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**Trade in Services Agreement**

**May 6**~~October 21~~, 2016

**Second Final Revised Offer from Canada**

This second ~~final~~revised offer is expressed through commitments taken with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article I-5 (Additional commitments); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured-Nation Treatment).

**Conditions applying to Canada's second ~~final~~revised offer**

*Canada's presentation of its second ~~final~~revised offer in the context of the TISA negotiations is without prejudice to Canada revising, supplementing or withdrawing all or any part of this offer.*

This second ~~final~~revised offer is subject to the following conditions:

1. Canada's offer may change depending on the nature of final obligations, particularly with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article I-5 (Additional commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured Nation Treatment), and any new and enhanced disciplines developed by the Parties.
2. Canada obtains satisfactory offers from other Parties representing an appropriate balance of market openness relative to Canada's offer.
3. In these negotiations, Canada will seek to secure the flexibility necessary to achieve its domestic cultural policy objectives. Canada is still developing the proposals that it will make in this area. Canada reserves its right to supplement its offer with proposals related to culture and cultural industries.
4. Given that the scope of coverage in the Maritime Transport Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to, modify or withdraw its offer on Maritime Transport Services. In particular, Canada is developing a definition of international maritime transport services to enhance the legal certainty of its commitments. This Maritime Transport Services offer is also conditional on Canada receiving satisfactory offers on Maritime Transport Services from other TISA Parties.
5. Given that the scope of coverage in the Air Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to or modify its offer in the following sub-sectors:
  - Specialty Air Services (for greater certainty, a service provided from an aircraft is not committed unless specifically listed under specialty air services);
  - Airport Operation Services;
  - Ground handling Services;
  - Aircraft Repair and Maintenance Services;
  - Selling and Marketing Services; and,
  - Computer Reservation Systems Services.

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6. ~~Given that scheduling modalities for commitments on Mode 4 are yet to be agreed,~~ Canada reserves the right to add to or modify its offer with respect to Mode 4.
7. This offer is based on Canada's position regarding the current TISA text. In addition, given that the framework for making commitments on financial services is not finalized, and links to ~~other certain~~ horizontal provisions have yet to be ~~confirmed~~ agreed upon, Canada reserves the right to add to or modify its offer on Financial Services.

**Headnote to Canada's Schedule of Specific Commitments**

**1) Conditions and qualifications on national treatment and local presence, local management and boards of directors, local content and other performance requirements**

**a. Policy Space: Conditions and qualifications on national treatment and local presence, local management and boards of directors and local content and other performance requirements for future measures**

Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X 4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, ~~whether at the federal, provincial, territorial or local level of government,~~ that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X 1 (Local Presence), ~~and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance Requirements)~~

Each condition and qualification sets out the following elements:

- a listed Sector: refers, ~~for transparency purposes,~~ to the general sector in which the condition and qualification is listed
- b Sub-Sector: refers to the specific sector in which the condition and qualification is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Description: sets out the scope of the sector, sub-sector or activities covered by the condition and qualification
- e Existing Measure: identifies, for transparency purposes, an existing measure applying to the sector, sub-sector or activities covered by the condition and qualification

In interpreting a condition and qualification listed pursuant to Article II-2:4 and/or Article X 4:3, all elements of the condition and qualification are considered with the exception of Industry Classification. The Description element prevails over all other elements

~~Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II 2:4 and/or Article X 4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I 4 (National Treatment) and/or Article X 1 (Local Presence).~~

**b. Existing measures: Conditions and qualifications on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, for existing measures**

Canada's Schedule sets out, under Part I, Section B (RESERVATIONS pursuant to Article II-2:2 and II-2:3 and/or Article X 4:1 and X 4:2) and Part II (Sector-Specific Commitments), conditions and qualifications for existing measures that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X 1 (Local Presence) ~~and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance~~

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Requirements) -

Each condition and qualification sets out the following elements:

- a Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b Sub-Sector: refers, for transparency purposes, to the specific sector in which the condition and qualification is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Measure: identifies a law, regulation or other measure, as qualified, where indicated, by the dDescription element, for which a condition and qualification is listed A measure cited in the Measure element:
  - a Means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
  - b Includes a subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- e Description: sets out the aspect of the existing measure that does not conform to Article I-4 (National Treatment) and/or Article X 1 (Local Presence) and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance Requirements) for which the condition and qualification is listed

In the interpretation of a condition and qualification, all elements of the condition and qualification, with the exception of Industry Classification, are considered. The Measure element prevails over other elements, unless a discrepancy between the Measure element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the Measure element prevails, in which case the other elements prevail to the extent of that discrepancy.

For greater certainty, the fact that an existing measure has not been listed as a condition or qualification in a particular Sector or Sub-Sector shall not be interpreted as limiting the scope of the condition or qualification.

The listing of a measure in this Schedule under Part I, Section B or Part II pursuant to Article II-2:2 and II-2:3 and/or Article X 4:1 and X 4:2 is without prejudice to a future claim that Article II-2:4 and/or Article X 4:3 may apply to the measure or some application of the measure.

## **2) Terms, limitations and conditions on market access**

Canada's Schedule sets out the commitments it undertakes pursuant to Article I-3 (Market Access) and Article II-1 (Scheduling of Market Access Commitments). The Schedule also specifies, with respect to sectors where such commitments are undertaken, the terms, limitations and conditions on market access.

Each term, limitation and condition sets out the following elements:

- a Sector: refers to the general sector in which the term, limitation and condition is listed
- b Sub-Sector: refers to the specific sector in which the term, limitation and condition is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Description: sets out the scope of the sector, sub-sector or activities covered by the term, limitation and condition

In the interpretation of a term, limitation and condition, all elements of the term, limitation and condition are considered, except that the Industry Classification element shall only be considered to the extent that the other elements, taken as a whole, leave the meaning of the term, limitation and condition ambiguous or obscure or leads to a result which is manifestly

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absurd or unreasonable

3)

Where a measure is listed as both a term, limitation and condition on market access and a condition and qualification on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, the rules governing the interpretation of conditions and qualifications on national treatment and local presence, local management and boards of directors, and local content and other performance requirements as set out under paragraph 1 of this headnote shall apply to the exclusion of those governing the interpretation of terms, limitations and conditions on market access as set out under paragraph 2 of this headnote

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PART I: HORIZONTAL COMMITMENTS – SECTION A

Sector or subsector	Mode	Other Limitations
<b><u>Reservations pursuant to Article II-2:4 and/or Article X.4:3 of the Localization annex</u></b>		
Canada reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
All sectors: Aboriginal Affairs	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure denying service suppliers of a Party any rights or preferences provided to aboriginal peoples.</p> <p><u>Existing Measures:</u> <i>Constitution Act, 1982, being Schedule B of the Canada Act 1982 (U.K.), 1982, c. 11</i></p>
All sectors: Oceanfront Land	3	<p>National Treatment</p> <p>Canada reserves the right to adopt or maintain any measure relating to residency requirements for the ownership by service suppliers of a Party of oceanfront land.</p>
All sectors: Socially or Economically Disadvantaged Minorities	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure conferring rights or privileges to a socially or economically disadvantaged minority.</p>
Cultural Industries	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a cultural industry. For the purposes of this reservation:</p> <p>“cultural industry” means a person engaged in the following activities:</p> <ol style="list-style-type: none"><li>the publication, distribution or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li><li>the production, distribution, sale or exhibition of film or video recordings;</li><li>the production, distribution, sale or exhibition of audio or video music recordings;</li><li>the publication, distribution or sale of music in print or machine-readable form; or</li><li>radiocommunications in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li></ol>

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Sector or subsector	Mode	Other Limitations
Social Services	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure for providing public law enforcement and correctional services, as well as the following services to the extent that they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.</p>
Sector: Communications  Sub-sector: Telecommunications Transport Networks and Services Radiocommunications	3	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any measure:</p> <ul style="list-style-type: none"> <li>(a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;</li> <li>(b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;</li> <li>(c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.</li> </ul> <p>The following exceptions apply to this reservation:</p> <ul style="list-style-type: none"> <li>(a) foreign investment is allowed up to 100% for suppliers conducting operations under an international submarine cable licence;</li> <li>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</li> <li>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</li> <li>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</li> <li>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</li> </ul> <p><u>Existing Measures:</u></p> <p><i>Telecommunications Act, S.C. 1993, c. 38</i>  <i>Canadian Telecommunications Common Carrier Ownership and Control Regulations, SOR/94-667</i></p>

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Sector or subsector	Mode	Other Limitations
		<i>Radiocommunications Act, R.S.C. 1985, c. R-2 Radiocommunication Regulations, SOR/96-484</i>
<u>Sector: Financial Services</u>	<u>1</u>	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u>
<u>Sub-sector: All</u>		
<u>Sector: Financial Services</u>	<u>2</u>	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u>
<u>Sub-sector: All</u>		
Sector: Financial Services	1), 2)	<u>National Treatment</u>  <u>Canada reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</u>  <u>a. Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [...] (Financial Services) of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement; and</u>  <u>b. Paragraph 3 of Article II-2 of the Agreement shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement.</u>
Sub-sector: All		
Sector: Financial Services	All	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measure with respect to housing finance programs.</u>
Sub-sector: All		
Sector: Fisheries	All	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measure with respect to licensing fishing or fishing related activities including entry of foreign fishing vessels to Canada's exclusive economic zone, territorial sea, internal waters or ports and use of services therein.</u>  <u>Existing Measures:</u> <i>Coastal Fisheries Protection Act, R.S.C. 1985, c. C-33</i> <i>Fisheries Act, R.S.C 1985, c. F-14</i> <i>Coastal Fisheries Protection Regulations, C.R.C. 1978, c. 413</i> <i>Commercial Fisheries Licensing Policy</i> <i>Policy on Foreign Investment in the Canadian Fisheries Sector, 1985</i>
Sub-sector: Services Incidental to Fishing		
Sector: Government Finance	3	<u>National Treatment</u>

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Sector or subsector	Mode	Other Limitations
Sub-sector: Securities		<p>Canada reserves the right to adopt or maintain any measure relating to the acquisition, sale or other disposition by nationals of a Party of bonds, treasury bills or other kinds of debt securities issued by the Government of Canada or a Canadian sub-national government.</p> <p><u>Existing Measures:</u> <i>Financial Administration Act, R.S.C. 1985, c. F-11</i></p>
Sector: Transportation	All	<u>National Treatment, Local Presence</u>
Sub-sector: Air Transportation		Canada reserves the right to adopt or maintain any measure relating to the selling and marketing of air transportation services.
Sector: Transportation  Sub-sectors: - CPC 721 Transportation Services by Sea-going Vessels - CPC 722 Transportation Services by Non-sea-going Vessels - CPC 745 Supporting Services for Water Transport - CPC 5133 and 5233 Construction Work for Waterways, Harbours, Dams and Other Water Works - Any other marine activity of a commercial nature undertaken by or from a vessel.	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the investment in or provision of marine cabotage services, including:</p> <ul style="list-style-type: none"> <li>(a) the transportation of either goods or passengers by ship between points in the territory of Canada or above the continental shelf of Canada, either directly or by way of a place outside Canada; but with respect to waters above the continental shelf of Canada, the transportation of either goods or passengers only in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada; and</li> <li>(b) the engaging by ship in any other marine activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other marine activities of a commercial nature that are in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf.</li> </ul> <p>This reservation relates to, among other things, limitations and conditions for service providers entitled to participate in these activities, criteria for the issuance of a temporary cabotage license to foreign ships and limits on the number of cabotage licenses issued to foreign ships.</p>
Sector: Transportation  Sub-sector: International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure inconsistent with Article I-4 with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].</p>
Sector: Transportation  Sub-sector: Technical testing and analysis services related to International maritime transport (Freight and	All	<p><u>Local Presence</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the recognition of a person, classification society or organization authorized to carry out statutory inspections and certification of ships on behalf of Canada. For greater certainty, only a person, classification society or other organization authorized by Canada, and having a local presence in Canada, may carry out statutory inspections and issue Canadian Maritime Documents to Canadian registered ships and their equipment on behalf of Canada.</p>

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Sector or subsector	Mode	Other Limitations
passengers) CPC 7211 and 7212		
Sector: Postal Services  Sub-sector: Postal services, mail transportation by any mode of transport.  CPC 7511, 7321, 71124, 71235	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a>, <a href="#">Local Content and Other Performance Requirements</a></p> <p>Canada reserves the right to adopt or maintain any measure related to Canada Post's exclusive privilege. Under the Canada Post Corporation Act, the Canada Post Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters, as defined in the Letter Definition Regulations, within Canada.</p> <p><u>Existing Measures:</u>  <i>Canada Post Corporation Act, R.S.C., 1985, c. C-10</i>  <i>Letter Definition Regulations, SOR/83-481</i></p>
All sectors: Subsidies	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a subsidy or grant provided by a Party or a state enterprise, including a government-supported loan, guarantee or insurance.</p>
All sectors: Taxation Measures	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a>, <a href="#">Local Content and Other Performance Requirements</a></p> <p>Canada reserves the right to adopt or maintain any taxation measure:</p> <ol style="list-style-type: none"> <li>1. that distinguishes between service suppliers who are not alike, in particular with regard to their place of residence or with regard to the place where their capital is invested;</li> <li>2. that aims to prevent the avoidance or evasion of taxes pursuant to its tax laws or tax conventions;</li> <li>3. that falls within the scope of a tax convention of which Canada is a Party. In the event of inconsistency between this Agreement and any such convention, that convention prevails to the extent of the inconsistency.</li> <li>4. that provides a more favourable tax treatment to a corporation that is a service supplier, or to a shareholder of a corporation that is a service supplier, on the basis that the corporation is wholly or partly owned or controlled, directly or indirectly, by one or more investors who are residents of that Party;</li> <li>5. that provides an advantage relating to the contributions made to, or income of, an arrangement providing for the deferral of, or exemption from, tax for pension, retirement, savings, education, health, disability or other similar purposes, conditional on a requirement that that Party maintains continuous jurisdiction over such arrangement;</li> <li>6. that provides an advantage relating to the purchase or consumption of a particular service, conditional on a requirement that the service be provided in the territory of that Party;</li> <li>7. that provides an advantage to a government, a part of a government, or a person that is directly or indirectly owned, controlled or</li> </ol>

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Sector or subsector	Mode	Other Limitations
		<p>established by a government;</p> <p>8. that aims at ensuring the equitable and effective imposition or collection of taxes, including a measure that is taken by a Party in order to ensure compliance with the Party's taxation system;</p> <p>9. that provides an advantage to a charity or a non-profit organization;</p> <p>10. that imposes tax in respect of a service that is acquired outside Canada for consumption, use or supply in Canada, in respect of the use of a service outside Canada that is in relation to an activity, business or adventure in the nature of trade in Canada, or in respect of an outlay made or expense incurred outside Canada that may reasonably be regarded as being applicable to an activity carried on, engaged in, or conducted in Canada;</p> <p>11. that imposes tax in respect of net premiums paid to non-resident insurers or exchanges in regard to a contract against a risk ordinarily within Canada, unless such insurance is deemed not to be available in Canada, or in respect of net premiums payable with regard to a contract entered into through a non-resident broker or agent, with an insurer authorized under the laws of Canada or of any province or territory to carry out the business of insurance;</p> <p>12. that results in differences in treatment with respect to delivery by mail of goods in Canada;</p> <p>13. that provides an advantage to a person that is licensed, accredited, certified, registered or otherwise authorized to carry out an activity or to practice a trade, occupation or profession in Canada; or</p> <p>14. that results in differences in treatment with respect to foreign-based rental vehicles.</p> <p>For the purposes of this reservation and for greater certainty:</p> <p><b>"taxation measure"</b> means a taxation measure adopted or maintained at any level of government.</p> <p><b>"tax convention"</b> means a convention for the avoidance of double taxation or other international taxation agreements or arrangements.</p>
All sectors: Movement of Natural Persons Providing Services	4	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any immigration measure, including any measure affecting the application and processing of entry visas, except as specifically set out in this Schedule.</p> <p><u>Intra-Corporate Transferees</u></p> <p>Natural persons of another Party who have been employed by a juridical person of another Party for a period of not less than one year within the three-year period immediately preceding the date of application for admission to Canada and seeks temporary entry in order to render services to (i) the same juridical person which is engaged in substantive business operations in Canada or (ii) a juridical person constituted in Canada and engaged in substantive business operations in Canada which is owned by or controlled by or affiliated with the aforementioned juridical person.</p>

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Sector or subsector	Mode	Other Limitations
		<p>These comprise:</p> <ul style="list-style-type: none"> <li>a) Executives Natural persons employed by a juridical person who primarily direct the management of that juridical person, establish goals and policies for the juridical person or for one of its major components or functions, have wide decision-making powers and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the juridical person.</li> <li>b) Managers Natural persons employed by a juridical person who directs that juridical person or one of its departments or subdivisions; supervises and controls the work of other supervisory, professional or managerial employees; exercises discretionary authority over day-to-day operations at a senior level.</li> </ul> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying intra-corporate transferees.</i></p> <p>Entry and stay shall be for an initial period equivalent to the lesser of 3 years or the period of the transfer, with the possibility of extensions. Entry and stay, including extensions, may not exceed seven years.</p> <p><u>Business Visitors</u></p> <p>Natural persons who enter Canada for a purpose outlined in the chart below, without acquiring remuneration from within Canada and without engaging in direct sales or supplying services to the general public.</p> <p><i>Labour market tests or other procedures of similar intent and work permits are not required for qualifying business visitors.</i></p> <p>Entry and stay shall be for a period of no more than 90 days.</p> <p><u>Contract Service Suppliers (CSS)</u></p> <p>Natural persons who are employees of a juridical person of another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that juridical person of the other Party (other than agencies as defined by CPC 872), in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying contract service suppliers.</i></p> <p>Entry and stay shall be for a period of one year or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p> <p><u>Independent Professionals</u></p> <p>Natural persons who are self-employed professionals in another Party and seek to engage, as part of a services contract granted by a</p>

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Sector or subsector	Mode	Other Limitations
		<p>juridical person or a services consumer in Canada and obtained by that professional in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying independent professionals.</i></p> <p>Entry and stay shall be for a period of 90 days or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p>

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**Business Visitors  
List of Acceptable Purposes**

***Meetings and Consultations***

Business persons attending meetings, seminars, conferences, conventions, or trade fairs, or engaged in consultations with business associates.

***Research and Design***

Technical, scientific and statistical researchers conducting independent research or research for an enterprise located in the territory of another Party.

***Commercial Transactions***

Management, supervisory, purchasing, and financial services personnel (insurers, bankers, or investment brokers) conducting commercial transactions for an enterprise located in the territory of another Party.

***Marketing***

Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise located in the territory of another Party.

***Sales***

Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in the territory of another Party but not delivering goods or providing services.

***Distribution***

Transportation operators transporting goods or passengers to the territory of Canada from the territory of another Party or loading and transporting goods or passengers from the territory of Canada, with no unloading in that territory, to the territory of another Party.

Customs brokers providing consulting services regarding the facilitation of the import or export of goods.

***After-Sales or After-Lease Service***

Installers, repair and maintenance personnel, and supervisors, possessing specialized knowledge essential to a seller's or lessor's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located outside the territory of Canada into which temporary entry is sought, during the

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life of the warranty or service agreement.

***General Service***

Contract service suppliers and independent professionals engaging in an acceptable purpose for business visitors set out in this List of Acceptable Purposes.

Tour guides or tour operators conducting a tour that has begun in the territory of another Party.

Employees of an enterprise located in the territory of another Party supporting a business activity in the territory of the other Party by performing translation and interpretation services directly to their enterprise.

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**Chart for Contract Service Suppliers and Independent Professionals**

<b>Occupation</b>	<b>Minimum Education Requirements/Alternative Credentials</b>	<b>Other Requirements</b>
Engineers	Baccalaureate degree. <sup>1</sup>	Provincial license. <sup>3</sup>
Agrologists	Baccalaureate degree in agriculture or related science plus four years of related experience.	Licensing is required in New Brunswick, Alberta and Québec. Temporary licensing is required in British Columbia.
Architects	Baccalaureate degree in architecture.	Provincial license and certificate required to practice.
Forestry Professionals	Baccalaureate degree in forestry management or forestry engineering, or a provincial license.	Licensing as a forester or forestry engineer is required in Alberta, British Columbia and Québec.
Geomatics Professionals	Baccalaureate degree in surveying, geography or environmental sciences plus three years related experience.	
Land Surveyors	Baccalaureate degree.	Provincial license.
Foreign Legal Consultants	Baccalaureate degree in law.	Provincial license.
Urban Planners	Baccalaureate degree in urban planning.	Provincial license.
Senior Computer Specialists	Graduate degree <sup>2</sup> in computer sciences, or related discipline; and ten (10) years of experience in computer science.	

<sup>1</sup> The term "Baccalaureate degree" means a degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>2</sup> The term "Graduate degree" means at least a Masters degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>3</sup> The term "Provincial license" means any document issued by a provincial government, or under its authority, which permits a person to engage in a regulated activity or profession.

*Without Prejudice*

**PART I: HORIZONTAL COMMITMENTS - SECTION B**

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<b>Limitations on Market Access pursuant to Article II-1</b>		<b>Reservations pursuant to Articles II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2</b>	
	Canada maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		Canada maintains the following conditions and qualifications on national treatment, <u>and</u> local presence, <u>local management and boards of directors and local content and other performance requirements</u> in all sectors:	
All sectors: Cross border and consumption abroad	1), 2) None.			
All sectors: Commercial presence	3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments: <ul style="list-style-type: none"> <li>(a) any direct acquisition of a Canadian business with assets of C\$5 million or more;</li> <li>(b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and</li> <li>(c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.</li> </ul> 2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a		<u>National Treatment, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> <ul style="list-style-type: none"> <li>3) 1. Under the <i>Investment Canada Act</i>, the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:               <ul style="list-style-type: none"> <li>(a) any direct acquisition of a Canadian business with assets of C\$5 million or more;</li> <li>(b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and</li> <li>(c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.</li> </ul> </li> <li>2. For the purposes of this reservation:  <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and  <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a             </li> </ul>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment;</li> </ul>		<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment; and</li> </ul>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and</p> <p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>		<p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices} - \text{x amount determined for previous year}}{\text{Previous Year Nominal GDP at Market Prices}}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars.</p> <p><b>Measures</b></p>		<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices} - \text{x amount determined for previous year}}{\text{Previous Year Nominal GDP at Market Prices}}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars</p>	

