

# WORLD TRADE ORGANIZATION

RESTRICTED

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**Council for Trade in Services  
Special Session**

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## COMMUNICATION FROM ICELAND

### Initial Offer

The following initial offer has been received from the delegation of Iceland on 31 March with the request that it be circulated to Members of the Council for Trade in Services.

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At the Ministerial Conference in Doha Members agreed that initial offers should be submitted by 31 March 2003.

Please find enclosed Iceland's initial offer to the Services Negotiations. It should be noted that initial offers in Iceland's schedule of specific commitments are in line with Secretariats note JOB(02)/88.

Iceland reserves its right to revise or make supplements to this initial offer throughout the negotiations.

ICELAND – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p>	<p>3) All foreign <del>investment and</del> currency transfers must be reported to the Central Bank of Iceland <b>for statistical purposes</b></p> <p><b>Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland.</b></p> <p><del>Investment by non-residents in the manufacturing industry, other than power-intensive industry, trade services, communications and fish farming may not exceed 25% of the total investment of the relevant sector without special permission.</del></p> <p><del>Total investment by a non-resident or the joint investment of financially related non-residents in enterprises in the above-mentioned sectors may not exceed 250 mill. ISK within a year unless a special concession is given</del></p>	<p>3) Treatment accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State and having their registered office, central administration or principal place of business within an EEA Member State may not be extended to branches or agencies established in an EEA Member State by a third-country company</p> <p>Treatment less favourable may be accorded to subsidiaries of a third-country company formed in accordance with the law of an EEA Member State having only their registered office in the territory of an EEA Member State unless they show that they possess an effective and continuous link with the economy of one of the EEA Member States</p>	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>All foreign investment of a Foreign State or companies/organizations owned by a Foreign State requires a special concession of the Ministry of Commerce</p> <p>Non-residents cannot conclude an agreement on real-estate lease without the permission of the Ministry of Justice if the lease is for a period exceeding three years and not for use in conducting its normal business activities</p> <p><del>Non-residents may only acquire real estate in conjunction to their business activities and can only obtain ordinary proprietary rights linked to the real estate. Non-residents are thus excluded from obtaining full property rights of real estate if unusual rights are linked to it, such as exploitation rights as regards waterfalls, geothermal energy, etc</del></p> <p><del>Contracts concerning ownership and long-term use of real estate by non-residents are not valid until the Ministry of Justice has endorsed it in writing</del></p> <p><del>Non-residents, natural as well as legal persons, involved in trade in goods or rental of videos, need a trade permit but such regulated trade licences are required for both Icelandic and non-resident providers of service</del></p>	<p><b>The majority of founders of limited liability companies must be resident in Iceland unless exempted from this requirement by the Ministry of Commerce. Citizens of other EEA and EFTA Member States are exempted from the residency requirement</b></p> <p>Managers and the majority of the members of the board of directors in all domestic enterprises must be <del>domiciled</del> <b>resident</b> in Iceland unless exempted from this requirement by the Ministry of Commerce. <b>Citizens of other EEA and EFTA Member States are exempted from the residency requirement</b></p> <p>At least one of the auditors of an Icelandic limited liability company must be a resident in Iceland or a competent resident CPA company</p> <p>Non-residents may only acquire real estate in conjunction to their business activities and can only obtain ordinary proprietary rights linked to the real estate. Non-residents are thus excluded from obtaining full property rights of real estate if unusual rights are linked to it, such as exploitation rights as regards waterfalls, geothermal energy, etc</p> <p>Contracts concerning ownership and long-term use of real-estate by non-residents are not valid until the Ministry of Justice has endorsed it in writing</p>	

Modes of supply:

