

INDIA'S REQUEST* LIST TO EC

Horizontal Commitments

1. Take full commitments in respect of the category of independent professionals delinked from commercial presence.
2. Undertake to put in place a Visa System to ensure fulfillment of the horizontal and sectoral commitments undertaken.
3. Undertake to put in place a Visa System ensuring grant of multiple entry visas for professionals.
4. Allow inter-firm mobility to professionals.
5. The limitation of persons possessing "Uncommon Knowledge" may be removed.
6. No category of natural persons should require Economic Needs Test.
7. "All other" requirements indicated in the footnote in Horizontal Commitments should be clearly and transparently laid down.
8. Mutual recognition of diplomas to extend to non Member states also.
9. Limitations in the nature of residency requirements for Directors/ Managing Directors may be removed.

Mode 3:

1. Removal of the condition that the treatment accorded to subsidiaries established
2. by a third country company in a Member State will not be extended to branches or agencies established in a Member State by a third country company.

***This is India's initial Request list. India reserves the right to revise and/or supplement the same.**

India's Requests List to EC

1.A. b. Accounting, Auditing* and Book Keeping Services

This Requests List relate to 1.A.b. “Accounting, Auditing and Book Keeping Services” of W/120 corresponding to UNCPC : 862.**

***In respect of Auditing, the request relates to Non-statutory Audit only.**

Market Access:

Mode 1) None

[Take full commitments and Schedule “None” through removal of:

- ◆ Requirement of commercial presence for Auditors as a pre-condition for approval by national professional bodies.]

Mode 4) None.

[Take full commitments and Schedule “None” in respect of Chartered Accountants, Company Secretaries, Cost and Works Accountants and Management Accountants through removal of limitations imposed by various states in respect of:

- ◆ Conditions of nationality
- ◆ Residency requirement for and after grant of license.
- ◆ Citizenship requirement]

National Treatment:

Mode 1.) None

[Take full commitments and Schedule “None”]

Mode 4.) None.

[Take full commitments and Schedule “None” in respect of Chartered Accountants, Company Secretaries, Cost and Works Accountants and Management Accountants.

Remove limitations regarding:

- ◆ Conditions of nationality.]

Additional Commitments:

- ◆ Undertake to recognise India's qualifications, training and professional standards which meets the standards laid down by International Federation of Accountants (IFAC).
- ◆ Seek transparent and objective implementation of visa and work permit regime.
- ◆ Strict timeframe for issue of visa.
- ◆ Mechanism to find out status of application, causes of rejection and requirements to be fulfilled.
- ◆ Easier renewal and transfer procedures

Remove following limitation in Horizontal Commitments:

- ◆ Delinking of independent professionals from juridical persons.

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India's Requests List to EC
Health Services:

This Requests* List relate to “1. A. (h) – Medical and dental services”, “1.A. (j)- Services provided by midwives, nurses, physiotherapists and paramedical personnel”, and “8.A. Hospital Services” of W/120 corresponding to UNCPC : 9312, 93191, and 9311

1. A. (h) – Medical and dental services.

Market Access:

Mode 4:

Seek specific commitments in respect of services provided by Medical doctors, Dentists, and Dieticians & Nutritionists, Dental Assistants .

- Remove requirement of residency and Nationality.
- Remove quantitative restrictions so as to enable health professionals to enter and deliver health services on demand.

National Treatment:

Mode 4:

Take full commitments & Schedule “None”.

- Remove Residency Requirement.

1.A. (j)- Services provided by midwives, nurses, physiotherapists and paramedical personnel

Market Access:

Mode 4:

Take full commitments & Schedule “None” in respect of services provided by Medical doctors, Dentists, and Dieticians & Nutritionists, Dental Assistants .

- Remove requirement of residency and Nationality.
- Remove quantitative restrictions so as to enable health professionals to enter and deliver health services on demand.
- Remove Economic Needs Test.

National Treatment:

Mode 4:

Take full commitments & Schedule “None”

- Remove Residency Requirement.

8.A. Hospital Services

Market Access:

Mode 4:

Take full commitments & Schedule “None” in respect of services provided by Medical doctors, Dentists, and Dieticians & Nutritionists, Dental Assistants; Midwives, nurses, physiotherapists and paramedical personnel: Nursing and Midwifery professionals physiotherapists and related Associate professionals Speech Therapists .