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***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>	<u>Measures</u> <i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>		
All sectors: Commercial presence	<p>3) The acquisition of control of a Canadian business, or establishment of a new business related to Canada's cultural heritage or national identity, by a non-Canadian is subject to approval.</p> <p>For the purposes of this schedule of commitments, businesses related to Canada's cultural heritage and national identity mean persons engaged in the following activities:</p> <ul style="list-style-type: none"> <li>a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li> <li>b) the production, distribution, sale or exhibition of film or video recordings;</li> <li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li> <li>d) the publication, distribution or sale of music in print or machine readable form; or</li> <li>e) radiocommunication in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li> </ul>			
All sectors: Commercial presence		National Treatment, <u>Local Management and Boards of Directors</u>		
	3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing	3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>		
All sectors: Commercial presence		<p><u>National Treatment</u></p> <p>3) A corporation may place constraints on the issue, transfer and ownership of shares in a federally incorporated corporation. The object of those constraints is to permit a corporation to meet Canadian ownership or control requirements, under certain laws set out in the <i>Canada Business Corporations Act Regulations</i>, in sectors where Canadian ownership or control is required as a condition to receive licenses, permits, grants,</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>payments or other benefits. In order to maintain certain Canadian ownership levels, a corporation is permitted to sell shareholders' shares without the consent of those shareholders, and to purchase its own shares on the open market.</p> <p>The <i>Canada Cooperatives Act</i> provides that constraints may be placed on the issue or transfer of investment shares of a cooperative to persons not resident in Canada to permit cooperatives to meet Canadian ownership requirements to obtain a license to carry on a business, to become a publisher of a Canadian newspaper or periodicals or to acquire shares of a financial intermediary and in sectors where Canadian ownership or control is a required condition to receive licenses, permits, grants, payments and other benefits. Where the ownership or control of investment shares would adversely affect the ability of a cooperative to maintain a level of Canadian ownership or control, the <i>Canada Cooperatives Act</i> provides for the limitation of the number of investment shares that may be owned or for the prohibition of the ownership of investment shares.</p> <p>For the purposes of this reservation <b>Canadian</b> means “Canadian” as defined in the Canada Business Corporations or in the Canada Cooperatives Regulations.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256</p>		
All sectors: Commercial presence		<p>National Treatment, <u>Local Management and Boards of Directors</u></p> <p>3) The <i>Canada Business Corporations Act</i> requires for most federally incorporated corporations, that 25 percent of directors be resident Canadians and, if such</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>corporations have fewer than four directors, at least one director must be a resident Canadian. As provided in the <i>Canada Business Corporations Regulations</i>, simple majority of resident Canadian directors is required for corporations in the following sectors: uranium mining; book publishing or distribution; book sales, where the sale of books is the primary part of the corporations business, and film or video distribution. Similarly, corporations that, by an Act of Parliament or Regulation, are individually subject to minimum Canadian ownership requirements are required to have a majority of resident Canadian directors.</p> <p>For purposes of the <i>Canada Business Corporations Act</i>, <b>resident Canadian</b> means an individual who is a Canadian citizen ordinarily resident in Canada, a citizen who is member of a class set out in the <i>Canada Business Corporation Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than one who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>In the case of a holding corporation, not more than one-third of the directors need be resident Canadians if the earnings in Canada of the holding corporation and its subsidiaries are less than 5 percent of the gross earnings of the holding corporation and its subsidiaries.</p> <p>The <i>Canada Cooperatives Act</i> requires that not less than two-thirds of the directors be members of the cooperative. At least 25 percent of directors of a cooperative must be resident in Canada; if a cooperative has only three directors, at least one director must be resident in Canada.</p> <p>For the purposes of the <i>Canada Cooperatives Act</i>, a resident of Canada is defined in the <i>Canada Cooperatives Regulations</i> as an individual who is a Canadian citizen and who is ordinarily resident in Canada; a Canadian citizen who is ordinarily resident in Canada and who is a</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>member of a class set out in the <i>Canada Cooperatives Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than a permanent resident who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>Under Part IV of the <i>Canada Corporations Act</i>, a simple majority of the elected directors of a Special Act corporation must be resident in Canada and citizens of a Commonwealth country. This requirement applies to every joint stock company incorporated subsequent to June 22, 1869 by any Special Act of Parliament.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256  Special Acts of Parliament incorporating specific companies</p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) The <i>Foreign Ownership of Land Regulations</i> are made pursuant to the <i>Citizenship Act</i> and the Alberta <i>Agricultural and Recreational Land Ownership Act</i>, RSA 1980, c. A-9. In Alberta, an ineligible person or foreign-owned or -controlled corporation may only hold an interest in controlled land consisting of maximum of 2 parcels containing, in the aggregate, a maximum of 20 acres.</p> <p>For the purpose of this reservation:</p> <p><b>ineligible person</b> means:</p> <p>(a) a natural person who is not a Canadian citizen or</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>permanent resident;</p> <p>(b) a foreign government or agency thereof; or</p> <p>(c) a corporation incorporated in a country other than Canada.</p> <p><b>Controlled land</b> means land in Alberta but does not include:</p> <p>(a) land of the Crown in right of Alberta;</p> <p>(b) land within a city, town, new town, village or summer village; and</p> <p>(c) mines or minerals.</p> <p><b>Measures:</b></p> <p><i>Citizenship Act, R.S.C. 1985, c. C-29</i>  <i>Foreign Ownership of Land Regulations, SOR/79-416</i></p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) A "non-resident" or "non-residents" may not own more than a specified percentage of the voting shares of the corporation to which each Act applies. For some companies the restrictions apply to individual shareholders, while for others the restrictions may apply in the aggregate. Where there are limits on the percentage that an individual Canadian investor can own, these limits also apply to non-residents. The restrictions are as follows:</p> <ul style="list-style-type: none"> <li>• Air Canada: 25% in the aggregate;</li> <li>• Cameco Limited (formerly Eldorado Nuclear Limited): 15% per non-resident natural person, 25% in the aggregate;</li> <li>• Nordion International Inc.: 25% in the aggregate;</li> <li>• Theratronics International Limited: 49% in the aggregate; and</li> <li>• Canadian Arsenals Limited: 25% in the aggregate.</li> </ul> <p>For the purposes of this reservation, "non-resident"</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>includes:</p> <ul style="list-style-type: none"> <li>a) a natural person who is not a Canadian citizen and not ordinarily resident in Canada;</li> <li>b) a corporation incorporated, formed or otherwise organized outside Canada;</li> <li>c) the government of a foreign State or a political subdivision thereof, or a person empowered to perform a function or duty on behalf of such a government;</li> <li>d) a corporation that is controlled directly or indirectly by an entity referred to in subparagraphs (a) through (c);</li> <li>e) a trust:           <ul style="list-style-type: none"> <li>(i) established by an entity referred to in subparagraphs (b) through (d), other than a trust for the administration of a pension fund for the benefit of natural persons the majority of whom are resident in Canada, or</li> <li>(ii) in which an entity referred to in subparagraphs (a) through (d) has more than 50% of the beneficial interest; and</li> </ul> </li> </ul> <p>a corporation that is controlled directly or indirectly by a trust referred to in subparagraph (e).</p> <p><u>Measures:</u></p> <p><i>Air Canada Public Participation Act, R.S.C. 1985, c. 35 (4th Supp.)</i></p> <p><i>Canadian Arsenals Limited Divestiture Authorization Act, S.C. 1986, c. 20</i></p> <p><i>Eldorado Nuclear Limited Reorganization and Divestiture Act, S.C. 1988, c. 41</i></p> <p><i>Nordion and Theratronics Divestiture Authorization Act,</i></p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Energy			<p>S.C. 1990, c. 4</p> <p><u>National Treatment</u></p> <p>1) 2) 4) Under the <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada-Newfoundland Atlantic Accord Implementation Act</i>, in order to proceed with an oil and gas development project in the offshore area, a corporation or other body may be required to:</p> <ul style="list-style-type: none"> <li>(a) give first consideration to individuals resident in the province for training and employment, and</li> <li>(b) give first consideration to services provided from within the province, where those services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p><u>Measures:</u></p> <p><i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i>, S.C. 1988, c. 28</p> <p><i>Canada-Newfoundland Atlantic Accord Implementation Act</i>, S.C. 1987, c. 3</p>	
All sectors: Energy			<p><u>Local Content and Other Performance Requirements</u></p> <p>3) Under the <i>Hibernia Development Project Act</i>, Canada and the Hibernia Project Owners may enter into agreements. Those agreements may require the Project Owners to undertake to perform certain work in Canada and Newfoundland and Labrador and to use their best efforts to achieve specific Canadian and Newfoundland target levels in relation to the provisions of a "benefits plan" required under the <i>Canada-Newfoundland and Labrador Atlantic Accord Implementation Act</i>. "Benefits plans" are further described in the reservation below.</p> <p>In addition, Canada may impose in connection with the Hibernia project a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<u>national or enterprise in Canada.</u>  <u>Measures:</u> <input type="checkbox"/> <i>Hibernia Development Project Act, S.C. 1990, c. 41</i> <input type="checkbox"/> <i>Canada–Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987, c. 3</i>	
All sectors: Energy			<u>Local Presence</u>  <u>1)2)3)4) Under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister in order to be authorized to proceed with an oil and gas development project.</u>  <u>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</u>  <u>The benefits plan contemplated by the <i>Canada Oil and Gas Operations Act</i> permits the Minister to impose on the applicant an additional requirement to ensure that disadvantaged individuals or groups have access to training and employment opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u>  <u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the <i>Canada Yukon Oil and Gas Accord</i>.</u>  <u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> will be included in laws or regulations to implement the Northwest Territories Oil and Gas Accord and the Canada–Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords shall be deemed, once</u>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments	
			<p>concluded, to be existing measures.</p> <p>The <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada-Newfoundland and Atlantic Accord Implementation Act</i> have the same requirement for a benefits plan but also require that the benefits plan ensures that:</p> <ul style="list-style-type: none"> <li>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision making are to take place, prior to carrying out work or an activity in the offshore area;</li> <li>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</li> <li>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</p> <p>In addition, Canada may impose a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a person of Canada in connection with the approval of development projects under the applicable Acts.</p> <p><b>Measures:</b></p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><i>Canada Oil and Gas Production and Conservation Act, R.S.C. 1985, c. O-7, as amended by Canada Oil and Gas Operations Act, S.C. 1992, c. 35</i></p> <p><i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></p> <p><i>Canada–Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></p> <p>Measures implementing the <i>Canada Yukon Oil and Gas Accord</i>, including the <i>Canada Yukon Oil and Gas Accord Implementation Act, 1998, c. 5, s.20</i> and the <i>Oil and Gas Act, R.S.Y. 2002, c. 162</i></p> <p>Measures implementing the <i>Northwest Territories Oil and Gas Accord</i>, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories.</p> <p>Measures implementing the <i>Canada Quebec Gulf of St. Lawrence Petroleum Resources Accord</i></p>	
All sectors: Energy			<p>National Treatment, Local Presence, Local Content and Other Performance Requirements</p> <p>1)2)3)4) Before any work, activity or development plan may be approved under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister responsible for that Act.</p> <p>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</p> <p>The Minister responsible for that Act has the authority to require that a benefits plan includes an “affirmative action program” to ensure that disadvantaged individuals or groups have access to training and employment</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u></p> <p><u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the Canada-Yukon Oil and Gas Accord and the Northwest Territories Oil and Gas Accord.</u></p> <p><u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> may be included in federal laws or regulations to implement accords with various provinces and territories, including the Canada-Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords and implementing legislation shall be deemed, once concluded, to be existing measures.</u></p> <p><u>The <i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada - Newfoundland and Labrador Atlantic Accord Implementation Act</i> have an equivalent requirement for a benefits plan but also require that the benefits plan ensures that:</u></p> <ul style="list-style-type: none"> <li>• <u>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</u></li> <li>• <u>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</u></li> <li>• <u>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality</u></li> </ul>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><a href="#">and delivery.</a></p> <p><a href="#">The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</a></p> <p><b>Measures:</b></p> <p><a href="#">Canada Oil and Gas Operations Act R.S.C., 1985, c. O-7</a></p> <p><a href="#">Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</a></p> <p><a href="#">Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</a></p> <p><a href="#">Measures implementing the Canada-Yukon Oil and Gas Accord, including the Canada-Yukon Oil and Gas Accord Implementation Act, 1998, c.5, s. 20 and the Oil and Gas Act, RSY 2002, c. 162</a></p> <p><a href="#">Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories</a></p> <p><a href="#">Measures implementing the Accord between the Government of Canada and the Government of Quebec for the joint management of petroleum resources in the Gulf of St. Lawrence or any other similar federal-provincial accords related to the joint management of petroleum resources.</a></p>	
All sectors: Export and import permits			<p><b>Local Presence</b></p> <p>1) 2) 4) Only individuals ordinarily resident in Canada, enterprises having their head offices in Canada or branch offices in Canada of foreign enterprises may apply for and be issued import or export permits or transit authorization certificates for goods and related services subject to controls under the <i>Export and Import Permits Act</i>.</p> <p><b>Measures:</b></p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Examination of Cultural Property			<u>Local Presence</u> 1) 2) 3) 4) Only a "resident of Canada" or an "institution" in Canada may be designated as an "expert examiner" of cultural property for purposes of the <i>Cultural Property Export and Import Act</i> . A "resident" of Canada is an individual who is ordinarily resident in Canada, or a corporation that has its head office in Canada or maintains one or more establishments in Canada to which employees employed in connection with the business of the corporation ordinarily report for work. An "institution" is an institution that is publicly owned and operated solely for the benefit of the public, that is established for educational or cultural purposes and that conserves objects and exhibits them. <u>Measures:</u> <i>Cultural Property Export and Import Act</i> , R.S.C. 1985, c. C-51	
All sectors: Taxation measures			<u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> 1) 2) 3) 4) Canada reserves the right to maintain any existing taxation measure.	
All sectors: Sub-federal measures			<u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> 1) 2) 3) 4) Canada reserves the right to maintain any existing non-conforming measure of provincial, territorial, and local governments or authorities.	
All sectors: Movement of Natural Persons Providing Services	4) Unbound for the entry of a natural person except for the specified commitments in Part I, Section A.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
<b>PART II. SECTOR-SPECIFIC COMMITMENTS</b>						
<b>1. BUSINESS SERVICES</b>						
A*. Professional Services				← Formatierte Tabelle		
a) Legal Services <sup>4</sup>	1) None. 2) None. 3) None, other than:  Foreign Legal Consultants Advisory services (CPC 861*)  iii. International Law	Commercial presence must take the form of a sole proprietorship or partnership.  4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Lawyers</u> (Alberta, Ontario, Newfoundland and Labrador): Requirement to be permanent resident for accreditation.				
b) Accounting, auditing and book-keeping services (CPC 862)	1) None, other than:  <u>Auditing</u> (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence. (Nova Scotia): Residency requirement for licence. (Alberta): Permanent residence required for accreditation.  2) None, other than:  <u>Auditing</u> (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial	1) 2) 4) Banks are required to have a firm of accountants to be auditors of the bank. A firm of accountants must be qualified as set out in the <i>Bank Act</i> . Among the qualifications required is that two or more members of the firm must be ordinarily resident in Canada and that the member of the firm jointly designated by the firm and the bank to conduct the audit must be ordinarily resident in Canada.  An insurance company, a cooperative credit association, and a trust or loan company require an auditor who can either be a natural person or a firm of accountants. An auditor of such an institution must be qualified as set out				

<sup>4</sup> For the purpose of this entry:

'foreign law' – the laws of the territories of TISA Parties and other countries other than the law of Canada

'international law' – includes law established by international treaties and conventions, as well as customary law.

\* Asterisks designate "part of"  
\* Asterisks designate "part of"

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<p><b>presence:</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p> <p>3) None, <b>other than:</b>  <b>Commercial presence must take the form of a sole proprietorship or partnership.</b></p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence:</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p>	<p>in the <i>Insurance Companies Act</i>, the <i>Cooperative Credit Associations Act</i> or the <i>Trust and Loan Companies Act</i>, as the case may be. In the case where a natural person is appointed to be the auditor of such a financial institution, among the qualifications required is that the person must be ordinarily resident in Canada. In the case where a firm of accountants is appointed to be the auditor of such a financial institution, the member of the firm jointly designated by the firm and the financial institution to conduct the audit must be ordinarily resident in Canada.</p> <p><b>Measures:</b>  <i>Bank Act</i>, S.C. 1991, c. 46  <i>Insurance Companies Act</i>, S.C. 1991, c. 47  <i>Cooperative Credit Associations Act</i>, 1991, c. 48  <i>Trust and Loan Companies Act</i>, 1991, c. 45</p>		
c) Taxation Services (excluding legal services) (CPC 863*)	<p>1) None.            2) None.            3) None.            4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Architectural services (CPC 8671)  Advisory and pre-design architectural services (CPC 86711)  Architectural design services (CPC 86712)  Contract administration services	<p>1) None.            2) None.            3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 86713)  Combined architectural design and contract administration services (CPC 86714)  Other architectural services (CPC 86719)				
e) Engineering services (CPC 8672)  Advisory and consultative engineering services (CPC 86721)  Engineering design services for foundations and building structures (CPC 86722)  Engineering design services for mechanical and electrical installations for buildings (CPC 86723)  Engineering design services for civil engineering construction (CPC 86724)  Engineering design for industrial processes and production (CPC 86725)  Engineering design services n.e.c. (CPC 86726)	1) None, other than:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.  2) None <del>,</del> other than:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.  3) None.  4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other engineering services during the construction and installation phase (CPC 86727)				
Other engineering services (CPC 86729)				
f) Integrated engineering services (CPC 8673)  Integrated engineering services for transportation infrastructure turnkey projects (CPC 86731)  Integrated engineering and project management services for water supply and sanitation works turnkey projects (CPC 86732)  Integrated engineering services for the construction of manufacturing turnkey projects (CPC 86733)  Integrated engineering services for other turnkey projects (CPC 86739)	1) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.  2) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.  3) None.  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal <u>Commitments, and Commitments and</u> :  <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
g) Urban planning and landscape architectural services (CPC 8674)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Computer and Related Services</u>  (CPC 84, except those listed under Financial Services 7B1.)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
C*. <u>Research and Development Services</u>  a) Research and experimental development services on natural sciences and engineering (CPC 851)	1)2)3) None, except for:  (Alberta, <b>Manitoba</b> , Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Alberta, <b>Manitoba</b> , Yukon): Unbound			
b*) Research and experimental development services on social sciences and humanities, including law, economics, except linguistics and language (CPC 852*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Interdisciplinary research and experimental development services (CPC 853)	1)2)3) None, except for:  (Alberta, Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments,			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	and:  (Alberta, Yukon): Unbound			
D. <u>Real Estate Services</u>				
a) Real estate services involving own or leased property (CPC 821)	1) None, other than:  <u>Real Estate Services</u> ( <a href="#">Ontario</a> , <a href="#">Nova Scotia</a> , <a href="#">Newfoundland and Labrador</a> , Prince Edward Island, <a href="#">Saskatchewan</a> ): Services must be supplied through a commercial presence.			
b) Real estate services on a fee or contract basis (CPC 822)	2) None. 3) None. 4) <a href="#">None</a> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Real Estate Services</u> ( <a href="#">Ontario</a> , <a href="#">Nova Scotia</a> , <a href="#">Newfoundland and Labrador</a> , Prince Edward Island, <a href="#">Saskatchewan</a> ): Services must be supplied through a commercial presence.  <u>Real Estate Agents</u> (Alberta, <a href="#">Newfoundland and Labrador</a> ): Services must be supplied through a commercial presence.			
E*. <u>Rental/Leasing Services without Operators</u>				
a),b),c),d) Leasing or rental services concerning machinery and equipment without operator,	1) None. 2) None. 3) None.			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
including computers (CPC 831)	4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e*) Leasing or rental services concerning personal and household goods (excluding in 83201, the rental of pre-recorded records, sound cassettes, CD's and excluding 83202, rental services concerning video tapes) (CPC 832*)				
F*. <u>Other Business Services</u>				
b) Market research and public opinion polling services (CPC 864)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Management consulting services (CPC 865)  General management Consulting services (CPC 86501)  Financial management consulting services (CPC 86502)  Marketing management consulting services (CPC 86503)  Human resources management consulting	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
services (CPC 86504)				
Production management consulting services (CPC 86505)				
Public relations services (CPC 86506)				
Other management consulting services, including agrology, agronomy, farm management and related consulting services (CPC 86509)				
d) Services related to management consulting (CPC 866)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e) Technical testing and analysis services including quality control and inspection (CPC 8676)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
f*) Rental of agricultural equipment with operator (CPC 8811*)  Services incidental to forestry and logging, including forest management (CPC 8814)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
h) Services incidental to mining, including drilling	1) None. 2) None.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and field services and rental of equipment with operator (CPC 883)	3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Site preparation for mining (CPC 5115)				
i*) Toll refining services - oil (CPC 8845*)	1) None. 2) None, <del>other than:</del>  <del>Toll Refining of Basic Metals (Ontario): Must be treated or refined in Canada.</del>			
Toll refining services - basic metals (CPC 8851)	3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
k) Placement and supply services of personnel (CPC 872)	1) None, <del>other than:</del>  <del>Placement and Supply Services of Personnel (Ontario): Services must be supplied through a commercial presence.</del>  2) None, <del>other than:</del>  <del>Services must be supplied through a commercial presence.</del>  3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
l) Investigation and security services (CPC 873)	1) None, <del>other than:</del>  <del>Business and Personal Information Investigators (Ontario): Services must be supplied through a commercial presence.</del>  2) None, <del>other than:</del>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>Services must be supplied through a commercial presence.</b></p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Security and investigation services (Québec): Citizenship requirement for private investigators.</b></p>			
m) Related scientific and technical consulting services (CPC 8675)  Geological, geophysical and other scientific prospecting services, including those related to mining (CPC 86751)  Subsurface surveying services (CPC 86752)  Surface surveying services (CPC 86753)  Map making services (CPC 86754)	<p>1) None, other than:</p> <p><b>Free Miner (British Columbia): Applicant must ordinarily be a Canadian citizen and a permanent resident of Canada, a Canadian corporation or a partnership of the foregoing.</b></p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p>(Manitoba): Citizenship requirement for accreditation. (Newfoundland and Labrador): Permanent residency requirement for accreditation.</p> <p>2) None, other than:</p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p><b>(Ontario): Training must be completed in Ontario for accreditation.</b></p> <p>(Manitoba; <b>Newfoundland and Labrador</b>): Citizenship requirement for accreditation. (<b>Newfoundland and Labrador</b>): Permanent residency requirement for accreditation.</p> <p>3) None, other than:</p> <p><b>Land Surveyors:</b> Commercial presence must take the form of a sole proprietorship or partnership except in</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	Alberta where it may take the form of a surveyor's corporation.  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Free Miner</u> (British Columbia): Applicant must be a permanent resident.  <u>Land Surveyors</u> (Manitoba): Citizenship requirement for accreditation. (Newfoundland and Labrador): Permanent residency requirement for accreditation.			
n) Repair services of personal and household goods (CPC 633)  Repair services incidental to metal products, machinery and equipment including computers and communications equipment on a fee or contract basis (CPC 8861 to 8866)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
o) Building-cleaning services (CPC 874)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
q) Packaging services (CPC 876)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
t) Other business services, including: (CPC 879)	1) None, other than:  <u>Credit Reporting</u> (Saskatchewan): Services must be	National Treatment, <u>Local Presence</u>  Patent Agents:		Formatiert: Unterstrichen

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Credit reporting services (CPC 87901)	<u>supplied through a commercial presence:</u>  <u>Credit Reporting and Collection Agencies</u> ( <u>Newfoundland and Labrador</u> , Prince Edward Island, <u>Nova Scotia</u> ): Services must be supplied through a commercial presence.		1) 2) 4): To represent a person in the prosecution of a patent application or in other business before the Patent Office, a patent agent must be resident in Canada and registered by the Patent Office.  <u>Measures:</u> <u>Patent Act</u> , R.S.C. 1985, c. P-4 <u>Patent Rules</u> , SOR/96-423 ..... <u>National Treatment, Local Presence</u>	
Collection agency services (CPC 87902)				
Telephone answering services (CPC 87903)	<u>Consumer Reporting Agencies</u> ( <u>Nova Scotia</u> , <u>Newfoundland and Labrador</u> , <u>Prince Edward Island</u> ): For juridical persons, requirement for a commercial presence. (Nova Scotia): For natural persons, requirement for permanent residency.			
Duplicating services (CPC 87904)				
Translation and interpretation services (CPC 87905)	<u>Collection Agency Services</u> (Alberta): Trust funds must remain in Alberta. Must maintain address for service in Alberta.  2) None.  3) None, other than:		1) 2) 4): To represent a person in the prosecution of an application for a trade-mark or in other business before the Trade-marks Office, a trade-mark agent must be resident in Canada and registered by the Trade-marks Office.  <u>Measures:</u> <u>Trade-Marks Act</u> , R.S.C. 1985, c. T-13 <u>Trade-marks Regulations</u> , SOR/96-195	
Mailing list compilation and mailing services (CPC 87906)				
Specialty design services (CPC 87907)	<u>Collection Agencies</u> (Ontario): Collection agencies must be incorporated under an Act of Ontario, an Act of Canada or an Act of another Province or Territory of Canada.			
Other business services n.e.c. including patent agents (CPC 87909)	<u>Consumer Reporting Agencies</u> (Nova Scotia): Requirement to incorporate.  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Consumer Agent Services</u> (Nova Scotia): For natural persons, requirement for permanent residency.			
2 COMMUNICATION SERVICES				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>Courier services</u>	Commercial courier services, including by public transport or self-owned transport (CPC 75121*)		1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.	
C. <u>Telecommunications Services*</u> , **	a) Voice telephone services b) Packet-switched data transmission services c) Circuit-switched data transmission services d) Telex services e) Telegraph services f) Facsimile services g) Private leased circuit services o) Other— <b>Mobile services</b>		1) None. 2) None. 3) None, other than:  Canada reserves the right to adopt or maintain any measure:  (a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment; (b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian; (c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.	
*Excluding services regulated under the <u>Broadcasting Act</u> and measures affecting such services.  **Excluding telecommunications services supplied for the transmission of services regulated under the <u>Broadcasting Act</u> where such services are intended for direct reception by		The following exceptions apply to this reservation: (a) foreign investment is allowed up to 100% for		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
the public.	<p>suppliers conducting operations under an international submarine cable licence;</p> <p>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</p> <p>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</p> <p>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</p> <p>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Telecommunications services</u> , of which:	<p>Enhanced or value-added services, for the supply of which the underlying telecommunications transport facilities are leased from providers of public telecommunications transport networks; these include:</p> <p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
h) Electronic mail (CPC 7523*)				
i) Voice mail (CPC 7523*)				
j) On-line information and database retrieval (CPC 7523*)				
k) Electronic data interchange (EDI) (CPC 7523*)				
l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523*)				
m) Code and protocol conversion (CPC n.a.)				
n) On-line information and/or data processing (including transaction processing) (CPC 843*)				
3) CONSTRUCTION SERVICES				
A. <u>General construction work for buildings</u>				
Construction work for buildings, including for multi-dwelling buildings, warehouses and commercial buildings (CPC 512)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>General construction work for civil engineering</u>				
Construction work for civil engineering, including for highways, airports, harbours, dams, bridges, construction for mining and manufacturing, rail, power and communications facilities, pipelines and stadia and other recreational facilities (CPC 513*)	1) None 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
C. <u>Installation and assembly work</u>				
Assembly and erection of prefabricated constructions (CPC 514)  Installation work (CPC 516)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
D. <u>Building completion and finishing work</u>				
Building completion and finishing work (CPC 517)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
E*. <u>Other</u>				
Pre-erection work at construction sites, including excavation, earthmoving and site work except 5115, site preparation for mining	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 511*)  Special trade construction work (CPC 515)  Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)				
4 DISTRIBUTION SERVICES  A*. <u>Commission agents' services</u>  Commission agents' services (excluding 62112, sales on a fee or contract basis of food products, beverages and tobacco and sales on a fee or contract basis of pharmaceutical and medical goods in 62117) (CPC 621*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Wholesale trade services</u>  Wholesale trade services (excluding agriculture and live animals in 6221; fisheries products in 62224; alcoholic beverages in 62226; musical scores, audio and video recordings in 62244; and books, magazines, newspapers, journals, periodicals and other printed matter in 62262; and 62251 of	1) None, other than:  <b>Sale of Amusement Machines (Québec): Services must be supplied through a commercial presence.</b>  <b>Sale of Motor Vehicles (Saskatchewan): Services must be supplied through a commercial presence.</b>  <b>Sale of Amusement Machines (Québec): Citizenship</b>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
pharmaceutical and medical goods, and 62252, surgical and orthopaedic instruments and devices (CPC 622*)	<p>requirement in order to sell amusement machines.</p> <p>2) None.</p> <p>3) None, other than: <i>Fish Buyers</i> (British Columbia): Mobile fish buyers licenses are not issued to foreigners.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Retailing services</u>			National Treatment, Local Presence	Formatiert: Unterstrichen
Food retailing services (excluding liquor, wine and beer sales in 63107) (CPC 631*)	<p>1) None, other than: <i>Itinerant Sellers</i> (Québec): <u>Commercial presence required</u>.</p> <p><i>Direct Sellers</i> (Nova Scotia): <u>Services must be supplied through a commercial presence</u>.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		<p><u>Duty free shops</u>:</p> <p>1) 2) 4) To be a licensed duty free shop operator at a land border crossing in Canada, a natural person must:</p> <ul style="list-style-type: none"> <li>(a) be a Canadian national;</li> <li>(b) be of good character;</li> <li>(c) be principally resident in Canada; and</li> <li>(d) have resided in Canada for at least 183 days of the year preceding the year of application for the license.</li> </ul> <p>3) To be a licensed duty free shop operator at a land border crossing in Canada, a corporation must:</p> <ul style="list-style-type: none"> <li>(a) be incorporated in Canada; and</li> <li>(b) have all of its shares beneficially owned by Canadian nationals who meet the requirements as specified in the other modes of supply for this reservation.</li> </ul> <p><u>Measures</u>:</p> <p><i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.) <i>Duty Free Shop Regulations</i>, SOR/86-1072</p>	
Sale of motor vehicles including automobiles and other road vehicles (CPC 6111)				
Sale of parts and accessories of motor vehicles (CPC 6113)				
Sales of motorcycles and				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
snowmobiles and of related parts and accessories (CPC 6121)				
D*. <u>Franchising</u>	<p>1) None, other than:            (Alberta): Service suppliers required to designate a place within Alberta where they can be served legal documents.</p> <p>2) None.</p> <p>3) None, other than:            (Alberta): Required to have an attorney for service in legal documents.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
E*. Other	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:  <b>Retail petroleum</b> (Prince Edward Island): Public convenience and necessity test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			← Formatierte Tabelle
6 ENVIRONMENTAL				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
SERVICES				
A. <u>Sewage services</u> (CPC 9401)	1) None. 2) None. 3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. <u>Refuse disposal services</u> (CPC 9402)				
C. <u>Sanitation and similar services</u> (CPC 9403)				
D. <u>Other</u>				
Cleaning services of exhaust gases (CPC 9404)				
Noise abatement services (CPC 9405)				
Nature and landscape protection services (CPC 9406)				
Other environmental services n.e.c. (CPC 9409)				
7. FINANCIAL SERVICES				
Canada undertakes commitments on Financial Services in accordance with the provisions of Annex [X] on Financial Services of this Agreement. While financial services are subject to the general conditions and limitations applicable to all sectors in this schedule, the scheduling framework established in Annex [X] on Financial Services of this Agreement and Canada's headnotes for financial services, as specified below, are applicable to all conditions and limitations as they apply to financial services.				
1. This offer does not take into account Article 13 (Senior Management and Board of Directors) of Annex [X] on Financial Services. Canada is open to the application of the obligation contained within Article 13 if and when parties reach consensus on the obligation within the Annex on Financial Services.				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
2. For financial services, in the interpretation of conditions and qualifications for National Treatment on existing measures (Part II), to the extent that the Measures element is qualified by a specific reference in the Description element, the Measures element as so qualified shall prevail over all other elements.						
3. To clarify Canada's commitment with respect to Article I-3 (Market Access), juridical persons supplying financial services and constituted under the laws of Canada are subject to non-discriminatory limitations on juridical form <sup>5</sup> .						
4. It is understood that Article 3 (Market Access Commitments), paragraph 1(c) of Annex [X] on Financial Services of this Agreement does not impose any obligation to allow non-resident financial services suppliers to solicit business.						
5. The listing of a measure related to a reservation in Part I, Section A or Section B, or Part II, does not mean that it cannot otherwise be justified as a measure adopted or maintained for prudential reasons pursuant to Article 16 (Prudential Measures) of Annex [X] on Financial Services of the Agreement.						
Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments		
All financial services	1), 2) None.  3) None, other than:  (Federal): No one person (Canadian or foreign) may own more than 10 per cent of any class of shares of a financial institution constituted under federal legislation.  (Federal): Financial institutions constituted under federal legislation having equity in excess of C\$1 billion are required, within three years of having reached the threshold, to have 35 per cent of their voting shares widely-held and listed and posted for trading on a Canadian stock exchange.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.		3) (Federal): A minimum of one half of the directors of a financial institution constituted under federal regulation that is a subsidiary of a foreign institution and a majority of the directors of any other financial institution constituted under federal legislation must be either Canadian citizens ordinarily resident in Canada or permanent residents ordinarily resident in Canada.  <u>Measures:</u> <i>Bank Act</i> (159, 749) <i>Insurance Companies Act</i> (167, 796) <i>Trust and Loan Companies Act</i> (163) <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Insurance Companies)</i> <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Trust and Loan Companies)</i> <i>Cooperative Credit Associations Act</i> (169)			