(1) Cross-border supply

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p><b>All sectors: Movement of personnel</b></p>	<p><del>All provision of services by natural persons, as self-employed or taking part in a business enterprise with unlimited liability, needs a concession, by the Ministry of Commerce, if the persons involved are non-residents</del></p> <p><del>—————<u>Movement of Personnel</u></del></p> <p>Temporary entry of service providers</p> <p>4) Unbound except the temporary entry of the following service providers as intra-corporate transferees, which Iceland shall permit without requiring compliance with labour market tests:</p> <p><u>Executives</u>: persons who primarily direct the management of the organization covered by the agreement and establish its goals and generally have a wide decision-making authority. Executives would not necessarily perform tasks related to the actual provision of the service.</p> <p><u>Managers</u>: persons who direct the Organization covered by the agreement or its department and are in a senior level responsible of the service providing functions of the organization by supervising and controlling and having also authority to hire and fire personnel or recommend such and other personnel actions.</p> <p><u>Specialists</u>: persons within the organization who possess knowledge at an advanced level of expertise or otherwise essential or proprietary to the organization's service, research equipment, techniques or management.</p>	<p><del>—————<u>Movement of Personnel</u></del></p> <p>Temporary entry of service providers</p> <p>4) <del>None for the categories offered under market access.</del> <b><i>Unbound except for measures concerning the categories of natural persons referred to in the market access column.</i></b></p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p><b>All sectors: Subsidies (The issue of a definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS).</b></p>	<p><u>Service sellers</u>: persons who as representatives of a service provider covered by the agreement are seeking temporary entry for purposes of negotiation for the sale of services or entering into agreements to sell services for that service provider, where this selling activity is not directed to the general public.</p> <p><u>Subsidies</u><sup>†</sup></p> <p>3) None</p> <p>4) None</p>	<p><u>Subsidies</u><sup>†</sup></p> <p>3) Eligibility for subsidies may be limited to juridical persons established within the territory of Iceland. Subsidies related to research and development are unbound.</p> <p>4) Subsidies available only to natural persons may be limited to Icelandic citizens.</p>	

<sup>†</sup>The definition of subsidies remains to be determined in the context of negotiations under Article XV of the GATS.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS			
<p>1. BUSINESS SERVICES</p> <p>A. <u>Professional Services</u></p> <p>Legal Services (Applicable parts of CPC 861)</p> <p>- Legal advice activities on home country law</p> <p>- Legal advice on international law and foreign legal consultancy</p>	<p>1) None</p> <p>2) None</p> <p>3) <del>None</del> <b>Members of the General Bar Association of Iceland have an exclusive right to represent clients before courts in Iceland.</b></p> <p>4) Unbound except as indicated in the horizontal section. <del>Members of the General Bar Association of Iceland have an exclusive right to represent clients before all the major courts in Iceland.</del></p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>2) None</p> <p>1),3); <b>Unbound</b></p> <p>4) <b>Unbound except as indicated in the horizontal section.</b> Icelandic law exam or an equivalent thereto, <del>conditions of</del> nationality, or previous residency of at least one year when practising legal services as a <del>member of the General Bar Association in</del> <b>Unbound</b> Iceland</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(b) Accounting, auditing and book-keeping services (CPC 862)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. <del>Requirement of residence. Icelandic exam for certified accountants required subject to exemption by the Minister of Finance.</del>	1) None 2) None 3) None 4) <del>None</del> Icelandic exam for certified accountants (CPA's) required <b>or an equivalent thereto</b> subject to exemption by the Minister of Finance.	
(c) Taxation services (CPC 863)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Architectural services (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(e) Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(f) Integrated Engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Modes of supply:

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(i) Veterinary services (CPC 932)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. Number of veterinarians in rural districts is limited.	1) None 2) None 3) <i>Ability in the Icelandic language required.</i> 4) <i>Ability in the Icelandic language required.</i>	
<del>(k) Other</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) Unbound except as indicated in the horizontal section</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) None</del>	



Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Computer and Related Services</u>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Software development (including software implementation) CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Data processing services (CPC 843)	1) None  2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction  2) None 3) None 4) None	
(d) Data base services (CPC 844)	1) None  2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction  2) None 3) None 4) None	

Modes of supply:

