

# WORLD TRADE ORGANIZATION

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## ACCESSION OF LITHUANIA

### Additional Questions and Replies to the Memorandum on the Foreign Trade Régime (L/7551)

The Permanent Mission of the Republic of Lithuania has submitted the following additional questions and replies to the Memorandum on the Foreign Trade Régime (L/7551). The questions and replies are reproduced hereunder.

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Replies to Questions 1-79 were submitted to the WTO Secretariat earlier in a separate document (WT/ACC/LTU/2).

## I. INTRODUCTION

### Question 80

**Lithuania mentions six areas, including agriculture and services, as priority development areas. What policies does Lithuania intend to implement to stimulate those sectors? How will those policies affect foreign trade and investment?**

#### Reply

The following actions are being taken in Lithuania to stimulate the sectors mentioned in Introduction:

Within the sector of manufacture infrastructure:

- completion of privatisation;
- set up of consultative agency at the Ministry of Industry and Trade which upon performing study of approximately 80 enterprises consults them on company strategy formulation and restructuring issues, renders assistance in drafting business plans, finding partners, etc.;
- establishment of Export Promotion Agency is in progress, its basic objective being to create and implement export promotion system based on international pattern, Nordic countries pattern in particular;
- establishment of export credit insurance system;
- studying possibility to establish export - import bank.

Within the sector of service infrastructure:

- development of tourism as a priority;
- expansion of service network for machines, cars;
- privatisation of about 84.5 per cent of service enterprises, of almost all bank services.

The above mentioned measures are intended for foreign trade development and export promotion.

Agriculture is a priority branch of the Lithuanian economy development, fulfilling a very important function on economics and social life.

The State supports, first of all in the frame of purposive programmes, the producers of the most important agricultural commodities, progress of agriculture in the field of research and technology, preservation of land and other natural resources, realisation of bio-organic agriculture, the establishment of specialised farms and protects the equality of the agricultural subjects in the market.

Favourable credits and purposive financing is being applied: to support purchasing of agricultural production according to set quotas of the Government; to change the economic activities of the agricultural subjects, situated on low productivity soils and to reduce the differences between the economic conditions of farming; to organise the production of ecologically clean produce and to remove the centres of concentrated pollution; to develop cooperative and agroservice activities; to implement programmes on the establishment of farmers and the establishment of infrastructure for production; to compensate the income of the reduced agricultural production because of the State's restrictions; for the agricultural research, consultations, training and education; for purchasing of breeding material of productive animals and poultry, valuable plants; reclamation and liming of acid soils.

Favourable tax tariffs, set by the laws of Lithuania, are being applied to the producers of agricultural production (see the answer to Question 47).

Adjusting the measures, the Government is seeking to promote the rational use of land resources, modernisation of the production of agricultural goods, its restructuralization for the production of exportable produce.

## **II. ECONOMY AND FOREIGN TRADE**

### **1. Economy**

#### **(a) General description**

##### **Agriculture**

#### **Question 81**

**This section indicates that in 1993 "private farms produced 70 per cent of total agricultural output" and that "In recent years the private sector in agriculture has steadily increased." What is the level of percentage of production accounted for by Government owned enterprises today? Are these private farms wholly owned by private citizens or does the state hold some percentage of some of the enterprises?**

Reply

Almost all agricultural production was produced in private sector farms in 1994. The production of the state agricultural enterprises (experimental stations of research institutions, workshops for training purposes of agricultural schools and colleges, using 1.2 per cent of the total land for agricultural purposes) made 3 per cent of the total agricultural production.

The main producers of agricultural products are agricultural partnerships and enterprises, farmers and small private farms. These are in full private ownership.

#### **(b) Main directions of the ongoing economic policies, etc.**

##### **Prices**

#### **Question 82**

**This section notes that State control of mark-ups on some household goods may be ended. Please provide an updated list of household goods where the State controls price mark-ups. Also, please provide an updated list of other sectors where the State still controls prices.**

Reply

From 1 April 1995, the Lithuanian Government ceased regulation and control of mark-ups of food-stuff produced in Lithuania. Thus, the process of price liberalisation has been completed and now there is no regulation of household goods prices in Lithuania.

The State still controls prices and tariffs of these goods and services:

1. land of state property;
2. natural gas;
3. electric energy;
4. heat energy;

5. precious metals of state property;
6. timber;
7. circulating glass tare;
8. minimal procurement prices of cattle, milk and plant-growing production;
9. passenger's transportation by railroad, interurban buses (tariffs of public urban transport are regulated by municipalities in their administration territory), means of air ("Lietuvos avialinijos" - Lithuanian airlines) and water transport;
10. postal services of state entity "Lietuvos pastas" (Lithuanian post);
11. telephone and telegraph services of state entity "Lietuvos Telekomas";
12. radio and television services of state entity "LRTC";
13. construction works financed by the State;
14. herbs, medicines, other chemist's goods and medical services of state sector.

For additional information see the answers to Questions 3-4.

### **Question 83**

**What is the status of price liberalisation in regulated sectors such as energy, transportation and communications? Please identify the specific sectors viewed as natural monopolies where State-controlled prices will remain.**

Reply

Concerning price liberalisation in transportation and communications sectors see the answer to Question 3.

Due to technical and economic reasons there is absence or restrictions of competition and consumer choice possibilities in energy sectors, so the state control and price regulation is still necessary. Natural gas supply, production and supply of electricity and heat energy are concerned as sectors operating as natural monopolies, i.e. sectors where one dominant entity is operating in the whole or in a main part of the Lithuanian territory (concerning the other specific sectors viewed as natural monopolies where State controls prices see the answer to Question 3).

The further price liberalisation in energy sectors is connected with structure changes in those branches and with creation of competitive conditions.

### **Competition**

### **Question 84**

**Please identify the 57 enterprises that are supervised and partly controlled by State institutions because of "technical and economic reasons." Does the Lithuanian Government foresee reducing import barriers for these products to encourage competition?**

Reply

The number of enterprises which have a dominant position in the domestic market (over 40 per cent of market share) and therefore are supervised and partly controlled by the State institutions is changing permanently - depending on the enterprise's position in the market, some enterprises being included in the list, some excluded. At the moment the number of such enterprises is 45.

The list of enterprises that are currently supervised and partly controlled by the State Competition and Consumer Protection Office.

Enterprises whose prices must be declared at the State Competition and Consumer Protection Office are as following:

1. Stock company "Achema"
2. State Kedainiai chemistry factory
3. State Panevezys glass factory
4. Stock company "Akmenes cementas"
5. Limited stock company "Kalcitas"
6. Limited stock company "Ventos statybines medziagos"
7. Stock company "Oruva"
8. Stock company "Snaige"
9. Stock company "Litoda"
10. Stock company "Elnias"
11. State bureau of inventorization, design and service.

Enterprises whose financial economy activity, market behaviour, commodity and service prices and tariffs are being supervised by the State Competition and Consumer Protection Office:

1. State Klaipeda stock meat factory
2. State Marijampole milk cannery
3. State Klaipeda cannery
4. Limited stock company "Birstono mineraliniai vandenys"
5. "Philips-Morris Lietuva"
6. State company "Stumbras"
7. State company "Alita"
8. Stock company "Kedainiu biochemija"
9. Stock company "Plasta"
10. Stock company "Lietkabelis"
11. Joint-venture Lithuanian-Germany company "Vairas"
12. Stock company "Trinyciai"
13. Stock company "Audejas"
14. Stock company "Alytaus tekstile"
15. Stock company "Silkas"
16. Stock company "Dirbtinis pluostas"
17. Stock company "Vernitas"
18. Limited stock company "Kalcitas"
19. State Vilnius polymeric articles factory
20. State Daugeliai enterprise of construction materials
21. Stock company "Dvarcionys"
22. Stock company "Palemono keramika"
23. Stock company "Silikatas"
24. Stock glass factory "Aleksotas"
25. Stock company "Sirijus"
26. Stock company "Ekranas"
27. Stock company "Metga"
28. Stock company "Banga"
29. Stock company "Siauliu tauras"
30. Stock company "Vilkas"
31. State enterprise "Lietuvos kuras"

32. State Vilnius electric measuring devices factory "Skaiteks"
33. State electrotechnic factory "Velga"
34. State enterprise "Lietpraba"
35. Joint-venture Lithuanian-Luxembourg company "Comliet".

The Lithuanian Government does not make a difference between enterprises supervised and partly controlled by the State and enterprises based on private capital in the sense of import policy. All enterprises have the same conditions for import/export operations. Concerning reducing of import barriers Lithuania is currently giving thought about that.

### **Privatisation of State property**

#### **Question 85**

**The FTM mentions that 69 per cent of all objects eligible for privatisation and 46 per cent of all capital eligible for privatisation have been privatised already. What types of "objects" are eligible for privatisation? When does Lithuania consider an object to be "privatised?" Do "privatised" objects retain any percentage of Government ownership? Why were agricultural enterprises not included in the "Law on Privatisation?" Please elaborate on the privatisation of the existing and former agricultural trading organisations. What are Lithuania's plans regarding the privatisation of remaining state property including agricultural enterprises?**

#### **Reply**

The privatisation programme was introduced in 1991 and by June 1995, 85 per cent of total companies included in the privatisation programme have been privatised. Privatised capital makes up 71 per cent of capital eligible for privatisation. Private capital makes up 36 per cent of total country's capital.

Restitution is the return of property expropriated by the soviet period after 1949, to its original owners and their heirs. Land constitutes the bulk of this restitution, but real property is also included.

The largest part of privatised capital is in industry.

