identifying regulatory issues relevant to trade liberalization in architectural and engineering services. The United Nations Commission on International Trade Law (UNCITRAL) has adopted a Model Law on the procurement of goods, construction and services in 1994. The International Organization for Standardization (ISO) has worked on standardization in the field of building and civil engineering (TC59) and in other related areas.

Annex

Table 1: Revenues of the Top 225 International Contractors in Construction Services, 1996, by Regional Market (\$ millions)

Region	1996	1995	1994
Africa	10,285.1	9,215.3	9,133.1
Asia	42,453.4	38,024.0	1,032.7
Canada	2,802.1	2,239.8	3,230.3
Europe	35,121.8	28,093.3	21,159.0
Latin America	8,105.1	7,219.0	6,422.1
Middle East	13,525.6	10,225.9	11,038.9
United States	14,473.0	10,004.0	10,203.3
Total	126,777.2 (+21%)	105,021.3 (+69%)	62,219.4

Note: The figures in brackets show the annual growth rates in percentage points.

Source: Engineering News - Record, International Construction Sourcebook 1997.

Table 2: Analysis of Commitments made by Members in Construction and Related Engineering Services (Percentages of full, partial and no commitments by sub-sector and by mode of supply)

Market Access	Cross-border Supply			Consumption Abroad			Commercial Presence			Presence of Natural Persons		
	F	P	N	F	P	N	F	P	N	F	P	N
General Construction Work for Building	29	10	60	67	21	13	60	33	6	2	96	2
	<i>27</i>	<i>13</i>	<i>60</i>	<i>60</i>	<i>27</i>	<i>13</i>	<i>31</i>	<i>63</i>	<i>6</i>	<i>0</i>	<i>98</i>	<i>2</i>
General Construction Work for Civil Engineering	27	12	61	61	20	18	51	43	6	4	94	2
	<i>24</i>	<i>14</i>	<i>61</i>	<i>55</i>	<i>27</i>	<i>18</i>	<i>29</i>	<i>65</i>	<i>6</i>	<i>0</i>	<i>98</i>	<i>2</i>
Installation and Assembly Work	32	4	64	66	19	15	55	36	9	2	96	2
	<i>30</i>	<i>6</i>	<i>64</i>	<i>60</i>	<i>26</i>	<i>15</i>	<i>32</i>	<i>60</i>	<i>9</i>	<i>0</i>	<i>98</i>	<i>2</i>
Building Completion and Finishing Work	31	5	64	72	18	10	64	28	8	3	92	5
	<i>28</i>	<i>8</i>	<i>64</i>	<i>62</i>	<i>28</i>	<i>10</i>	<i>36</i>	<i>56</i>	<i>8</i>	<i>3</i>	<i>92</i>	<i>5</i>
Other	24	18	58	27	58	15	27	64	9	0	97	3
	<i>21</i>	<i>21</i>	<i>58</i>	<i>21</i>	<i>64</i>	<i>15</i>	<i>12</i>	<i>79</i>	<i>9</i>	<i>0</i>	<i>97</i>	<i>3</i>

Notes:

- F: Full commitment (indicated by "none" in the market access column of the Schedule)

P: Partial commitment (limitations inscribed in the market access column of the Schedule)

N: No commitment (indicated by "unbound" in the market access column of the Schedule)
- The figures in *italics* indicate the percentages taking into account horizontal commitments applicable to all sectors.

Table 3a: Analysis of the Types of Measures (Number of Measures in Construction and Related Engineering Services, Market Access)

<u>Mode</u>	1	2	3	4
Limitations on:				
Number of Suppliers	1	-	5	-
Value of Transactions or Assets		-	11	-
Number of Operations	-	-	-	-
Number of Natural Persons	-	-	-	11
Types of Legal Entity	-	-	26	-
Participation of Foreign Capital		-	16	-
Other Measures n.e.c.	8	3	28	32

Table 3b: Analysis of the Types of Measures (Number of Measures in Construction and Related Engineering Services, National Treatment)

<u>Mode</u>	1	2	3	4
Tax Measures, Subsidies and Grants	-	-	-	9
Nationality and Residency Requirements	-	-	12	14
Licensing, Standards, Qualifications	-	3	7	39
Registration Requirements	-	3	7	3
Authorization Requirements	4	-	5	5
Performance Requirements	-	3	3	3
Technology Transfer Requirements	-	-	1	-
Other	5	-	8	6

Note: The number in "Other Measures n.e.c." is very large in these tables because a large number of entries in the Schedules could not be classified into one or the other of the distinct categories of limitations. In some cases, this was due to a lack of specificity in the description of the measure, while in others, it was because the measure itself did not correspond to any of the categories.