<sup>5</sup> For example, partnerships and sole proprietorships are generally not acceptable juridical forms for financial institutions in Canada. This headnote is not itself intended to affect, or otherwise limit, a choice by a financial institution of the other Party between branches or subsidiaries.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
A. Insurance and Insurance-Related Services (CPC 812* + 814)	1) None, other than:  <a href="#">Direct insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</a>	(Alberta, <a href="#">Nova Scotia</a> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.  (Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.		
a) Life, accident and health insurance services (CPC 8121)				
b) Non-life insurance services (except deposit insurance and similar compensation schemes) (CPC 8129)	<a href="#">Reinsurance and retrocession</a>  (British Columbia, <a href="#">Nova Scotia</a> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
c) Reinsurance and retrocession (CPC 81299*)	2) None, other than:  <a href="#">Direct Insurance</a>  (Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.	<a href="#">Reinsurance and retrocession</a>  (Alberta, Newfoundland and Labrador): The purchase of reinsurance services by a Canadian insurer, other than a life insurer or a reinsurer, from a non-resident reinsurer is limited to no more than 25 per cent of the risks undertaken by the insurer purchasing the reinsurance.		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p><u>Direct insurance and reinsurance and retrocession</u></p> <p>(Federal): A foreign entity authorised to insure, in Canada, risks must be established directly under the foreign insurance company incorporated in the jurisdiction where the foreign insurance company, either directly or through a subsidiary, principally carries on business.</p> <p>(All provinces and territories): Insurance activities can only be provided through:</p> <ul style="list-style-type: none"> <li>(i) a corporation incorporated under provincial statutes;</li> <li>(ii) an extra-provincial insurance corporation, i.e., an insurer incorporated by, or under the laws of another jurisdiction (including a federally-authorized branch of a foreign corporation);</li> <li>(iii) an association formed on the plan known as Lloyds; or</li> <li>(iv) (Excluding Québec and Prince Edward Island): Reciprocal insurance exchanges.</li> </ul> <p>(Alberta, Prince Edward Island): Subsidiaries of foreign insurance corporations must be federally authorized.</p> <p>(Québec): Non-residents <del>can not</del> cannot acquire, without ministerial approval, either directly or indirectly, more than 30 per cent of the voting rights attached to shares of a Québec-chartered insurance company or of its controlling entity.</p> <p>(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company "SSQ, Société d'assurance-vie inc" or of the</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional Commitments	
	<p>holding company “Groupe SSQ inc”, the minister may, ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of a company, incorporation, share acquisition or application for business authorisation is subject to approval by the financial institutions commission.</p> <p><u>Motor vehicle insurance</u> (Manitoba, Saskatchewan, British Columbia): Motor vehicle insurance is provided by public monopoly.</p> <p>(Québec): Automobile insurance, with respect to personal injury and death, is provided by public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	<p>1) None, other than:</p> <p><u>Intermediation of insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u> (Alberta, Nova Scotia, Ontario, Quebec, Yukon): Services must be supplied through a commercial presence in the province or territory in which the service is provided.</p> <p>(Ontario): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Alberta,): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>2) None.</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	3) None, other than:  (New Brunswick): Licenses shall not be issued to a corporation whose head office is outside Canada.  (Ontario, Prince Edward Island): Non-resident individual adjusters are prohibited from being adjusters in the province.  (Ontario): A foreign-owned insurance brokerage must have an address in Ontario suitable to permit service and must have its trust funds in one or more accounts in any Ontario branch of defined financial institutions.  (Manitoba): Licenses to act as insurance agents and brokers are not issued to non-residents of Canada.  (Alberta, Manitoba): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.  (British Columbia): Licenses for general insurance shall be issued only to residents of the province.  (Prince Edward Island): Licenses to act as insurance agent or adjusters are not issued to non-resident of the province.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. Banking and Other Financial Services (excl. insurance)	1) None.  2) None.  3) None, other than:  (Federal): In order to establish a bank branch, a foreign		3) None, other than:	
a) Acceptance of deposits and other repayable funds from				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
the public (CPC 81115-81119)	bank must be a bank in the jurisdiction under whose laws it is incorporated.			
b) Lending of all types, including <i>inter alia</i> , consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)	(Federal): A bank branch must be established directly under the authorised foreign bank incorporated in the jurisdiction where the authorised foreign bank principally carries on business.			
c) Financial leasing (CPC 8112)	(Federal): Full service foreign bank branches and lending foreign bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.		(Federal): Full service bank branches and lending bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.  <u>Measures:</u> <i>Bank Act</i> s. 520, 540, 545 Schedule I and Schedule II to the <i>Bank Act</i> <i>Canadian Deposit Insurance Corporation Act</i> s.2, 8, 17	
d) All payment and money transmission services (CPC 81339*)			(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.	
e) Guarantees and commitments (CPC 81199*)	(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.		(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
	(Federal): Foreign lending branches may not accept deposits.		(Federal): Foreign lending branches may not accept deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
	(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.		(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.  <u>Measures:</u> <i>Canadian Payments Act</i> s. 2, 4 <i>Bank Act</i> s. 524, 540	
	(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>“SSQ, Société d’assurance-vie inc” or of the holding company “Groupe SSQ inc”, the minister may ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p><u>Trust and loan companies</u></p> <p>(Federal): Federal laws do not permit a trust and loan company to be established through branches of corporations organized under a foreign country’s law.</p> <p>(All provinces and territories, excluding British Columbia, Québec): Federal or provincial incorporation is required.</p> <p>(Ontario, Québec, Manitoba): The direct or indirect acquisition of Canadian-controlled companies by non-residents is restricted to 10 per cent individually and 25 per cent collectively.</p> <p>(Saskatchewan): Individual and collective foreign ownership of Canadian-controlled and provincially incorporated companies can be no more than 10 per cent of shares.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of the company, incorporation, share acquisition or application for business authorization is subject to approval by the financial institutions commission.</p> <p>(Ontario, New Brunswick and Nova Scotia): Incorporation or registration will be refused unless authorities are satisfied that there exists a public benefit and advantage for an additional corporation.</p> <p>(Ontario): Consent to change in control or transfers of 10</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>per cent or more of voting shares may be refused if it would be in the public interest to do so.</p> <p><u>Credit unions, caisses populaires and associations or groups thereof</u></p> <p>(Federal): Federal laws do not permit a credit union or fraternal benefit society in Canada to be established through branches of corporations organized under a foreign country's law.</p> <p>(All provinces and territories): Must incorporate in the jurisdictions in which they operate.</p> <p><u>Mortgage brokers</u></p> <p>(Ontario): Must incorporate under the laws of Canada, Ontario or of another province. Ownership of a corporation by foreign persons must not exceed 10 per cent individually and 25 per cent collectively of the total number of equity shares.</p> <p>(Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p>(Saskatchewan): Must maintain a business office in the province.</p> <p><u>Loan and investment companies</u></p> <p>(Québec): Federal or provincial incorporation.</p> <p><u>Co-operative corporations</u></p> <p>(Newfoundland and Labrador, Ontario): Must incorporate under the law of the applicable province or under federal law.</p> <p><u>Lending of all types</u> (Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p><u>Acceptance of deposits</u> (Québec): The acceptance of</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
f) Trading for own account or for account of customers whether on an exchange, in an over-the-counter market or otherwise, the following:	<p>deposits of public and para-public institutions is provided by a public monopoly.</p> <p>4) <b>NoneUnbound</b>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Mortgage brokers</b> (Ontario): Must be Canadian citizens or permanent residents of Canada and ordinarily resident in Canada.</p> <p>(Nova Scotia): Must be resident in the province.</p> <p>1) None, other than:</p> <p><b>Advisory and auxiliary financial services</b> (Alberta, <b>British Columbia, Nova Scotia, Québec, Saskatchewan</b>): Services must be supplied through a commercial presence in the jurisdiction in which the adviser is providing advice.</p> <p><b>Asset management</b> (Alberta, <b>British Columbia, Nova Scotia, Québec, Saskatchewan</b>): Services must be supplied through a commercial presence in the jurisdiction in which the service is provided.</p> <p>(Québec): The management of pension funds of public and para-public institutions in Québec is provided by public monopoly.</p> <p><b>Custodial services</b> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.</p> <p>2) None, other than:</p>			
- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339*);				
- foreign exchange (CPC 81333*);				
- derivative products including but not limited to, futures and options (CPC 81339*)				
- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (CPC 81339*)				
- transferable securities (CPC 81321*)				
- other negotiable instruments and financial assets, including bullion (CPC 81339*)				
g) Participation in issues of all kinds of securities, including				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)	<u>Trading in securities and commodity futures - persons</u> (All provinces and territories): There is a requirement to register in order to trade through dealers and brokers that are neither resident nor registered in the province or territory in which the trade is affected.			
h) Money broking (CPC 81339*)	3) None, other than:  <u>Securities dealers and brokers</u> (British Columbia, Ontario, Saskatchewan, Yukon): Must be incorporated, formed or continued under federal, provincial or territorial laws.			
i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services (CPC 8119*, 81323*).	<u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.			
j) Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments (CPC 81339*, 81319)	<u>Advisory and auxiliary financial services</u> (British Colombia): Must be incorporated, formed or continued under federal, provincial or territorial laws.			
k) Advisory, intermediation and other auxiliary financial services on all the activities listed in Article 2(a)(v) through (xv) of the Annex on Financial Services, incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131*, 8133*)	<u>Asset management</u> (Québec): The management of pension funds of public and para-public institutions in Québec is provided by a public monopoly.			
l) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131*, 842*, 843*, 844*)	4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotels and restaurants</u> (including catering)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p> <p>Hotel and other lodging services (CPC 641)</p> <p>Food and beverage serving services (CPC 642/3)</p> <p>Sale of liquor on premises (Nova Scotia: A liquor license for a hotel or restaurant serving food requires about three weeks. A license for a bar or nightclub (primarily serving alcoholic beverages) requires up to three months and must be preceded by a public hearing.)</p> <p>Sale of liquor in a tavern, restaurant or bar (Québec): For juridical persons not listed on a Canadian stock exchange, all shareholders owning 10 per cent or more of voting shares must be Canadian citizens or permanent residents.</p> <p>(Saskatchewan): <b>The majority of shareholders must be Canadian and manager must be a Canadian citizen or permanent resident.</b></p> <p>Sale of liquor (Québec): Is limited to federally incorporated companies.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>Sale of liquor in a restaurant and tavern (Québec): Requirement for residency and citizenship.</p> <p>Sale of alcoholic beverages (Alberta, Saskatchewan): Requirement for permanent residency.</p> <p>(Manitoba): Requirement for citizenship and residency.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(Nova Scotia): Licenses for the sale of alcoholic beverages will be granted only to Canadian citizens or permanent residents.			
B   <u>Travel agencies and tour operators services</u>  Travel agency and tour operator services (CPC 7471)	1) None, <del>other than:</del> <del>Travel agencies and travel wholesalers (Ontario): Services must be supplied through a commercial presence.</del> <del>Travel agencies (Québec): Services must be supplied through a commercial presence.</del> 2) None. 3) None. 4) <del>None</del> Unbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
11. TRANSPORT SERVICES	Approval is required from the National Transportation Agency prior to the acquisition of any federally regulated transportation undertaking with assets or annual gross sales in Canada in excess of \$10 million. For these purposes, a transportation undertaking means any business principally engaged in any transportation activity under federal jurisdiction within Canada, excluding (a) those operated by a person whose principal place of residence is outside Canada, and (b) those engaged in the transport of goods and/or passengers solely between Canada and another country.			
A. <u>Maritime Transport Services</u>  International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)  MARITIME TRANSPORT SERVICES* (See Notes 1 and 2)	1) 2) 3) 4) Unbound with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
International Transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage <i>(See Note 3)</i>	<p>1) (a) Liner Shipping and 1) (b) Bulk, tramp, and other international shipping, including passenger transportation: None, other than:</p> <p><u>Shipping Conferences</u> (only for mode 1) (a) <u>Liner Shipping</u>: Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely: <ul style="list-style-type: none"> <li>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</li> <li>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</li> </ul> </li> </ul>	<p><u>Local Presence</u></p> <p><u>Shipping Conferences</u>:</p> <p>1) 2) 4) Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Measures</u>:</p> <p><i>Shipping Conferences Exemption Act 1987</i>, R.S.C. 1985, c. 17 (3rd Supp.)</p> <p><u>National Treatment, Local Presence</u></p> <p>1) (a) <u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <p>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</p> <p>(b) a corporation incorporated under the laws of Canada or a province or territory; or</p> <p>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely: <ul style="list-style-type: none"> <li>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</li> <li>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</li> </ul> </p>	<p>Canada does not require private sector terminal operators and providers of maritime auxiliary services to accord access to and use of their services on non-discriminatory terms and conditions.</p> <p>However, no measures prevent access to and use of the following services at the port by international maritime transport service suppliers, except for service suppliers of [...], on terms and conditions that accord national treatment:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Navigation aids;</li> <li>6. Shore-based operational services essential to ship operations, including: communications, water and electrical supplies;</li> <li>7. Emergency repair facilities;</li> <li>8. Anchorage, berth and berthing services;</li> <li>9. Lightering and water taxi services;</li> <li>10. Ship agencies;</li> <li>11. Custom brokers;</li> <li>12. Stevedoring and terminal</li> </ol>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>, or</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory.</li> </ul> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of</p> <ul style="list-style-type: none"> <li>(a) Inuit entities or individuals,</li> <li>(b) Nunavut businesses or residents, or</li> <li>(c) local businesses or residents,</li> </ul> <p>as these terms may be defined by the Government of Nunavut.</p> <p>(Quebec): Tax deductions allowed for sailors residing in</p>	<p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><b>National Treatment, Local Presence</b></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>, or</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory.</li> </ul> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p>	<p>services;</p> <p>13. Surveying and classification services;</p> <p>14. Transport services for the purposes of onward forwarding of cargo; i.e. directly contracting with providers of other transport services for the provision of door-to-door or multimodal transport operations.</p>	<p><b>Formatiert:</b> Schriftart: Kursiv, Nicht unterstrichen</p> <p><b>Formatiert:</b> Schriftart: Kursiv</p> <p><b>Formatiert:</b> Schriftart: Kursiv, Nicht unterstrichen</p>

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Pilotage services <sup>*6</sup> (CPC 74520)*	<p>Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>2) None, other than: (Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>3) (a) None, other than: <u>Ship registration</u>: as set out under mode 1.  Measures: <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of            (a) Inuit entities or individuals,            (b) Nunavut businesses or residents, or            (c) local businesses or residents,            as these terms may be defined by the Government of Nunavut.</p> <p>3) (b) Other forms of commercial presence for the supply of international maritime transport services (as defined):            None.</p> <p>4) (a) masters and crew: Unbound.</p> <p>4) (b) Key personnel employed in relation to a commercial presence as defined under 3 b) above:            None, except for entry of a natural person which is as indicated in the horizontal section.</p>		<p><u>National Treatment, Local Presence</u></p> <p>3)(a) <u>Ship registration</u>: as set out under mode 1.</p> <p><u>Measures</u>: <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><u>National Treatment, Local Presence</u></p> <p>4) (a) masters and crew: Masters, mates, engineers and certain other seafarers must hold certificates granted by the Minister of Transport as a requirement of service on Canadian registered ships. Such certificates may be granted only to Canadian citizens or permanent residents.</p> <p><u>Measures</u>: <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i> <i>Marine Personnel Regulations, SOR/2007-115</i></p> <p><u>National Treatment, Local Presence</u></p> <p>1) 4) A licence or a pilotage certificate issued by the relevant regional Pilotage Authority is required to provide pilotage services in the compulsory pilotage waters of the territory of Canada. Only Canadian citizens or permanent residents may obtain such a licence or pilotage certificate. A permanent resident of Canada who has been issued a pilot's licence or pilotage certificate must become a</p>	

<sup>6</sup> Asterisk designates “part of”.

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound.		Canadian citizen within five years of receipt of such licence or pilotage certificate in order to retain it.  <u>Measures:</u> <i>Pilotage Act, R.S.C. 1985, c.P-14</i> <i>General Pilotage Regulations, SOR/2000-132</i> <i>Atlantic Pilotage Authority Regulations, C.R.C., c.1264</i> <i>Laurentian Pilotage Authority Regulations, C.R.C., c. 1268</i> <i>Great Lakes Pilotage Regulations, C.R.C., c. 1266</i> <i>Pacific Pilotage Regulations, C.R.C., c. 1270</i>	
MARITIME AUXILIARY SERVICES				
Maritime Cargo Handling Services (as defined)	1) Unbound. 2) None. 3) None, other than:  (Nunavut): The Government of Nunavut may, in connection with maritime cargo handling services, take any measure that provides for or results in favourable treatment of (a) Inuit entities or individuals, (b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut.  4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
Storage and Warehousing Services CPC 742	1) Unbound. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
Customs Clearance Services (as	1) None, other than:		<u>National Treatment, Local Presence, Local Management and Boards of Directors</u>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
defined)	<p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>2) None, other than:</p> <p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:</p> <p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <ul style="list-style-type: none"> <li>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</li> <li>(b) A partnership must be composed of persons who are permanent residents.</li> </ul> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in the horizontal section, and:</p>	<p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <ul style="list-style-type: none"> <li>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</li> <li>(b) A partnership must be composed of persons who are permanent residents.</li> </ul> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Container Station and Depot Services (as defined)	Licensed Customs Brokers (Federal) (Natural persons): Requirement for permanent residency.  Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	1) Unbound. 2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for entry of a natural person which is as indicated in the horizontal section.	National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>  4) Licensed Customs Brokers (Federal) (Natural persons): Requirement for permanent residency.  Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	
Maritime Agency Services (as defined)	1) None. 2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for entry of a natural person which is as indicated in the horizontal section.			
Maritime Freight Forwarding Services (as defined)	1) None. 2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for entry of a natural person which is as indicated in the horizontal section.			

**NOTE TO THE SCHEDULE (Maritime Transport Services)**

1. Specific commitments in any sector or subsector shall not be construed to override the limitations established in the Maritime Transport Services schedule, including all maritime cabotage conditions and qualifications.
2. Nothing in Canada's Schedule of Specific Commitments for Maritime Transport Services shall be interpreted to apply to fishing vessels as defined in the Coastal Fisheries Protection Act.
3. Canada's specific commitments on Maritime Transport Services (Market Access, National Treatment and Additional Commitments) do not apply to fees imposed or applied in respect of marine navigation services. Consequently, Canada does not undertake any obligations with respect to any measure adopted or maintained in connection with the imposition or application of marine navigation services fees.

**DEFINITIONS RELATED TO SECTION 11, TRANSPORT SERVICES**

For the purposes of this section and subject to relevant limitations in Canada's Schedule of Specific Commitments:

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
1.	"Cabotage" services as defined by the <i>Coasting Trade Act</i> , include:			
	(a) the transportation of goods or passengers by ship or by ship and any other mode of transport between points in the territory of Canada or above the continental shelf of Canada either directly or by way of a place outside Canada;			
	(b) with respect to waters above the continental shelf, the transportation of goods or passengers in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf; and			
	(c) the engaging by ship in any maritime activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other maritime activities of a commercial nature in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf.			
2.	"Container station and depot services" means activities in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.			
3.	"Custom clearance services" means activities in carrying out, on behalf of another party, customs formalities concerning import, export or through transport of cargoes, irrespective of whether this service is the main or secondary activity of the service provider.			
4.	"Maritime agency services" means activities in representing, within a given geographic area, the business interests of one or more shipping lines or 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 in organising the call of the ship or taking control of cargoes.			
5.	"Maritime cargo handling services" means the work performed by stevedore companies or public terminal operators[, but <u>not including</u> the work performed by dock labour, when this workforce is organised independently of the stevedoring or public terminal operator companies]. The work activities covered are the performance, organization 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.			
6.	"Maritime freight forwarding services" means the activity of organising and monitoring shipments on behalf of shippers, through providing such services as the arranging of transport and related services, consolidation and packing of cargo, preparation of documentation and provision of business information.			
7.	"Ship" means a boat, vessel or craft designed, used or capable of being used solely or partly for navigation in, on, through, or immediately above water, without regard to method or lack of propulsion, and includes such a ship that is under construction.			
8.	"Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport suppliers of other Members to undertake locally, in Canada, activities that are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element. These activities are:			
	(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services			
	(b) being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;			

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*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(c) making arrangements, on their own account or on behalf of their customers (and the resale to their customers) for any transport or related services, including: anchorage, berth and berthing services, onward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;			
	(d) preparation of documentation including transport documents, customs documents, or other documents related to the origin and character of goods transported;			
	(e) provision of business information by any means, including computerized information systems and electronic data interchange (subject to any provision or limitation in this Agreement that may restrict or allow a Member to restrict the provision of business information);			
	(f) setting up 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 natural persons ) with any locally established shipping agency;			
	(g) acting on behalf of the companies, organizing any aspect of the call of the ship or taking control over cargoes when required; provision of port captain services			
C*. <u>Air Transport Services</u>				
d) Maintenance and repair of aircraft and aircraft engines (CPC 8868*)	1) None. 2) Unbound.		<p><u>National Treatment, Local Presence</u></p> <p>2) Aircraft and other aeronautical product repair, overhaul or maintenance activities (including line maintenance) required to maintain the airworthiness of Canadian-registered aircraft and other aeronautical products must be performed by persons meeting Canadian aviation regulatory requirements (i.e. approved maintenance organizations and aircraft maintenance engineers). Certifications are not provided for persons located outside Canada, except sub-organizations of approved maintenance organizations that are themselves located in Canada.</p> <p><u>Measures:</u>  <i>Aeronautics Act, R.S.C. 1985, c. A-2</i>  <i>Canadian Aviation Regulations, SOR/96-433:</i>  Part IV “Personnel Licensing &amp; Training”;  Part V “Airworthiness”;  Part VI “General Operating &amp; Flight Rules”; and  Part VII “Commercial Air Services”</p>	
	3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Computer reservations systems	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
E. Rail Transport Services				
a), b) Railway passenger and freight transport (CPC 7111, 7112)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
d) Maintenance and repair of rail transport equipment (CPC 8868*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
F*. Road Transport Services				
a*) Passenger transportation Interurban scheduled bus passenger transportation (CPC 71213)	1) None, other than:  <u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.		National Treatment, Local Presence  1) For CPC 7121, 7122:  <u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.	
Taxis (CPC 71221)				
Rental services of cars with drivers (CPC 71222)				
Non-scheduled motor buses, chartered buses and tour and sightseeing buses (CPC 71223)	Measures: <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36  <u>Interurban bus transport and non-scheduled services</u>		Measures: <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)  2) None. 3) None, other than:  <u>Taxis and rental services with drivers</u> : Operating licenses and permission are under the purview of local/provincial authorities. (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)  <u>Interurban bus transport and scheduled services</u> : (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
b*) Freight transportation			National Treatment, Local Presence	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Highway freight transportation (CPC 71231, 71232, 71233, 71234)	<p>1) None, other than:</p> <p><u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures:</u> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p> <p><u>Highway freight transportation (Québec):</u> Requirement for commercial presence in region where permit applies.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Highway freight transportation:</u> (Saskatchewan, Quebec, Newfoundland and Labrador): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>UnboundNone</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		<p>1) For CPC 7123:</p> <p><u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures:</u> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p>	
c*) Rental of commercial vehicle with operator	<p>1) None, other than:</p>		<p><u>National Treatment, Local Presence</u></p> <p>1) <u>Cabotage:</u> Only persons of Canada using Canadian-</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Rental services of commercial road vehicles with operators (CPC 7124)	<p><u>Cabotage</u>: Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures</u>:</p> <p><i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.</p> <p><i>Canada Transportation Act</i>, S.C. 1996, c. 10</p> <p><i>Customs Tariff</i>, 1997, c. 36</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	<p>registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures</u>:</p> <p><i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.</p> <p><i>Canada Transportation Act</i>, S.C. 1996, c. 10</p> <p><i>Customs Tariff</i>, 1997, c. 36</p>		
d) Maintenance of road transport equipment	1) None.			
Maintenance and repair services of motor vehicles (CPC 6112)	2) None.			
Maintenance and repair services of motorcycles and snowmobiles (CPC 6122)	3) None.			
Repair services n.e.c. of motor vehicles, trailers, semi-trailers on a fee or contract basis (CPC 8867)	4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
H*. <u>Services auxiliary to all modes of transport other than Maritime Transport Services</u>				
a) Container handling services (CPC 7411)	1) None, other than: <u>Licensed Customs Brokers (Federal) (Juridical persons)</u> :		<u>National Treatment, Local Presence, Local Management and Boards of Directors</u>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other cargo handling services (CPC 7419)	Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.	1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.		
b) Storage and warehouse services (CPC 742)	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067		
c) Freight transport agency services (CPC 748)	2) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.	<u>National Treatment, Local Presence, Local Management and Boards of Directors</u>		
d) Other supporting and auxiliary transport services, including freight forwarding (CPC 749)	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067  3) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  a) A corporation must be incorporated in Canada and the majority of its directors must be Canadian citizens or permanent residents.  b) A partnership must be composed of persons who are Canadian citizens or permanent residents.	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067  <u>National Treatment, Local Presence, Local Management and Boards of Directors</u>	2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.  (b) A partnership must be composed of persons who are permanent residents.	
	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments	<u>Measures:</u> <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and:</p> <p><u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <u>Customs Act</u>, R.S.C. 1985, c. 1 (2nd Supp.)  <u>Customs Brokers Licensing Regulations</u>, SOR/86-1067</p>		<p><u>National Treatment</u>, <u>Local Presence</u>, <u>Local Management and Boards of Directors</u></p> <p>4) <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <u>Customs Act</u>, R.S.C. 1985, c. 1 (2nd Supp.)  <u>Customs Brokers Licensing Regulations</u>, SOR/86-1067</p>	
12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95, 97,98,99)	<p><u>Other services not included elsewhere, except for marriage commissioner services (CPC 95910) and funeral and cremation services (CPC 9703) (CPC 95*,97*, 98, 99)</u></p> <p>1) 2) 3) None, except for:  <u>(Alberta): Unbound.</u></p> <p>4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments; and:</p> <p><u>(Alberta): Unbound.</u></p> <p><u>Services of membership organisation</u></p> <p><u>Services furnished by business, employers and professional organizations (CPC 951*)</u></p> <p>1) None  2) None  3) None  4) <u>Unbound, except as indicated in Horizontal Commitments.</u></p> <p><u>(Alberta): 1) 2) 3) 4) Unbound.</u></p> <p><u>Services furnished by trade unions (CPC 952*)</u></p> <p>1) None  2) None  3) None  4) <u>Unbound, except as indicated in Horizontal Commitments.</u></p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
<a href="#">Religious Services (CPC 9591)</a>		(Alberta): 1) 2) 3) 4) Unbound.		
Marriage commissioner services (CPC 95910)	1) None, other than:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person many solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.  (Alberta): Unbound.  2) None, other than:  (Alberta): Unbound.  3) None, other than:  (Alberta): Unbound.  4) NoneUnbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person many solemnize ceremonies of marriage in accordance with the tenor of the			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
<u>Services furnished by political organizations (CPC 9592)</u>	appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.  <u>(Alberta): 1) 2) 3) 4) Unbound.</u> <u>(Alberta): Unbound.</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>		
<u>Services furnished by other membership organizations (CPC 9599)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>			
<u>Other services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>			
<u>Washing, cleaning and dyeing services (CPC 9701)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>			
<u>Hairdressing and other beauty services (CPC 9702)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Funeral and cremation services (CPC 9703)	<p><a href="#"><u>(Alberta): 1) 2) 3) 4) Unbound.</u></a></p> <p>1) None, other than:            (Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.            (Quebec): Funeral directors must be permanent residents.  <a href="#"><u>(Alberta): Unbound.</u></a></p> <p>2) None, other than:            (Quebec): Funeral directors must be permanent residents.  <a href="#"><u>(Alberta): Unbound.</u></a></p> <p>3) None, other than:            (New Brunswick): Only residents of New Brunswick who are Canadian citizens or Canadian landed immigrants are eligible to be registered under the Act as an embalmer or funeral director, or as an apprentice. Resident is not defined by the Act or Regulations, but in practice, the Board would consider such things as possession of a New Brunswick Medicare number or driver's licence, or an indication that income tax is filed with the Province.            (Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person</p>			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<p>applying for an apprentice embalmer's licence must has completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Alberta): Unbound.</p> <p>4) <u>None</u>Unbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must has completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p>(Alberta): Unbound.</p> <p>(Alberta): 1) 2) 3) 4) Unbound.</p>			
<u>Other services (CPC 9709)</u>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in <u>Horizontal Commitments</u></p> <p>(Alberta): 1) 2) 3) 4) Unbound.</p>			
<u>Private households with employed persons</u>				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
<u>Private households with employed persons (CPC 980*)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			
<u>Services provided by extraterritorial organizations and bodies</u>				
<u>Services provided by extraterritorial organizations and bodies (CPC 990*)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			

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CANADA - LIST OF ARTICLE [...] MFN EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Film, Video and Television Programming Co-production	Differential treatment is accorded to works co-produced with persons of countries with which Canada may have co-production agreements or arrangements, as well as to natural persons engaged in such co-production.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Canadian audiovisual productions in Canada, to promote greater diversity among foreign audiovisual works on the Canadian market, as well as to promote the international exchange of audiovisual works.
Film, Video and Television Programming Co-production and Distribution	Differential treatment is accorded to works co-produced with persons of countries with which Québec may have co-production arrangements, and to natural persons engaged in such co-productions, as well as to natural and juridical persons engaged in film and video distribution pursuant to bilateral arrangements for the distribution of film, video and television programming in its territory.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Québécois audiovisual productions in Québec, to promote greater diversity among foreign audiovisual works on the Québec market, and to promote the international exchange of audiovisual works, as well as to ensure that Québec distributors have improved access to films originating from all parts of the world, while allowing partners in film distribution arrangements to continue to distribute in Québec films for which they are recognized as the producers or the holders of the world distribution rights.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Fishing-Related Services	Licenses for access to Canadian waters for specific purposes, such as purchase of fuel and supplies, ship repair, crew exchanges and transhipment of fish catches, are granted only to fishing ships from a country with which Canada has favourable fishery relations, based primarily on adherence by that country to Canadian and international conservation practices and policies.	All countries.	Indeterminate.	Conservation of fisheries.
Insurance Intermediation: Agency Services	Preferential access to the Ontario insurance services market is provided to non-resident individual US insurance agents.	All states in the United States.	Indeterminate.	Reciprocity.
Maritime Transport	Preferential treatment may be accorded to services providers of countries with which Canada has agreements, arrangements and other formal or informal undertakings with respect to maritime activities in waters of mutual interest in areas such as: pollution control, safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control and maritime communications.	United States, France.	Indeterminate.	Bilateral agreements, arrangements and undertakings.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport: Tonnage Dues	United States ships are exempt from the payment of tonnage dues when entering ports in the province of Ontario from the Great Lakes and their connecting and tributary waters.	United States.	Indeterminate.	Maintenance of existing historical preference.
International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	Canada may accord to services and service suppliers of [...] treatment less favourable than that it accords to like services and service suppliers of any other Party.	[...]	Indeterminate.	Reciprocity.
Air and Maritime Transport - Exemptions from tax	Exemption from taxes on income and capital of a non-resident person earned in Canada from the operation of a ship or aircraft in international traffic on the basis of reciprocity with the country in which the person resides.	All countries.	Indeterminate.	Maintenance of reciprocity as the basis for the tax reciprocity exemption.
Air Transport - aircraft repair and maintenance services provided by service suppliers located outside of Canada	Preferential treatment is extended to the supply of repair and maintenance services as defined in Article I-1:2(b) (consumption abroad) by some foreign repair and maintenance service suppliers.	All countries.	Indeterminate.	Air safety standards procedures.
Air Transport - the selling and marketing of air transport services	Bilateral air services agreements contain provisions that place limitations on the advertising, selling or marketing of specified air transport services.	All countries.	Indeterminate.	Bilateral air agreements.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Services incidental to agriculture - temporary entry of natural persons supplying services	Temporary entry of agricultural workers from countries with which Canada has signed a memorandum of understanding is subject to an accelerated process for labour certification.	Anguilla Antigua and Barbuda Barbados Dominica Grenada Jamaica Mexico Montserrat St. Kitts-Nevis St. Lucia St. Vincent Trinidad and Tobago	Indeterminate.	Seasonal shortages of experienced farm workers and requirement for guaranteed return passage.
All sectors	Canada accepts compulsory arbitration of investor/state investment disputes brought by or in respect of service suppliers of countries with which Canada may have agreements providing for such a procedure.	All countries.	Indeterminate.	Promotion and protection of foreign investment.