The privatisation in Lithuania was based on two laws:

- the privatisation of state enterprises was based on the Law on the Initial Privatisation of State Property (28 February 1991);
- the privatisation of property of agricultural enterprises was based on the Law on the Privatisation of Property of Agricultural Enterprises (30 July 1991).

Investment vouchers were chosen as the basis for privatisation. These vouchers, issued by the Government, could be used for the purchase of property. 92 per cent of vouchers have been used for privatisation. The biggest their part - 64 per cent - have been used for purchasing of state property, 19 per cent - for repurchasing of own apartments or houses, 9 per cent - privatisation of agricultural enterprises and repurchasing of land lots.

As the result of privatisation process, the share of private capital in the economy of Lithuania has grown significantly (see the table).

**Share of the private capital compared to the capital to be privatised in 1995**

	percent
TOTAL:	85
Industry	88
Transport	84
Construction	91
Retail trade and catering	82
Utilities	76
Services	94
Other branches	80

Source: Lithuanian Investment Agency

The State shares of the privatised enterprises make small amount in the initial capital and can not influence the management of enterprise.

The object is considered to be privatised, when (public share subscription or public auction in the first stage of privatisation) its results are approved by the appropriate privatisation commission.

The state retains 11 per cent of objects privatised by the public share subscription. Objects privatised by the public auction are privatised totally. Under the Government decision, the privatisation level can be limited (for example, the privatisation of food processing enterprises - see the answer to Question 39).

The first wave of privatisation is already completed. At present moment the preparation for further privatisation process, which will be carried out following by principles of commercial privatisation for cash, is under way. The new Law on Privatisation of State-Owned and Municipal Property concerning this phase of privatisation process was passed on 4 July 1995, and entered into force on 15 September 1995 (a copy has been deposited with WTO Secretariat). The new Law provides for privatisation by:

- public share subscription,
- public auction,
- public tender,
- sale of state property through direct negotiation,
- establishment of joint-ventures using state property as state's share in joint-venture,
- capital lease.

According this Law the Lithuanian State Privatisation Agency to the Government of Lithuania was established.

Concerning the additional information on privatisation in agricultural sector see the answer to Question 39.



**III. FOREIGN TRADE REGIME****1. Import regulations****(a) The evolution of the customs tariff****Question 86**

**Please provide a schedule of agricultural tariffs as applied in the Lithuanian Government's Resolution No.443.**

Reply

A copy of schedule of tariffs approved by the Lithuanian Government's Resolution No.443 (16 June 1993) has been deposited with the WTO Secretariat for review by WTO members.

In Lithuania customs tariff system was introduced by this Resolution, which later was changed several times. Now customs tariffs are applied following the Government's Resolution No.281 of 28 February 1995, which with the amendments has been submitted to WTO Secretariat.

The latest changes on customs duties on imports were made by the Government Resolution No.1271 (22 September 1995):

Commodity code	Commodity	Rate of duties (%)	
		conventional	autonomous
0401-04022199, 04022915-0404	Milk and dairy products	20	20
0405	Butter and other fats and oils derived from milk	45	45
0407	Eggs	30	30
0408	Eggs powder	30	30
0701	Potatoes	20	20
1601	Sausages and similar meat products	14	14
1701	Sugar	35, but less than 0,75 litas/kg	
170230, 170240, 170290	Other sugar	35	35

**(b) Customs tariff nomenclature, types of duties, general description of the customs tariff structure, etc.****Question 87**

**Please confirm that the Convention on the CCC Harmonized System entered force for Lithuania on 1 January 1995.**

Reply

The Convention on the Harmonized System entered into force for Lithuania on 1 January 1995.

**Question 88**

**Has Lithuania modified the duties on imported items since compilation of the Memorandum? If so, please provide an updated tariff schedule.**

Reply

See the answer to Question 86.

**Question 89**

**This section notes that imports of goods subject to quotas are carried out under licences provided by the Government of Lithuania. What are the procedures for obtaining such import licences, and what restrictions exist on awarding them? What goods are subject to such licensing procedures?**

Reply

At present, Lithuania does not apply import quotas. All the quotas which are mentioned are tariff quotas.

As provided under the Government Resolution No.653 (8 May 1995), implementing the Law on State Regulation of Economic Relations in Agriculture (22 December 1994), Lithuania uses tariff quotas to implement its free trade agreements and to provide for temporary import of certain products for short supply or other reasons exist.

Goods for which tariff quota may be applied with HS are indicated in the answer to Question 14.

Ministry of Industry and Trade issues licences for duty free import of spirits for technical uses into Lithuania. Based on Government's Resolution No.985 (14 October 1994), tariff quotas are awarded for the companies with annual need for technical ethyl alcohol of at least 7000 decilitres. To obtain the licence the company should submit an application, estimated need for alcohol and contract signed with a foreign supplier. Based on statistical data of Customs Department the Ministry monitors utilization of the quotas.

Tariff quotas for goods which are free from duties and imported in quantities authorised by the Ministry of Agriculture are allotted on competition basis. The winner of the competition is granted a certificate and reference on the single import quota, signed by the Minister of Agriculture.

**(d) Non-tariff measures, quotas and licensing system**

**Question 90**

**Explain how Lithuania intends to change its import system for agricultural goods and alcoholic beverages so that it complies with WTO Agriculture Agreement requirements that all non-tariff barriers (including quantitative import restrictions, variable import levies, minimum import prices, discretionary import licensing, non-tariff measures maintained through state-trading enterprises, voluntary export restraints) be eliminated.**

Reply

Non-tariff barriers, referred to brackets above, do not exist in Lithuania, except as noted in the answer to Question 13.

For additional information see the answer to Question 17.

#### **Question 91**

**Please explain in more detail how import licences in Lithuania are allocated. What does "allotted by competition" mean?**

Reply

Companies wishing to engage in trade must be licensed to do so. Licences must be obtained to import alcohol products, tobacco products, oil products, special foodstuff and food additives, narcotics and highly effective and poisonous substances, chemical materials which can harmfully act the environment, biological plants protection measures (Law on Amendments and Supplements of the Law on Enterprises, 5 July 1995). No limitations on quantities imported or exported are involved and the system does not discriminate between Lithuanian and foreign companies.

Alcoholic beverages (including beer) can be imported into Lithuania by the companies having licences issued by the Ministry of Industry and Trade (for import of unbottled alcoholic beverages - the Ministry of Agriculture) following the procedure established by the Lithuanian Government's Resolution No.397, 21 March 1995. Alcoholic beverages can only be imported from producers, while vodka brands - only those included into publications of the International Association of Alcoholic Beverages Producers, to insure product quality for health reasons.

Three companies have been awarded licences for vodka import, the basic criteria being the highest tender and authorization capital of the company not less than 1 mln litas. Currently, granting of new licences, is suspended due to enforcement of a new Law on Alcohol Control (18 April 1995) providing for annual issue of import licences for maximum 10 companies with 13 licences already granted before.

The provisions on licensing of import of tobacco products and import of biological plants protection measures are currently under preparation by the Ministry of Agriculture.

The provisions on licensing of import of narcotics and highly effective and poisonous substances (which are not used for pharmaceutical purposes) and import of chemical materials which can harm the environment are under preparation by the Ministry of Environmental Protection.

The provisions on licensing of import of special foodstuff and food additives (mainly of products containing ethyl alcohol - following the Law on Alcohol Control (18 April 1995)) and import of the narcotic and highly effective and poisonous substances for medicine purposes are under preparation by the Ministry of Health.

The licences on import of oil products are issued by the Ministry of Energy under the Government Resolution No.1221 (14 September 1995).

Concerning the licences on importing/exporting of strategic goods and technologies see the answer to Question 93.

The meaning "allotted by competition" is used in the sense of tariff quotas (see the answer to Question 89). Companies with optimal quotas realisation conditions, lower price, very good quality and other guarantees, will obtain the tariff quota.

## **Question 92**

**Please detail how quotas are allotted for agricultural goods and alcoholic beverages. How often are import quotas set? Is the process transparent? What procedures are involved for obtaining licences?**

Reply

The all mentioned quotas are tariff quotas (see the answer to Question 89).

The administration of import tariff quota is public. The requirements for the obtaining of licences for the import tariff quota implementation are following:

- entity should present the application form to the Ministry of Agriculture (or the Ministry of Industry and Trade - for duty free import of spirits of technical uses); the application form should include:
  - the title of entity (firm), address, the number and the date of register of the entity; the amount of imported goods and the purpose of the goods;
  - the timetable of the licence implementation and how the entity is going to meet marketing requirements of the imported goods under the licence;
  - the copy of contract with the foreign partner should be attached;
  - the conclusion from local customs office indicating how the entity meets customs obligations;
  - certificate from Tax Inspection Office about the declaration of incomes, payment of taxes and solvency;
  - veterinary service certificate (if required).

The application form should be signed and stamped.

## **Question 93**

**Please describe what products under Government Resolution No.179 are considered to be "strategic goods and technologies" and thus subject to quantitative restrictions.**

Reply

Government Resolution No.179 does not describe what products are considered to be "strategic goods and technologies".

On 5 July 1995, the Law concerning Control of Import, Transit and Export of Strategic Goods and Technologies (which has been deposited with WTO Secretariat) was passed and will enter into force on 1 January 1996.

Under this Law the definition of strategic goods and technologies includes double designation (civilian and military) goods, technologies and software; defence means and services; chemical and biological materials, which may be utilised in the production of chemical and chemical-bacteriological weapons of mass destruction; nuclear materials, non-nuclear materials used in nuclear activity, nuclear equipment and technology and also, goods of double designation, which may be utilised in nuclear activity; goods and technologies used in missile production.

A licence of the Ministry of Economics shall be required for import, transit and export of strategic goods and technologies.

