

WORLD TRADE ORGANIZATION

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**Working Party on the Accession
of the Kyrgyz Republic**

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ACCESSION OF THE KYRGYZ REPUBLIC

Information on Policy Measures Affecting Trade in Services

The following information on Policy Measures Affecting Trade in Services has been received from the Government of the Kyrgyz Republic, with the request that it be circulated to members of the Working Party.

TABLE 1: Measures Relating to Market Access

Mode (s) of Supply:

1. Cross-border supply 2. Consumption abroad 3. Commercial presence 4. Presence of natural persons 5. Relationship between modes of supply

A. HORIZONTAL			
	Measures		Relevant Laws and Regulations
	No measures		
B. SPECIFIC SERVICE SECTOR OR SUB-SECTOR			
	Measures		Relevant Laws and Regulations
1. COMMERCIAL SERVICES			
A. Professional services			
a) Legal services		3. The advocate services may be provided only by the citizens of the Kyrgyz Republic. Only an advocate has the right to provide legal services in connection with criminal matters.	The Law on Regulation of Advocates of the Kyrgyz Republic of 11 November 1980 The Law on Advocates of the USSR of 30 November 1979
b) Accounting, Auditing and Bookkeeping services		3. License on the right to engage in auditing activity may be granted only to citizens of the Kyrgyz Republic. However, a foreign entity may obtain an auditing license if it employs an individual holding a license	Temporary Regulations on Auditing Activity of the Cabinet of Ministers Resolution No 33 of 26 January 1993 The Regulation on the Licensing Procedure for Auditing Activity; and the Regulations on the Testing Required for Obtaining an Auditing License issued by the Ministry of Economy and Finance on 13 September 1993
2. COMMUNICATION SERVICES			
c) Telecommunication services		3. Providing long distance and international communication services is prohibited without interconnection to Kyrgyztelecom's network.	The Resolution of the Cabinet of Ministers No. 167 of 16 May 1995 entitled On the Work of the Ministry of Communication for the Realization of the First Telecommunication Project Funded by the World Bank/IDA and the European Bank for Reconstruction and Development

3. CONSTRUCTION AND RELATED ENGINEERING SERVICES	3. Foreign service suppliers are prohibited to deal with implementation of international contracts in full scale without participation of entities of the Kyrgyz Republic	The Law on Town-building and Architecture in Kyrgyz Republic of 11 June 1994.
7. FINANCIAL SERVICES		
a) All Insurance and Insurance -Related Services	<p>1. Foreign insurance companies may not provide insurance services unless registered as a Kyrgyz legal entity.</p> <p>1. No more than 95% of insured risk can be reinsured abroad.</p> <p>3. Providing agency's and brokerage services for non-resident insurance companies is prohibited.</p> <p>3. Branches may be opened only by first-class foreign banks.</p>	<p>The Regulations on the Procedure for Registering and Licensing Insurance Companies issued by the Kyrgyz State Insurance Inspectorate of 29 January 1993.</p> <p>The Cabinet of Minister's resolution No 475 of 16 October 1996 on the Measures to Protect the National Insurance Market.</p>
b) Banking and Other Financial Services (Excluding Insurance)		The Regulation of the National Bank of the Kyrgyz Republic on the Activity of Representations of Foreign Banks on the Territory of the Kyrgyz Republic of 30 June 1994.
ii) Lending of all types, including inter alia, consumer credit, mortgage credit, factoring and financing of commercial transactions	3. Lombard may be organized only in the form of a company with additional liability or full partnership.	The Regulation on the Procedure of Issuing a License of the National Bank of the Kyrgyz Republic to a Lombard approved by the Resolution of the National Bank of the Kyrgyz Republic of 30 December 1994.
vi) Trading for own account or for account of customers; whether on an exchange, in an over-the-counter market or otherwise, the following: -money market instruments (Cheques, bills, certificate of deposits, etc.); -foreign exchange; -derivative products include, but not limited to futures and options; -exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc.; - transferable instruments and financial assets, including bullion	3. Investment Funds may be organized only in the form of opened joint-stock companies.	The Regulation on Investment Funds, approved by the Resolution of the Cabinet of Ministers No. 55 of 22 February 1995.

11. TRANSPORT SERVICES			
iii) Air Transport Services	1. Foreign air transport companies are not permitted to provide domestic air transportation services. 3. No more than 49% of a Kyrgyz legal entity offering air transportation services may be owned by foreigners.	Air Code of the Kyrgyz Republic of 15 April 1994.	
OTHER SERVICES NOT INCLUDED ELSEWHERE			
i) Services in the sphere of industrial property	3. 4. Only a citizen of the Kyrgyz Republic, who is permanently residing in the Kyrgyz Republic, has a right to provide services (in the sphere of industrial property) as a patent agent.	The regulation on the Patent Agents, approved by the resolution No 12 of 26 August 1993 of the State Committee on Science and New Technologies of the Kyrgyz Republic	

TABLE 2: Measures Relating to National Treatment

Mode (s) of Supply:

1. Cross-border supply 2. Consumption abroad 3. Commercial presence 4. Presence of natural persons 5. Relationship between modes of supply

A. HORIZONTAL			
	Measures		Relevant Laws and Regulations
	No measures		
B. SPECIFIC SERVICE SECTOR OR SUB-SECTOR			
	Measures		Relevant Laws and Regulations
7. FINANCIAL SERVICES			
b)	Banking and Other Financial Services (Excluding Insurance)	<p>The minimum charter capital for banks without foreign participation is US\$800,000; and for banks with foreign participation is US\$1,600,000.</p> <p>3. Branches may be opened only by first-class foreign banks.</p>	<p>The Regulation of the National Bank of the Kyrgyz Republic On the Increase of the Capital Required for Commercial Banks in the Kyrgyz Republic of 9 August 1995.</p> <p>The Regulation of the National Bank of the Kyrgyz Republic on the Activity of Representations of Foreign Banks on the Territory of the Kyrgyz Republic of 30 June 1994.</p>
12. OTHER SERVICES NOT INCLUDED ELSEWHERE			
i)	Services in the sphere of industrial property	3. 4. Only a citizen of the Kyrgyz Republic, who is permanently residing in the Kyrgyz Republic, has a right to provide services (in the sphere of industrial property) as a patent agent.	The regulation on the Patent Agents, approved buy the resolution No 12 of 26 August 1993 of the State Committee on Science and New Technologies of the Kyrgyz Republic

TABLE 3: Measures Relating to Most-Favoured -Nation Treatment (MFN)

Mode (s) of Supply:

1. Cross-border supply 2. Consumption abroad 3. Commercial presence 4. Presence of natural persons 5. Relationship between modes of supply

A. HORIZONTAL		Measures	Relevant Laws and Regulations
ALL SERVICE SECTORS		4. For CIS citizens no entry visa is required. Citizens from other countries are required to obtain entry visas.	The Law of the Kyrgyz Republic No. 1299-XII on the Procedure of Staying of Foreign Citizens in the Kyrgyz Republic of 14 December 1993. The Agreement on Free Entrance and Movement of CIS' Citizens within the Territory of Its Participants of 9 October 1992.
B. SPECIFIC SERVICE SECTOR OR SUB-SECTOR		Measures	Relevant Laws and Regulations
		No measures	

TABLE 4: Other Measures

No other measures are maintained