

Working Party on Professional Services

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REPORT OF THE WORKING PARTY ON PROFESSIONAL SERVICES TO THE COUNCIL FOR TRADE IN SERVICES

1. The WPPS will have held ten formal, and several informal, meetings in the period December 1997 to November 1998. Minutes for the first nine formal meetings are contained in WPPS documents M/14 through M/22. Following the tenth formal meeting on 16 November, another formal meeting is scheduled for 4 December 1998. Discussions of the WPPS have focused on the development of multilateral disciplines on domestic regulation in the accountancy sector, together with the issue of the legal form for their adoption.
 2. As a result of discussions and comments in the context of WPPS meetings, the Secretariat was asked to prepare several revisions of the informal Note, *Disciplines on Domestic Regulation in the Accountancy Sector* – the tenth revision was dated 27 July 1998. Discussion on the text of the disciplines on accountancy was substantially concluded at the WPPS meeting of 29 July 1998, except for one outstanding reservation.
 3. The WPPS addressed the question of the legal form which the accountancy disciplines might take. The option of containing the disciplines in an annex to the GATS was considered. Several Members took the view that this option would be desirable so as achieve legal certainty in the application of the disciplines. Two other options, and combinations thereof, were also discussed: a reference paper according to which Members would schedule commitments and a Decision by the Council to adopt the text of the disciplines with an agreement to make them legally binding at a later stage. [Members supported the option of a Council Decision. *This section will be completed in the light of the discussion at the meeting scheduled for 4 December 1998*].
 4. Members discussed issues relating to the relationship between the disciplines on accountancy developed under Article VI:4 and other provisions of the GATS, in particular Articles XVI (market access) and XVII (national treatment). It was noted that the new disciplines on accountancy must not overlap with other provisions already existing in the GATS so as to avoid legal uncertainty. Discussions were conducted on the basis of an informal note by the Chairman.
 5. The issue of the future work of the WPPS was discussed. Once work on accountancy was concluded, the main question was whether work would focus on the development of general disciplines for professional services, or continue to develop disciplines for other sectors. The expansion of the MRA guidelines for accountancy to accommodate other professional services sectors was also suggested as a possible element of the WPPS future work.
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