Under this Law the Lithuanian Government has to prepare the detailed list of products considered to be "strategic goods and technologies", and Lithuanian Parliament - the list of countries with which the export/import operations by such kind of goods would be prohibited.

#### **Question 94**

**Please provide details on the purpose, scope and operation of existing agricultural import quota. We are asking for information on the specific commodities which are covered by import quotas, what the quota sizes are (by HS code), how they work, and which agencies are responsible for their administration.**

Reply

See the answers to Questions 13-14, 89, 92.

#### **Question 95**

**Does Lithuania maintain any border measures other than customs duties? Please identify and describe any such measures along with the products covered by these restrictions.**

Reply

There are no border measures maintained in Lithuania, other than customs duties, except quality certificates for foodstuffs, certificates required for some industrial goods (mainly for fuel) (see the answer to Question 18) and notifications on environmental protection requirements.

Concerning the border measures on importing/exporting of strategic goods and technologies the order is different.

**(g) Customs formalities**

#### **Question 96**

**What agricultural products are currently subject to prior import approval requirements? What agricultural products require mandatory import licences?**

Reply

See the answer to Question 91.

It must be stressed again that quality (or sanitary and phytosanitary) certificates must be obtained for the import of agricultural products.

**(h) Standards of certification**

**Question 97**

**This section notes that the mechanism for drafting, adopting and enforcing technical regulations is under development. Please indicate how this system will be consistent with meeting the obligations of the WTO Agreement on Technical Barriers to Trade.**

Reply

Lithuania is working to bring its technical regulations into conformity with the requirements of the WTO Agreement on TBT. For additional information see the answers to Questions 20, 22.

**Question 98**

**The FTM mentioned that "governmental supervision and control are exercised by institutions authorised by the Government. Are any of the "authorised institutions" non-governmental entities acting under delegated governmental authority? Please list?**

Reply

Joint stock company "Impeksservis" is engaged in independent activity on goods and cargo control.

**Question 99**

**Why is special permission required to import or export colour copy machines and plant origin products? What type of permission? Who determines whether permission is granted? What are the criteria?**

Reply

Permissions for import of colour copy machines must be obtained in the Ministry of Interior. Such kind of permissions are necessary for the registration of each colour copy machine - this measure is necessary to combat forgery of money and securities.

A quarantine permission for goods of plant origin does not make any restriction for the quantity and types of goods imported into Lithuania. The aim of this permission is to avoid quarantine diseases, pests and weeds that could be imported to Lithuanian territory.

Quarantine permission corresponds to international standards. The permission is issued after investigations as to how private or legal persons meet the requirements of quarantine rules of Lithuania. The permission specifies the particular kind of pests the import of which is restricted. The conditions of transportation of goods through the territory of Lithuania as well as the control order of the goods.

The legal basis for the quarantine permission is set by the Government's Resolution No.599 (3 August 1993) (a copy has been deposited with WTO Secretariat).

The main criteria are: the evaluation of the quarantine situation of the exporting country, the purpose of the cargo (for seed, human consumption or processing, etc.), taking into consideration the quarantine rules of exporting country.

(i) Sanitary and phytosanitary measures

**Question 100**

**Is Lithuania a member of Codex Alimentarius Commission (CODEX), the International Office of Epizootics (IOE), or the International Plant Protection Convention (IPPC)? If not, does it plan to join soon? Also, do Lithuania's standards for sanitary and phytosanitary measures differ from the international standards established by these organisations?**

Reply

See the answer to Question 29.

Lithuania is a member of Codex Alimentarius Commission from the 1992.

**Question 101**

**Please explain how Lithuania's measures are in conformity with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures.**

Reply

See the answer to Question 32.

(j) Other

**Question 102**

**This section states that Lithuania presently does not levy anti-dumping duties. Is Lithuania developing (or planning to develop) anti-dumping or countervailing duties statutes, and if so, how will such statutes conform to WTO disciplines?**

Reply

The new Law on the Customs Tariff is currently under preparation. The one of aims is to include provisions on anti-dumping and countervailing duties in the new law in full conformity with WTO requirements.

**2. Export regulations**

**(a) Customs tariff nomenclature, etc.**

**Question 103**

**Please provide an updated list of products on which the Government of Lithuania imposes export duties as a "transitional measure". What is the status of efforts to reduce or abolish such duties?**

Reply

See the answer to Question 34.

### **3. Export incentives and subsidies**

#### **Question 104**

**The document indicates that Lithuania does not grant export subsidies or incentives. Are there plans for the Government of Lithuania to develop such export support programs?**

Reply

The Lithuanian Government has adopted Resolution No.40 (10 January 1995) "On Actions Improving Foreign Trade Regulation and Export Development" which provides for the drafting of trade regulating laws, export promotion and funding, trade related information management, education and training of export specialists.

#### **Question 105**

**Does the Government of Lithuania provide any subsidies the receipt of which is contingent upon meeting some kind of domestic content requirement? If not, is the Government of Lithuania developing or planning to develop any such subsidy program? Is this in the correct spot?**

Reply

In case if this question concerns the export subsidies, currently such kind of the subsidies are not applicable in Lithuania.

In this essence the temporary measures for the year 1995 may be mentioned - providing the possibility for storage of surplus production (dairy products and pork) for future internal and external marketing (Government Resolution No.623 (3 May 1995) and Government Resolution No.865 (21 June 1995)).

## **IV. OTHER POLICIES AFFECTING FOREIGN TRADE**

### **1. Industrial policy**

#### **Question 106**

**Under the Lithuania's industrial 'restructuring', does the Government of Lithuania foresee utilizing subsidies to 'stimulate the development' of export items? How will Lithuania 'safeguard' potentially competitive companies from bankruptcy?**

Reply

The Lithuanian Government does not apply subsidies for industry. It has approved the plan of actions (Government's Resolution No.40, 10 January 1995) providing preferences for export goods in the field of taxation (see the answer to Question 63) as well as obtaining credits from foreign countries.

Concerning the safeguards of potentially competitive companies see the answers to Questions 37-38.



**Question 107**

**Lithuania's Memorandum lists one of the aims of the country's industrial policy as "distinguishing potential export items from the total production and stimulating the development of their production." What measures will Lithuania take to identify these items and stimulate their production?**

Reply

Based on regional also country-to-country analysis of statistical import/export data the most efficient exporters and countries are identified. Lithuania endeavours to establish the most favourable trade regime for Lithuania by signing agreements of trade, investment protection, avoidance of double taxation, by already applying de facto GATT requirements, thus removing tariff and non-tariff barriers within the trade fields of interest.

**2. Agricultural policy****Question 108**

**Please provide more information on the subsidies available to agriculture from the Agriculture Support Fund or other sources and the programs of indirect support to agriculture. How much do these subsidies and indirect support amount to? Who is eligible to receive them?**

Reply

See the answers to Questions 40-41.

**Question 109**

**Lithuania notes that the Ministry of Agriculture sets procurement quotas and minimum purchase prices for the major kinds of agricultural products. Please explain how these prices are set and their relationship to market prices. How are the quotas set? What prices does the Government pay for items purchased for procurement quotas? What is the disposition of items procured?**

Reply

See the answers to Questions 45-46.

**Question 110**

**Lithuanian reports that "cattle-breeding (dairy and meat production) will be developed". What programs are currently in place to support these sectors, and how does Lithuania plan to promote the future development of these sectors?**

Reply

The basis for cattle-breeding development in Lithuania is the Government's Resolution No.230 (10 February 1995), the National Agriculture Development Programme, the meat production development programme ("Meat"), the milk production development programme ("Milk"), the State pure-strain stock-breeding programme till 2000 year, the Law on Pure-Strain Stock-Breeding.

According to implementation of the Law on State Regulation of Economic Relations in Agriculture (22 December 1994, - a copy has been deposited with WTO Secretariat) and the Government's Resolution No.230 (10 February 1995) "On Subsidies for Cattle-Breeding Production for 1995 year", minimum guaranty prices and subsidies for cattle, pigs and milk have been announced as a temporary measure.

There is purposive financing for pure-strain material purchasing in order to encourage farmers, agricultural partnerships and other producers of agricultural production to breed productive live-stock, poultry and to improve their productivity.

National Agricultural Development Programme and branch programmes "Meat" and "Milk" will be defined more exactly before 1 July 1996. Lithuania will provide updates as appropriate on how its Programme is evolving.

#### **Question 111**

**Are any farm imports restricted or banned? Please list, by HS code, the products and types of restrictions. Please provide the justification for each product banned or restricted.**

Reply

See the answer to Question 13.

#### **Question 112**

**How do domestic wholesale prices for agricultural commodities compare with the import prices? Assuming state trading corporations import at world market prices and then resell at local prices, how is the price differential accounted for? How are the profits used? How are the losses funded?**

Reply

There are no state trading corporations for agriculture products in Lithuania. The wholesale price includes import price, import duty, VAT, excise duty (the list of products on which excise tax is applied is indicated in the answer to Question 113), other fees.

### **3. Financial, budgetary and fiscal policy**

#### **Fiscal policy**

#### **Internal taxation**

#### **Question 113**

**This section notes that the tax system is still being developed and improved. Please describe recent changes to the tax regime.**

Reply

The Lithuanian system of taxation consists of:

- corporate profit tax,
- personal income tax,
- value added tax,

- excise tax,
- social security tax,
- tax on natural resources,
- tax on oils and gas resources,
- tax on pollution,
- customs duties,
- tax on immovable property,
- road tax
- land tax and tax on state land rent,
- other taxes (consular, levies, tax on marketplace, tax on inherited and gifted property).