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(e) Other</p> <p><b>- Maintenance and repair services of office machinery and equipment including computers (CPC 845)</b></p> <p><b>- Other computer services (CPC 849)</b></p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Concession needed if personal-data is to be processed outside Icelandic jurisdiction</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>C. <u>Research and development Services</u></p>			
<p>(a) R&amp;D services on Natural Sciences (CPC 851)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1),2) A license is needed for the importation of research equipment. Natural history specimens must not be exported from the country unless permitted by the Icelandic <b>Institute Museum</b> of Natural History (“<b>Náttúrufræðistofnun Íslands</b>”).</p> <p>3),4) <del>None. No foreigners are permitted to undertake scientific research work in the field of natural sciences without having first obtained a research permit issued by the Icelandic Council of Science</del> field of natural sciences without having first obtained a research permit issued by the Icelandic Council of Science</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(b) R&D services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1),2) Archaeological finds must not be exported from the country unless permitted by the <b>National Archaeological Museum Council</b> (" <b>Djóðminjaráð</b> ") (" <b>Safnaráð</b> ") 3),4) All archaeological research whether by Icelandic or foreign researchers is subject to a permit granted by the <b>Icelandic Archaeological Preservation Agency Committee</b> (" <b>fornleifanefnd</b> ") (" <b>Fornleifanefnd ríkisins</b> ")	
(c) Interdisciplinary R&D services (CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. <u>Real Estate Services</u>			
(a) Real estate services involving own or leased property (CPC 821)	1) None 2) None 3),4) Deposits or liability insurance to cover loss caused to clients. All licenses to provide services on sales of real estate are personal authorizations. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3),4) Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	
(b) On a Fee or Contract basis (CPC 822)	1) None 2) None 3),4) Deposits or liability insurance to cover loss caused to clients. All licences to provide services on sales of real-estate are personal authorization. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3),4) Condition of one year previous residency in order to obtain licence to provide services in residential building and land sales, and other related intermediary services for purchase and sale of real-estate	

Modes of supply:

(1) Cross-border supply

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. <u>Rental/Leasing Services without Operators</u>	1) None 2) None 3) Leasing services must be provided either by corporation with a limited liability (leasing companies) or registered commercial banks or savings banks 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Majority of the board of a leasing company shall be resident in Iceland. The manager shall be resident in Iceland and a citizen of a Nordic Country. 4) None	
(a) Relating to ships (CPC 83103)	1) None 2) None 3) To be registered in the ship register the ship must be owned by Icelandic natural or juridical persons who are resident in Iceland. Further nationality restrictions on fishing vessels. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Relating to aircraft (CPC 83104)	1) None 2) None 3) To be registered in the aircraft register the aircraft must be owned by Icelandic natural or juridical persons resident in Iceland 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Relating to other transport equipment (CPC 83101 + 83102 + 83105)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Residency requirement for car rental services 4) Residency requirement for car rental services	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(d) Relating to other machinery and equipment ( <del>CPC 832</del> ) (CPC 83106 - 83109)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(e) Other (CPC 832)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
F. <u>Other Business Services</u>			
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Concession needed if personal data is to be processed outside Icelandic jurisdiction 2) None 3) None 4) None	
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Services related to man. consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(f) Services incidental to agriculture, hunting and forestry (CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(i) Services incidental to manufacturing (CPC 884 + 885 /except for 88442)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(k) Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(m) Related scientific and technical consulting services (CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(n) Maintenance and repair of equipment (CPC 633+8861-8866; not including maritime vessels, aircraft or other transport equipment)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(o) Building-cleaning services (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(q) Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(r) Printing, <i>and</i> publishing (CPC 88442)	1) None 2) None 3),4) <del>Nationality or Residency requirement of at least one year</del> for publishing of newspapers or magazines within the national territory. <del>Nationality and Residency requirement for editors</del> 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(s) Convention services (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>2. COMMUNICATION SERVICES</p> <p>C. <u>Telecommunication Services</u></p> <p>(a) Voice telephony</p> <p>(b) Packet-switched data transmission services</p> <p>(c) Circuit-switched data transmission services</p> <p>(d) Telex services</p> <p>(e) Telegraph services</p> <p>(f) Facsimile services</p> <p>(g) Leased circuit services</p> <p>(o) Other</p> <p>- Mobile and personal communications services and systems</p> <p>Value-added services<sup>2</sup></p> <p>Electronic mail, Voice mail, On-line information and Data Base Retrieval, EDI, Code and Protocol Conversion</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>Iceland undertakes additional commitments as contained in the attachment, all parts of which are equally binding.</p>

<sup>2</sup> Excludes voice telephony, telegraph, telex, packet and circuit switched data services, mobile radiotelephony, paging and satellite services.



Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) None	
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
C. <u>Installation and Assembly Work</u> (CPC 514+516)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Modes of supply:

(1) Cross-border supply

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
4. DISTRIBUTION SERVICES (excluding trade in arms, alcoholic beverages, tobacco and pharmaceutical products)			
A. <u>Commissions Agents' Services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
B. <u>Wholesale Trade Services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
C. Retailing Services (CPC 631+632 6111 + 6113 + 6121)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
D. Franchising (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
E. <del>Other</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) Unbound except as indicated in the horizontal section</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) None</del>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
6. ENVIRONMENTAL SERVICES			
A. <u>Sewage Services</u> (CPC 9401)	1) Unbound* 2) None 3),4) Environmental operation license required 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
B. <u>Refuse Disposal Waste</u> (CPC 9402)	1) Unbound* 2) None 3),4) Environmental operating license required 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
C. <u>Sanitation and Similar Services</u> (CPC 9403)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
D. <b>Other (CPC 9409)</b>	1) Unbound* 2) None 3),4) Environmental operating license required 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) None	

\* Unbound due to lack of technical feasibility.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
7. FINANCIAL SERVICES			
A. <u>Insurance and Insurance related Services</u>	<p>1) The supply of direct insurance is reserved for Icelandic insurance undertakings or authorized insurance undertakings from another EEA <b>and EFTA</b> Member State.</p> <p>The supply of insurance broker services is reserved for insurance brokers authorized by the Ministry of Commerce or insurance brokers authorized by competent authorities of another EEA Member State.</p> <p>2) None</p> <p>3) Insurance undertakings not established in an EEA Member State require authorization to establish branch offices in Iceland.</p>	<p>1) None</p> <p>2) None</p> <p>3) <b>The majority of the founders</b> <del>Founders</del> of an insurance undertaking must be Icelandic residents or legal entities registered in Iceland, citizens of another EEA <b>or EFTA</b> Member State residing in an EEA <b>or EFTA</b> Member State or legal entities registered in an EEA <b>or EFTA</b> Member State.</p> <p><b>Managers and board members of insurance undertakings shall be resident in Iceland. Citizens of other EEA and EFTA Member States are exempted from the residency requirement. The Minister of Commerce may grant exemptions from this requirement.</b></p>	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. <u>Banking and Other Financial Services</u> (excluding insurance)</p>	<p>Any investor, whether resident or non-resident, who acquires or intends to acquire a qualifying holding in an insurance undertaking must give advance notice to the <del>Insurance</del> <b>Financial Supervisory Authority</b>. The Authority may refuse the acquisition or the exercise of ownership if it believes that the acquisition will affect the sound functioning of the enterprise.</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) Credit institutions and undertakings engaged in securities services established in a non-EEA State can establish a branch or a representative office, subject to authorization by the <b>Financial Supervisory Authority, FME. Ministry of Commerce.</b></p>	<p>Branch offices of non-EEA insurance undertakings must be managed by a resident agent.</p> <p>Insurance brokers must be resident in Iceland or citizens or legal entities of another EEA Member State residing in an EEA Member State. <b>The Minister of Commerce may grant exemptions from this requirement.</b></p> <p>4) None</p> <p>1) Domestic financial institutions shall inform the Central Bank of Iceland of the balances of service providers' accounts held by non-residents.</p> <p>2) None</p> <p>3) A founder of a credit institution shall be a natural or legal person resident in Iceland. The Minister of Commerce can grant exemptions from this requirement. Citizens and legal persons of other EEA and EFTA Member States are exempted from the residency requirement</p>	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Credit institutions and undertakings engaged in securities services can only be established as companies with limited liability.</p> <p>Commercial banks and savings banks have exclusive rights to accept deposits and other repayable funds from the public.</p> <p>Public issue of securities shall be conducted by securities undertakings or other parties authorized to provide such services.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>Managers and <b>the majority of the</b> board members of credit institutions and undertakings engaged in securities services and UCITS shall be resident in Iceland. Citizens of other EEA <b>and EFTA</b> Member States are exempted from the residency requirement. The Minister of Commerce may grant citizens of non-EEA Member States <b>or non-EFTA Member States</b> the same exemptions.</p> <p>Service providers shall inform the Ministry of Commerce of investments made by non-residents in business enterprises in Iceland and the Central Bank of Iceland of investments made by non-residents in securities in Iceland.</p> <p>4) None</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels and Restaurants (including catering)</u> (CPC 641-643)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Condition of licenses is one year previous residency 4) Condition of licenses is one year previous residency	
B. <u>Travel Agencies and Tour Operators</u> (CPC 7471)	1) None 2) None 3),4) Deposits or liability insurance to cover loss caused to clients <i>due to bankruptcy</i> 4) Unbound except as indicated in the horizontal section	1) None 2) None 3),4) Condition of licenses is one year previous residency of the manager	
C. <u>Tourist Guides Services</u> (CPC 7472)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) The right to exercise the profession is reserved for resident <del>authorized</del> tourist guides. <b>Foreign Non-</b> resident <b>tourist</b> guides may be granted temporary <b>work permit</b> <del>license</del> on ad hoc basis.	