- Remove the requirement of nationality.
- Remove Local Market Tests and Economic Needs Tests.

National Treatment:

Mode 4:

Take full commitments & Schedule “None”

Additional Commitments for “1. A. (h) – Medical and dental services”, “1.A. (j)- Services provided by midwives, nurses, physiotherapists and paramedical personnel”, and “8.A. Hospital Services” sectors:

- To recognize the qualifications of Indian Medical and Dental Service Professionals and nurses.

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India's Request list to EC

Financial Service Sector

This Request* list relates to Banking and other Financial Services (excluding insurance) :

Mode 2 :

Take full commitment with regard to Data processing of financial services under Market Access & National Treatment.

Mode 3 :

Several member-states of the EC insist on incorporation of a bank subsidiary in that particular state for authorization to render financial services. A bank subsidiary incorporated in any one of the states should be accepted as incorporated within the EC for authorization in the entire EC.

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India's Request list to EC

Tourism and Travel Related Services Sector

This Request* list relates to 9 (A) Hotels & Restaurants and 9 (B) Travel Agencies, corresponding to UNCPC : 641-643 and 7471.

9.A. Hotels & Restaurants (incl. Catering) [CPC – 641-643]

Market Access:

Mode 3:

Take full commitments and schedule “None” including removal of :

- ◆ Requirement of Local ENT for opening of bars, cafes and restaurants in Italy

Mode 4:

Take full commitments and schedule “None” in respect of Professionals including General Managers, Heads of Departments like Food & Beverages, House-Keeping, Front Office, Engineering, Financial Controller and specialists like Chefs/Horticulturists through:

- Removal of condition of nationality for Cafes and Bars in France

National Treatment

Mode 4:

Take full commitments and schedule “None” in respect of Professionals including General Managers, Heads of Departments like Food & Beverages, House-Keeping, Front Office, Engineering, Financial Controller and specialists like Chefs/Horticulturists

9.B. Travel agency and tour operator Services (CPC 7471)

Mode 3:

Take full commitments and schedule “None” including removal of:

- Requirement of a permanent base in Belgium and condition of EC nationality, to obtain authorization for Non-EC incorporated companies to act as travel agencies in Belgium
- Requirement of constitution of commercial company having its corporate base in Portugal
- ENT in Italy

Mode 4:

Take full commitments and schedule “None” through:

- Removal of numerical quota in Germany

Additional Commitments for 9 (A) Hotels & Restaurants and 9 (B) Travel Agencies, corresponding to UNCPC 641-643 and 7471.

To recognise the qualifications of Indian Tourism and Travel related services professionals

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India's Request list to EC

Audio Visual Services Sector

This Request* list relates to 2.D. (a) to (f) Motion Picture and Video Tape Production and Distribution Services, Motion picture projection service, Radio and television services, Radio and television transmission services, Sound recording and Others.

Market Access and National Treatment:

Mode 4:

Take full commitments and Schedule "None".

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India's Request list to EC

Architectural Services

This Request* list relates to 1. A (d). Architectural Services corresponding to UNCPC 8671 and 1.A. (g). Urban Planning and Landscape Architectural Services corresponding to UNCPC 8674

MARKET ACCESS:

MODE 3 :

Take full commitments and Schedule "None" .

- **Allow firms of architects/ Urban planning/ Landscape architects also to practice the profession in addition to natural persons and professional associations.**
- **Remove requirement to provide service through SEL or SCP only.**

MODE 4 :

Take full commitments and Schedule "None" .

- **Remove the condition of nationality for practice of profession**

NATIONAL TREATMENT

MODE 3 :

Take full commitments and Schedule "None" .

- **Remove discriminatory treatment in respect of acquisition of land, taxes, and financing.**

MODE-4 :

Take full commitments and Schedule "None" -

- **Requirement of special authorization by royal decree in the case of Belgium for the practice of profession may be removed.**

Additional Commitments for 1. A (d). Architectural Services corresponding to UNCPC 8671 and 1.A. (g). Urban Planning and Landscape Architectural Services corresponding to UNCPC 8674

1. To enter into Mutual Recognition Agreement for qualification and license to practice (Use of professional title)
2. The MRA once entered, will give a right to practice the profession in all member states of EC.