### **Corporate profit tax**

The provisions for corporate profit tax are the same as determined in the Memorandum (L/7551, 14 December 1994) with the exceptions:

- if investor obtains no less than 30 per cent of enterprises authorised capital and investment is no less than US\$2 mln such an enterprise for a 3 year period is exempt from income tax and during the next 3 year period income tax is reduced by 50 per cent;
- if the enterprise is registered from 1 January 1994, till a new Law of Foreign Capital Investment came into force (1 August 1995) the share of capital proportional to the foreign investment in authorised capital is reduced by 50 per cent for 6 years;
- while calculating taxable profits, expenses related to a number of activities may be entirely or partly deducted, including: expenditure on charitable, cultural, educational or other socially-oriented activities; expenditures on R&D or on the introduction of new technology; and the payment of certain taxes such as the pollution tax;
- under the Government's Resolution No.1026 (21 July 1995) the corporate profit tax is reduced for enterprises of prioritised branches of Lithuanian economy, as production of medicines, medical equipment, veterinary medicines, agricultural machinery; processing and utilization of waste; energy extraction from non-traditional sources; providing of medical services, medical treatment and hygiene practices; passenger transport and transportation; construction; telecommunications; etc.
- Lithuania has agreements for the avoidance of double taxation with (entered into force) Denmark, Finland, Norway, Sweden, Poland, Estonia, Latvia, Czech Republic; (not entered into force) Belarus. Negotiations are currently taking place with Iceland and Canada.

### **Personal income tax**

The provisions of personal income tax are the same as set out in the Memorandum (L/7551, 14 December 1994).

### **Value added tax**

There are some changes in provisions of VAT. The following exemptions have been added:

- nuclear fuel, coal, gas, oil, fire wood, liquid fuel (0 per cent rate until 1 January 1996);
- products for medicines production;

- agricultural machines.

Temporary rate of VAT was introduced - 9 per cent for following goods, made by the Lithuanian producers (until 1 January 1996):

- combined fodder;
- fish and fish products;
- production of agriculture, except fur animals;
- food made from agriculture products.

### **Excise tax**

The latest excise duties are approved by the Government Resolution No.1313 (5 October 1995)(see the table).

Provisions of the excise tax are the same as set out in the Memorandum. Dividends and interest on deposits in commercial banks are not taxed in Lithuania.

### **Tax on pollution**

Pollution taxes on enterprises are charged at a lower unit rate if emissions meet the requirements derived from ambient standards. If emissions are less than 50 per cent of that requirement, no fees are charged. If a factory invests in pollution abatement, it may be exempted from the payment of pollution fees up to the amount of the investment cost.

### **Tax on oil and gas resources**

This tax is paid by the natural and legal persons for the oil or gas extracting in the territory of Lithuania or its economic zone in the Baltic Sea. Tax rate - 20 per cent of selling price of extracting oil or gas.

The provisions of the social security tax, tax on natural resources, land tax and tax on state land rent are the same as set out in the Memorandum.

During this period two new taxes were introduced - tax on immovable property and road tax.

### **Tax on immovable property**

The new tax on immovable property was introduced by the Law on Tax on Immovable Property of Enterprises and Organisations, which was passed on 20 July 1994, and came into force on 1 January 1995.

This tax is paid by legal persons and enterprises without the rights of legal persons.

### **Tax base**

The tax on immovable property is levied on immovable property that is legally registered, but it shall not apply to land to which the Law on Land Tax (25 June 1992) applies.

**Excise duties base and tax rate**

Commodity code*	Commodity	Rate (percent)
2208 **	Undenatured ethyl alcohol and alcoholic beverages, except champagne, wine and beer	40%, but not less than 0.2 litas for 1% of an alcoholic strength by volume per one liter
2208.90.69.1	Mead	40%, but not less than 0.2 litas for 1% of an alcoholic strength by volume per one liter
2204.21.21.0-2204.21.29.0; 2204.29.21.0-2204.29.29.0; 2204.30; 2206	Wine of an alcoholic strength by volume of 13% vol, and other fermented beverages	25%, but not less than 0.12 litas for 1% of an alcoholic strength by volume per one liter
2204.21.31.0-2204.21.49.0; 2204.29.31.0-2204.29.49.0; 2205.10.10.0; 2205.90.10.0	Wine and vermouth of an alcoholic strength by volume higher than 13% vol, but not exceeding 18% vol	40%, but not less than 0.15 litas for 1% of an alcoholic strength by volume per one liter
2204.21.51.0-2204.21.90.0; 2204.29.51.0-2204.29.90.0; 2205.10.90.0; 2205.90.90.0	Wine and vermouth of an alcoholic strength by volume exceeding 18% vol	40%, but not less than 0.25 litas for 1% of an alcoholic strength by volume per one liter
2204.10; 2204.21.10.0;2204.29.10.0	Champagne and wine of increased pressure	25%, but not less than 0.25 litas for 1% of an alcoholic strength by volume per one liter
2203	Beer	15%, but not less than 0.4 litas/ liter***
	Cigarettes with filter:	
2402.20.00.0	Imported and domestically produced cigarettes of extra class	20%, but not less than 10 litas for 1000 units
2402.20.00.0	Domestically produced cigarettes of a lower quality ("Kaunas", "Klaipeda", "Kastytis", "Armada", etc.)	20%, but not less than 8 litas for 1000 units
2402.20.00.0	Cigarettes without filter	20%, but not less than 5 litas for 1000 units
2402.10.00.0; 2402.90.00.0; 2403****	Packed smoking tobacco and other tobacco products	50% of taxable value

Commodity code*	Commodity	Rate (percent)
2710.00.26.0; 2710.00.27.0; 2710.00.29.0; 2710.00.32.0; 2710.00.34.0; 2710.00.36.0; 2710.00.37.0	Motor fuel	33%, but not less than 400 litas per tone*****
2710.00.51.0; 2710.00.55.0; 2710.00.69.0; 2710.00.74.0; 2710.00.76.0	Kerosene, fuel for jet engines, diesel fuel, liquid fuel, except residual oil	25%, but not less than 190 litas per tone*****
2710.00.87.0; 2710.00.89.0; 2710.00.92.0; 2710.00.94.0; 2710.00.96.0; 2710.00.98.0	All kinds of oil	8%, but not less than 180 litas per tone
1806.20.00-1806.20.80.0, 1806.31-1806.90	Chocolate and other food products containing cocoa, except cocoa powder and products containing less than 18% amount of cocoa butter	10% of taxable value
0901	Coffee	10% of taxable value
7113, 7114, 7116	Articles of jewellery and parts thereof, of precious metal or of metal clad with precious metal, articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal, articles of natural or cultured pearls, precious or semi-precious stones	10% of taxable value
ex 8703	Luxury cars not older than 5 years when the price of new basic model of the car is higher than the maximum untaxable value - 60 thou litas, except the special cars	15% of the price, exceeding the maximum untaxable value - 60 thou litas.
2716.00.00.0	Electricity	1% of taxable value
ex 4901; ex 4902	Issues of erotic and violent character	50% of taxable value

\* The taxable value is:

1. for domestically produced goods - the selling price of goods exclusive VAT and excise tax;
2. for imported goods - customs value of goods including customs duty

\*\* Commodities codes are given according to the EC Combined Nomenclature.

\*\*\* For 100 thou decaliters of beer (produced and sold) for each enterprise which is producing beer in Lithuania the excise tax is 0.2 litas per liter.

\*\*\*\* Excise tax is not applied to tobacco products (code 2403.10.90.0) imported by the company "Philip Morris Lietuva".

\*\*\*\*\* The excise tax rate for oil products made in stock company "Mazeikiu nafta" shall be computed only by litas per tone. There is no excise tax rate since 1 August 1995, for jet fuel being imported for stock companies "Lietuva" and "Lietuvos avialinijos" (Lithuanian Airlines) and purchased in stock company "Mazeikiu nafta" (code 2710.00.55.0).

### **Tax rates**

The basic rates of tax on immovable property are the following: 1 per cent taxable value for immovable property used in business activity provided for in the taxpayer's bylaws; and 5 per cent of taxable value for immovable property that has not been used in business activity provided for in the taxpayer's bylaws for more than one year. Local authorities have the right to reduce this rate.

### **Exemptions**

The following property is exempt from taxation:

- immovable property of diplomatic and consular missions of those states where diplomatic and consular missions of the Republic of Lithuania are exempt from payment of this or analogous taxes;
- immovable property of health care, science and studies, educational, cultural, sports, social assistance and pre-school institutions, enterprises and organisations;
- immovable property of charitable funds and charitable organisations;
- immovable property of agricultural enterprises;
- immovable property of state enterprises;
- immovable property used for the environmental protection or for fire protection;
- buildings used for cemeteries and burial services;
- others.

### **Road tax**

Road tax is calculated as a percentage of revenues, except for banks that pay a percentage of the margin earned. The rate depends on the activity of the enterprise:

- |  |       |
|--|-------|
| - industrial, construction, transport, |       |
| repair enterprise                      | 0.6 % |
| - trade and supply enterprises         | 0.3 % |
| - state gas enterprises                | 0.1 % |
| - banks                                | 1.0 % |
| - other enterprises                    | 1.0 % |

Public feeding, state agricultural and agricultural partnerships do not pay road tax.

### **Question 114**

**Are excise taxes applied equally on imported and domestically produced goods?**

Reply

For domestically produced goods the taxable value on excise tax is the selling price of goods exclusive VAT; for imported goods the taxable value on excise tax is the customs value of goods including customs duty.

**5. Foreign and domestic investment policy**

**Question 115 (the same as Question 51)**

**Explain Lithuania's intentions regarding TRIMs notifications and transition.**

Reply

The new Law on Foreign Capital Investment in the Republic of Lithuania (13 June 1995) (a copy has been deposited with WTO Secretariat) does not restrict the trade activity of enterprises with foreign capital. This Law conforms with TRIMs provisions.