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>10. RECREATIONAL CULTURAL AND SPORTING SERVICES (other than audiovisual services)</p> <p>A. <u>Entertainment Services</u> (including theatre, live bands and circus services) (CPC 9619)</p> <p>B. <u>News Agency Services</u> (CPC 962)</p> <p>C. <u>Libraries, Archives, Museums and other Cultural Service</u> (CPC 963)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1),2),3) None other than access to management functions is subject to discretionary authorizations by competent authorities</p> <p>4) Condition of <del>nationality and</del> residency for the editor of a paper or magazine. Unbound except as indicated in the horizontal section</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) Targeted financial support to specific local, regional or national activities.</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) Targeted financial support to specific local, regional or national activities</p> <p>4) None</p>	



Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. Sporting and other Recreational Services (CPC 964)	1) None 2) None 3),4) Gambling, coin machines and like activities are subject to licensing. <b>Professional Bboxing is illegal but amateur boxing is allowed in Iceland.</b> 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Targeted financial support to specific local, regional or national activities 4) None	
<del>E. Other</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) Unbound except as indicated in the horizontal section</del>	<del>1) None</del> <del>2) None</del> <del>3) Targeted financial support to specific local, regional or national activities</del> <del>4) None</del>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>International transport (freight and passengers) CPC 7211 and 7212 <u>including</u> Cabotage transport 1).</p>	<p>1) None</p> <p>2) None</p> <p>3)(a) Establishment of a registered company for the purpose of operating a fleet under Icelandic flag: Unbound except as indicated in the horizontal section.</p> <p>(b) Other forms of commercial presence 2): None.</p> <p>4)(a) Ships' crew: Unbound except as indicated in the horizontal section.</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under mode 3(b) above: Unbound except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3)(a) Unbound</p> <p>(b) None</p> <p>4)(a) Unbound</p> <p>(b) Unbound</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<u>Maritime Auxiliary Services</u>			
- Maritime Cargo Handling Services 3)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
- Storage and Warehousing Services (CPC 742); Customs Clearance Services 4); Container Station and Depot 5)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
- Maritime Agency Services 6); Freight Forwarding Services 7)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
- Other Supporting and Auxiliary Transport Services 8)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

\*A commitment on this mode of delivery is not feasible.

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Auxiliary Services as required by Maritime Transport Operators:</p>			<p>The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> <li>1. Pilotage</li> <li>2. Towing and tug assistance</li> <li>3. Provisioning, fuelling, watering</li> <li>4. Garbage collecting, ballast waste disposal</li> <li>5. Port Captain's services</li> <li>6. Navigation aids</li> <li>7. Shore-based operational services essential to ship operations, incl. communications, water, electrical supplies</li> <li>8. Emergency repair facilities</li> <li>9. Anchorage, berth, berthing services</li> <li>10. Container handling, storage and warehousing, freight transport.</li> </ol>

Modes of supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

(4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			Where road, coastal shipping and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent, hire or charter trucks and related equipment for the purpose of inland forwarding of international cargoes carried by sea, or have access to and use of such multimodal activities for the purpose of providing multimodal transport services.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Air Transport Services</u>  Maintenance and repair of aircraft and parts thereof  Sales and marketing  Computer Reservations System	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section  1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section  1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None  1) For distribution through CRS of air transport services provided by CRS parent carrier: unbound 2) None 3) For distribution through CRS of air transport services provided by CRS parent carrier: unbound 4) None  1) For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: Unbound 2) None 3) For obligations of parent or participating carriers in respect of a CRS controlled by an air carrier of one or more third countries: 4) None	

\* Unbound due to lack of technical feasibility

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
F. <u>Road Transport Services</u>			
(a) Passenger transportation (CPC 7121 + 7122)	1) None 2) None 3),4) Authorization required for commercial land transport services. Numerical quotas may be imposed as well as exclusive licenses for certain areas or routes. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(b) Freight transportation (CPC 7123)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(c) Rental of commercial vehicles with operator (CPC 7124)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(d) Maintenance and repair of road transport equipment (CPC 6112+8867)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
(e) Supporting services for road transport services (CPC 744)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
H. <u>Services auxiliary to all modes of transport</u>			
(b) Storage and warehousing services (CPC 742)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) None	
(c) Freight transport agency services (CPC 748)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
d) Other (CPC 749)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) None	
<del>I. <u>Other Transport Services</u></del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) Unbound except as indicated in the horizontal section</del>	<del>1) None</del> <del>2) None</del> <del>3) None</del> <del>4) None</del>	

\* Unbound due to lack of technical feasibility.