***Without Prejudice***  
**Trade in Services Agreement**

**May 6**~~October 21~~, 2016

**Second Final Revised Offer from Canada**

This ~~second final revised~~ offer is expressed through commitments taken with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article I-5 (Additional commitments); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured-Nation Treatment).

**Conditions applying to Canada's second final revised offer**

*Canada's presentation of its ~~second revised final~~ offer in the context of the TISA negotiations is without prejudice to Canada revising, supplementing or withdrawing all or any part of this offer.*

This ~~second final revised~~ offer is subject to the following conditions:

1. Canada's offer may change depending on the nature of final obligations, particularly with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article I-5 (Additional commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured Nation Treatment), and any new and enhanced disciplines developed by the Parties.
2. Canada obtains satisfactory offers from other Parties representing an appropriate balance of market openness relative to Canada's offer.
3. In these negotiations, Canada will seek to secure the flexibility necessary to achieve its domestic cultural policy objectives. Canada is still developing the proposals that it will make in this area. Canada reserves its right to supplement its offer with proposals related to culture and cultural industries.
4. Given that the scope of coverage in the Maritime Transport Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to, modify or withdraw its offer on Maritime Transport Services. In particular, Canada is developing a definition of international maritime transport services to enhance the legal certainty of its commitments. This Maritime Transport Services offer is also conditional on Canada receiving satisfactory offers on Maritime Transport Services from other TISA Parties.
5. Given that the scope of coverage in the Air Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to or modify its offer in the following sub-sectors:
  - Specialty Air Services (for greater certainty, a service provided from an aircraft is not committed unless specifically listed under specialty air services);
  - Airport Operation Services;
  - Ground handling Services;
  - Aircraft Repair and Maintenance Services;
  - Selling and Marketing Services; and,
  - Computer Reservation Systems Services.

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6. Given that scheduling modalities for commitments on Mode 4 are yet to be agreed, Canada reserves the right to add to or modify its offer with respect to Mode 4.
7. This offer is based on Canada's position regarding the current TISA text. In addition, given that the framework for making commitments on financial services is not finalized, and links to other certain horizontal provisions have yet to be confirmed agreed upon, Canada reserves the right to add to or modify its offer on Financial Services.

**Headnote to Canada's Schedule of Specific Commitments**

**1) Conditions and qualifications on national treatment and local presence, local management and boards of directors, local content and other performance requirements**

**a. Policy Space: Conditions and qualifications on national treatment and local presence, local management and boards of directors and local content and other performance requirements for future measures**

Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X.4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence), and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance Requirements).

Each condition and qualification sets out the following elements:

- a. Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b. Sub-Sector: refers to the specific sector in which the condition and qualification is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Description: sets out the scope of the sector, sub-sector or activities covered by the condition and qualification
- e. Existing Measure: identifies, for transparency purposes, an existing measure applying to the sector, sub-sector or activities covered by the condition and qualification

In interpreting a condition and qualification listed pursuant to Article II-2:4 and/or Article X.4:3, all elements of the condition and qualification are considered with the exception of Industry Classification. The Description element prevails over all other elements.

~~Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X.4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence).~~

**b. Existing measures: Conditions and qualifications on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, for existing measures**

Canada's Schedule sets out, under Part I, Section B (RESERVATIONS pursuant to Article II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2) and Part II (Sector-Specific Commitments), conditions and qualifications for existing measures that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence) and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance

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Requirements). -

Each condition and qualification sets out the following elements:

- a. Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b. Sub-Sector: refers, for transparency purposes, to the specific sector in which the condition and qualification is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Measure: identifies a law, regulation or other measure, as qualified, where indicated, by the ~~4~~Description element, for which a condition and qualification is listed. A measure cited in the Measure element:
  - a. Means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
  - b. Includes a subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- e. Description: sets out the aspect of the existing measure that does not conform to Article I-4 (National Treatment) and/or Article X.1 (Local Presence) and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance Requirements) for which the condition and qualification is listed.

In the interpretation of a condition and qualification, all elements of the condition and qualification, with the exception of Industry Classification, are considered. The Measure element prevails over other elements, unless a discrepancy between the Measure element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the Measure element prevails, in which case the other elements prevail to the extent of that discrepancy.

For greater certainty, the fact that an existing measure has not been listed as a condition or qualification in a particular Sector or Sub-Sector shall not be interpreted as limiting the scope of the condition or qualification.

The listing of a measure in this Schedule under Part I, Section B or Part II pursuant to Article II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2 is without prejudice to a future claim that Article II-2:4 and/or Article X.4:3 may apply to the measure or some application of the measure.

## **2) Terms, limitations and conditions on market access**

Canada's Schedule sets out the commitments it undertakes pursuant to Article I-3 (Market Access) and Article II-1 (Scheduling of Market Access Commitments). The Schedule also specifies, with respect to sectors where such commitments are undertaken, the terms, limitations and conditions on market access.

Each term, limitation and condition sets out the following elements:

- a. Sector: refers to the general sector in which the term, limitation and condition is listed
- b. Sub-Sector: refers to the specific sector in which the term, limitation and condition is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Description: sets out the scope of the sector, sub-sector or activities covered by the term, limitation and condition.

In the interpretation of a term, limitation and condition, all elements of the term, limitation and condition are considered, except that the Industry Classification element shall only be considered to the extent that the other elements, taken as a whole, leave the meaning of the term, limitation and condition ambiguous or obscure or leads to a result which is manifestly

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absurd or unreasonable.

- 3) Where a measure is listed as both a term, limitation and condition on market access and a condition and qualification on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, the rules governing the interpretation of conditions and qualifications on national treatment ~~and~~ local presence, local management and boards of directors, and local content and other performance requirements as set out under paragraph 1 of this headnote shall apply to the exclusion of those governing the interpretation of terms, limitations and conditions on market access as set out under paragraph 2 of this headnote.

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PART I: HORIZONTAL COMMITMENTS – SECTION A

Sector or subsector	Mode	Other Limitations
<b>Reservations pursuant to Article II-2:4 and/or Article X.4:3 of the Localization annex</b>		
Canada reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
All sectors: Aboriginal Affairs	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>, <u>Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure denying service suppliers of a Party any rights or preferences provided to aboriginal peoples.</p> <p><u>Existing Measures:</u> <i>Constitution Act, 1982</i>, being Schedule B of the Canada Act 1982 (U.K.), 1982, c. 11</p>
All sectors: Oceanfront Land	3	<p>National Treatment</p> <p>Canada reserves the right to adopt or maintain any measure relating to residency requirements for the ownership by service suppliers of a Party of oceanfront land.</p>
All sectors: Socially or Economically Disadvantaged Minorities	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>, <u>Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure conferring rights or privileges to a socially or economically disadvantaged minority.</p>
Cultural Industries	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>, <u>Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a cultural industry. For the purposes of this reservation:</p> <p>“cultural industry” means a person engaged in the following activities:</p> <ul style="list-style-type: none"> <li>a) the publication, distribution or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li> <li>b) the production, distribution, sale or exhibition of film or video recordings;</li> <li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li> <li>d) the publication, distribution or sale of music in print or machine-readable form; or</li> <li>e) radiocommunications in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li> </ul>

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Sector or subsector	Mode	Other Limitations
Social Services	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure for providing public law enforcement and correctional services, as well as the following services to the extent that they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.</p>
Sector: Communications  Sub-sector: Telecommunications Transport Networks and Services Radiocommunications	3	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any measure:</p> <ul style="list-style-type: none"> <li>(a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;</li> <li>(b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;</li> <li>(c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.</li> </ul> <p>The following exceptions apply to this reservation:</p> <ul style="list-style-type: none"> <li>(a) foreign investment is allowed up to 100% for suppliers conducting operations under an international submarine cable licence;</li> <li>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</li> <li>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</li> <li>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</li> <li>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</li> </ul> <p><u>Existing Measures:</u></p> <p><i>Telecommunications Act, S.C. 1993, c. 38</i>  <i>Canadian Telecommunications Common Carrier Ownership and Control Regulations, SOR/94-667</i></p>

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Sector or subsector	Mode	Other Limitations
		<i>Radiocommunications Act, R.S.C. 1985, c. R-2 Radiocommunication Regulations, SOR/96-484</i>
Sector: Financial Services Sub-sector: All	1	<p><u>National Treatment</u></p> <p><u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u></p>
Sector: Financial Services Sub-sector: All	2	<p><u>National Treatment</u></p> <p><u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u></p>
Sector: Financial Services Sub-sector: All	1), 2)	<p><u>National Treatment</u></p> <p><u>Canada reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</u></p> <p>a. <u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [...] (Financial Services) of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (e) of Article X.3 of Annex [...] (Financial Services) of the Agreement; and</u></p> <p>b. <u>Paragraph 3 of Article II-2 of the Agreement shall not apply to financial services referred to in subparagraphs 1 (b) and (e) of Article X.3 of Annex [...] (Financial Services) of the Agreement.</u></p>
Sector: Financial Services Sub-sector: All	All	<p><u>National Treatment</u></p> <p><u>Canada reserves the right to adopt or maintain any measure with respect to housing finance programs.</u></p>
Sector: Fisheries Sub-sector: Services Incidental to Fishing	All	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to licensing fishing or fishing related activities including entry of foreign fishing vessels to Canada's exclusive economic zone, territorial sea, internal waters or ports and use of services therein.</p> <p><u>Existing Measures:</u></p> <p><i>Coastal Fisheries Protection Act, R.S.C. 1985, c. C-33 Fisheries Act, R.S.C 1985, c. F-14 Coastal Fisheries Protection Regulations, C.R.C. 1978, c. 413 Commercial Fisheries Licensing Policy Policy on Foreign Investment in the Canadian Fisheries Sector, 1985</i></p>
Sector: Government Finance	3	<p><u>National Treatment</u></p>

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Sector or subsector	Mode	Other Limitations
Sub-sector: Securities		<p>Canada reserves the right to adopt or maintain any measure relating to the acquisition, sale or other disposition by nationals of a Party of bonds, treasury bills or other kinds of debt securities issued by the Government of Canada or a Canadian sub-national government.</p> <p><u>Existing Measures:</u> <i>Financial Administration Act, R.S.C. 1985, c. F-11</i></p>
Sector: Transportation	All	<u>National Treatment, Local Presence</u>
Sub-sector: Air Transportation		Canada reserves the right to adopt or maintain any measure relating to the selling and marketing of air transportation services.
Sector Transportation  Sub-sectors: - CPC 721 Transportation Services by Sea-going Vessels - CPC 722 Transportation Services by Non-sea-going Vessels - CPC 745 Supporting Services for Water Transport - CPC 5133 and 5233 Construction Work for Waterways, Harbours, Dams and Other Water Works - Any other marine activity of a commercial nature undertaken by or from a vessel.	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the investment in or provision of marine cabotage services, including:</p> <ul style="list-style-type: none"> <li>(a) the transportation of either goods or passengers by ship between points in the territory of Canada or above the continental shelf of Canada, either directly or by way of a place outside Canada; but with respect to waters above the continental shelf of Canada, the transportation of either goods or passengers only in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada; and</li> <li>(b) the engaging by ship in any other marine activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other marine activities of a commercial nature that are in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf.</li> </ul> <p>This reservation relates to, among other things, limitations and conditions for service providers entitled to participate in these activities, criteria for the issuance of a temporary cabotage license to foreign ships and limits on the number of cabotage licenses issued to foreign ships.</p>
Sector Transportation  Sub-sector: International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure inconsistent with Article I-4 with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].</p>
Sector: Transportation  Sub-sector: Technical testing and analysis services related to International maritime transport (Freight and	All	<p><u>Local Presence</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the recognition of a person, classification society or organization authorized to carry out statutory inspections and certification of ships on behalf of Canada. For greater certainty, only a person, classification society or other organization authorized by Canada, and having a local presence in Canada, may carry out statutory inspections and issue Canadian Maritime Documents to Canadian registered ships and their equipment on behalf of Canada.</p>

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Sector or subsector	Mode	Other Limitations
passengers) CPC 7211 and 7212		
Sector Postal Services  Sub-sector: Postal services, mail transportation by any mode of transport.  CPC 7511, 7321, 71124, 71235	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure related to Canada Post's exclusive privilege. Under the Canada Post Corporation Act, the Canada Post Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters, as defined in the Letter Definition Regulations, within Canada.</p> <p><u>Existing Measures:</u>  <i>Canada Post Corporation Act, R.S.C., 1985, c. C-10</i>  <i>Letter Definition Regulations, SOR/83-481</i></p>
All sectors: Subsidies	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a subsidy or grant provided by a Party or a state enterprise, including a government-supported loan, guarantee or insurance.</p>
All sectors: Taxation Measures	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any taxation measure:</p> <ol style="list-style-type: none"> <li>1. that distinguishes between service suppliers who are not alike, in particular with regard to their place of residence or with regard to the place where their capital is invested;</li> <li>2. that aims to prevent the avoidance or evasion of taxes pursuant to its tax laws or tax conventions;</li> <li>3. that falls within the scope of a tax convention of which Canada is a Party. In the event of inconsistency between this Agreement and any such convention, that convention prevails to the extent of the inconsistency.</li> <li>4. that provides a more favourable tax treatment to a corporation that is a service supplier, or to a shareholder of a corporation that is a service supplier, on the basis that the corporation is wholly or partly owned or controlled, directly or indirectly, by one or more investors who are residents of that Party;</li> <li>5. that provides an advantage relating to the contributions made to, or income of, an arrangement providing for the deferral of, or exemption from, tax for pension, retirement, savings, education, health, disability or other similar purposes, conditional on a requirement that that Party maintains continuous jurisdiction over such arrangement;</li> <li>6. that provides an advantage relating to the purchase or consumption of a particular service, conditional on a requirement that the service be provided in the territory of that Party;</li> <li>7. that provides an advantage to a government, a part of a government, or a person that is directly or indirectly owned, controlled or</li> </ol>

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Sector or subsector	Mode	Other Limitations
		<p>established by a government;</p> <p>8. that aims at ensuring the equitable and effective imposition or collection of taxes, including a measure that is taken by a Party in order to ensure compliance with the Party's taxation system;</p> <p>9. that provides an advantage to a charity or a non-profit organization;</p> <p>10. that imposes tax in respect of a service that is acquired outside Canada for consumption, use or supply in Canada, in respect of the use of a service outside Canada that is in relation to an activity, business or adventure in the nature of trade in Canada, or in respect of an outlay made or expense incurred outside Canada that may reasonably be regarded as being applicable to an activity carried on, engaged in, or conducted in Canada;</p> <p>11. that imposes tax in respect of net premiums paid to non-resident insurers or exchanges in regard to a contract against a risk ordinarily within Canada, unless such insurance is deemed not to be available in Canada, or in respect of net premiums payable with regard to a contract entered into through a non-resident broker or agent, with an insurer authorized under the laws of Canada or of any province or territory to carry out the business of insurance;</p> <p>12. that results in differences in treatment with respect to delivery by mail of goods in Canada;</p> <p>13. that provides an advantage to a person that is licensed, accredited, certified, registered or otherwise authorized to carry out an activity or to practice a trade, occupation or profession in Canada; or</p> <p>14. that results in differences in treatment with respect to foreign-based rental vehicles.</p> <p>For the purposes of this reservation and for greater certainty:</p> <p><b>"taxation measure"</b> means a taxation measure adopted or maintained at any level of government.</p> <p><b>"tax convention"</b> means a convention for the avoidance of double taxation or other international taxation agreements or arrangements.</p>
All sectors: Movement of Natural Persons Providing Services	4	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any immigration measure, including any measure affecting the application and processing of entry visas, except as specifically set out in this Schedule.</p> <p><u>Intra-Corporate Transferees</u></p> <p>Natural persons of another Party who have been employed by a juridical person of another Party for a period of not less than one year within the three-year period immediately preceding the date of application for admission to Canada and seeks temporary entry in order to render services to (i) the same juridical person which is engaged in substantive business operations in Canada or (ii) a juridical person constituted in Canada and engaged in substantive business operations in Canada which is owned by or controlled by or affiliated with the aforementioned juridical person.</p>

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Sector or subsector	Mode	Other Limitations
		<p>These comprise:</p> <ul style="list-style-type: none"> <li>a) Executives Natural persons employed by a juridical person who primarily direct the management of that juridical person, establish goals and policies for the juridical person or for one of its major components or functions, have wide decision-making powers and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the juridical person.</li> <li>b) Managers Natural persons employed by a juridical person who directs that juridical person or one of its departments or subdivisions; supervises and controls the work of other supervisory, professional or managerial employees; exercises discretionary authority over day-to-day operations at a senior level.</li> </ul> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying intra-corporate transferees.</i></p> <p>Entry and stay shall be for an initial period equivalent to the lesser of 3 years or the period of the transfer, with the possibility of extensions. Entry and stay, including extensions, may not exceed seven years.</p> <p><u>Business Visitors</u></p> <p>Natural persons who enter Canada for a purpose outlined in the chart below, without acquiring remuneration from within Canada and without engaging in direct sales or supplying services to the general public.</p> <p><i>Labour market tests or other procedures of similar intent and work permits are not required for qualifying business visitors.</i></p> <p>Entry and stay shall be for a period of no more than 90 days.</p> <p><u>Contract Service Suppliers (CSS)</u></p> <p>Natural persons who are employees of a juridical person of another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that juridical person of the other Party (other than agencies as defined by CPC 872), in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying contract service suppliers.</i></p> <p>Entry and stay shall be for a period of one year or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p> <p><u>Independent Professionals</u></p> <p>Natural persons who are self-employed professionals in another Party and seek to engage, as part of a services contract granted by a</p>

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Sector or subsector	Mode	Other Limitations
		<p>juridical person or a services consumer in Canada and obtained by that professional in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying independent professionals.</i></p> <p>Entry and stay shall be for a period of 90 days or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p>

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**Business Visitors**  
**List of Acceptable Purposes**

***Meetings and Consultations***

Business persons attending meetings, seminars, conferences, conventions, or trade fairs, or engaged in consultations with business associates.

***Research and Design***

Technical, scientific and statistical researchers conducting independent research or research for an enterprise located in the territory of another Party.

***Commercial Transactions***

Management, supervisory, purchasing, and financial services personnel (insurers, bankers, or investment brokers) conducting commercial transactions for an enterprise located in the territory of another Party.

***Marketing***

Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise located in the territory of another Party.

***Sales***

Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in the territory of another Party but not delivering goods or providing services.

***Distribution***

Transportation operators transporting goods or passengers to the territory of Canada from the territory of another Party or loading and transporting goods or passengers from the territory of Canada, with no unloading in that territory, to the territory of another Party.

Customs brokers providing consulting services regarding the facilitation of the import or export of goods.

***After-Sales or After-Lease Service***

Installers, repair and maintenance personnel, and supervisors, possessing specialized knowledge essential to a seller's or lessor's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located outside the territory of Canada into which temporary entry is sought, during the

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life of the warranty or service agreement.

***General Service***

Contract service suppliers and independent professionals engaging in an acceptable purpose for business visitors set out in this List of Acceptable Purposes.

Tour guides or tour operators conducting a tour that has begun in the territory of another Party.

Employees of an enterprise located in the territory of another Party supporting a business activity in the territory of the other Party by performing translation and interpretation services directly to their enterprise.

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**Chart for Contract Service Suppliers and Independent Professionals**

<b>Occupation</b>	<b>Minimum Education Requirements/Alternative Credentials</b>	<b>Other Requirements</b>
Engineers	Baccalaureate degree. <sup>1</sup>	Provincial license. <sup>3</sup>
Agrologists	Baccalaureate degree in agriculture or related science plus four years of related experience.	Licensing is required in New Brunswick, Alberta and Québec. Temporary licensing is required in British Columbia.
Architects	Baccalaureate degree in architecture.	Provincial license and certificate required to practice.
Forestry Professionals	Baccalaureate degree in forestry management or forestry engineering, or a provincial license.	Licensing as a forester or forestry engineer is required in Alberta, British Columbia and Québec.
Geomatics Professionals	Baccalaureate degree in surveying, geography or environmental sciences plus three years related experience.	
Land Surveyors	Baccalaureate degree.	Provincial license.
Foreign Legal Consultants	Baccalaureate degree in law.	Provincial license.
Urban Planners	Baccalaureate degree in urban planning.	Provincial license.
Senior Computer Specialists	Graduate degree <sup>2</sup> in computer sciences, or related discipline; and ten (10) years of experience in computer science.	

<sup>1</sup> The term "Baccalaureate degree" means a degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>2</sup> The term "Graduate degree" means at least a Masters degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>3</sup> The term "Provincial license" means any document issued by a provincial government, or under its authority, which permits a person to engage in a regulated activity or profession.

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**PART I: HORIZONTAL COMMITMENTS - SECTION B**

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<b>Limitations on Market Access pursuant to Article II-1</b>  Canada maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		<b>Reservations pursuant to Articles II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2</b>  Canada maintains the following conditions and qualifications on national treatment, <u>and</u> local presence, <b>local management and boards of directors and local content and other performance requirements</b> in all sectors:	
All sectors: Cross border and consumption abroad	1), 2) None.			
All sectors: Commercial presence	3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:  (a) any direct acquisition of a Canadian business with assets of C\$5 million or more;  (b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and  (c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.  2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a	National Treatment, <b>Local Management and Boards of Directors, Local Content and Other Performance Requirements</b>	3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:  (a) any direct acquisition of a Canadian business with assets of C\$5 million or more;  (b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and  (c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.  2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment;</li> </ul>	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment; and</li> </ul>		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and</p> <p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>		<p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices}}{\text{Previous Year Nominal GDP at Market Prices}} - x \text{ amount determined for previous year}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars.</p> <p><b>Measures:</b></p>	<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices}}{\text{Previous Year Nominal GDP at Market Prices}} - x \text{ amount determined for previous year}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars</p>		