**Question 116**

**For which areas are foreign investments "forbidden or restricted" by Lithuania?**

Reply

See the answer to Question 52.

**6. Government procurement**

**Question 117**

**What is the status of the Law on Government Procurement?**

Reply

See the answer to Question 57.

**7. State trading. State enterprises.**

**Question 118**

**Please explain in detail which areas are covered in Lithuania by state trading and the volume of this trade (State trading enterprises are government-operated import/export monopolies and marketing boards, or private enterprises that receive special or exclusive privileges from their government to engage in trading activities; see Article XVII for more details). Does Lithuania intend to notify these enterprises under Article (XVII)?**

Reply

From a total number of 59 former state trading enterprises under jurisdiction of the Ministry of Industry and Trade, only one stock company ("Dzukija") is not intended for privatisation by year 2000; its main function is management of the state reserve. It will have 100 per cent state-owned capital. The rest are privatised or with privatisation in progress, with state-owned capital varying up to approximately 49 per cent.

For additional information see the answers to Questions 58-60.



**Question 119**

**What is the disposition of the Law on Trade? Where does it stand in the legislative process? What are "emergency situations" that Lithuania believes would justify imposition of state trade monopolies?**

Reply

See the answer to Question 58.

"Emergency situations" has the meaning of the natural calamities, situation of war, harm for health, emergency in international relations, etc.

**Question 120**

**Please elaborate on the operations of the state import firms such as "Alita" for alcoholic beverages. What is "Alita's" volume of trade. Does Lithuania intend to notify "Alita" under Article (XVII)? How do domestic wholesale prices for alcohol compare with the import prices? Assuming state trading corporations import at world market prices and then resell at local prices, how is the price differential accounted for? How are the profits used?**

Reply

State stock company "Alita" (according new classification "Special enterprise") is not a state import company. "Alita" does not carry out the import of alcoholic beverages; it imports only the material and semiproducts for production.

**Question 121**

**Does Lithuania have any import monopolies other than for alcohol (either state or privately managed)? Does Lithuanian maintain any state trading enterprises for agriculture exports?**

**Are the areas on agricultural products covered in Lithuania by state trading; if they are what is the volume of this trade? Does Lithuania intend to notify these enterprises under Article XVII?**

Reply

There are no state trading enterprises for agriculture exports and there are no agricultural products covered by the state trading in Lithuania.

For additional information see the answer to Question 58.

**8. Subsidy policy**

**Question 122**

**This section states that Lithuania lacks the resources to grant subsidies on a large scale and subsidies that are granted do not negatively impact trade. Please identify subsidies that are granted, and clarify how these subsidies do not impact trade.**

Reply

See the answer to Question 62.

## **10. Protection of intellectual property rights**

### **Question 123**

**Has Lithuania reviewed its existing legal framework dealing with patents, trademarks, and copyrights to determine whether it is compatible with obligations contained in the TRIPS agreement? If so, what changes has the Government of Lithuania determined are necessary in order to comply with TRIPS obligations? When does it plan to make these changes?**

Reply

See the answers to Questions 65-67.

### **Questions 124**

**Please provide a list of the international agreements in the field of intellectual property to which Lithuania is currently a signatory, the date of accession and any reservations made.**

Reply

1. Agreement between the Republic of Lithuania and the United States of America on Trade Relations and Intellectual Property Rights Protection, (signed - 26 April 1994, non-ratified);
2. Free Trade Agreement between Lithuania and Norway includes provisions for intellectual property rights (signed - 16 June 1992; entered into force - 1 August 1993);
3. Free Trade Agreement between the Republic of Lithuania and the Swiss Confederation includes provisions for intellectual property rights (signed - 24 November 1992; entered into force - 1 March 1994);
4. Agreement between the Kingdom of Denmark and the Republic of Lithuania on Mutual Protection of Trade and Collective Marks (signed - 24 March 1993; entered into force - 24 March 1993);
5. Agreement between the Government of the Republic of Lithuania and the European Patent Organization on Cooperation in the Field of Patents (Cooperation Agreement) (signed - 25 January 1994; entered into force - 1 March 1994 for five years period);
6. Agreement implementing Article 3(3) of the Cooperation Agreement between the Government of the Republic of Lithuania and the European Patent Organization of 25 January 1994 (signed - 25 January 1994, entered into force - 5 July 1994);
7. Multilateral Trademark Law Treaty (signed - 28 October 1994, not yet ratified).

It must be stressed that Lithuania has joined:

- Paris Convention (7 May 1992),
- Patent Corporation Treaty (5 July 1994),
- Bern Convention (14 December 1994).

On 30 April 1992, Lithuania became a member to the WIPO.

Agency of Lithuanian Copyright Protection Association (LATGAA) is an independent non-profit society founded by Lithuanian creative unions. In the Agency there are Management of Public performance of Musical Works (Small Rights), Drama and Musical-Drama Works (Grand Rights). Works of Fine Arts, Photography, Applied Arts, and Audiovisual Works functioning as independent subdivisions. The Agency acts on the basis of agreements with authors and users of works.

Today LATGAA is the only official copyright protection organisation, although the laws of Lithuania not grant LATGAA the exclusive right to give permission for public use of works, but it should be said, that lately the process of making agreements with authors became rather intensive, as the news about LATGAA being very active in the territory of Lithuania.

LATGAA is concluding appropriate agreements with foreign sister societies on copyright protection.

In the area of neighbouring rights the Music Industry Association (MIA) was recently founded.

#### **Question 125**

**Is Lithuania currently considering joining other such international agreements? If so, at what stage are your preparations?**

Reply

Lithuania is currently considering joining to the Rome and Geneva Conventions.

#### **Question 126**

**Do any of Lithuania's intellectual property laws, regulations and practices contain any exceptions to the principle of national treatment or MFN treatment? If so, please list each of these exceptions and Lithuania's plans to remove them, if any.**

Reply

Lithuania's intellectual property laws at the moment of drafting thereof were already oriented to confirm requirements of Bern and Paris conventions. Lithuania now being contracting state to aforementioned conventions has no exceptions to the principle of national treatment, neither to MFN treatment.

For additional information see the answers to Questions 65-67.

## **Patents**

### **Question 127**

**What inventions, if any, are excluded from patentability?**

Reply

The following inventions are excluded from patentability:

- methods of treatment of people and animals;
- diagnostics and prevention of diseases (with the exception of equipment and materials utilised for such methods);
- varieties of plants and animals as well as biological (except microbiological) methods of their production (see the answer to Question 31.7);
- inventions which are deemed to be contrary to public interest, principles of humanity and morality.

### **Question 128**

**Are plant varieties protected under Lithuanian law? If so, how are they protected?**

Reply

See the answer to Question 31.7.

### **Question 129**

**Does Lithuanian law provide patent holders the full range of rights outlined in TRIPs Article 28? If not, what rights are not currently provided?**

Reply

Yes, it does. The same scope of rights as in Article 28 of TRIPs is provided.

### **Question 130**

**What is the term of protection in Lithuania? Are patent terms extendible under any circumstances? If so, under what circumstances?**

Reply

20 years from the date of filing the application. Non-extendible.

### **Question 131**

**Does Lithuanian law contain any exceptions to the exclusive rights conferred by a patent (examples might include Government use provisions, prior user rights, etc.)?**

Reply

There are two exceptions to the exclusive rights conferred by a patent in Articles 39 and 29 of Lithuanian Patent Law (18 January 1994), and namely:

- (a) taking into consideration the state or public interests, the Government may adopt a decree, even without the consent of the owner of a patent, to allow a company or a person to use a patented invention subject to payment of equitable remuneration to the owner of the patent; the owner of the patent who finds the amount of remuneration as fixed by the Government non-equitable shall have the right to appeal to the court;
- (b) natural and legal persons who in good faith were using or were making effective or serious preparations for such use before the filing date or, where priority is claimed, the priority date of patent application, shall have the right to continue such use or to use the invention as envisaged in such preparations without taking into consideration the will of the owner of the patent (e.g. the right of prior use is provided).

### **Question 132**

**Does Lithuanian law provide for the issuance of compulsory licences? If so, on what grounds and with what limitations?**

Reply

Yes, it does. Article 38 of the Patent Law reads as following:

If after the expiration of a period of four years from the date of filing the application or three years from the grant of the patent (whichever is alter), there is non-working or insufficient working of the patented invention and those willing to work it are refused a licence, on the request of any person who proves his ability to work the patented invention, the court may grant a non-exclusive compulsory licence. The grant of the compulsory licence shall be subject to the payment of equitable remuneration to the owner of the patent the amount of which shall be fixed by the court.

A compulsory licence shall not be granted if the court is convinced that circumstances exist which justify the non-working or insufficient working of the patented invention in Lithuania.

Where a compulsory licence is granted and the patented invention is still not or insufficiently worked, the court at the request or persons interested may prescribe a forfeiture of two years from the date on which the first compulsory licence was granted.

### **Question 133**

**Are there any restrictions on a patent owner's rights to assign, transfer, licence rights under a patent?**

Reply

No restrictions on rights. Only few formal requirements, for instance, change in ownership (assignment, transfer) or licence agreement must be done in writing and registered by the Patent Office.

#### **Question 134**

**What is the size of the examining core in Lithuania's Patent Office? How many applications are submitted/processed each year? In what technological categories? What is the average pendency period?**

Reply

The size of the examining core in Lithuania's Patent Office is 4 persons.

Beginning with 1992 and until the end of first half year of 1995, 2078 patent applications were filed with the Patent Office. In addition to it beginning with 5 July 1994, until now Lithuania was designated in 685 European patent applications.