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India's Request list to EC

Engineering services & Integrated engineering services

This Request* list relates to 1.A. (e) Engineering services UNCPC 8672 and (f) Integrated engineering services UNCPC 8673.

Market Access:

Mode 4:

Take full commitments and schedule "None" in respect of Engineering professionals including Civil Engineers, Electrical Engineers, Electronics and Telecommunication Engineers, Mechanical Engineers, Chemical engineers, Mining engineers, Metallurgist and related Professionals, Cartographers and Surveyors etc.

Remove the condition of nationality for practice of profession

National Treatment

Mode 4:

Take full commitments and schedule "None"

Additional Commitments for 1.A. (e) Engineering services UNCPC 8672 and (f) Integrated engineering services UNCPC 8673

To recognize the qualifications of Indian Engineering professionals.

Construction & Related Engineering Services

This Request* list relates to 3 (A) General Construction work for buildings UNCPC 512, 3(B) General construction work for civil engineering UNCPC 513; 3 (C) Installation and assembly work UNCPC 514 + 516; 3 (D) Building completion and finishing work UNCPC 517; 3 (E) Other UNCPC 511+515+518

Market Access & National Treatment

Mode 4:

Take full commitments and schedule "None" in respect of Engineering professionals including Civil Engineers, Electrical Engineers, Electronics and Telecommunication Engineers, Mechanical Engineers, Chemical engineers, Mining engineers, Metallurgist and related Professionals, Cartographers and Surveyors etc.

Additional Commitments for 3 (A) to (E) Construction & Related Engineering Services and 1.A. (e) Engineering services UNCPC 8672 and (f) Integrated engineering services UNCPC 8673

To recognize the qualifications of Indian Engineering professionals.

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India's Requests* List to EC (France)

Maritime Services Sector

International Transport (Freight & Passengers): (CPC 7211 & CPC 7212)

Market Access:

Mode 1:

- ◆ Remove reservation of French Aid cargo for French flag vessels.

National Treatment:

Mode 1:

Take full commitments.

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India's Request list to European Communities

Computer and Related Services

This Request* list relates to Computer and Related Services and its sub-sectors: Consultancy services for installation of computer hardware (CPC 841); Software implementation services (CPC 842); Data processing services (CPC 843); Database services (CPC 844); and Other (CPC845+849).

Market Access and National Treatment:

MODE -3:

Make commitments by binding the Mode – 3 for permitting majority share holding through Foreign Direct Investment (minimum 51%) for acquisition of companies.

MODE – 4:

Take full commitments and Schedule "None".

Additional Commitments:

- To recognize the educational qualifications, training, and experience of Indian Professionals related to Computer Related Services.

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India's Request list to EC

Engineering services & Integrated engineering services

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Market Access:

Mode 4:

Take full commitments and schedule "None" in respect of Engineering professionals including Civil Engineers, Electrical Engineers, Electronics and Telecommunication Engineers, Mechanical Engineers, Chemical engineers, Mining engineers, Metallurgist and related Professionals, Cartographers and Surveyors etc.

Remove the condition of nationality for practice of profession

National Treatment

Mode 4:

Take full commitments and schedule "None"

Additional Commitments for 1.A. (e) Engineering services UNCPC 8672 and (f) Integrated engineering services UNCPC 8673

To recognize the qualifications of Indian Engineering professionals.

Construction & Related Engineering Services

This Request* list relates to 3 (A) General Construction work for buildings UNCPC 512, 3(B) General construction work for civil engineering UNCPC 513; 3 (C) Installation and assembly work UNCPC 514 + 516; 3 (D) Building completion and finishing work UNCPC 517; 3 (E) Other UNCPC 511+515+518

Market Access & National Treatment

Mode 4:

Take full commitments and schedule "None" in respect of Engineering professionals including Civil Engineers, Electrical Engineers, Electronics and Telecommunication Engineers, Mechanical Engineers, Chemical engineers, Mining engineers, Metallurgist and related Professionals, Cartographers and Surveyors etc.

Additional Commitments for 3 (A) to (E) Construction & Related Engineering Services and 1.A. (e) Engineering services UNCPC 8672 and (f) Integrated engineering services UNCPC 8673

To recognize the qualifications of Indian Engineering professionals.

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