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***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>		<b>Measures:</b> <i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>	
All sectors: Commercial presence	<p>3) The acquisition of control of a Canadian business, or establishment of a new business related to Canada's cultural heritage or national identity, by a non-Canadian is subject to approval.</p> <p>For the purposes of this schedule of commitments, businesses related to Canada's cultural heritage and national identity mean persons engaged in the following activities:</p> <ul style="list-style-type: none"> <li>a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li> <li>b) the production, distribution, sale or exhibition of film or video recordings;</li> <li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li> <li>d) the publication, distribution or sale of music in print or machine readable form; or</li> <li>e) radiocommunication in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li> </ul>			
All sectors: Commercial presence	<p>3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing</p>		<u>National Treatment, Local Management and Boards of Directors</u> <p>3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>		
All sectors: Commercial presence		<p><u>National Treatment</u></p> <p>3) A corporation may place constraints on the issue, transfer and ownership of shares in a federally incorporated corporation. The object of those constraints is to permit a corporation to meet Canadian ownership or control requirements, under certain laws set out in the <i>Canada Business Corporations Act Regulations</i>, in sectors where Canadian ownership or control is required as a condition to receive licenses, permits, grants,</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>payments or other benefits. In order to maintain certain Canadian ownership levels, a corporation is permitted to sell shareholders' shares without the consent of those shareholders, and to purchase its own shares on the open market.</p> <p>The <i>Canada Cooperatives Act</i> provides that constraints may be placed on the issue or transfer of investment shares of a cooperative to persons not resident in Canada to permit cooperatives to meet Canadian ownership requirements to obtain a license to carry on a business, to become a publisher of a Canadian newspaper or periodicals or to acquire shares of a financial intermediary and in sectors where Canadian ownership or control is a required condition to receive licenses, permits, grants, payments and other benefits. Where the ownership or control of investment shares would adversely affect the ability of a cooperative to maintain a level of Canadian ownership or control, the <i>Canada Cooperatives Act</i> provides for the limitation of the number of investment shares that may be owned or for the prohibition of the ownership of investment shares.</p> <p>For the purposes of this reservation <b>Canadian</b> means “Canadian” as defined in the Canada Business Corporations or in the Canada Cooperatives Regulations.</p> <p><b>Measures:</b></p> <p><i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, cI  <i>Canada Cooperatives Regulations</i>, SOR/99-256</p>	
All sectors: Commercial presence			<p><u>National Treatment, Local Management and Boards of Directors</u></p> <p>3) The <i>Canada Business Corporations Act</i> requires for most federally incorporated corporations, that 25 percent of directors be resident Canadians and, if such</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>corporations have fewer than four directors, at least one director must be a resident Canadian. As provided in the <i>Canada Business Corporations Regulations</i>, simple majority of resident Canadian directors is required for corporations in the following sectors: uranium mining; book publishing or distribution; book sales, where the sale of books is the primary part of the corporations business, and film or video distribution. Similarly, corporations that, by an Act of Parliament or Regulation, are individually subject to minimum Canadian ownership requirements are required to have a majority of resident Canadian directors.</p> <p>For purposes of the <i>Canada Business Corporations Act</i>, <b>resident Canadian</b> means an individual who is a Canadian citizen ordinarily resident in Canada, a citizen who is member of a class set out in the <i>Canada Business Corporation Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than one who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>In the case of a holding corporation, not more than one-third of the directors need be resident Canadians if the earnings in Canada of the holding corporation and its subsidiaries are less than 5 percent of the gross earnings of the holding corporation and its subsidiaries.</p> <p>The <i>Canada Cooperatives Act</i> requires that not less than two-thirds of the directors be members of the cooperative. At least 25 percent of directors of a cooperative must be resident in Canada; if a cooperative has only three directors, at least one director must be resident in Canada.</p> <p>For the purposes of the <i>Canada Cooperatives Act</i>, a resident of Canada is defined in the <i>Canada Cooperatives Regulations</i> as an individual who is a Canadian citizen and who is ordinarily resident in Canada; a Canadian citizen who is ordinarily resident in Canada and who is a</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>member of a class set out in the <i>Canada Cooperatives Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than a permanent resident who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>Under Part IV of the <i>Canada Corporations Act</i>, a simple majority of the elected directors of a Special Act corporation must be resident in Canada and citizens of a Commonwealth country. This requirement applies to every joint stock company incorporated subsequent to June 22, 1869 by any Special Act of Parliament.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256  Special Acts of Parliament incorporating specific companies</p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) The <i>Foreign Ownership of Land Regulations</i> are made pursuant to the <i>Citizenship Act</i> and the Alberta <i>Agricultural and Recreational Land Ownership Act</i>, RSA 1980, c. A-9. In Alberta, an ineligible person or foreign-owned or -controlled corporation may only hold an interest in controlled land consisting of maximum of 2 parcels containing, in the aggregate, a maximum of 20 acres.</p> <p>For the purpose of this reservation:</p> <p><b>ineligible person</b> means:</p> <p>(a) a natural person who is not a Canadian citizen or</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>permanent resident;</p> <p>(b) a foreign government or agency thereof; or</p> <p>(c) a corporation incorporated in a country other than Canada.</p> <p><b>Controlled land</b> means land in Alberta but does not include:</p> <p>(a) land of the Crown in right of Alberta;</p> <p>(b) land within a city, town, new town, village or summer village; and</p> <p>(c) mines or minerals.</p> <p><b>Measures:</b></p> <p><i>Citizenship Act, R.S.C. 1985, c. C-29</i></p> <p><i>Foreign Ownership of Land Regulations, SOR/79-416</i></p>	
All sectors: Commercial presence			<p><b>National Treatment</b></p> <p>3) A "non-resident" or "non-residents" may not own more than a specified percentage of the voting shares of the corporation to which each Act applies. For some companies the restrictions apply to individual shareholders, while for others the restrictions may apply in the aggregate. Where there are limits on the percentage that an individual Canadian investor can own, these limits also apply to non-residents. The restrictions are as follows:</p> <ul style="list-style-type: none"> <li>• Air Canada: 25% in the aggregate;</li> <li>• Cameco Limited (formerly Eldorado Nuclear Limited): 15% per non-resident natural person, 25% in the aggregate;</li> <li>• Nordion International Inc.: 25% in the aggregate;</li> <li>• Theratronics International Limited: 49% in the aggregate; and</li> <li>• Canadian Arsenals Limited: 25% in the aggregate.</li> </ul> <p>For the purposes of this reservation, "non-resident"</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>includes:</p> <ul style="list-style-type: none"> <li>a) a natural person who is not a Canadian citizen and not ordinarily resident in Canada;</li> <li>b) a corporation incorporated, formed or otherwise organized outside Canada;</li> <li>c) the government of a foreign State or a political subdivision thereof, or a person empowered to perform a function or duty on behalf of such a government;</li> <li>d) a corporation that is controlled directly or indirectly by an entity referred to in subparagraphs (a) through (c);</li> <li>e) a trust: <ul style="list-style-type: none"> <li>(i) established by an entity referred to in subparagraphs (b) through (d), other than a trust for the administration of a pension fund for the benefit of natural persons the majority of whom are resident in Canada, or</li> <li>(ii) in which an entity referred to in subparagraphs (a) through (d) has more than 50% of the beneficial interest; and</li> </ul> </li> </ul> <p>a corporation that is controlled directly or indirectly by a trust referred to in subparagraph (e).</p> <p><u>Measures:</u></p> <p><i>Air Canada Public Participation Act, R.S.C. 1985, c. 35 (4th Supp.)</i>  <i>Canadian Arsenals Limited Divestiture Authorization Act, S.C. 1986, c. 20</i>  <i>Eldorado Nuclear Limited Reorganization and Divestiture Act, S.C. 1988, c. 41</i>  <i>Nordion and Theratronics Divestiture Authorization Act,</i></p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Energy			<p>S.C. 1990, c. 4</p> <p><u>National Treatment</u></p> <p>1) 2) 4) Under the <i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada–Newfoundland Atlantic Accord Implementation Act</i>, in order to proceed with an oil and gas development project in the offshore area, a corporation or other body may be required to:</p> <ul style="list-style-type: none"> <li>(a) give first consideration to individuals resident in the province for training and employment; and</li> <li>(b) give first consideration to services provided from within the province, where those services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p><u>Measures:</u></p> <p><i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i>, S.C. 1988, c. 28</p> <p><i>Canada–Newfoundland Atlantic Accord Implementation Act</i>, S.C. 1987, c. 3</p>	
All sectors: Energy			<p><u>Local Content and Other Performance Requirements</u></p> <p>3) Under the <i>Hibernia Development Project Act</i>, Canada and the Hibernia Project Owners may enter into agreements. Those agreements may require the Project Owners to undertake to perform certain work in Canada and Newfoundland and Labrador and to use their best efforts to achieve specific Canadian and Newfoundland target levels in relation to the provisions of a “benefits plan” required under the <i>Canada–Newfoundland and Labrador Atlantic Accord Implementation Act</i>. “Benefits plans” are further described in the reservation below.</p> <p>In addition, Canada may impose in connection with the Hibernia project a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>national or enterprise in Canada.</u></p> <p><u>Measures:</u></p> <p><u>—Hibernia Development Project Act, S.C. 1990, c. 41</u></p> <p><u>—Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987, c. 3</u></p>	
All sectors: Energy			<p><u>Local Presence</u></p> <p><u>1) Under the Canada Oil and Gas Operations Act, a “benefits plan” must be approved by the Minister in order to be authorized to proceed with an oil and gas development project.</u></p> <p><u>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</u></p> <p><u>The benefits plan contemplated by the Canada Oil and Gas Operations Act permits the Minister to impose on the applicant an additional requirement to ensure that disadvantaged individuals or groups have access to training and employment opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u></p> <p><u>Provisions continuing those set out in the Canada Oil and Gas Operations Act are included in laws which implement the Canada Yukon Oil and Gas Accord.</u></p> <p><u>Provisions continuing those set out in the Canada Oil and Gas Operations Act will be included in laws or regulations to implement the Northwest Territories Oil and Gas Accord and the Canada–Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords shall be deemed, once</u></p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><del>concluded, to be existing measures.</del></p> <p><del>The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and the Canada-Newfoundland Atlantic Accord Implementation Act have the same requirement for a benefits plan but also require that the benefits plan ensures that:</del></p> <ul style="list-style-type: none"> <li><del>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</del></li> <li><del>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</del></li> <li><del>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality and delivery.</del></li> </ul> <p><del>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</del></p> <p><del>In addition, Canada may impose a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a person of Canada in connection with the approval of development projects under the applicable Acts.</del></p> <p><del>Measures:</del></p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><i>Canada Oil and Gas Production and Conservation Act, R.S.C. 1985, c. O-7, as amended by Canada Oil and Gas Operations Act, S.C. 1992, c. 35</i></p> <p><i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></p> <p><i>Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></p> <p>Measures implementing the Canada-Yukon Oil and Gas Accord, including the <i>Canada Yukon Oil and Gas Accord Implementation Act, 1998</i>, c.5, s.20 and the <i>Oil and Gas Act, RSY 2002</i>, c.162</p> <p>Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories.</p> <p>Measures implementing the Canada Quebec-Gulf of St. Lawrence Petroleum Resources Accord</p>	
All sectors: Energy			<p>National Treatment, Local Presence, Local Content and Other Performance Requirements</p> <p>1)2)3)4) Before any work, activity or development plan may be approved under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister responsible for that Act.</p> <p>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</p> <p>The Minister responsible for that Act has the authority to require that a benefits plan includes an “affirmative action program” to ensure that disadvantaged individuals or groups have access to training and employment</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</p> <p>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the Canada-Yukon Oil and Gas Accord and the Northwest Territories Oil and Gas Accord.</p> <p>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> may be included in federal laws or regulations to implement accords with various provinces and territories, including the Canada-Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords and implementing legislation shall be deemed, once concluded, to be existing measures.</p> <p>The <i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada - Newfoundland and Labrador Atlantic Accord Implementation Act</i> have an equivalent requirement for a benefits plan but also require that the benefits plan ensures that:</p> <ul style="list-style-type: none"> <li>• (a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</li> <li>• (b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</li> <li>• (c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality</li> </ul>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>and delivery.</u></p> <p><u>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</u></p> <p><u>Measures:</u></p> <p><u><i>Canada Oil and Gas Operations Act R.S.C., 1985, c. O-7</i></u></p> <p><u><i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></u></p> <p><u><i>Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></u></p> <p><u><i>Measures implementing the Canada-Yukon Oil and Gas Accord, including the Canada-Yukon Oil and Gas Accord Implementation Act, 1998, c.5, s. 20 and the Oil and Gas Act, RSY 2002, c. 162</i></u></p> <p><u><i>Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories</i></u></p> <p><u><i>Measures implementing the Accord between the Government of Canada and the Government of Quebec for the joint management of petroleum resources in the Gulf of St. Lawrence or any other similar federal-provincial accords related to the joint management of petroleum resources.</i></u></p>	
All sectors: Export and import permits			<p><u>Local Presence</u></p> <p>1) 2) 4) Only individuals ordinarily resident in Canada, enterprises having their head offices in Canada or branch offices in Canada of foreign enterprises may apply for and be issued import or export permits or transit authorization certificates for goods and related services subject to controls under the <i>Export and Import Permits Act</i>.</p> <p><u>Measures:</u></p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Examination of Cultural Property			<u>Export and Import Permits Act</u> , R.S.C. 1985, c. E-19 <b>Local Presence</b> 1) 2) 3) 4) Only a "resident of Canada" or an "institution" in Canada may be designated as an "expert examiner" of cultural property for purposes of the <i>Cultural Property Export and Import Act</i> . A " <b>resident</b> " of Canada is an individual who is ordinarily resident in Canada, or a corporation that has its head office in Canada or maintains one or more establishments in Canada to which employees employed in connection with the business of the corporation ordinarily report for work. An " <b>institution</b> " is an institution that is publicly owned and operated solely for the benefit of the public, that is established for educational or cultural purposes and that conserves objects and exhibits them. <b>Measures:</b> <i>Cultural Property Export and Import Act</i> , R.S.C. 1985, c. C-51	
All sectors: Taxation measures			National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a> , <a href="#">Local Content and Other Performance Requirements</a> 1) 2) 3) 4) Canada reserves the right to maintain any existing taxation measure.	
All sectors: Sub-federal measures			National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a> , <a href="#">Local Content and Other Performance Requirements</a> 1) 2) 3) 4) Canada reserves the right to maintain any existing non-conforming measure of provincial, territorial, and local governments or authorities.	
All sectors: Movement of Natural Persons Providing Services	4) Unbound for the entry of a natural person except for the specified commitments in Part I, Section A.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
<b>PART II. SECTOR-SPECIFIC COMMITMENTS</b>						
<b>1. BUSINESS SERVICES</b>						
A*. <u>Professional Services</u>						
a) Legal Services <sup>4</sup>	1) None. 2) None. 3) None, other than:  Foreign Legal Consultants Advisory services (CPC 861 <sup>*</sup> )  iii International Law	Commercial presence must take the form of a sole proprietorship or partnership.  4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Lawyers</u> (Alberta, Ontario, Newfoundland and Labrador): Requirement to be permanent resident for accreditation.				
b) Accounting, auditing and book-keeping services (CPC 862)	1) None, other than:  <del><u>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario) - Requirement for a commercial presence</u></del>  (Nova Scotia): Residency requirement for licence. (Alberta): Permanent residence required for accreditation.  2) None, other than:  <del><u>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario) - Requirement for a commercial presence</u></del>	1) 2) 4) Banks are required to have a firm of accountants to be auditors of the bank. A firm of accountants must be qualified as set out in the <i>Bank Act</i> . Among the qualifications required is that two or more members of the firm must be ordinarily resident in Canada and that the member of the firm jointly designated by the firm and the bank to conduct the audit must be ordinarily resident in Canada.  An insurance company, a cooperative credit association, and a trust or loan company require an auditor who can either be a natural person or a firm of accountants. An auditor of such an institution must be qualified as set out				

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<sup>4</sup> For the purpose of this entry:

'foreign law' – the laws of the territories of TISA Parties and other countries other than the law of Canada

'international law' – includes law established by international treaties and conventions, as well as customary law.

\* Asterisks designate "part of".  
\* Asterisks designate "part of".

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>presence.</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p> <p>3) None, <b>other than:</b>  <b>Commercial presence must take the form of a sole proprietorship or partnership.</b></p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <b>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence.</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p>	<p>in the <i>Insurance Companies Act</i>, the <i>Cooperative Credit Associations Act</i> or the <i>Trust and Loan Companies Act</i>, as the case may be. In the case where a natural person is appointed to be the auditor of such a financial institution, among the qualifications required is that the person must be ordinarily resident in Canada. In the case where a firm of accountants is appointed to be the auditor of such a financial institution, the member of the firm jointly designated by the firm and the financial institution to conduct the audit must be ordinarily resident in Canada.</p> <p><b>Measures:</b>  <i>Bank Act</i>, S.C. 1991, c. 46  <i>Insurance Companies Act</i>, S.C. 1991, c. 47  <i>Cooperative Credit Associations Act</i>, 1991, c. 48  <i>Trust and Loan Companies Act</i>, 1991, c. 45</p>		
c) Taxation Services (excluding legal services) (CPC 863*)	<p>1) None.            2) None.            3) None.            4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Architectural services (CPC 8671)  Advisory and pre-design architectural services (CPC 86711)  Architectural design services (CPC 86712)  Contract administration services	<p>1) None.            2) None.            3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 86713)  Combined architectural design and contract administration services (CPC 86714)  Other architectural services (CPC 86719)				
e) Engineering services (CPC 8672)  Advisory and consultative engineering services (CPC 86721)  Engineering design services for foundations and building structures (CPC 86722)  Engineering design services for mechanical and electrical installations for buildings (CPC 86723)  Engineering design services for civil engineering construction (CPC 86724)  Engineering design for industrial processes and production (CPC 86725)  Engineering design services n.e.c. (CPC 86726)	<p>1) None, other than: <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p> <p>2) None, other than: <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and: <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other engineering services during the construction and installation phase (CPC 86727)				
Other engineering services (CPC 86729)				
f) Integrated engineering services (CPC 8673)	1) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation. 2) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal <u>Commitments, and Commitments and</u> : <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
Integrated engineering services for transportation infrastructure turnkey projects (CPC 86731)				
Integrated engineering and project management services for water supply and sanitation works turnkey projects (CPC 86732)				
Integrated engineering services for the construction of manufacturing turnkey projects (CPC 86733)				
Integrated engineering services for other turnkey projects (CPC 86739)				
g) Urban planning and landscape architectural services (CPC 8674)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Computer and Related Services</u>  (CPC 84, except those listed under Financial Services 7B1.)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
C*. <u>Research and Development Services</u>  a) Research and experimental development services on natural sciences and engineering (CPC 851)	1)2)3) None, except for: (Alberta, <b>Manitoba</b> , Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Alberta, <b>Manitoba</b> , Yukon): Unbound			
b*) Research and experimental development services on social sciences and humanities, including law, economics, except linguistics and language (CPC 852*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Interdisciplinary research and experimental development services (CPC 853)	1)2)3) None, except for: (Alberta, Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments,			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	and:  (Alberta, Yukon): Unbound			
D. <u>Real Estate Services</u>	<p>a) Real estate services involving own or leased property (CPC 821)</p> <p>b) Real estate services on a fee or contract basis (CPC 822)</p>			
	<p>1) None, other than:   <u>Real Estate Services</u> (<u>Ontario, Nova Scotia, Newfoundland and Labrador</u>, Prince Edward Island, <u>Saskatchewan</u>): Services must be supplied through a commercial presence.</p> <p><u>Real Estate Agents</u> (Alberta, <u>Newfoundland and Labrador</u>): Services must be supplied through a commercial presence.</p> <p>2) None. 3) None. 4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:   <u>Real Estate Services</u> (<u>Ontario, Nova Scotia, Newfoundland and Labrador</u>, Prince Edward Island, <u>Saskatchewan</u>): Services must be supplied through a commercial presence.</p> <p><u>Real Estate Agents</u> (Alberta, <u>Newfoundland and Labrador</u>): Services must be supplied through a commercial presence.</p>			
E*. <u>Rental/Leasing Services without Operators</u>	<p>a),b),c),d) Leasing or rental services concerning machinery and equipment without operator,</p> <p>1) None. 2) None. 3) None.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
including computers (CPC 831)	4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e*) Leasing or rental services concerning personal and household goods (excluding in 83201, the rental of pre-recorded records, sound cassettes, CD's and excluding 83202, rental services concerning video tapes) (CPC 832*)				
F*. Other Business Services				
b) Market research and public opinion polling services (CPC 864)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Management consulting services (CPC 865)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
General management Consulting services (CPC 86501)				
Financial management consulting services (CPC 86502)				
Marketing management consulting services (CPC 86503)				
Human resources management consulting				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
services (CPC 86504)				
Production management consulting services (CPC 86505)				
Public relations services (CPC 86506)				
Other management consulting services, including agrology, agronomy, farm management and related consulting services (CPC 86509)				
d) Services related to management consulting (CPC 866)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e) Technical testing and analysis services including quality control and inspection (CPC 8676)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
f*) Rental of agricultural equipment with operator (CPC 8811*)  Services incidental to forestry and logging, including forest management (CPC 8814)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
h) Services incidental to mining, including drilling	1) None. 2) None.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and field services and rental of equipment with operator (CPC 883)	3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Site preparation for mining (CPC 5115)				
i*) Toll refining services - oil (CPC 8845*)	1) None. 2) None, <u>other than</u> :  <u>Toll Refining of Basic Metals (Ontario): Must be treated or refined in Canada</u> .			
Toll refining services - basic metals (CPC 8851)	3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
k) Placement and supply services of personnel (CPC 872)	1) None, <u>other than</u> :  <u>Placement and Supply Services of Personnel (Ontario): Services must be supplied through a commercial presence</u> .  2) None, <u>other than</u> :  <u>Services must be supplied through a commercial presence</u> .  3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			← Formatted: Indent: Left: 0 cm, Hanging: 5.6 cm
l) Investigation and security services (CPC 873)	1) None, <u>other than</u> :  <u>Business and Personal Information Investigators (Ontario): Services must be supplied through a commercial presence</u> .  2) None, <u>other than</u> :			← Formatted Table

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>Services must be supplied through a commercial presence.</b></p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Security and investigation services (Québec); Citizenship requirement for private investigators.</b></p>			
m) Related scientific and technical consulting services (CPC 8675)	<p>1) None, other than:</p> <p><b>Free Miner (British Columbia): Applicant must ordinarily be a Canadian citizen and a permanent resident of Canada, a Canadian corporation or a partnership of the foregoing.</b></p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p>(Manitoba): Citizenship requirement for accreditation. (Newfoundland and Labrador): Permanent residency requirement for accreditation.</p>			
Geological, geophysical and other scientific prospecting services, including those related to mining (CPC 86751)	<p>2) None, other than:</p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p><b>(Ontario): Training must be completed in Ontario for accreditation.</b></p> <p>(Manitoba; <b>Newfoundland and Labrador</b>): Citizenship requirement for accreditation. <b>(Newfoundland and Labrador): Permanent residency requirement for accreditation.</b></p>			
Subsurface surveying services (CPC 86752)	<p>3) None, other than:</p> <p><b>Land Surveyors</b>: Commercial presence must take the form of a sole proprietorship or partnership except in</p>			
Surface surveying services (CPC 86753)				
Map making services (CPC 86754)				

*Without Prejudice*

Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<p>Alberta where it may take the form of a surveyor's corporation.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Free Miner</u> (British Columbia): Applicant must be a permanent resident.</p> <p><u>Land Surveyors</u> (Manitoba): Citizenship requirement for accreditation.</p> <p>(Newfoundland and Labrador): Permanent residency requirement for accreditation.</p>		
n) Repair services of personal and household goods (CPC 633)  Repair services incidental to metal products, machinery and equipment including computers and communications equipment on a fee or contract basis (CPC 8861 to 8866)		<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
o) Building-cleaning services (CPC 874)		<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
q) Packaging services (CPC 876)		<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
t) Other business services, including: (CPC 879)	1) None, other than:  <u>Credit Reporting</u> (Saskatchewan): Services must be	National Treatment <u>Local Presence</u>  Patent Agents:		Formatted: Underline

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Credit reporting services (CPC 87901)	<u>supplied through a commercial presence.</u>		1) 2) 4): To represent a person in the prosecution of a patent application or in other business before the Patent Office, a patent agent must be resident in Canada and registered by the Patent Office.  <u>Measures:</u> <i>Patent Act</i> , R.S.C. 1985, c. P-4 <i>Patent Rules</i> , SOR/96-423	
Collection agency services (CPC 87902)	<u>Credit Reporting and Collection Agencies</u> <u>Newfoundland and Labrador, Prince Edward Island, Nova Scotia</u> : Services must be supplied through a commercial presence.			
Telephone answering services (CPC 87903)	<u>Consumer Reporting Agencies</u> ( <u>Nova Scotia, Newfoundland and Labrador, Prince Edward Island</u> ): For juridical persons, requirement for a commercial presence. (Nova Scotia): For natural persons, requirement for permanent residency.		<u>National Treatment Local Presence</u>	
Duplicating services (CPC 87904)			<u>Trade Mark Agents:</u> 1) 2) 4): To represent a person in the prosecution of an application for a trade-mark or in other business before the Trade-marks Office, a trade-mark agent must be resident in Canada and registered by the Trade-marks Office.	
Translation and interpretation services (CPC 87905)	<u>Collection Agency Services</u> (Alberta): Trust funds must remain in Alberta. Must maintain address for service in Alberta.		<u>Measures:</u> <i>Trade-Marks Act</i> , R.S.C. 1985, c. T-13 <i>Trade-marks Regulations</i> , SOR/96-195	
Mailing list compilation and mailing services (CPC 87906)	2) None.  3) None, other than:			
Specialty design services (CPC 87907)	<u>Collection Agencies</u> (Ontario): Collection agencies must be incorporated under an Act of Ontario, an Act of Canada or an Act of another Province or Territory of Canada.			
Other business services n.e.c. including patent agents (CPC 87909)	<u>Consumer Reporting Agencies</u> (Nova Scotia): Requirement to incorporate.  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Consumer Agent Services</u> (Nova Scotia): For natural persons, requirement for permanent residency.			
2. COMMUNICATION SERVICES				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>Courier services</u>	Commercial courier services, including by public transport or self-owned transport (CPC 75121*)	1) None. 2) None. 3) None. 4) <del>None</del> Unbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
C. <u>Telecommunications Services*</u> , **	a) Voice telephone services  b) Packet-switched data transmission services  c) Circuit-switched data transmission services  d) Telex services  e) Telegraph services  f) Facsimile services  g) Private leased circuit services  o) Other— <del>Mobile services</del>	1) None. 2) None.  3) None, other than:  Canada reserves the right to adopt or maintain any measure:  (a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;  (b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;  (c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.	The following exceptions apply to this reservation:  (a) foreign investment is allowed up to 100% for	

\*Excluding services regulated under the Broadcasting Act and measures affecting such services.

\*\*Excluding telecommunications services supplied for the transmission of services regulated under the Broadcasting Act where such services are intended for direct reception by

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
the public.		<p>suppliers conducting operations under an international submarine cable licence;</p> <p>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</p> <p>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</p> <p>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</p> <p>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
C*. <u>Telecommunications services</u> , of which:  Enhanced or value-added services, for the supply of which the underlying telecommunications transport facilities are leased from providers of public telecommunications transport networks; these include:		<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
h) Electronic mail (CPC 7523*)				
i) Voice mail (CPC 7523*)				
j) On-line information and database retrieval (CPC 7523*)				
k) Electronic data interchange (EDI) (CPC 7523*)				
l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523*)				
m) Code and protocol conversion (CPC n.a.)				
n) On-line information and/or data processing (including transaction processing) (CPC 843*)				
3. CONSTRUCTION SERVICES				
A. <u>General construction work for buildings</u>				
Construction work for buildings, including for multi-dwelling buildings, warehouses and commercial buildings (CPC 512)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>General construction work for civil engineering</u>	Construction work for civil engineering, including for highways, airports, harbours, dams, bridges, construction for mining and manufacturing, rail, power and communications facilities, pipelines and stadia and other recreational facilities (CPC 513*)	1) None 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
C. <u>Installation and assembly work</u>	Assembly and erection of prefabricated constructions (CPC 514)  Installation work (CPC 516)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
D. <u>Building completion and finishing work</u>	Building completion and finishing work (CPC 517)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
E*. <u>Other</u>	Pre-erection work at construction sites, including excavation, earthmoving and site work except 5115, site preparation for mining	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 511*)  Special trade construction work (CPC 515)  Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)				
4. DISTRIBUTION SERVICES				
A*. <u>Commission agents' services</u>  Commission agents' services (excluding 62112, sales on a fee or contract basis of food products, beverages and tobacco and sales on a fee or contract basis of pharmaceutical and medical goods in 62117) (CPC 621*)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Wholesale trade services</u>  Wholesale trade services (excluding agriculture and live animals in 6221; fisheries products in 62224; alcoholic beverages in 62226; musical scores, audio and video recordings in 62244; and books, magazines, newspapers, journals, periodicals and other printed matter in 62262; and 62251 of	1) None, other than:  <u>Sale of Amusement Machines (Québec): Services must be supplied through a commercial presence.</u>  <u>Sale of Motor Vehicles (Saskatchewan): Services must be supplied through a commercial presence.</u>  <u>Sale of Amusement Machines (Québec): Citizenship</u>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
pharmaceutical and medical goods, and 62252, surgical and orthopaedic instruments and devices (CPC 622*)	<p>requirement in order to sell amusement machines.</p> <p>2) None.</p> <p>3) None, other than: <u>Fish Buyers</u> (British Columbia): Mobile fish buyers licenses are not issued to foreigners.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Retailing services</u>			<u>National Treatment Local Presence</u> <u>Duty free shops:</u> <p>1) 2) 4) To be a licensed duty free shop operator at a land border crossing in Canada, a natural person must:</p> <p>(a) be a Canadian national;          (b) be of good character;          (c) be principally resident in Canada; and          (d) have resided in Canada for at least 183 days of the year preceding the year of application for the license.</p> <p>3) To be a licensed duty free shop operator at a land border crossing in Canada, a corporation must:</p> <p>(a) be incorporated in Canada; and          (b) have all of its shares beneficially owned by Canadian nationals who meet the requirements as specified in the other modes of supply for this reservation.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Duty Free Shop Regulations</i>, SOR/86-1072</p>	<span style="border: 1px solid red; padding: 2px;">Formatted: Underline</span>
Food retailing services (excluding liquor, wine and beer sales in 63107) (CPC 631*)	<p>1) None, other than: <u>Itinerant Sellers (Québec): Commercial presence required</u></p>			
Non-food retailing services (excluding music scores, audio and video records and tapes in 63234; books, magazines, newspapers and periodicals in 63253; and pharmaceutical, medical and orthopaedic goods in 63211 and printed music in 63251) (CPC 632*)	<p><u>Direct Sellers (Nova Scotia): Services must be supplied through a commercial presence</u></p> <p>2) None.          3) None.          4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
Sale of motor vehicles including automobiles and other road vehicles (CPC 6111)				
Sale of parts and accessories of motor vehicles (CPC 6113)				
Sales of motorcycles and				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
snowmobiles and of related parts and accessories (CPC 6121)				
D*. <u>Franchising</u>	<p>1) None, other than:            (Alberta): Service suppliers required to designate a place within Alberta where they can be served legal documents.</p> <p>2) None.</p> <p>3) None, other than:            (Alberta): Required to have an attorney for service in legal documents.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
E*. Other  Retail sales of motor fuel (CPC 613)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:  <u>Retail petroleum</u> (Prince Edward Island): Public convenience and necessity test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
6. ENVIRONMENTAL				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
A. <u>Sewage services</u> (CPC 9401)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. <u>Refuse disposal services</u> (CPC 9402)				
C. <u>Sanitation and similar services</u> (CPC 9403)				
D. <u>Other</u>				
Cleaning services of exhaust gases (CPC 9404)				
Noise abatement services (CPC 9405)				
Nature and landscape protection services (CPC 9406)				
Other environmental services n.e.c. (CPC 9409)				
7. FINANCIAL SERVICES				
Canada undertakes commitments on Financial Services in accordance with the provisions of Annex [X] on Financial Services of this Agreement. While financial services are subject to the general conditions and limitations applicable to all sectors in this schedule, the scheduling framework established in Annex [X] on Financial Services of this Agreement and Canada's headnotes for financial services, as specified below, are applicable to all conditions and limitations as they apply to financial services.				
1. This offer does not take into account Article 13 (Senior Management and Board of Directors) of Annex [X] on Financial Services. Canada is open to the application of the obligation contained within Article 13 if and when parties reach consensus on the obligation within the Annex on Financial Services.				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
2. For financial services, in the interpretation of conditions and qualifications for National Treatment on existing measures (Part II), to the extent that the Measures element is qualified by a specific reference in the Description element, the Measures element as so qualified shall prevail over all other elements.						
3. To clarify Canada's commitment with respect to Article I-3 (Market Access), juridical persons supplying financial services and constituted under the laws of Canada are subject to non-discriminatory limitations on juridical form <sup>5</sup> .						
4. It is understood that Article 3 (Market Access Commitments), paragraph 1(c) of Annex [X] on Financial Services of this Agreement does not impose any obligation to allow non-resident financial services suppliers to solicit business.						
5. The listing of a measure related to a reservation in Part I, Section A or Section B, or Part II, does not mean that it cannot otherwise be justified as a measure adopted or maintained for prudential reasons pursuant to Article 16 (Prudential Measures) of Annex [X] on Financial Services of the Agreement.						
Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments		
All financial services	1), 2) None.  3) None, other than:  (Federal): No one person (Canadian or foreign) may own more than 10 per cent of any class of shares of a financial institution constituted under federal legislation.  (Federal): Financial institutions constituted under federal legislation having equity in excess of C\$1 billion are required, within three years of having reached the threshold, to have 35 per cent of their voting shares widely-held and listed and posted for trading on a Canadian stock exchange.  4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.		3) (Federal): A minimum of one half of the directors of a financial institution constituted under federal regulation that is a subsidiary of a foreign institution and a majority of the directors of any other financial institution constituted under federal legislation must be either Canadian citizens ordinarily resident in Canada or permanent residents ordinarily resident in Canada.  <b>Measures:</b> <i>Bank Act</i> (159, 749) <i>Insurance Companies Act</i> (167, 796) <i>Trust and Loan Companies Act</i> (163) <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Insurance Companies)</i> <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Trust and Loan Companies)</i> <i>Cooperative Credit Associations Act</i> (169)			