The average pendency period of the patent application is 19-22 months. Nevertheless, publication of patent application is available within 6 months after the filing date and in such the case pendency period may shorten to 9-10 months.

#### **Question 135**

**In the case of products which may be produced through the use of patented processes, are there any instances when the defendant is obliged to prove that the product was produced through a different process, as required by TRIPs Article 34?**

Reply

Lithuanian Patent Law does not provide directly that the defendant is obliged to prove the absence of patented process in his production. Nevertheless, this obligation arises from the implementation of Article 41 (Protection of rights) of aforementioned Law:

- (a) the owner of a patent or the applicant has the right to institute court proceedings against a person (legal entity) who has infringed or is infringing the patent or published patent application for which provisional protection was granted, and to require the termination of infringing acts, as well as compensation for the inflicted damage; the owner also has the right to institute court proceedings in the case if likelihood of infringement appears;
- (b) in accordance with Lithuanian laws of civil proceedings at the court the burden of proof is defendants responsibility.

#### **Question 136**

**What opportunities exist for judicial review of a decision to revoke a patent as required by Article 32 of TRIPs?**

Reply

An opportunity for judicial review of a decision to revoke a patent appears from the combination of Articles 25 and 40 of Lithuanian Patent Law:

- (a) disputes arising before the patent grant between the applicant and the examiner of the Patent Office with respect to refusal to grant a patent shall be settled by the Division of Appeals of the Patent Office;
- (b) disputes regarding the decisions of the Division of Appeals on the refusal to grant a patent shall be dealt with by the Vilnius district court.

Further, any decision of Vilnius district court may be appealed before the Court of Appeals and then decision of the Court of Appeals - before the Supreme Court.

#### **Semiconductors (layout-designs of integrated circuits)**

##### **Question 137**

**What form of protection does Lithuania now provide for semiconductor layout designs? How is that protection granted?**

##### **Question 138**

**What rights are granted by such protection? Are there any restrictions or limitations on such protection? Are compulsory licences of such technology permitted?**

##### **Question 139**

**Are any changes to Lithuanian law contemplated at this time in the area of semiconductor layout design protection? If so, what?**

Reply

Concerning the answers to Questions 137-139 see the answers to Questions 65-67.

#### **Copyright**

##### **Question 140**

**Does Lithuania comply with the substantive obligations of articles 1 through 21 of the Berne Convention (1971), and the annex thereto?**

Reply

Lithuania complies with the substantive obligations of articles 1-21 of the Berne Convention (1971) and the annex thereto.

##### **Question 141**

**Does Lithuanian law protect computer programs as literary works, as required by TRIPs?**

Reply

Lithuanian laws currently do not protect computer programs as literary works, as required by TRIPs. But the draft of the Law on the Protection of the Computer Programmes and Data Bases is being prepared. This Law will cover restrictions of programmes and data base user's rights for importing, exporting, passing, renting or receiving programmes and data bases.

**Question 142**

**Does Lithuanian law provide rental rights in cinematographic works, computer programs, or sound recordings?**

Reply

Lithuanian law does not provide rental rights in cinematographic works, computer programs and sound recordings, but Lithuania foresees to make some amendments in the law (Civil Code) in this area.

**Question 143**

**Does Lithuanian law give performers the right to authorize or prohibit the fixation of their performances, and the reproduction of such fixations? If so, what are the grounds for and limitations on such protection?**

Reply

Lithuanian laws give performers the right to authorize or prohibit the fixation of their performances and the reproduction of such fixations. The Civil Code of the Republic of Lithuania provides the grounds and limitations on such protection (Chapter 5, Article 560 "Recording of Stage-Production or Performance of the Work, Use and Broadcast of Recording", Article 563 "Limitations on Rights of Stage-Directors, Performers, Producers of Sound and Visual Recording" - Law on the Amendment and Supplement to the Civil Code of the Republic of Lithuania (17 May 1994, a copy has been deposited with WTO Secretariat).

**Question 144**

**What is the term of protection for each type of work protected under Lithuanian law (including works and sound recordings)?**

Reply

The term of protection Copyright (for each type of work) is the entire life of the author and fifty years after his death. In the case of pseudonymous or anonymous works (when the name of author is not indicated), the term of protection shall expire fifty years after the works has been made available to the public.

The term of the protection under the Law on the Amendments and Supplements to the Civil Code of the Republic of Lithuania (17 May 1994) Chapter 5 Sub-Chapter 47 "Rights of Stage-Directors, Performers and Producers of Sound and Visual Recordings (Neighbouring rights)" shall extend for



the time of 50 years and beginning from the end of the year in which the recording was produced or broadcasted.

The right to the stage-production or performance of other work which is not fixed in sound or visual recordings beginning from the end of the year in which the stage-production or other work was first performed in public.

**Question 145**

**Does Lithuanian law grant phonogram producers the right to authorize or prevent the direct or indirect reproduction of their phonograms?**

Reply

Lithuanian law grants phonogram producers the right to authorize or prevent the direct or indirect reproduction of their phonograms (Law on the Amendments and Supplements to the Civil Code of the Republic of Lithuania (17 May 1994), Article 561 "Rights of Producers of Sound and Visual Recordings").

**Question 146**

**Do broadcasters have the rights specified in TRIPs Article 14?**

Reply

Broadcasters have the rights specified in TRIPs Article 14.

**Question 147**

**Does Lithuanian law permit the compulsory licensing of works and sound recordings?**

Reply

Lithuanian law does not contain provisions on compulsory licensing of works and sound recordings.

**Question 148**

**Does Lithuanian law provide full retroactive protection for copyrightable works and sound recordings, in accordance with TRIPs Articles 9.1 and 14.6?**

Reply

No.

## **Trademarks**

### **Question 149**

**What is the scope of subject matter that can be protected by trademark (e.g., names, letters, numerals, colours, shapes, figurative elements, etc.)?**

Reply

The following can be protected by trademark:

- words, personal names or slogans,
- letters, numerals,
- pictures, emblems,
- three-dimensional forms, including the shape of products and their packaging and containers,
- colour, combinations of colours and arrangement of colours,
- any combinations of the above mentioned signs.

### **Question 150**

**Does Lithuanian law protect service marks, as required by TRIPs?**

Reply

Yes, it does (Law on Trademarks and Service Marks (3 June 1993) - a copy has been deposited with WTO Secretariat).

### **Question 151**

**Does Lithuanian law protect well known marks? If so, to what extent and under what conditions? What is the definition of "well known"?**

Reply

Yes, it does. But the exclusive right to a trademark in Lithuania arises as a rule from the registration and not from use as, for instance, in Scandinavian countries. So is always better to register the mark with the Patent Office than to expect recognition via becoming a well-known mark.

Article 4 of the Law on Trademarks and Service Marks (3 June 1993) claims that sign shall not be registered as a trademark if it is identical or confusingly similar to marks which are well known in Lithuania. In spite of that, one shall always remember that in accordance with Lithuanian laws of civil proceedings the establishment of presence or absence of legal fact is the competence of the court. That means, before filing an opposition with the Division of Appeals of the Patent Office or before bringing the action before the court in infringement case one must have the court's decision that his trademark is well known.

Article 20 of aforementioned Law entrusted the Patent Office to establish the concept of well-known mark.

A trade or service mark that is well known in the Republic of Lithuania irrespective of what goods and services are marked with it, shall be recognised a sign having a totality of the following criteria:

- corresponding to the requirements to trademarks and service marks provided for in the laws of the Republic of Lithuania,
- known for the most of the consumers of Lithuania (no less than 70 per cent - based on selective interviewing) thanks to the goods and services marked with it and consumed on the Lithuanian market,
- registered, used and known in other countries - members of the Paris Union for the Protection of Industrial Property,
- used in a greater part of Lithuania,
- permanently advised in the press, radio and television of Lithuania,
- having a strong distinctive character and being original and the only on the Lithuanian market,
- used on the Lithuanian market for the period no shorter than five years before the date of claiming to the status of a well-known mark.

#### **Question 152**

**To what extent does a well-known mark that is not registered in Lithuania receive protection? What specific rights does the owner of an unregistered well-known mark have?**

Reply

See the answer to Question 151. Filing of the application with the Patent Office in any case prevails.

#### **Question 153**

**What rights are granted the holder of trademarks? Are there any exceptions to such rights (e.g., restrictions on use)?**

Reply

The holder of a mark shall have the right to prevent third parties from using, without his authorization, any sign which:

- is identical with the mark in respect of the same goods or services for which it is registered, and
- is identical with the mark in respect of similar goods or services, or similar to the mark in respect of the same or similar goods or services, where there exists a likelihood of confusion on the part of the public, including the likelihood of association between the sign and the mark.

The holder of a registration shall have the right to prevent third parties from using, without his authorization, in any way that jeopardises the distinctive character of the registered mark, any sign which is identical or similar to the mark.

The aforementioned requirements shall not prevent any person from using:

- his own name and address;
- indications concerning the kind, quantity, intended purpose, value, geographical origin, the time of production of goods or other characteristics of goods or services;
- the registered mark of a third party where it is necessary to indicate the intended purpose of a good or service, in particular as accessories or spare parts; and
- the registered mark of a third party in comparative advertising, where such advertising is permitted, provided that use is made in accordance with honest practices in industrial or commercial matters.

#### **Question 154**

**Does Lithuanian law impose any restrictions on the licensing, transfer, or use of trademarks? If so, what are they?**

Reply

The same formal requirements only as in the case of patents - see the answer to Question 133.

#### **Question 155**

**Does registrability depend on use?**

Reply

No, it does not. An applicant need not to prove the use of mark he files, neither the future intention to use the trademark when registered.