## Additional Commitments by Iceland

### Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services underpinning the market access commitments by Iceland.

### Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network and service that

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier, which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

### 1. Competitive safeguards

#### 1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

#### 1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

### 2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier.

## 2.2 Interconnection to be ensured

Within the limits of permitted market access, interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided<sup>1</sup>:

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates<sup>2</sup>,
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

## 2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

## 2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

## 2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

## 3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive per se, provided they are

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<sup>1</sup> Suppliers of services or networks not generally available to the public, such as closed user groups, have guaranteed rights to connect with the public telecommunications transport network or services on terms, conditions and rates which are non-discriminatory, transparent and cost-oriented. Such terms, conditions and rates may, however, vary from the terms, conditions and rates applicable to interconnection between public telecommunications networks or services.

<sup>2</sup> Different terms, conditions and rates may be set in Iceland for operators in different market segments, on the basis of non-discriminatory and transparent national licensing provisions, where such differences can be objectively justified because these services are not considered "like services".

administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

## ATTACHMENT

### NOTES TO MARITIME TRANSPORT

”Reasonable and non-discriminatory terms and conditions” means, for the purpose of multimodal transport operations, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date. A ”multimodal transport operator” means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

1. ”Cabotage” is defined as maritime transport of goods and passengers between ports in Iceland.
2. ”Other forms of commercial presence for the supply of international maritime transport services” means the ability for international maritime transport service suppliers of the other Members to undertake locally all activities, which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the annex on telecommunications);
- (e) the setting of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

3. "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

4. "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

5. "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.

6. "Maritime agency services" means the activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines of shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

7. "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

8. "Other supporting and auxiliary transport services" means freight brokerage services; bill auditing and freight rate information services; transportation document preparation services; packing and crating and unpacking and de-crating services; freight inspection, weighing and sampling services; and freight receiving and acceptance services (including local pick-up and delivery).

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ICELAND - LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
ALL SECTORS	<p>Measures aimed at promoting Nordic cooperation such as:</p> <ul style="list-style-type: none"> <li>- guarantees and loans to investment projects and exports (The Nordic Investment Bank)</li> <li>- financial support to R&amp;D projects (The Nordic Industrial Fund)</li> <li>- funding of feasibility studies for international projects (The Nordic Fund for Project Exports)</li> <li>- financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Corporation).</li> </ul>	<p>Denmark, Finland, Iceland, Norway and Sweden</p> <p>(* ) Applies to East European companies, which are co-operating with a Nordic company.</p>	Indefinite	To maintain and develop Nordic Cooperation
Audiovisual services; transmission of audiovisual programmes	Measures that are adopted for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (no. 89/552) and which define programmes of European origin in order to extend national treatment to audiovisual programmes meeting specific origin criteria	Parties to the Council of Europe Convention on Transfrontier Television or other European countries <b>parties to the EEA Agreement</b> with whom an agreement may be concluded	Indefinite	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services; production and distribution of cinematographic works and television programmes	<p>Measures that are adopted for the implementation of benefits in conformity with such support programmes as MEDIA and EURIMAGES to audiovisual programmes and suppliers to these programmes, meeting specific European origin criteria</p> <p>Support programmes for the production and distribution of cinematographic works and television programmes (The Nordic Film and TV Fund)</p> <p>Measures based upon government-to-government framework agreements, and plurilateral agreements, on co-production of audiovisual works, which confer National Treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding</p>	<p>European countries</p> <p>Denmark, Finland, Norway and Sweden</p> <p>All countries with whom cultural cooperation may be desirable (agreements already exist, or are being negotiated, with the following countries: France, Canada)</p>	<p>Indefinite</p> <p>Indefinite</p> <p>Indefinite (The promotion of cultural links between countries cannot be time bound)</p>	<p>Preservation and promotion of the regional identity of the countries concerned</p> <p>To maintain and develop Nordic cooperation</p> <p>The aim of these agreements is to promote cultural links between the countries concerned</p>