<sup>5</sup> For example, partnerships and sole proprietorships are generally not acceptable juridical forms for financial institutions in Canada. This headnote is not itself intended to affect, or otherwise limit, a choice by a financial institution of the other Party between branches or subsidiaries.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
A. Insurance and Insurance-Related Services (CPC 812* + 814)	1) None, other than:  <u>Direct insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u>			
a) Life, accident and health insurance services (CPC 8121)	(Alberta, <b>Nova Scotia</b> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
b) Non-life insurance services (except deposit insurance and similar compensation schemes) (CPC 8129)	(Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (British Columbia, <b>Nova Scotia</b> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
c) Reinsurance and retrocession (CPC 81299*)	2) None, other than:  <u>Direct Insurance</u> :  (Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (Alberta, Newfoundland and Labrador): The purchase of reinsurance services by a Canadian insurer, other than a life insurer or a reinsurer, from a non-resident reinsurer is limited to no more than 25 per cent of the risks undertaken by the insurer purchasing the reinsurance.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p><u>Direct insurance and reinsurance and retrocession</u></p> <p>(Federal): A foreign entity authorised to insure, in Canada, risks must be established directly under the foreign insurance company incorporated in the jurisdiction where the foreign insurance company, either directly or through a subsidiary, principally carries on business.</p> <p>(All provinces and territories): Insurance activities can only be provided through:</p> <ul style="list-style-type: none"> <li>(i) a corporation incorporated under provincial statutes;</li> <li>(ii) an extra-provincial insurance corporation, i.e., an insurer incorporated by, or under the laws of another jurisdiction (including a federally-authorized branch of a foreign corporation);</li> <li>(iii) an association formed on the plan known as Lloyds; or</li> <li>(iv) (Excluding Québec and Prince Edward Island): Reciprocal insurance exchanges.</li> </ul> <p>(Alberta, Prince Edward Island): Subsidiaries of foreign insurance corporations must be federally authorized.</p> <p>(Québec): Non-residents <del>can not</del> cannot acquire, without ministerial approval, either directly or indirectly, more than 30 per cent of the voting rights attached to shares of a Québec-chartered insurance company or of its controlling entity.</p> <p>(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company “SSQ, Société d’assurance-vie inc” or of the</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>holding company “Groupe SSQ inc”, the minister may, ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of a company, incorporation, share acquisition or application for business authorisation is subject to approval by the financial institutions commission.</p> <p><u>Motor vehicle insurance</u> (Manitoba, Saskatchewan, British Columbia): Motor vehicle insurance is provided by public monopoly.</p> <p>(Québec): Automobile insurance, with respect to personal injury and death, is provided by public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	<p>1) None, other than:</p> <p><u>Intermediation of insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u> (Alberta, Nova Scotia, Ontario, Quebec, Yukon): Services must be supplied through a commercial presence in the province or territory in which the service is provided.</p> <p>(Ontario): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Alberta,): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>2) None.</p>			

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Modes of supply:	1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons		
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p>(New Brunswick): Licenses shall not be issued to a corporation whose head office is outside Canada.</p> <p>(Ontario, Prince Edward Island): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Ontario): A foreign-owned insurance brokerage must have an address in Ontario suitable to permit service and must have its trust funds in one or more accounts in any Ontario branch of defined financial institutions.</p> <p>(Manitoba): Licenses to act as insurance agents and brokers are not issued to non-residents of Canada.</p> <p>(Alberta, Manitoba): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>(British Columbia): Licenses for general insurance shall be issued only to residents of the province.</p> <p>(Prince Edward Island): Licenses to act as insurance agent or adjusters are not issued to non-resident of the province.</p> <p>4) <b>NoneUnbound</b>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
B. Banking and Other Financial Services  (excl. insurance)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p>	<p>3) None, other than:</p>	
a) Acceptance of deposits and other repayable funds from	(Federal): In order to establish a bank branch, a foreign		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
the public (CPC 81115-81119)	bank must be a bank in the jurisdiction under whose laws it is incorporated.			
b) Lending of all types, including <i>inter alia</i> , consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)	(Federal): A bank branch must be established directly under the authorised foreign bank incorporated in the jurisdiction where the authorised foreign bank principally carries on business.			
c) Financial leasing (CPC 8112)	(Federal): Full service foreign bank branches and lending foreign bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.		(Federal): Full service bank branches and lending bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.  <u>Measures:</u> <i>Bank Act</i> s. 520, 540, 545 Schedule I and Schedule II to the <i>Bank Act</i> <i>Canadian Deposit Insurance Corporation Act</i> s.2, 8, 17	
d) All payment and money transmission services (CPC 81339*)			(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
e) Guarantees and commitments (CPC 81199*)	(Federal): Foreign lending branches may not accept deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	(Federal): Foreign lending branches may not accept deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.  <u>Measures:</u> <i>Canadian Payments Act</i> s. 2, 4 <i>Bank Act</i> s. 524, 540	
	(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>“SSQ, Société d’assurance-vie inc” or of the holding company “Groupe SSQ inc”, the minister may ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p><u>Trust and loan companies</u></p> <p>(Federal): Federal laws do not permit a trust and loan company to be established through branches of corporations organized under a foreign country’s law.</p> <p>(All provinces and territories, excluding British Columbia, Québec): Federal or provincial incorporation is required.</p> <p>(Ontario, Québec, Manitoba): The direct or indirect acquisition of Canadian-controlled companies by non-residents is restricted to 10 per cent individually and 25 per cent collectively.</p> <p>(Saskatchewan): Individual and collective foreign ownership of Canadian-controlled and provincially incorporated companies can be no more than 10 per cent of shares.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of the company, incorporation, share acquisition or application for business authorization is subject to approval by the financial institutions commission.</p> <p>(Ontario, New Brunswick and Nova Scotia): Incorporation or registration will be refused unless authorities are satisfied that there exists a public benefit and advantage for an additional corporation.</p> <p>(Ontario): Consent to change in control or transfers of 10</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>per cent or more of voting shares may be refused if it would be in the public interest to do so.</p> <p><u>Credit unions, caisses populaires and associations or groups thereof</u></p> <p>(Federal): Federal laws do not permit a credit union or fraternal benefit society in Canada to be established through branches of corporations organized under a foreign country's law.</p> <p>(All provinces and territories): Must incorporate in the jurisdictions in which they operate.</p> <p><u>Mortgage brokers</u></p> <p>(Ontario): Must incorporate under the laws of Canada, Ontario or of another province. Ownership of a corporation by foreign persons must not exceed 10 per cent individually and 25 per cent collectively of the total number of equity shares.</p> <p>(Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p>(Saskatchewan): Must maintain a business office in the province.</p> <p><u>Loan and investment companies</u></p> <p>(Québec): Federal or provincial incorporation.</p> <p><u>Co-operative corporations</u></p> <p>(Newfoundland and Labrador, Ontario): Must incorporate under the law of the applicable province or under federal law.</p> <p><u>Lending of all types</u> (Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p><u>Acceptance of deposits</u> (Québec): The acceptance of</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
<p>f) Trading for own account or for account of customers whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> <li>- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339*);</li> <li>- foreign exchange (CPC 81333*);</li> <li>- derivative products including but not limited to, futures and options (CPC 81339*)</li> <li>- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (CPC 81339*)</li> <li>- transferable securities (CPC 81321*)</li> <li>- other negotiable instruments and financial assets, including bullion (CPC 81339*)</li> </ul> <p>g) Participation in issues of all kinds of securities, including</p>	<p>deposits of public and para-public institutions is provided by a public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Mortgage brokers</u> (Ontario): Must be Canadian citizens or permanent residents of Canada and ordinarily resident in Canada.</p> <p>(Nova Scotia): Must be resident in the province.</p> <p>1) None, other than:</p> <p><u>Advisory and auxiliary financial services</u> (Alberta, <del>British Columbia, Nova Scotia, Québec, Saskatchewan</del>): Services must be supplied through a commercial presence in the jurisdiction in which the adviser is providing advice.</p> <p><u>Asset management</u> (Alberta, <del>British Columbia, Nova Scotia, Québec, Saskatchewan</del>): Services must be supplied through a commercial presence in the jurisdiction in which the service is provided.</p> <p>(Québec): The management of pension funds of public and para-public institutions in Québec is provided by public monopoly.</p> <p><u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.</p> <p>2) None, other than:</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)	<u>Trading in securities and commodity futures - persons</u> (All provinces and territories): There is a requirement to register in order to trade through dealers and brokers that are neither resident nor registered in the province or territory in which the trade is affected.			
h) Money broking (CPC 81339*)	3) None, other than:  <u>Securities dealers and brokers</u> (British Columbia, Ontario, Saskatchewan, Yukon): Must be incorporated, formed or continued under federal, provincial or territorial laws.  <u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.			
i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services (CPC 8119*, 81323*).				
j) Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments (CPC 81339*, 81319)				
k) Advisory, intermediation and other auxiliary financial services on all the activities listed in Article 2(a)(v) through (xv) of the Annex on Financial Services, incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131*, 8133*)	<u>Advisory and auxiliary financial services</u> (British Columbia): Must be incorporated, formed or continued under federal, provincial or territorial laws.  <u>Asset management</u> (Québec): The management of pension funds of public and para-public institutions in Québec is provided by a public monopoly.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
l) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131*, 842*, 843*, 844*)				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotels and restaurants</u> (including catering)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Sale of liquor on premises</u> (Nova Scotia: A liquor license for a hotel or restaurant serving food requires about three weeks. A license for a bar or nightclub (primarily serving alcoholic beverages) requires up to three months and must be preceded by a public hearing.</p> <p><u>Sale of liquor in a tavern, restaurant or bar</u> (Québec): For juridical persons not listed on a Canadian stock exchange, all shareholders owning 10 per cent or more of voting shares must be Canadian citizens or permanent residents.</p> <p>(<u>Saskatchewan</u>): <u>The majority of shareholders must be Canadian and manager must be a Canadian citizen or permanent resident.</u></p> <p><u>Sale of liquor</u> (Québec): Is limited to federally incorporated companies.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Sale of liquor in a restaurant and tavern</u> (Québec): Requirement for residency and citizenship.</p> <p><u>Sale of alcoholic beverages</u> (Alberta, Saskatchewan): Requirement for permanent residency.</p> <p>(Manitoba): Requirement for citizenship and residency.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		(Nova Scotia): Licenses for the sale of alcoholic beverages will be granted only to Canadian citizens or permanent residents.		
B. <u>Travel agencies and tour operators services</u>  Travel agency and tour operator services (CPC 7471)	1) None, <u>other than:</u>  <u>Travel agencies and travel wholesalers (Ontario): Services must be supplied through a commercial presence.</u>  <u>Travel agencies (Québec): Services must be supplied through a commercial presence.</u>  2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
11. TRANSPORT SERVICES	Approval is required from the National Transportation Agency prior to the acquisition of any federally regulated transportation undertaking with assets or annual gross sales in Canada in excess of \$10 million. For these purposes, a transportation undertaking means any business principally engaged in any transportation activity under federal jurisdiction within Canada, excluding (a) those operated by a person whose principal place of residence is outside Canada, and (b) those engaged in the transport of goods and/or passengers solely between Canada and another country.			
A. <u>Maritime Transport Services</u>  International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)  MARITIME TRANSPORT SERVICES* (See Notes 1 and 2)	1) 2) 3) 4) Unbound with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
International Transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage (See Note 3)	<p>1) (a) Liner Shipping and 1) (b) Bulk, tramp, and other international shipping, including passenger transportation: None, other than:</p> <p><u>Shipping Conferences</u> (only for mode 1) (a) <u>Liner Shipping</u>: Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely: <ul style="list-style-type: none"> <li>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</li> <li>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</li> </ul> </li> </ul>		<p><u>Local Presence</u></p> <p><u>Shipping Conferences</u>:</p> <p>1)2)4) Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Measures</u>:</p> <p><i>Shipping Conferences Exemption Act 1987</i>, R.S.C. 1985, c. 17 (3rd Supp.)</p> <p><u>National Treatment Local Presence</u></p> <p>1) (a) <u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely: <ul style="list-style-type: none"> <li>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</li> <li>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</li> </ul> </li> </ul>	<p>Canada does not require private sector terminal operators and providers of maritime auxiliary services to accord access to and use of their services on non-discriminatory terms and conditions.</p> <p>However, no measures prevent access to and use of the following services at the port by international maritime transport service suppliers, except for service suppliers of [...], on terms and conditions that accord national treatment:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Navigation aids;</li> <li>6. Shore-based operational services essential to ship operations, including: communications, water and electrical supplies;</li> <li>7. Emergency repair facilities;</li> <li>8. Anchorage, berth and berthing services;</li> <li>9. Lightering and water taxi services;</li> <li>10. Ship agencies;</li> <li>11. Custom brokers;</li> <li>12. Stevedoring and terminal</li> </ol>

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>; or</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory.</li> </ul> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of</p> <ul style="list-style-type: none"> <li>(a) Inuit entities or individuals,</li> <li>(b) Nunavut businesses or residents, or</li> <li>(c) local businesses or residents,</li> </ul> <p>as these terms may be defined by the Government of Nunavut.</p> <p>(Quebec): Tax deductions allowed for sailors residing in</p>	<p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><b>National Treatment, Local Presence</b></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>; or</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory.</li> </ul> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p>	<p>services;</p> <p>13. Surveying and classification services;</p> <p>14. Transport services for the purposes of onward forwarding of cargo; i.e. directly contracting with providers of other transport services for the provision of door-to-door or multimodal transport operations.</p>	<p><b>Formatted: Font: Italic, No underline</b></p> <p><b>Formatted: Font: Italic</b></p> <p><b>Formatted: Font: Italic, No underline</b></p>

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Pilotage services <sup>6</sup> (CPC 74520)*	<p>Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>2) None, other than: (Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>3) (a) None, other than: <u>Ship registration</u>: as set out under mode 1.  <u>Measures</u>: <i>Canada Shipping Act</i>, 2001, S.C. 2001, c. 26  (Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of (a) Inuit entities or individuals, (b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut.</p> <p>3) (b) Other forms of commercial presence for the supply of international maritime transport services (as defined): None.</p> <p>4) (a) masters and crew: Unbound.</p> <p>4) (b) Key personnel employed in relation to a commercial presence as defined under 3 b) above: None, except for entry of a natural person which is as indicated in the horizontal section.</p>	<p><u>National Treatment, Local Presence</u> 3)(a) <u>Ship registration</u>: as set out under mode 1.</p> <p><u>Measures</u>: <i>Canada Shipping Act</i>, 2001, S.C. 2001, c. 26</p> <p><u>National Treatment, Local Presence</u></p> <p>4) (a) masters and crew: Masters, mates, engineers and certain other seafarers must hold certificates granted by the Minister of Transport as a requirement of service on Canadian registered ships. Such certificates may be granted only to Canadian citizens or permanent residents.</p> <p><u>Measures</u>: <i>Canada Shipping Act</i>, 2001, S.C. 2001, c. 26 <i>Marine Personnel Regulations</i>, SOR/2007-115</p> <p><u>National Treatment, Local Presence</u></p> <p>1) 4) A licence or a pilotage certificate issued by the relevant regional Pilotage Authority is required to provide pilotage services in the compulsory pilotage waters of the territory of Canada. Only Canadian citizens or permanent residents may obtain such a licence or pilotage certificate. A permanent resident of Canada who has been issued a pilot's licence or pilotage certificate must become a</p>		

<sup>6</sup> Asterisk designates “part of”.

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<p>1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound.</p>	<p>Canadian citizen within five years of receipt of such licence or pilotage certificate in order to retain it.</p> <p><b>Measures:</b>  <i>Pilotage Act, R.S.C. 1985, c.P-14</i>  <i>General Pilotage Regulations, SOR/2000-132</i>  <i>Atlantic Pilotage Authority Regulations, C.R.C., c.1264</i>  <i>Laurentian Pilotage Authority Regulations, C.R.C., c. 1268</i>  <i>Great Lakes Pilotage Regulations, C.R.C., c. 1266</i>  <i>Pacific Pilotage Regulations, C.R.C., c. 1270</i></p>	
MARITIME AUXILIARY SERVICES				
Maritime Cargo Handling Services (as defined)		<p>1) Unbound. 2) None. 3) None, other than:  (Nunavut): The Government of Nunavut may, in connection with maritime cargo handling services, take any measure that provides for or results in favourable treatment of (a) Inuit entities or individuals, (b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut.</p> <p>4) <u>None</u><u>Unbound</u>, except for entry of a natural person which is as indicated in the horizontal section.</p>		
Storage and Warehousing Services CPC 742		<p>1) Unbound. 2) None. 3) None. 4) <u>None</u><u>Unbound</u>, except for entry of a natural person which is as indicated in the horizontal section.</p>		
Customs Clearance Services (as		<p>1) None, other than:</p>	<p>National Treatment, Local Presence, <u>Local Management</u> <u>and Boards of Directors</u></p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
defined)	<p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>2) None, other than:</p> <p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:</p> <p><u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <p>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</p> <p>(b) A partnership must be composed of persons who are permanent residents.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in the horizontal section, and:</p>	<p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <p>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</p> <p>(b) A partnership must be composed of persons who are permanent residents.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons				
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments				
	Licensed Customs Brokers (Federal) (Natural persons): Requirement for permanent residency.  <u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	1) Unbound. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.	National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>  4) Licensed Customs Brokers (Federal) (Natural persons): Requirement for permanent residency.  <u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>					
Container Station and Depot Services (as defined)								
Maritime Agency Services (as defined)		1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.						
Maritime Freight Forwarding Services (as defined)		1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.						
<b>NOTE TO THE SCHEDULE (Maritime Transport Services)</b>								
1.	Specific commitments in any sector or subsector shall not be construed to override the limitations established in the Maritime Transport Services schedule, including all maritime cabotage conditions and qualifications.							
2.	Nothing in Canada's Schedule of Specific Commitments for Maritime Transport Services shall be interpreted to apply to fishing vessels as defined in the Coastal Fisheries Protection Act.							
3.	Canada's specific commitments on Maritime Transport Services (Market Access, National Treatment and Additional Commitments) do not apply to fees imposed or applied in respect of marine navigation services. Consequently, Canada does not undertake any obligations with respect to any measure adopted or maintained in connection with the imposition or application of marine navigation services fees.							
<b>DEFINITIONS RELATED TO SECTION 11, TRANSPORT SERVICES</b>								
For the purposes of this section and subject to relevant limitations in Canada's Schedule of Specific Commitments:								

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
1.	"Cabotage" services as defined by the <i>Coasting Trade Act</i> include:			
	(a) the transportation of goods or passengers by ship or by ship and any other mode of transport between points in the territory of Canada or above the continental shelf of Canada either directly or by way of a place outside Canada;			
	(b) with respect to waters above the continental shelf, the transportation of goods or passengers in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf, and			
	(c) the engaging by ship in any maritime activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other maritime activities of a commercial nature in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf.			
2.	"Container station and depot services" means activities in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.			
3.	"Custom clearance services" means activities in carrying out, on behalf of another party, customs formalities concerning import, export or through transport of cargoes, irrespective of whether this service is the main or secondary activity of the service provider.			
4.	"Maritime agency services" means activities in representing, within a given geographic area, the business interests of one or more shipping lines or 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 in organising the call of the ship or taking control of cargoes.			
5.	"Maritime cargo handling services" means the work performed by stevedore companies or public terminal operators[, but <u>not including</u> the work performed by dock labour, when this workforce is organised independently of the stevedoring or public terminal operator companies]. The work activities covered are the performance, organization 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.			
6.	"Maritime freight forwarding services" means the activity of organising and monitoring shipments on behalf of shippers, through providing such services as the arranging of transport and related services, consolidation and packing of cargo, preparation of documentation and provision of business information.			
7.	"Ship" means a boat, vessel or craft designed, used or capable of being used solely or partly for navigation in, on, through, or immediately above water, without regard to method or lack of propulsion, and includes such a ship that is under construction.			
8.	"Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport suppliers of other Members to undertake locally, in Canada, activities that are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element. These activities are:			
	(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services			
	(b) being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(c) making arrangements, on their own account or on behalf of their customers (and the resale to their customers) for any transport or related services, including: anchorage, berth and berthing services, onward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;			
	(d) preparation of documentation including transport documents, customs documents, or other documents related to the origin and character of goods transported;			
	(e) provision of business information by any means, including computerized information systems and electronic data interchange (subject to any provision or limitation in this Agreement that may restrict or allow a Member to restrict the provision of business information);			
	(f) setting up 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 natural persons ) with any locally established shipping agency;			
	(g) acting on behalf of the companies, organizing any aspect of the call of the ship or taking control over cargoes when required; provision of port captain services			
C*. Air Transport Services	d) Maintenance and repair of aircraft and aircraft engines (CPC 8868*)	1) None. 2) Unbound.	<u>National Treatment, Local Presence</u>  2) Aircraft and other aeronautical product repair, overhaul or maintenance activities (including line maintenance) required to maintain the airworthiness of Canadian-registered aircraft and other aeronautical products must be performed by persons meeting Canadian aviation regulatory requirements (i.e. approved maintenance organizations and aircraft maintenance engineers). Certifications are not provided for persons located outside Canada, except sub-organizations of approved maintenance organizations that are themselves located in Canada.  <u>Measures:</u> <i>Aeronautics Act, R.S.C. 1985, c. A-2</i> <i>Canadian Aviation Regulations, SOR/96-433:</i> Part IV "Personnel Licensing & Training"; Part V "Airworthiness"; Part VI "General Operating & Flight Rules"; and Part VII "Commercial Air Services"	
		3) None. 4) <b>None</b> <b>Unbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		

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Modes of supply:			
1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
Computer reservations systems	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
E. Rail Transport Services			
a), b) Railway passenger and freight transport (CPC 7111, 7112)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
d) Maintenance and repair of rail transport equipment (CPC 8868*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
F*. Road Transport Services			
a*) Passenger transportation Interurban scheduled bus passenger transportation (CPC 71213)	1) None, other than:  <u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.	<u>National Treatment, Local Presence</u>  1) For CPC 7121, 7122:  <u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.	
Taxis (CPC 71221)			
Rental services of cars with drivers (CPC 71222)			
Non-scheduled motor buses, chartered buses and tour and sightseeing buses (CPC 71223)	<u>Measures:</u> <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36  Interurban bus transport and non-scheduled services	<u>Measures:</u> <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36	

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
b*) Freight transportation		<p>(British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Taxis and rental services with drivers</u>: Operating licenses and permission are under the purview of local/provincial authorities. (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p><u>Interurban bus transport and scheduled services</u>: (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	National Treatment, Local Presence	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Highway freight transportation (CPC 71231, 71232, 71233, 71234)	<p>1) None, other than:</p> <p><u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures:</u> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p> <p><u>Highway freight transportation</u> (Québec): Requirement for commercial presence in region where permit applies.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Highway freight transportation:</u> (Saskatchewan, Quebec, Newfoundland and Labrador): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>UnboundNone</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	<p>1) For CPC 7123:</p> <p><u>Cabotage:</u> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><u>Measures:</u> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p> <p><u>National Treatment, Local Presence</u></p> <p>1) <u>Cabotage:</u> Only persons of Canada using Canadian-</p>		
c*) Rental of commercial vehicle with operator	1) None, other than:			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Rental services of commercial road vehicles with operators (CPC 7124)	<p><b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p> <p>2) None.  3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	<p>registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p>		
d) Maintenance of road transport equipment	1) None. 2) None. 3) None.			
Maintenance and repair services of motor vehicles (CPC 6112)	4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Maintenance and repair services of motorcycles and snowmobiles (CPC 6122)				
Repair services n.e.c. of motor vehicles, trailers, semi-trailers on a fee or contract basis (CPC 8867)				
<u>H*. Services auxiliary to all modes of transport other than Maritime Transport Services</u>				
a) Container handling services (CPC 7411)	1) None, other than: Licensed Customs Brokers (Federal) (Juridical persons):		National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other cargo handling services (CPC 7419)	Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.	1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.		
b) Storage and warehouse services (CPC 742)		Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	
c) Freight transport agency services (CPC 748)	2) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.		National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>	
d) Other supporting and auxiliary transport services, including freight forwarding (CPC 749)	Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067  3) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  a) A corporation must be incorporated in Canada and the majority of its directors must be Canadian citizens or permanent residents.  b) A partnership must be composed of persons who are Canadian citizens or permanent residents.  Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067	2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.  Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067  3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.  (b) A partnership must be composed of persons who are permanent residents.  Measures: <i>Customs Act</i> , R.S.C. 1985, c. 1 (2nd Supp.) <i>Customs Brokers Licensing Regulations</i> , SOR/86-1067		
	4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and:</p> <p><u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>4) <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>	
12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95, 97,98,99)	<p><u>Other services not included elsewhere,</u> 1) 2) 3) None, except for:  <u>except for marriage commissioner services (CPC 95910) and funeral and (Alberta): Unbound.</u>  <u>cremation services (CPC 9703) (CPC 95*,97*, 98, 99)</u></p> <p>4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments; and:</p> <p>(Alberta): Unbound.</p> <p><u>Services of membership organisation</u></p> <p><u>Services furnished by business, employers and professional organizations (CPC 951*)</u></p> <p>1) None  2) None  3) None  4) Unbound, except as indicated in Horizontal Commitments.</p> <p>(Alberta): 1) 2) 3) 4) Unbound.</p> <p><u>Services furnished by trade unions (CPC 952*)</u></p> <p>1) None  2) None  3) None  4) Unbound, except as indicated in Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
<u>Religious Services (CPC 9591)</u>		(Alberta): 1) 2) 3) 4) Unbound.		
Marriage commissioner services (CPC 95910)	1) None, other than:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.    (Alberta): Unbound.   2) None, other than:   (Alberta): Unbound.   3) None, other than:   (Alberta): Unbound.   4) NoneUnbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the			

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.  (Alberta): 1) 2) 3) 4) Unbound. (Alberta): Unbound.		
<a href="#">Services furnished by political organizations (CPC 9592)</a>		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.		
<a href="#">Services furnished by other membership organizations (CPC 9599)</a>		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.		
<a href="#">Other services</a>		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.		
<a href="#">Washing, cleaning and dyeing services (CPC 9701)</a>		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.		
<a href="#">Hairdressing and other beauty services (CPC 9702)</a>		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Funeral and cremation services (CPC 9703)	<p><a href="#"><u>(Alberta): 1) 2) 3) 4) Unbound.</u></a></p> <p>1) None, other than:            (Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.  <a href="#"><u>(Alberta): Unbound.</u></a></p> <p>2) None, other than:            (Quebec): Funeral directors must be permanent residents.  <a href="#"><u>(Alberta): Unbound.</u></a></p> <p>3) None, other than:            (New Brunswick): Only residents of New Brunswick who are Canadian citizens or Canadian landed immigrants are eligible to be registered under the Act as an embalmer or funeral director, or as an apprentice. Resident is not defined by the Act or Regulations, but in practice, the Board would consider such things as possession of a New Brunswick Medicare number or driver's licence, or an indication that income tax is filed with the Province.</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person</p>			

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<p>applying for an apprentice embalmer's licence must has completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Alberta): <u>Unbound</u>.</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must has completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p>(Alberta): <u>Unbound</u>.</p> <p>(Alberta): 1) 2) 3) 4) <u>Unbound</u>.</p>		
<u>Other services (CPC 9709)</u>		<p>1) <u>None</u></p> <p>2) <u>None</u></p> <p>3) <u>None</u></p> <p>4) <u>Unbound, except as indicated in Horizontal Commitments</u></p> <p>(Alberta): 1) 2) 3) 4) <u>Unbound</u>.</p>		
<u>Private households with employed persons</u>				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Private households with employed persons (CPC 980*)	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			
Services provided by extraterritorial organizations and bodies				
Services provided by extraterritorial organizations and bodies (CPC 990*)	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			

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CANADA - LIST OF ARTICLE [...] MFN EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Film, Video and Television Programming Co-production	Differential treatment is accorded to works co-produced with persons of countries with which Canada may have co-production agreements or arrangements, as well as to natural persons engaged in such co-production.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Canadian audiovisual productions in Canada, to promote greater diversity among foreign audiovisual works on the Canadian market, as well as to promote the international exchange of audiovisual works.
Film, Video and Television Programming Co-production and Distribution	Differential treatment is accorded to works co-produced with persons of countries with which Québec may have co-production arrangements, and to natural persons engaged in such co-productions, as well as to natural and juridical persons engaged in film and video distribution pursuant to bilateral arrangements for the distribution of film, video and television programming in its territory.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Québécois audiovisual productions in Québec, to promote greater diversity among foreign audiovisual works on the Québec market, and to promote the international exchange of audiovisual works, as well as to ensure that Québec distributors have improved access to films originating from all parts of the world, while allowing partners in film distribution arrangements to continue to distribute in Québec films for which they are recognized as the producers or the holders of the world distribution rights.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Fishing-Related Services	Licenses for access to Canadian waters for specific purposes, such as purchase of fuel and supplies, ship repair, crew exchanges and transhipment of fish catches, are granted only to fishing ships from a country with which Canada has favourable fishery relations, based primarily on adherence by that country to Canadian and international conservation practices and policies.	All countries.	Indeterminate.	Conservation of fisheries.
Insurance Intermediation: Agency Services	Preferential access to the Ontario insurance services market is provided to non-resident individual US insurance agents.	All states in the United States.	Indeterminate.	Reciprocity.
Maritime Transport	Preferential treatment may be accorded to services providers of countries with which Canada has agreements, arrangements and other formal or informal undertakings with respect to maritime activities in waters of mutual interest in areas such as: pollution control, safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control and maritime communications.	United States, France.	Indeterminate.	Bilateral agreements, arrangements and undertakings.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport: Tonnage Dues	United States ships are exempt from the payment of tonnage dues when entering ports in the province of Ontario from the Great Lakes and their connecting and tributary waters.	United States.	Indeterminate.	Maintenance of existing historical preference.
International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	Canada may accord to services and service suppliers of [...] treatment less favourable than that it accords to like services and service suppliers of any other Party.	[...]	Indeterminate.	Reciprocity.
Air and Maritime Transport - Exemptions from tax	Exemption from taxes on income and capital of a non-resident person earned in Canada from the operation of a ship or aircraft in international traffic on the basis of reciprocity with the country in which the person resides.	All countries.	Indeterminate.	Maintenance of reciprocity as the basis for the tax reciprocity exemption.
Air Transport - aircraft repair and maintenance services provided by service suppliers located outside of Canada	Preferential treatment is extended to the supply of repair and maintenance services as defined in Article I-1:2(b) (consumption abroad) by some foreign repair and maintenance service suppliers.	All countries.	Indeterminate.	Air safety standards procedures.
Air Transport - the selling and marketing of air transport services	Bilateral air services agreements contain provisions that place limitations on the advertising, selling or marketing of specified air transport services.	All countries.	Indeterminate.	Bilateral air agreements.