#### **Question 156**

**Under what conditions may a mark be cancelled for non-use?**

Reply

A mark may be cancelled for non-use by the court at the request of any interested person if the mark has not been used or has not been the subject of serious preparations for commencement of use by the holder of the registration in the territory of Lithuania, without justifying cause, within the period of five years preceding the date on which the judicial proceedings were commenced.

#### **Question 157**

**What is the role of the Trademark Registrar in infringement actions?**

Reply

The role of the Trademark Registrar (e.g. the Patent Office) in infringement actions is neutral - having presenting system of registration of trademarks in Lithuania it is applicants risk and responsibility to apply for trademark registration having "clean" (e.g. no identical, neither confusingly similar) trademark with respect to those already filed nor registered. Examination of the mark is carried out only regarding absolute requirements of Article 3 (Law on Trademarks and Service Marks) to be mentioned below in the answer to Question 158.

**Question 158**

**What are the grounds on which the registrar may refuse to register a mark? Are interested persons given a right to oppose the registration of a mark? If so, what procedure is provided?**

Reply

The grounds on which the registrar may refuse to register a mark (Article 3 of the Law on Trademarks and Service Marks) are the following:

- if the mark has no distinctive character;
- if it became the generic name for the goods;
- if it exclusively designates, in trade, the kind (type), quality, quantity, intended purpose, value, place of origin, time or means of production of the goods or of rendering of the services, or other characteristics of the goods or services;
- if it is capable of misleading the public; and
- if it is contrary to morality or public order, including ethics or society and humanitarian principles.

Interested persons are given a right to oppose the registration of the mark with the Division of Appeals of the Patent Office within three months from the appearance in Official Gazette of the trademark entered to the Trademark Register. If interested person fails to file an opposition in due time the opposition may be brought on the same grounds before the court (Vilnius district court).

**Question 159**

**Does registration of a mark satisfy notice of the exclusive right of the right holder to potential infringers? Does a right holder have to give actual notice to an infringer before the infringer is liable? Or is registration of the mark sufficient?**

Reply

Right holder must not give notices to potential infringers. Registration of the mark is sufficient.

**Question 160**

**Is the recordation of an assignment mandatory? If so, what are the consequences of not recording an assignment?**

Reply

Yes, it is. If not recorded in the Trademark Register, it shall be deemed as to have no effect.

**Question 161**

**To what extent are decisions of the trademark registrar appealable to a court of law?**

Reply

The applicant while receiving notification on refusal to register his trademark on the grounds provided for in Article 3 of the Law on Trademarks and Service Marks (see the answer to Question 158) has the right to require re-examination of the application. If decision after the re-examination is left unchanged the applicant has the right within three months to file with the Division of Appeals of the Patent Office a request to review the said decision.

Further, within three months from the date of receipt of the decision of the Division of Appeals, the applicant has the right to appeal against the said decision before the court (Vilnius district court, secondly - the Court of Appeals and third - the Supreme Court).

#### **Question 162**

**Are any changes to the trademark provisions of Lithuanian law contemplated at this time? If so, what are they?**

Reply

Since Lithuania has signed the Trademark Law Treaty (multilateral) (Geneva, 28 October 1994) and is in the way of preparations to ratify it, at this time the changes are expected with regard to liberalisation of formal requirements to the registration of trademarks.

Meanwhile, changes in the Law on Trademarks and Service Marks (3 June 1993) are not necessary in view of the fact, that aforementioned Law itself (Article 34) provides the prevalence of requirements of international agreements to which Lithuania is the party. Amendments and supplements to the Regulations on the Registration of Trademarks will be sufficient.

#### **Industrial Designs**

#### **Question 163**

**What form of protection does Lithuania now provide for industrial designs? How is that protection granted?**

Reply

Legal protection for industrial designs is granted via registration thereof with the Lithuanian Patent Office.

Law on Industrial Design was passed on 4 July 1995, and entered into force on 1 September 1995 (a copy will be submitted after the translation).

#### **Question 164**

**What rights are granted by such protection? Are there any restrictions or limitations on such protection?**

Reply

The right holder of registered industrial design has the right to prevent third parties from performing the following acts:

- production of the products or the part of such product which is registered as an industrial design;
- offering or putting on the market for sale, export and distribution of products or parts thereof registered as an industrial design.

The restrictions and limitations of protection conferred by the registration of industrial design are mentioned below.

The following acts shall not be regarded as infringing the rights of the owner of an industrial design, if:

- they had be done to satisfy own needs and do not threaten economic interests of the owner of industrial design;
- they had been done for scientific, research or experimental purposes;
- an industrial design had been used on vessels, aircraft and other means of transport and their equipment registered in foreign states and also in imported component parts and means used for the purposes of repair thereof when such vessels, aircraft and other means of transport are temporary in the territory of Lithuania.

#### **Question 165**

**Are any changes to Lithuanian law contemplated at this time in the area of industrial design protection? If so, what?**

Reply

There are no changes to the Law on Industrial Design contemplated at this time on that simple reason that this Law was just adopted in 4 July 1995.

#### **Trade Secrets**

#### **Question 166**

**Does Lithuania now protect trade secrets? How is that protection granted?**

#### **Question 167**

**What rights are granted by such protection? Are there any restrictions or limitations on such protection?**

#### **Question 168**

**Are any changes to Lithuanian law contemplated at this time in the area of trade secret protection? If so, what?**

Reply

Concerning the answers to Questions 166-168 see the answers to Questions 65-67.

### **Competition and Antitrust**

#### **Question 169**

**Does Lithuania have any laws that would fall into the anticompetitive practices provisions of Article 40 of TRIPs? If so, please specify.**

#### **Question 170**

**Are there any restrictions on the licensing of intellectual property, on either domestic or foreign nationals?**

Reply

Concerning the answers to Questions 169-170 see the answers to Questions 65-67.

### **Enforcement**

#### **Question 171**

**What is the judicial and administrative system in place now for the enforcement of intellectual property rights, both civil and criminal? What is the average time of litigation of copyright infringement suits?**

#### **Question 172**

**Does Lithuania provide the full ranges of relief required by TRIPs, including injunctive relief, damages, seizure and destruction of infringing goods, provisional relief, border control and criminal sanctions? In each case, indicate under what law such protection is provided, and whether amendments will be required to fully implement Articles 41-61 of TRIPs?**

Reply

Concerning the answers to Questions 171-172 see the answers to Questions 65-67.

## **ANNEX I. LIST OF TRADE AGREEMENTS WITH THIRD COUNTRIES**

#### **Question 173**

**Please provide copies of the following agreements with third countries:**

- **Agreement between the Government of the Republic of Lithuania and the Government of the Kingdom of Norway on Trade of Agricultural Products, 16 June 1992;**



- **Free Trade Agreement between the Republic of Lithuania and the Swiss Confederation, 24 November 1992;**
- **Free Trade Agreement between the Republic of Estonia, The Republic of Latvia, and the Republic of Lithuania, 13 September 1993;**
- **Free Trade Agreement between the country of Lithuania and the European Union, 17 June 1994.**

Reply

Copies of above-mentioned agreements have been deposited with WTO Secretariat. The last has been notified to WTO and a Working Party to examine it has been established by the Council on Trade in Goods.

### **ANNEX III. STATISTICS TABLES AND FIGURES**

#### **Question 174**

**Please provide trade data on all agricultural products imports and exports for the past three years at the HS six or eight digit level.**

Reply

Data on all agricultural products imports and exports for the year of 1993-1994 are provided in the annex to this package of questions and replies.

#### **Table 19. National budget expenditure**

#### **Question 175**

**What farm support programs are available to Lithuanian farmers? Please provide the type, quantity, and value for each. According to the Memorandum, approximately 366,000,000 litas (or 8 per cent of the 1994 budget) was spent on agriculture. Please provide a more detailed breakdown on what these expenditures. Is spending divorced from specific production goals?**

Reply

Concerning the farm support programs see the answers to Questions 40-41.

State budget expenditures for agriculture for 1994 year in mln litas:

1.	Financing of budget institutions and means	66.5
2.	Financing of reserve of food products and seed	12.4
3.	Capital investment	8.5
4.	Maintenance of the Ministry of Agriculture	2.9
5.	Financing of means of National Agriculture Development Activity Programme	186.6
6.	Land reclamation	89.1
<b>TOTAL</b>		<b>366.0</b>

**ANNEX IV. GOVERNMENT DECISIONS ON THE PROCEDURE OF COMMODITY EXPORT AND IMPORT REGULATION IN THE REPUBLIC OF LITHUANIA**

**Question 176**

**Lithuanian Government Resolution No.303 provides a partial listing of agricultural import duties. Please provide a complete listing of the current applied agricultural import tariffs by six and eight digit HS code.**

Reply

Now customs tariffs are applied following the Government's Resolution No.281 of 28 February 1995, which, with the amendments has been submitted to WTO Secretariat.

The latest changes on customs tariffs system are provided in the answer to Question 86.

**Question 177**

**Section 2.16 of Resolution No.102**

**On the Procedure of Commodity Export and Import Regulation in the Republic of Lithuania states that import quotas for cereals and combined fodder are presented by the Ministry of Agriculture and are approved by the Government of the Republic of Lithuania; quotas are allotted by the competitive order.**

**Please explain in greater detail how the quotas are allotted. How often are import quotas set? Is the process transparent? How will Lithuania change the regulation to reflect the WTO Agriculture Agreement's prohibition against NTM's?**

Reply

See the answer to Question 92.