*Without Prejudice*

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Services incidental to agriculture - temporary entry of natural persons supplying services	Temporary entry of agricultural workers from countries with which Canada has signed a memorandum of understanding is subject to an accelerated process for labour certification.	Anguilla Antigua and Barbuda Barbados Dominica Grenada Jamaica Mexico Montserrat St. Kitts-Nevis St. Lucia St. Vincent Trinidad and Tobago	Indeterminate.	Seasonal shortages of experienced farm workers and requirement for guaranteed return passage.
All sectors	Canada accepts compulsory arbitration of investor/state investment disputes brought by or in respect of service suppliers of countries with which Canada may have agreements providing for such a procedure.	All countries.	Indeterminate.	Promotion and protection of foreign investment.

*Without Prejudice*

**Trade in Services Agreement**

**May 6**~~October 21~~, 2016

**Second Final Revised Offer from Canada**

This second ~~final~~revised offer is expressed through commitments taken with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article I-5 (Additional commitments); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured-Nation Treatment).

**Conditions applying to Canada's second ~~final~~revised offer**

*Canada's presentation of its second ~~final~~revised offer in the context of the TISA negotiations is without prejudice to Canada revising, supplementing or withdrawing all or any part of this offer.*

This second ~~final~~revised offer is subject to the following conditions:

1. Canada's offer may change depending on the nature of final obligations, particularly with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article I-5 (Additional commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured Nation Treatment), and any new and enhanced disciplines developed by the Parties.
2. Canada obtains satisfactory offers from other Parties representing an appropriate balance of market openness relative to Canada's offer.
3. In these negotiations, Canada will seek to secure the flexibility necessary to achieve its domestic cultural policy objectives. Canada is still developing the proposals that it will make in this area. Canada reserves its right to supplement its offer with proposals related to culture and cultural industries.
4. Given that the scope of coverage in the Maritime Transport Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to, modify or withdraw its offer on Maritime Transport Services. In particular, Canada is developing a definition of international maritime transport services to enhance the legal certainty of its commitments. This Maritime Transport Services offer is also conditional on Canada receiving satisfactory offers on Maritime Transport Services from other TISA Parties.
5. Given that the scope of coverage in the Air Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to or modify its offer in the following sub-sectors:
  - Specialty Air Services (for greater certainty, a service provided from an aircraft is not committed unless specifically listed under specialty air services);
  - Airport Operation Services;
  - Ground handling Services;
  - Aircraft Repair and Maintenance Services;
  - Selling and Marketing Services; and,
  - Computer Reservation Systems Services.

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6. ~~Given that scheduling modalities for commitments on Mode 4 are yet to be agreed,~~ Canada reserves the right to add to or modify its offer with respect to Mode 4.
7. This offer is based on Canada's position regarding the current TISA text. In addition, given that the framework for making commitments on financial services is not finalized, and links to ~~other certain~~ horizontal provisions have yet to be ~~confirmed~~ agreed upon, Canada reserves the right to add to or modify its offer on Financial Services.

**Headnote to Canada's Schedule of Specific Commitments**

**1) Conditions and qualifications on national treatment and local presence, local management and boards of directors, local content and other performance requirements**

**a. Policy Space: Conditions and qualifications on national treatment and local presence, local management and boards of directors and local content and other performance requirements for future measures**

Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X 4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, ~~whether at the federal, provincial, territorial or local level of government,~~ that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X 1 (Local Presence), ~~and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance Requirements)~~

Each condition and qualification sets out the following elements:

- a listed Sector: refers, ~~for transparency purposes,~~ to the general sector in which the condition and qualification is listed
- b Sub-Sector: refers to the specific sector in which the condition and qualification is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Description: sets out the scope of the sector, sub-sector or activities covered by the condition and qualification
- e Existing Measure: identifies, for transparency purposes, an existing measure applying to the sector, sub-sector or activities covered by the condition and qualification

In interpreting a condition and qualification listed pursuant to Article II-2:4 and/or Article X 4:3, all elements of the condition and qualification are considered with the exception of Industry Classification. The Description element prevails over all other elements

~~Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II 2:4 and/or Article X 4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I 4 (National Treatment) and/or Article X 1 (Local Presence).~~

**b. Existing measures: Conditions and qualifications on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, for existing measures**

Canada's Schedule sets out, under Part I, Section B (RESERVATIONS pursuant to Article II-2:2 and II-2:3 and/or Article X 4:1 and X 4:2) and Part II (Sector-Specific Commitments), conditions and qualifications for existing measures that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X 1 (Local Presence) ~~and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance~~

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Requirements) -

Each condition and qualification sets out the following elements:

- a Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b Sub-Sector: refers, for transparency purposes, to the specific sector in which the condition and qualification is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Measure: identifies a law, regulation or other measure, as qualified, where indicated, by the dDescription element, for which a condition and qualification is listed A measure cited in the Measure element:
  - a Means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
  - b Includes a subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- e Description: sets out the aspect of the existing measure that does not conform to Article I-4 (National Treatment) and/or Article X 1 (Local Presence) and/or Article X 2 (Local Management and Boards of Directors) and/or Article X 3 (Local Content and Other Performance Requirements) for which the condition and qualification is listed

In the interpretation of a condition and qualification, all elements of the condition and qualification, with the exception of Industry Classification, are considered. The Measure element prevails over other elements, unless a discrepancy between the Measure element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the Measure element prevails, in which case the other elements prevail to the extent of that discrepancy.

For greater certainty, the fact that an existing measure has not been listed as a condition or qualification in a particular Sector or Sub-Sector shall not be interpreted as limiting the scope of the condition or qualification.

The listing of a measure in this Schedule under Part I, Section B or Part II pursuant to Article II-2:2 and II-2:3 and/or Article X 4:1 and X 4:2 is without prejudice to a future claim that Article II-2:4 and/or Article X 4:3 may apply to the measure or some application of the measure.

## **2) Terms, limitations and conditions on market access**

Canada's Schedule sets out the commitments it undertakes pursuant to Article I-3 (Market Access) and Article II-1 (Scheduling of Market Access Commitments). The Schedule also specifies, with respect to sectors where such commitments are undertaken, the terms, limitations and conditions on market access.

Each term, limitation and condition sets out the following elements:

- a Sector: refers to the general sector in which the term, limitation and condition is listed
- b Sub-Sector: refers to the specific sector in which the term, limitation and condition is listed
- c Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, Provisional Central Product Classification, 1991
- d Description: sets out the scope of the sector, sub-sector or activities covered by the term, limitation and condition

In the interpretation of a term, limitation and condition, all elements of the term, limitation and condition are considered, except that the Industry Classification element shall only be considered to the extent that the other elements, taken as a whole, leave the meaning of the term, limitation and condition ambiguous or obscure or leads to a result which is manifestly

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absurd or unreasonable

3)

Where a measure is listed as both a term, limitation and condition on market access and a condition and qualification on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, the rules governing the interpretation of conditions and qualifications on national treatment and local presence, local management and boards of directors, and local content and other performance requirements as set out under paragraph 1 of this headnote shall apply to the exclusion of those governing the interpretation of terms, limitations and conditions on market access as set out under paragraph 2 of this headnote

*Without Prejudice*

PART I: HORIZONTAL COMMITMENTS – SECTION A

Sector or subsector	Mode	Other Limitations
<b><u>Reservations pursuant to Article II-2:4 and/or Article X.4:3 of the Localization annex</u></b>		
Canada reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
All sectors: Aboriginal Affairs	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure denying service suppliers of a Party any rights or preferences provided to aboriginal peoples.</p> <p><u>Existing Measures:</u> <i>Constitution Act, 1982, being Schedule B of the Canada Act 1982 (U.K.), 1982, c. 11</i></p>
All sectors: Oceanfront Land	3	<p>National Treatment</p> <p>Canada reserves the right to adopt or maintain any measure relating to residency requirements for the ownership by service suppliers of a Party of oceanfront land.</p>
All sectors: Socially or Economically Disadvantaged Minorities	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure conferring rights or privileges to a socially or economically disadvantaged minority.</p>
Cultural Industries	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a cultural industry. For the purposes of this reservation:</p> <p>“cultural industry” means a person engaged in the following activities:</p> <ol style="list-style-type: none"><li>the publication, distribution or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li><li>the production, distribution, sale or exhibition of film or video recordings;</li><li>the production, distribution, sale or exhibition of audio or video music recordings;</li><li>the publication, distribution or sale of music in print or machine-readable form; or</li><li>radiocommunications in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li></ol>

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Sector or subsector	Mode	Other Limitations
Social Services	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a></p> <p>Canada reserves the right to adopt or maintain any measure for providing public law enforcement and correctional services, as well as the following services to the extent that they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.</p>
Sector: Communications  Sub-sector: Telecommunications Transport Networks and Services Radiocommunications	3	<p>National Treatment, <a href="#">Local Management and Boards of Directors</a></p> <p>Canada reserves the right to adopt or maintain any measure:</p> <ul style="list-style-type: none"> <li>(a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;</li> <li>(b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;</li> <li>(c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.</li> </ul> <p>The following exceptions apply to this reservation:</p> <ul style="list-style-type: none"> <li>(a) foreign investment is allowed up to 100% for suppliers conducting operations under an international submarine cable licence;</li> <li>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</li> <li>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</li> <li>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</li> <li>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</li> </ul> <p><b>Existing Measures:</b>  <a href="#">Telecommunications Act, S.C. 1993, c. 38</a>  <a href="#">Canadian Telecommunications Common Carrier Ownership and</a></p>

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Sector or subsector	Mode	Other Limitations
		<i>Control Regulations, SOR/94-667 Radiocommunications Act, R.S.C. 1985, c. R-2 Radiocommunication Regulations, SOR/96-484</i>
<a href="#">Sector: Financial Services</a>	<a href="#">1</a>	<a href="#">National Treatment</a>  <a href="#">Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement.</a>
<a href="#">Sub-sector: All</a>		
<a href="#">Sector: Financial Services</a>	<a href="#">2</a>	<a href="#">National Treatment</a>  <a href="#">Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</a>
<a href="#">Sub-sector: All</a>		
Sector: Financial Services	1), 2)	<a href="#">National Treatment</a>  <a href="#">Canada reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</a>  a. <a href="#">Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [...] (Financial Services) of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement; and</a>  b. <a href="#">Paragraph 3 of Article II-2 of the Agreement shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement.</a>
Sub-sector: All		
Sector: Financial Services	All	<a href="#">National Treatment</a>  <a href="#">Canada reserves the right to adopt or maintain any measure with respect to housing finance programs.</a>
Sub-sector: All		
Sector: Fisheries	All	<a href="#">National Treatment</a>  <a href="#">Canada reserves the right to adopt or maintain any measure with respect to licensing fishing or fishing related activities including entry of foreign fishing vessels to Canada's exclusive economic zone, territorial sea, internal waters or ports and use of services therein.</a>  <a href="#">Existing Measures:</a> <a href="#">Coastal Fisheries Protection Act, R.S.C. 1985, c. C-33</a> <a href="#">Fisheries Act, R.S.C 1985, c. F-14</a> <a href="#">Coastal Fisheries Protection Regulations, C.R.C. 1978, c. 413</a> <a href="#">Commercial Fisheries Licensing Policy</a> <a href="#">Policy on Foreign Investment in the Canadian Fisheries Sector, 1985</a>
Sub-sector: Services Incidental to Fishing		
Sector: Government Finance	3	<a href="#">National Treatment</a>

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Sector or subsector	Mode	Other Limitations
Sub-sector: Securities		<p>Canada reserves the right to adopt or maintain any measure relating to the acquisition, sale or other disposition by nationals of a Party of bonds, treasury bills or other kinds of debt securities issued by the Government of Canada or a Canadian sub-national government.</p> <p><u>Existing Measures:</u> <i>Financial Administration Act, R.S.C. 1985, c. F-11</i></p>
Sector: Transportation	All	<p><u>National Treatment, Local Presence</u></p>
Sub-sector: Air Transportation		<p>Canada reserves the right to adopt or maintain any measure relating to the selling and marketing of air transportation services.</p>
Sector: Transportation  Sub-sectors: - CPC 721 Transportation Services by Sea-going Vessels - CPC 722 Transportation Services by Non-sea-going Vessels - CPC 745 Supporting Services for Water Transport - CPC 5133 and 5233 Construction Work for Waterways, Harbours, Dams and Other Water Works - Any other marine activity of a commercial nature undertaken by or from a vessel.	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the investment in or provision of marine cabotage services, including:</p> <ul style="list-style-type: none"> <li>(a) the transportation of either goods or passengers by ship between points in the territory of Canada or above the continental shelf of Canada, either directly or by way of a place outside Canada; but with respect to waters above the continental shelf of Canada, the transportation of either goods or passengers only in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada; and</li> <li>(b) the engaging by ship in any other marine activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other marine activities of a commercial nature that are in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf.</li> </ul> <p>This reservation relates to, among other things, limitations and conditions for service providers entitled to participate in these activities, criteria for the issuance of a temporary cabotage license to foreign ships and limits on the number of cabotage licenses issued to foreign ships.</p>
Sector: Transportation  Sub-sector: International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure inconsistent with Article I-4 with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].</p>
Sector: Transportation  Sub-sector: Technical testing and analysis services related to International maritime	All	<p><u>Local Presence</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the recognition of a person, classification society or organization authorized to carry out statutory inspections and certification of ships on behalf of Canada. For greater certainty, only a person, classification society or other organization authorized by Canada, and having a local presence in Canada, may carry out statutory</p>

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Sector or subsector	Mode	Other Limitations
transport (Freight and passengers) CPC 7211 and 7212		inspections and issue Canadian Maritime Documents to Canadian registered ships and their equipment on behalf of Canada.
Sector: Postal Services  Sub-sector: Postal services, mail transportation by any mode of transport.  CPC 7511, 7321, 71124, 71235	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>, <u>Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure related to Canada Post's exclusive privilege. Under the Canada Post Corporation Act, the Canada Post Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters, as defined in the Letter Definition Regulations, within Canada.</p> <p><u>Existing Measures:</u>  <i>Canada Post Corporation Act, R.S.C., 1985, c. C-10</i>  <i>Letter Definition Regulations, SOR/83-481</i></p>
All sectors: Subsidies	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a subsidy or grant provided by a Party or a state enterprise, including a government-supported loan, guarantee or insurance.</p>
All sectors: Taxation Measures	All	<p>National Treatment, Local Presence, <u>Local Management and Boards of Directors</u>, <u>Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any taxation measure:</p> <ol style="list-style-type: none"> <li>1. that distinguishes between service suppliers who are not alike, in particular with regard to their place of residence or with regard to the place where their capital is invested;</li> <li>2. that aims to prevent the avoidance or evasion of taxes pursuant to its tax laws or tax conventions;</li> <li>3. that falls within the scope of a tax convention of which Canada is a Party. In the event of inconsistency between this Agreement and any such convention, that convention prevails to the extent of the inconsistency.</li> <li>4. that provides a more favourable tax treatment to a corporation that is a service supplier, or to a shareholder of a corporation that is a service supplier, on the basis that the corporation is wholly or partly owned or controlled, directly or indirectly, by one or more investors who are residents of that Party;</li> <li>5. that provides an advantage relating to the contributions made to, or income of, an arrangement providing for the deferral of, or exemption from, tax for pension, retirement, savings, education, health, disability or other similar purposes, conditional on a requirement that that Party maintains continuous jurisdiction over such arrangement;</li> <li>6. that provides an advantage relating to the purchase or consumption of a particular service, conditional on a requirement that the service be provided in the territory of that Party;</li> </ol>

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Sector or subsector	Mode	Other Limitations
		<p>7. that provides an advantage to a government, a part of a government, or a person that is directly or indirectly owned, controlled or established by a government;</p> <p>8. that aims at ensuring the equitable and effective imposition or collection of taxes, including a measure that is taken by a Party in order to ensure compliance with the Party's taxation system;</p> <p>9. that provides an advantage to a charity or a non-profit organization;</p> <p>10. that imposes tax in respect of a service that is acquired outside Canada for consumption, use or supply in Canada, in respect of the use of a service outside Canada that is in relation to an activity, business or adventure in the nature of trade in Canada, or in respect of an outlay made or expense incurred outside Canada that may reasonably be regarded as being applicable to an activity carried on, engaged in, or conducted in Canada;</p> <p>11. that imposes tax in respect of net premiums paid to non-resident insurers or exchanges in regard to a contract against a risk ordinarily within Canada, unless such insurance is deemed not to be available in Canada, or in respect of net premiums payable with regard to a contract entered into through a non-resident broker or agent, with an insurer authorized under the laws of Canada or of any province or territory to carry out the business of insurance;</p> <p>12. that results in differences in treatment with respect to delivery by mail of goods in Canada;</p> <p>13. that provides an advantage to a person that is licensed, accredited, certified, registered or otherwise authorized to carry out an activity or to practice a trade, occupation or profession in Canada; or</p> <p>14. that results in differences in treatment with respect to foreign-based rental vehicles.</p> <p>For the purposes of this reservation and for greater certainty:</p> <p><b>"taxation measure"</b> means a taxation measure adopted or maintained at any level of government.</p> <p><b>"tax convention"</b> means a convention for the avoidance of double taxation or other international taxation agreements or arrangements.</p>
All sectors: Movement of Natural Persons Providing Services	4	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any immigration measure, including any measure affecting the application and processing of entry visas, except as specifically set out in this Schedule.</p> <p><u>Intra-Corporate Transferees</u></p> <p>Natural persons of another Party who have been employed by a juridical person of another Party for a period of not less than one year within the three-year period immediately preceding the date of application for admission to Canada and seeks temporary entry in order to render services to (i) the same juridical person which is engaged in substantive business operations in Canada or (ii) a juridical person constituted in Canada and engaged in substantive business operations in Canada which is owned by or controlled by or affiliated with the aforementioned</p>

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Sector or subsector	Mode	Other Limitations
		<p>juridical person.</p> <p>These comprise:</p> <ul style="list-style-type: none"> <li>a) Executives Natural persons employed by a juridical person who primarily direct the management of that juridical person, establish goals and policies for the juridical person or for one of its major components or functions, have wide decision-making powers and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the juridical person.</li> <li>b) Managers Natural persons employed by a juridical person who directs that juridical person or one of its departments or subdivisions; supervises and controls the work of other supervisory, professional or managerial employees; exercises discretionary authority over day-to-day operations at a senior level.</li> </ul> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying intra-corporate transferees.</i></p> <p>Entry and stay shall be for an initial period equivalent to the lesser of 3 years or the period of the transfer, with the possibility of extensions. Entry and stay, including extensions, may not exceed seven years.</p> <p><u>Business Visitors</u></p> <p>Natural persons who enter Canada for a purpose outlined in the chart below, without acquiring remuneration from within Canada and without engaging in direct sales or supplying services to the general public.</p> <p><i>Labour market tests or other procedures of similar intent and work permits are not required for qualifying business visitors.</i></p> <p>Entry and stay shall be for a period of no more than 90 days.</p> <p><u>Contract Service Suppliers (CSS)</u></p> <p>Natural persons who are employees of a juridical person of another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that juridical person of the other Party (other than agencies as defined by CPC 872), in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying contract service suppliers.</i></p> <p>Entry and stay shall be for a period of one year or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p> <p><u>Independent Professionals</u></p>

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Sector or subsector	Mode	Other Limitations
		<p>Natural persons who are self-employed professionals in another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that professional in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying independent professionals.</i></p> <p>Entry and stay shall be for a period of 90 days or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p>

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**Business Visitors  
List of Acceptable Purposes**

***Meetings and Consultations***

Business persons attending meetings, seminars, conferences, conventions, or trade fairs, or engaged in consultations with business associates.

***Research and Design***

Technical, scientific and statistical researchers conducting independent research or research for an enterprise located in the territory of another Party.

***Commercial Transactions***

Management, supervisory, purchasing, and financial services personnel (insurers, bankers, or investment brokers) conducting commercial transactions for an enterprise located in the territory of another Party.

***Marketing***

Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise located in the territory of another Party.

***Sales***

Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in the territory of another Party but not delivering goods or providing services.

***Distribution***

Transportation operators transporting goods or passengers to the territory of Canada from the territory of another Party or loading and transporting goods or passengers from the territory of Canada, with no unloading in that territory, to the territory of another Party.

Customs brokers providing consulting services regarding the facilitation of the import or export of goods.

***After-Sales or After-Lease Service***

Installers, repair and maintenance personnel, and supervisors, possessing specialized knowledge essential to a seller's or lessor's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located outside the territory of Canada into which temporary entry is sought, during the

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life of the warranty or service agreement.

***General Service***

Contract service suppliers and independent professionals engaging in an acceptable purpose for business visitors set out in this List of Acceptable Purposes.

Tour guides or tour operators conducting a tour that has begun in the territory of another Party.

Employees of an enterprise located in the territory of another Party supporting a business activity in the territory of the other Party by performing translation and interpretation services directly to their enterprise.

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**Chart for Contract Service Suppliers and Independent Professionals**

<b>Occupation</b>	<b>Minimum Education Requirements/Alternative Credentials</b>	<b>Other Requirements</b>
Engineers	Baccalaureate degree. <sup>1</sup>	Provincial license. <sup>3</sup>
Agrologists	Baccalaureate degree in agriculture or related science plus four years of related experience.	Licensing is required in New Brunswick, Alberta and Québec. Temporary licensing is required in British Columbia.
Architects	Baccalaureate degree in architecture.	Provincial license and certificate required to practice.
Forestry Professionals	Baccalaureate degree in forestry management or forestry engineering, or a provincial license.	Licensing as a forester or forestry engineer is required in Alberta, British Columbia and Québec.
Geomatics Professionals	Baccalaureate degree in surveying, geography or environmental sciences plus three years related experience.	
Land Surveyors	Baccalaureate degree.	Provincial license.
Foreign Legal Consultants	Baccalaureate degree in law.	Provincial license.
Urban Planners	Baccalaureate degree in urban planning.	Provincial license.
Senior Computer Specialists	Graduate degree <sup>2</sup> in computer sciences, or related discipline; and ten (10) years of experience in computer science.	

<sup>1</sup> The term "Baccalaureate degree" means a degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>2</sup> The term "Graduate degree" means at least a Masters degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>3</sup> The term "Provincial license" means any document issued by a provincial government, or under its authority, which permits a person to engage in a regulated activity or profession.