**OTHER AREAS NOT ADDRESSED**

**Services**

**Question 178**

**Please outline in general terms, the scope and nature of current market access for foreign services providers in Lithuania, including by not limited the areas of communications, insurance, professional services, construction, tourism, and wholesale and retail trade. Please detail any particular barriers to entry unique to foreign providers.**

**Question 179**

**In this description, please include reference to any discretionary investment authorizations, reciprocity measures, or discriminatory practices involved in privatisation, in addition to other**

measures inconsistent with the provisions on market access, national treatment, and MFN of the General Agreement on Trade in Services (GATS).

**Question 180**

Please describe and provide English translations of Lithuanian laws and regulations governing international participation in its services sector.

**Financial Services**

**Question 181**

Does the Government of Lithuania currently impose or plan to impose any limitations on market access or national treatment in the financial services sector? (This should include any discretionary investment authorizations, reciprocity measures, or discriminatory practices involved in privatisation, in addition to other measures inconsistent with the provisions on market access, national treatment, and MFN of the General Agreement on Trade in Services (GATS).) If so, please describe any restrictions. Does the Government of Lithuania have a timetable for eliminating these restrictions?

**Question 182**

Please describe any laws, regulations, or practices which address the following:

- (a) the ability of a non-resident financial service provider to provide cross-border into the territory of your country advisory and other auxiliary financial services, the provision and transfer of financial information, and financial data processing (as defined in par.5 of the Annex on Financial Services);
- (b) whether residents of your country may purchase financial services in the territory of another party;
- (c) the ability of a non-resident financial service provider to establish and expand a commercial presence in your country as a branch, an agency, a representative office, and as a wholly-owned subsidiary, either through de novo investment or through acquisition of existing enterprises, under terms and conditions of authorization that accord national treatment;
- (d) the ability of a foreign-owned financial service provider established in your country to compete to supply financial services on terms and conditions that are no less favourable than those applied to financial service providers of your country in like circumstances (including the opportunity to participate in any self-regulatory body, securities or futures exchange or market, clearing agency or other organization or association).

**Question 183**

Are there any restrictions on the temporary entry of the personnel of a financial services provider that is establishing or has established a commercial presence in your country?

Reply to Questions 179-183

The provisions on trade in services in Lithuania will be submitted by a separate document.

APPENDIX I  
STATISTICAL DATA  
LIST OF TABLES

1. Gross Domestic Product at Current Prices (1992-1994)
2. Inflation Rate (1991-1994 ).....
3. Gross Domestic Product (1992-1994).....
4. Balance of Payments (1992-1994).....
5. Balance of Foreign Trade (1994).....
6. Main Lithuanian Foreign Trade Partners (1994).....
7. Foreign Trade in 1994.....
8. National Budget Expenditure 1994.....

Table 1

**GROSS DOMESTIC PRODUCT AT CURRENT PRICES (1992-1994)**

	1992		1993		1994	
	mln US\$*	%	mln US\$	%	mln US\$	%
TOTAL	1331.8	100.0	2381.0	100.0	4054.4	100.0
Industry	524.1	39.4	778.0	35.1	940.6	23.2
Agriculture, forestry	284.1	21.3	291.0	12.0	328.4	8.1
Transport and communication	60.6	4.6	276.4	11.6	401.4	9.9
Construction	73.3	5.5	201.1	8.4	352.7	8.7
Trade	164.4	12.3	244.8	10.3	952.8	23.5
Restaurants and hotels	14.9	1.1	18.8	0.8	36.5	0.9
Banks production	113.9	8.6	89.3	3.8	166.2	4.1
Finance and insurance	1.2	0.1	3.9	0.2	28.4	0.7
Other	95.3	7.1	423.7	18.6	847.3	20.9

\* US\$ calculated as an average mean of US\$ sale and purchase prices in all banks of Lithuania at the end of the quarter.

Source: Statistics Department

Table 2

**Inflation Rate (1991-1994)**

1991	1992	1993	1994				
			TOTAL	I Q	II Q	III Q	IV Q
382.7%	1162.6%	188.7%	45.1%	11.4%	10.4%	6.8%	10.5%

Source: Statistics Department

Table 3

**Gross Domestic Product (1992-1994)**

	mln US\$	% change over the period	Per capita in US\$
1992	1821.8	100.0	487
1993	2593.1	-23.7	696
1994	4075.7	0.6	1095
I	946.4	0.6	254
II	1007.6	4.0	271
III	1012.8	8.1	272
IV	1108.9	-11.6	298

Source: Statistics Department

Table 4

**Balance of Payments  
(mln litas)**

	1992	1993	1994
1. CURRENT ACCOUNT	533.94	-362.84	-359.72
Trade balance	182.97	-665.00	-802.04
Service balance	247.36	-240.45	-215.52
Income balance	9.17	34.38	34.22
Transfers balance	94.44	508.23	623.62
2. CAPITAL ACCOUNT	-65.92	1284.13	1278.39
3. OFFICIAL SETTLEMENTS (Reserves)	-341.39	-1299.42	-735.03
TOTAL	126.63	-378.13	183.64

Source: Statistics department

Table 5

**Balance of Foreign Trade (1994)**  
(mln USD)

	IQ	IIQ	IIIQ	IVQ	1994
<b>Export</b>	417	473	630.25	499	2019.25
re-export	66	166.75	283.25	182	698
<b>Import</b>	640.5	570.25	513.75	596.25	2338.75
re-import	1.25	2.75	3.25	8.5	15.75
<b>Balance</b>	-223.5	-97.25	98.5	-97.25	-319.5

Source: Statistics Department

Table 6

**Main Lithuanian Foreign Trade Partners**  
(1994)

Country	Import		Export	
	mln litas	%	mln litas	%
<b>TOTAL</b>	9355.5	100	8077.2	100.00
Belorus	356.1	3.8	529.4	6.5
Denmark	243.4	2.6	140.4	1.7
Estonia	150.9	1.6	205.7	2.5
Italy	257.2	2.7	152.6	1.9
United Kingdom	132.1	1.4	186.6	2.3
USA	185.7	2.0	51.5	0.6
Kazakhstan	60.2	0.6	168.9	2.1
Latvia	254.9	2.7	628.0	8.4
Poland	375.5	4.0	404.1	5.0
Netherlands	253.3	2.7	423.2	5.2
Russia	3672.6	39.3	2280.4	28.2
Finland	273.0	2.9	77.5	1.0
Sweden	222.5	2.4	251.4	3.1
Ukraine	467.6	5.0	496.7	6.1
Germany	1287.7	13.8	926.4	11.5
Others	1162.8	12.5	1100.4	13.9

Source: Statistics Department

Table 7

**Foreign Trade in 1994**

Country group	Export		Import	
	mln litas	%	mln litas	%
TOTAL	8077	100	9355	100
EU	2080	25.8	2469	26.4
EFTA	429	5.3	731	7.8
CIS	3774	46.7	4699	50.2
ESTONIA	206	2.5	151	1.6
LATVIA	682	8.4	255	2.7
OTHER	906	11.3	1050	11.3

Source: Statistics Department

Table 8

**National Budget Expenditure  
(thou litas)**

	1993	Spec. gravity %	1994	Spec. gravity %
1. General public services	142733	5.4	314702	7.2
2. Defence	85899	3.2	80602	1.9
3. Public order and safety	219165	8.3	410254	9.4
4. Education	530554	20.1	947415	21.7
5. Health	375609	14.2	629680	14.5
6. Social security and welfare	229384	8.7	328254	7.5
7. Housing and community services	204023	7.7	319127	7.3
8. Recreational, cultural and religious services	99336	3.7	165876	3.8
9. Fuel and energy	144412	5.5	231141	5.3
10. Agriculture, forestry, fishing and hunting	250530	9.5	336651	7.7
11. Mining and mineral recourses	47899	1.8	19922	0.5
12. Transport and communication	44506	1.7	228767	5.3
13. Other economic services	67285	2.5	96226	2.2
14. Expenditure not classified by major groups	204517	7.7	246748	5.7
TOTAL	2645852	100	4355365	100

Source: Ministry of Finance

## APPENDIX II

### LIST OF LAWS AND ADDITIONAL MATERIAL OF THE REPUBLIC OF LITHUANIA

The following laws and material are additional to those submitted in documents L/7551/Add.1 of 18 January 1995, and WT/ACC/LTU/2/Add.2 of 12 September 1995 and are available in the Secretariat (Accessions Division, Room 2076) for consultation:

1. Law on the Amendment and Supplement to the Civil Code of the Republic of Lithuania, No. I-459, 17 May 1994, (provisions on copyright);
2. Law on the Fundamentals of Free Economic Zones, No. I-976, 28 June 1995;
3. Law on Privatisation of State-Owned and Municipal Property, No. I-1001, 4 July 1995;
4. Law concerning Control of Import, Transit and Export of Strategic Goods and Technologies, No. I-1022, 5 July 1995;

#### Required material:

1. Agreement between the Government of the Kingdom of Norway and the Government of the Republic of Lithuania concerning Trade in Agricultural Products;
2. Free Trade Agreement between the Swiss Confederation and the Republic of Lithuania;
3. Free Trade Agreement between the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania;
4. Agreement on Free Trade-Related Matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part;
5. Schedule of tariffs approved by the Lithuanian Government's Resolution No. 443 (16 June 1993), required by the Question 86 to the Memorandum on Foreign Trade Regime of the Republic of Lithuania (the first version of Lithuanian tariff system);
6. Statistical data on imports into Lithuania of agricultural and food products, required by the Question 174 to the Memorandum on Foreign Trade Regime of the Republic of Lithuania;
7. Statistical data on exports from Lithuania of agricultural and food products, required by the Question 174 to the Memorandum on Foreign Trade Regime of the Republic of Lithuania.