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**PART I: HORIZONTAL COMMITMENTS - SECTION B**

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<b>Limitations on Market Access pursuant to Article II-1</b>		<b>Reservations pursuant to Articles II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2</b>	
	Canada maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		Canada maintains the following conditions and qualifications on national treatment, <u>and</u> local presence, <u>local management and boards of directors and local content and other performance requirements</u> in all sectors:	
All sectors: Cross border and consumption abroad	1), 2) None.			
All sectors: Commercial presence	3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments: <ul style="list-style-type: none"> <li>(a) any direct acquisition of a Canadian business with assets of C\$5 million or more;</li> <li>(b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and</li> <li>(c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.</li> </ul> 2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a		<u>National Treatment, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> <ul style="list-style-type: none"> <li>3) 1. Under the <i>Investment Canada Act</i>, the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:               <ul style="list-style-type: none"> <li>(a) any direct acquisition of a Canadian business with assets of C\$5 million or more;</li> <li>(b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and</li> <li>(c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.</li> </ul> </li> <li>2. For the purposes of this reservation:  <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and  <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a             </li> </ul>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment;</li> </ul>		<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment; and</li> </ul>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and</p> <p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>		<p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices} - \text{x amount determined for previous year}}{\text{Previous Year Nominal GDP at Market Prices}}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars.</p> <p><b>Measures</b></p>		<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices} - \text{x amount determined for previous year}}{\text{Previous Year Nominal GDP at Market Prices}}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>	<u>Measures</u> <i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>		
All sectors: Commercial presence	<p>3) The acquisition of control of a Canadian business, or establishment of a new business related to Canada's cultural heritage or national identity, by a non-Canadian is subject to approval.</p> <p>For the purposes of this schedule of commitments, businesses related to Canada's cultural heritage and national identity mean persons engaged in the following activities:</p> <ul style="list-style-type: none"> <li>a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li> <li>b) the production, distribution, sale or exhibition of film or video recordings;</li> <li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li> <li>d) the publication, distribution or sale of music in print or machine readable form; or</li> <li>e) radiocommunication in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li> </ul>			
All sectors: Commercial presence		National Treatment, <u>Local Management and Boards of Directors</u>		
	3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing	3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>		
All sectors: Commercial presence		<p><u>National Treatment</u></p> <p>3) A corporation may place constraints on the issue, transfer and ownership of shares in a federally incorporated corporation. The object of those constraints is to permit a corporation to meet Canadian ownership or control requirements, under certain laws set out in the <i>Canada Business Corporations Act Regulations</i>, in sectors where Canadian ownership or control is required as a condition to receive licenses, permits, grants,</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>payments or other benefits. In order to maintain certain Canadian ownership levels, a corporation is permitted to sell shareholders' shares without the consent of those shareholders, and to purchase its own shares on the open market.</p> <p>The <i>Canada Cooperatives Act</i> provides that constraints may be placed on the issue or transfer of investment shares of a cooperative to persons not resident in Canada to permit cooperatives to meet Canadian ownership requirements to obtain a license to carry on a business, to become a publisher of a Canadian newspaper or periodicals or to acquire shares of a financial intermediary and in sectors where Canadian ownership or control is a required condition to receive licenses, permits, grants, payments and other benefits. Where the ownership or control of investment shares would adversely affect the ability of a cooperative to maintain a level of Canadian ownership or control, the <i>Canada Cooperatives Act</i> provides for the limitation of the number of investment shares that may be owned or for the prohibition of the ownership of investment shares.</p> <p>For the purposes of this reservation <b>Canadian</b> means “Canadian” as defined in the Canada Business Corporations or in the Canada Cooperatives Regulations.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256</p>		
All sectors: Commercial presence		<p>National Treatment, <u>Local Management and Boards of Directors</u></p> <p>3) The <i>Canada Business Corporations Act</i> requires for most federally incorporated corporations, that 25 percent of directors be resident Canadians and, if such</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>corporations have fewer than four directors, at least one director must be a resident Canadian. As provided in the <i>Canada Business Corporations Regulations</i>, simple majority of resident Canadian directors is required for corporations in the following sectors: uranium mining; book publishing or distribution; book sales, where the sale of books is the primary part of the corporations business, and film or video distribution. Similarly, corporations that, by an Act of Parliament or Regulation, are individually subject to minimum Canadian ownership requirements are required to have a majority of resident Canadian directors.</p> <p>For purposes of the <i>Canada Business Corporations Act</i>, <b>resident Canadian</b> means an individual who is a Canadian citizen ordinarily resident in Canada, a citizen who is member of a class set out in the <i>Canada Business Corporation Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than one who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>In the case of a holding corporation, not more than one-third of the directors need be resident Canadians if the earnings in Canada of the holding corporation and its subsidiaries are less than 5 percent of the gross earnings of the holding corporation and its subsidiaries.</p> <p>The <i>Canada Cooperatives Act</i> requires that not less than two-thirds of the directors be members of the cooperative. At least 25 percent of directors of a cooperative must be resident in Canada; if a cooperative has only three directors, at least one director must be resident in Canada.</p> <p>For the purposes of the <i>Canada Cooperatives Act</i>, a resident of Canada is defined in the <i>Canada Cooperatives Regulations</i> as an individual who is a Canadian citizen and who is ordinarily resident in Canada; a Canadian citizen who is ordinarily resident in Canada and who is a</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>member of a class set out in the <i>Canada Cooperatives Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than a permanent resident who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>Under Part IV of the <i>Canada Corporations Act</i>, a simple majority of the elected directors of a Special Act corporation must be resident in Canada and citizens of a Commonwealth country. This requirement applies to every joint stock company incorporated subsequent to June 22, 1869 by any Special Act of Parliament.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256  Special Acts of Parliament incorporating specific companies</p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) The <i>Foreign Ownership of Land Regulations</i> are made pursuant to the <i>Citizenship Act</i> and the Alberta <i>Agricultural and Recreational Land Ownership Act</i>, RSA 1980, c. A-9. In Alberta, an ineligible person or foreign-owned or -controlled corporation may only hold an interest in controlled land consisting of maximum of 2 parcels containing, in the aggregate, a maximum of 20 acres.</p> <p>For the purpose of this reservation:</p> <p><b>ineligible person</b> means:</p> <p>(a) a natural person who is not a Canadian citizen or</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>permanent resident;</p> <p>(b) a foreign government or agency thereof; or</p> <p>(c) a corporation incorporated in a country other than Canada.</p> <p><b>Controlled land</b> means land in Alberta but does not include:</p> <p>(a) land of the Crown in right of Alberta;</p> <p>(b) land within a city, town, new town, village or summer village; and</p> <p>(c) mines or minerals.</p> <p><b>Measures:</b></p> <p><i>Citizenship Act, R.S.C. 1985, c. C-29</i></p> <p><i>Foreign Ownership of Land Regulations, SOR/79-416</i></p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) A "non-resident" or "non-residents" may not own more than a specified percentage of the voting shares of the corporation to which each Act applies. For some companies the restrictions apply to individual shareholders, while for others the restrictions may apply in the aggregate. Where there are limits on the percentage that an individual Canadian investor can own, these limits also apply to non-residents. The restrictions are as follows:</p> <ul style="list-style-type: none"> <li>• Air Canada: 25% in the aggregate;</li> <li>• Cameco Limited (formerly Eldorado Nuclear Limited): 15% per non-resident natural person, 25% in the aggregate;</li> <li>• Nordion International Inc.: 25% in the aggregate;</li> <li>• Theratronics International Limited: 49% in the aggregate; and</li> <li>• Canadian Arsenals Limited: 25% in the aggregate.</li> </ul> <p>For the purposes of this reservation, "non-resident"</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
		<p>includes:</p> <ul style="list-style-type: none"> <li>a) a natural person who is not a Canadian citizen and not ordinarily resident in Canada;</li> <li>b) a corporation incorporated, formed or otherwise organized outside Canada;</li> <li>c) the government of a foreign State or a political subdivision thereof, or a person empowered to perform a function or duty on behalf of such a government;</li> <li>d) a corporation that is controlled directly or indirectly by an entity referred to in subparagraphs (a) through (c);</li> <li>e) a trust:           <ul style="list-style-type: none"> <li>(i) established by an entity referred to in subparagraphs (b) through (d), other than a trust for the administration of a pension fund for the benefit of natural persons the majority of whom are resident in Canada, or</li> <li>(ii) in which an entity referred to in subparagraphs (a) through (d) has more than 50% of the beneficial interest; and</li> </ul> </li> </ul> <p>a corporation that is controlled directly or indirectly by a trust referred to in subparagraph (e).</p> <p><u>Measures:</u></p> <p><i>Air Canada Public Participation Act, R.S.C. 1985, c. 35 (4th Supp.)</i></p> <p><i>Canadian Arsenals Limited Divestiture Authorization Act, S.C. 1986, c. 20</i></p> <p><i>Eldorado Nuclear Limited Reorganization and Divestiture Act, S.C. 1988, c. 41</i></p> <p><i>Nordion and Theratronics Divestiture Authorization Act,</i></p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Energy			<p>S.C. 1990, c. 4</p> <p><u>National Treatment</u></p> <p>1) 2) 4) Under the <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada-Newfoundland Atlantic Accord Implementation Act</i>, in order to proceed with an oil and gas development project in the offshore area, a corporation or other body may be required to:</p> <ul style="list-style-type: none"> <li>(a) give first consideration to individuals resident in the province for training and employment, and</li> <li>(b) give first consideration to services provided from within the province, where those services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p><u>Measures:</u></p> <p><i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i>, S.C. 1988, c. 28</p> <p><i>Canada-Newfoundland Atlantic Accord Implementation Act</i>, S.C. 1987, c. 3</p>	
All sectors: Energy			<p><u>Local Content and Other Performance Requirements</u></p> <p>3) Under the <i>Hibernia Development Project Act</i>, Canada and the Hibernia Project Owners may enter into agreements. Those agreements may require the Project Owners to undertake to perform certain work in Canada and Newfoundland and Labrador and to use their best efforts to achieve specific Canadian and Newfoundland target levels in relation to the provisions of a "benefits plan" required under the <i>Canada-Newfoundland and Labrador Atlantic Accord Implementation Act</i>. "Benefits plans" are further described in the reservation below.</p> <p>In addition, Canada may impose in connection with the Hibernia project a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<u>national or enterprise in Canada.</u>  <u>Measures:</u> <input type="checkbox"/> <i>Hibernia Development Project Act, S.C. 1990, c. 41</i> <input type="checkbox"/> <i>Canada–Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987, c. 3</i>	
All sectors: Energy			<u>Local Presence</u>  <u>1)2)3)4) Under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister in order to be authorized to proceed with an oil and gas development project.</u>  <u>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</u>  <u>The benefits plan contemplated by the <i>Canada Oil and Gas Operations Act</i> permits the Minister to impose on the applicant an additional requirement to ensure that disadvantaged individuals or groups have access to training and employment opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u>  <u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the <i>Canada Yukon Oil and Gas Accord</i>.</u>  <u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> will be included in laws or regulations to implement the Northwest Territories Oil and Gas Accord and the Canada–Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords shall be deemed, once</u>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments	
			<p>concluded, to be existing measures.</p> <p>The <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada-Newfoundland and Atlantic Accord Implementation Act</i> have the same requirement for a benefits plan but also require that the benefits plan ensures that:</p> <ul style="list-style-type: none"> <li>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision making are to take place, prior to carrying out work or an activity in the offshore area;</li> <li>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</li> <li>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</p> <p>In addition, Canada may impose a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a person of Canada in connection with the approval of development projects under the applicable Acts.</p> <p><b>Measures:</b></p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><i>Canada Oil and Gas Production and Conservation Act, R.S.C. 1985, c. O-7, as amended by Canada Oil and Gas Operations Act, S.C. 1992, c. 35</i></p> <p><i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></p> <p><i>Canada–Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></p> <p>Measures implementing the <i>Canada Yukon Oil and Gas Accord</i>, including the <i>Canada Yukon Oil and Gas Accord Implementation Act, 1998, c. 5, s.20</i> and the <i>Oil and Gas Act, R.S.Y. 2002, c. 162</i></p> <p>Measures implementing the <i>Northwest Territories Oil and Gas Accord</i>, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories.</p> <p>Measures implementing the <i>Canada Quebec Gulf of St. Lawrence Petroleum Resources Accord</i></p>	
All sectors: Energy			<p>National Treatment, Local Presence, Local Content and Other Performance Requirements</p> <p>1)2)3)4) Before any work, activity or development plan may be approved under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister responsible for that Act.</p> <p>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</p> <p>The Minister responsible for that Act has the authority to require that a benefits plan includes an “affirmative action program” to ensure that disadvantaged individuals or groups have access to training and employment</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u></p> <p><u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the Canada-Yukon Oil and Gas Accord and the Northwest Territories Oil and Gas Accord.</u></p> <p><u>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> may be included in federal laws or regulations to implement accords with various provinces and territories, including the Canada-Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords and implementing legislation shall be deemed, once concluded, to be existing measures.</u></p> <p><u>The <i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada - Newfoundland and Labrador Atlantic Accord Implementation Act</i> have an equivalent requirement for a benefits plan but also require that the benefits plan ensures that:</u></p> <ul style="list-style-type: none"> <li>• <u>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</u></li> <li>• <u>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</u></li> <li>• <u>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality</u></li> </ul>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><a href="#">and delivery.</a></p> <p><a href="#">The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</a></p> <p><b>Measures:</b></p> <p><a href="#">Canada Oil and Gas Operations Act R.S.C., 1985, c. O-7</a></p> <p><a href="#">Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</a></p> <p><a href="#">Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</a></p> <p><a href="#">Measures implementing the Canada-Yukon Oil and Gas Accord, including the Canada-Yukon Oil and Gas Accord Implementation Act, 1998, c.5, s. 20 and the Oil and Gas Act, RSY 2002, c. 162</a></p> <p><a href="#">Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories</a></p> <p><a href="#">Measures implementing the Accord between the Government of Canada and the Government of Quebec for the joint management of petroleum resources in the Gulf of St. Lawrence or any other similar federal-provincial accords related to the joint management of petroleum resources.</a></p>	
All sectors: Export and import permits			<p><b>Local Presence</b></p> <p>1) 2) 4) Only individuals ordinarily resident in Canada, enterprises having their head offices in Canada or branch offices in Canada of foreign enterprises may apply for and be issued import or export permits or transit authorization certificates for goods and related services subject to controls under the <i>Export and Import Permits Act</i>.</p> <p><b>Measures:</b></p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Examination of Cultural Property			<u>Local Presence</u> 1) 2) 3) 4) Only a "resident of Canada" or an "institution" in Canada may be designated as an "expert examiner" of cultural property for purposes of the <i>Cultural Property Export and Import Act</i> . A "resident" of Canada is an individual who is ordinarily resident in Canada, or a corporation that has its head office in Canada or maintains one or more establishments in Canada to which employees employed in connection with the business of the corporation ordinarily report for work. An "institution" is an institution that is publicly owned and operated solely for the benefit of the public, that is established for educational or cultural purposes and that conserves objects and exhibits them. <u>Measures:</u> <i>Cultural Property Export and Import Act</i> , R.S.C. 1985, c. C-51	
All sectors: Taxation measures			<u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> 1) 2) 3) 4) Canada reserves the right to maintain any existing taxation measure.	
All sectors: Sub-federal measures			<u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u> 1) 2) 3) 4) Canada reserves the right to maintain any existing non-conforming measure of provincial, territorial, and local governments or authorities.	
All sectors: Movement of Natural Persons Providing Services	4) Unbound for the entry of a natural person except for the specified commitments in Part I, Section A.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
<b>PART II. SECTOR-SPECIFIC COMMITMENTS</b>						
<b>1. BUSINESS SERVICES</b>						
A*. Professional Services				← Formatierte Tabelle		
a) Legal Services <sup>4</sup>	1) None. 2) None. 3) None, other than:  Foreign Legal Consultants Advisory services (CPC 861*)  iii. International Law	Commercial presence must take the form of a sole proprietorship or partnership.  4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Lawyers</u> (Alberta, Ontario, Newfoundland and Labrador): Requirement to be permanent resident for accreditation.				
b) Accounting, auditing and book-keeping services (CPC 862)	1) None, other than:  <u>Auditing</u> (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence. (Nova Scotia): Residency requirement for licence. (Alberta): Permanent residence required for accreditation.  2) None, other than:  <u>Auditing</u> (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial	1) 2) 4) Banks are required to have a firm of accountants to be auditors of the bank. A firm of accountants must be qualified as set out in the <i>Bank Act</i> . Among the qualifications required is that two or more members of the firm must be ordinarily resident in Canada and that the member of the firm jointly designated by the firm and the bank to conduct the audit must be ordinarily resident in Canada.  An insurance company, a cooperative credit association, and a trust or loan company require an auditor who can either be a natural person or a firm of accountants. An auditor of such an institution must be qualified as set out				

<sup>4</sup> For the purpose of this entry:

'foreign law' – the laws of the territories of TISA Parties and other countries other than the law of Canada

'international law' – includes law established by international treaties and conventions, as well as customary law.

\* Asterisks designate "part of"  
\* Asterisks designate "part of"

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<p><b>presence:</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p> <p>3) None, <b>other than:</b>  <b>Commercial presence must take the form of a sole proprietorship or partnership.</b></p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence:</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p>	<p>in the <i>Insurance Companies Act</i>, the <i>Cooperative Credit Associations Act</i> or the <i>Trust and Loan Companies Act</i>, as the case may be. In the case where a natural person is appointed to be the auditor of such a financial institution, among the qualifications required is that the person must be ordinarily resident in Canada. In the case where a firm of accountants is appointed to be the auditor of such a financial institution, the member of the firm jointly designated by the firm and the financial institution to conduct the audit must be ordinarily resident in Canada.</p> <p><b>Measures:</b>  <i>Bank Act</i>, S.C. 1991, c. 46  <i>Insurance Companies Act</i>, S.C. 1991, c. 47  <i>Cooperative Credit Associations Act</i>, 1991, c. 48  <i>Trust and Loan Companies Act</i>, 1991, c. 45</p>		
c) Taxation Services (excluding legal services) (CPC 863*)	<p>1) None.            2) None.            3) None.            4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Architectural services (CPC 8671)  Advisory and pre-design architectural services (CPC 86711)  Architectural design services (CPC 86712)  Contract administration services	<p>1) None.            2) None.            3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 86713)  Combined architectural design and contract administration services (CPC 86714)  Other architectural services (CPC 86719)				
e) Engineering services (CPC 8672)  Advisory and consultative engineering services (CPC 86721)  Engineering design services for foundations and building structures (CPC 86722)  Engineering design services for mechanical and electrical installations for buildings (CPC 86723)  Engineering design services for civil engineering construction (CPC 86724)  Engineering design for industrial processes and production (CPC 86725)  Engineering design services n.e.c. (CPC 86726)	1) None, other than:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.  2) None <del>,</del> other than:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.  3) None.  4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Engineers</u> ( <del>Alberta</del> ): Must be permanent resident for accreditation.			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other engineering services during the construction and installation phase (CPC 86727)				
Other engineering services (CPC 86729)				
f) Integrated engineering services (CPC 8673)  Integrated engineering services for transportation infrastructure turnkey projects (CPC 86731)  Integrated engineering and project management services for water supply and sanitation works turnkey projects (CPC 86732)  Integrated engineering services for the construction of manufacturing turnkey projects (CPC 86733)  Integrated engineering services for other turnkey projects (CPC 86739)	1) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.  2) None, other than: <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.  3) None.  4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal <u>Commitments, and Commitments and</u> :  <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
g) Urban planning and landscape architectural services (CPC 8674)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Computer and Related Services</u>  (CPC 84, except those listed under Financial Services 7B1.)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
C*. <u>Research and Development Services</u>  a) Research and experimental development services on natural sciences and engineering (CPC 851)	1)2)3) None, except for:  (Alberta, <b>Manitoba</b> , Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Alberta, <b>Manitoba</b> , Yukon): Unbound			
b*) Research and experimental development services on social sciences and humanities, including law, economics, except linguistics and language (CPC 852*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Interdisciplinary research and experimental development services (CPC 853)	1)2)3) None, except for:  (Alberta, Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments,			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	and:  (Alberta, Yukon): Unbound			
D. <u>Real Estate Services</u>				
a) Real estate services involving own or leased property (CPC 821)	1) None, other than:  <u>Real Estate Services</u> ( <a href="#">Ontario</a> , <a href="#">Nova Scotia</a> , <a href="#">Newfoundland and Labrador</a> , Prince Edward Island, <a href="#">Saskatchewan</a> ): Services must be supplied through a commercial presence.			
b) Real estate services on a fee or contract basis (CPC 822)	2) None. 3) None. 4) <a href="#">None</a> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Real Estate Services</u> ( <a href="#">Ontario</a> , <a href="#">Nova Scotia</a> , <a href="#">Newfoundland and Labrador</a> , Prince Edward Island, <a href="#">Saskatchewan</a> ): Services must be supplied through a commercial presence.  <u>Real Estate Agents</u> (Alberta, <a href="#">Newfoundland and Labrador</a> ): Services must be supplied through a commercial presence.			
E*. <u>Rental/Leasing Services without Operators</u>				
a),b),c),d) Leasing or rental services concerning machinery and equipment without operator,	1) None. 2) None. 3) None.			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
including computers (CPC 831)	4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e*) Leasing or rental services concerning personal and household goods (excluding in 83201, the rental of pre-recorded records, sound cassettes, CD's and excluding 83202, rental services concerning video tapes) (CPC 832*)				
F*. <u>Other Business Services</u>				
b) Market research and public opinion polling services (CPC 864)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Management consulting services (CPC 865)  General management Consulting services (CPC 86501)  Financial management consulting services (CPC 86502)  Marketing management consulting services (CPC 86503)  Human resources management consulting	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
services (CPC 86504)				
Production management consulting services (CPC 86505)				
Public relations services (CPC 86506)				
Other management consulting services, including agrology, agronomy, farm management and related consulting services (CPC 86509)				
d) Services related to management consulting (CPC 866)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e) Technical testing and analysis services including quality control and inspection (CPC 8676)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
f*) Rental of agricultural equipment with operator (CPC 8811*)  Services incidental to forestry and logging, including forest management (CPC 8814)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
h) Services incidental to mining, including drilling	1) None. 2) None.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and field services and rental of equipment with operator (CPC 883)	3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Site preparation for mining (CPC 5115)				
i*) Toll refining services - oil (CPC 8845*)	1) None. 2) None, <del>other than:</del>  <del>Toll Refining of Basic Metals (Ontario): Must be treated or refined in Canada.</del>			
Toll refining services - basic metals (CPC 8851)	3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
k) Placement and supply services of personnel (CPC 872)	1) None, <del>other than:</del>  <del>Placement and Supply Services of Personnel (Ontario): Services must be supplied through a commercial presence.</del>  2) None, <del>other than:</del>  <del>Services must be supplied through a commercial presence.</del>  3) None. 4) <del>None</del> <ins>Unbound</ins> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
l) Investigation and security services (CPC 873)	1) None, <del>other than:</del>  <del>Business and Personal Information Investigators (Ontario): Services must be supplied through a commercial presence.</del>  2) None, <del>other than:</del>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>Services must be supplied through a commercial presence.</b></p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Security and investigation services (Québec): Citizenship requirement for private investigators.</b></p>			
m) Related scientific and technical consulting services (CPC 8675)  Geological, geophysical and other scientific prospecting services, including those related to mining (CPC 86751)  Subsurface surveying services (CPC 86752)  Surface surveying services (CPC 86753)  Map making services (CPC 86754)	<p>1) None, other than:</p> <p><b>Free Miner (British Columbia): Applicant must ordinarily be a Canadian citizen and a permanent resident of Canada, a Canadian corporation or a partnership of the foregoing.</b></p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p>(Manitoba): Citizenship requirement for accreditation. (Newfoundland and Labrador): Permanent residency requirement for accreditation.</p> <p>2) None, other than:</p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p><b>(Ontario): Training must be completed in Ontario for accreditation.</b></p> <p>(Manitoba; <b>Newfoundland and Labrador</b>): Citizenship requirement for accreditation. (<b>Newfoundland and Labrador</b>): Permanent residency requirement for accreditation.</p> <p>3) None, other than:</p> <p><b>Land Surveyors:</b> Commercial presence must take the form of a sole proprietorship or partnership except in</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Alberta where it may take the form of a surveyor's corporation.</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Free Miner</u> (British Columbia): Applicant must be a permanent resident.</p> <p><u>Land Surveyors</u> (Manitoba): Citizenship requirement for accreditation.</p> <p>(Newfoundland and Labrador): Permanent residency requirement for accreditation.</p>			
n) Repair services of personal and household goods (CPC 633)  Repair services incidental to metal products, machinery and equipment including computers and communications equipment on a fee or contract basis (CPC 8861 to 8866)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
o) Building-cleaning services (CPC 874)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
q) Packaging services (CPC 876)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
t) Other business services, including: (CPC 879)	1) None, other than:  <u>Credit Reporting</u> (Saskatchewan): Services must be	National Treatment, Local Presence  Patent Agents:		Formatiert: Unterstrichen

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Credit reporting services (CPC 87901)	<u>supplied through a commercial presence.</u>	<u>Credit Reporting and Collection Agencies</u> <u>(Newfoundland and Labrador, Prince Edward Island, Nova Scotia):</u> Services must be supplied through a commercial presence.	1) 2) 4): To represent a person in the prosecution of a patent application or in other business before the Patent Office, a patent agent must be resident in Canada and registered by the Patent Office.  <u>Measures:</u> <i>Patent Act, R.S.C. 1985, c. P-4</i> <i>Patent Rules, SOR/96-423</i>	
Collection agency services (CPC 87902)			<u>National Treatment, Local Presence</u>	
Telephone answering services (CPC 87903)		<u>Consumer Reporting Agencies</u> <u>(Nova Scotia, Newfoundland and Labrador):</u> For juridical persons, requirement for a commercial presence.	<u>Trade Mark Agents:</u> 1) 2) 4): To represent a person in the prosecution of an application for a trade-mark or in other business before the Trade-marks Office, a trade-mark agent must be resident in Canada and registered by the Trade-marks Office.  <u>Measures:</u> <i>Trade-Marks Act, R.S.C. 1985, c. T-13</i> <i>Trade-marks Regulations, SOR/96-195</i>	
Duplicating services (CPC 87904)		(Nova Scotia): For natural persons, requirement for permanent residency.		
Translation and interpretation services (CPC 87905)		<u>Collection Agency Services</u> (Alberta): Trust funds must remain in Alberta. Must maintain address for service in Alberta.		
Mailing list compilation and mailing services (CPC 87906)	2) None.			
Specialty design services (CPC 87907)	3) None, other than:			
Other business services n.e.c. including patent agents (CPC 87909)		<u>Collection Agencies</u> (Ontario): Collection agencies must be incorporated under an Act of Ontario, an Act of Canada or an Act of another Province or Territory of Canada.  <u>Consumer Reporting Agencies</u> (Nova Scotia): Requirement to incorporate.		
	4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:			
		<u>Consumer Agent Services</u> (Nova Scotia): For natural persons, requirement for permanent residency.		
2 COMMUNICATION SERVICES				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>Courier services</u>	Commercial courier services, including by public transport or self-owned transport (CPC 75121*)		1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.	
C. <u>Telecommunications Services*</u> , **				
a) Voice telephone services	1) None. 2) None.			
b) Packet-switched data transmission services	3) None, other than:			
c) Circuit-switched data transmission services	Canada reserves the right to adopt or maintain any measure:			
d) Telex services	(a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;			
e) Telegraph services				
f) Facsimile services				
g) Private leased circuit services				
o) Other— <b>Mobile services</b>	(b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian; (c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.			
*Excluding services regulated under the <u>Broadcasting Act</u> and measures affecting such services.				
**Excluding telecommunications services supplied for the transmission of services regulated under the <u>Broadcasting Act</u> where such services are intended for direct reception by	The following exceptions apply to this reservation: (a) foreign investment is allowed up to 100% for			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
the public.	<p>suppliers conducting operations under an international submarine cable licence;</p> <p>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</p> <p>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</p> <p>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</p> <p>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Telecommunications services</u> , of which:	<p>Enhanced or value-added services, for the supply of which the underlying telecommunications transport facilities are leased from providers of public telecommunications transport networks; these include:</p> <p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
h) Electronic mail (CPC 7523*)				
i) Voice mail (CPC 7523*)				
j) On-line information and database retrieval (CPC 7523*)				
k) Electronic data interchange (EDI) (CPC 7523*)				
l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523*)				
m) Code and protocol conversion (CPC n.a.)				
n) On-line information and/or data processing (including transaction processing) (CPC 843*)				
3) CONSTRUCTION SERVICES				
A. <u>General construction work for buildings</u>				
Construction work for buildings, including for multi-dwelling buildings, warehouses and commercial buildings (CPC 512)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>General construction work for civil engineering</u>	Construction work for civil engineering, including for highways, airports, harbours, dams, bridges, construction for mining and manufacturing, rail, power and communications facilities, pipelines and stadia and other recreational facilities (CPC 513*)	1) None 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
C. <u>Installation and assembly work</u>	Assembly and erection of prefabricated constructions (CPC 514)  Installation work (CPC 516)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
D. <u>Building completion and finishing work</u>	Building completion and finishing work (CPC 517)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
E*. <u>Other</u>	Pre-erection work at construction sites, including excavation, earthmoving and site work except 5115, site preparation for mining	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 511*)  Special trade construction work (CPC 515)  Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)				
4 DISTRIBUTION SERVICES  A*. <u>Commission agents' services</u>  Commission agents' services (excluding 62112, sales on a fee or contract basis of food products, beverages and tobacco and sales on a fee or contract basis of pharmaceutical and medical goods in 62117) (CPC 621*)		1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
B*. <u>Wholesale trade services</u>  Wholesale trade services (excluding agriculture and live animals in 6221; fisheries products in 62224; alcoholic beverages in 62226; musical scores, audio and video recordings in 62244; and books, magazines, newspapers, journals, periodicals and other printed matter in 62262; and 62251 of	1) None, other than:  <b>Sale of Amusement Machines (Québec): Services must be supplied through a commercial presence.</b>  <b>Sale of Motor Vehicles (Saskatchewan): Services must be supplied through a commercial presence.</b>			
	Sale of Amusement Machines (Québec): Citizenship			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
pharmaceutical and medical goods, and 62252, surgical and orthopaedic instruments and devices (CPC 622*)	<p>requirement in order to sell amusement machines.</p> <p>2) None.</p> <p>3) None, other than: <i>Fish Buyers</i> (British Columbia): Mobile fish buyers licenses are not issued to foreigners.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Retailing services</u>			National Treatment, Local Presence	Formatiert: Unterstrichen
Food retailing services (excluding liquor, wine and beer sales in 63107) (CPC 631*)	<p>1) None, other than: <i>Itinerant Sellers</i> (Québec): <u>Commercial presence required</u>.</p> <p><i>Direct Sellers</i> (Nova Scotia): <u>Services must be supplied through a commercial presence</u>.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		<p><u>Duty free shops</u>:</p> <p>1) 2) 4) To be a licensed duty free shop operator at a land border crossing in Canada, a natural person must:</p> <ul style="list-style-type: none"> <li>(a) be a Canadian national;</li> <li>(b) be of good character;</li> <li>(c) be principally resident in Canada; and</li> <li>(d) have resided in Canada for at least 183 days of the year preceding the year of application for the license.</li> </ul> <p>3) To be a licensed duty free shop operator at a land border crossing in Canada, a corporation must:</p> <ul style="list-style-type: none"> <li>(a) be incorporated in Canada; and</li> <li>(b) have all of its shares beneficially owned by Canadian nationals who meet the requirements as specified in the other modes of supply for this reservation.</li> </ul> <p><u>Measures</u>:</p> <p><i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.) <i>Duty Free Shop Regulations</i>, SOR/86-1072</p>	
Sale of motor vehicles including automobiles and other road vehicles (CPC 6111)				
Sale of parts and accessories of motor vehicles (CPC 6113)				
Sales of motorcycles and				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
snowmobiles and of related parts and accessories (CPC 6121)				
D*. <u>Franchising</u>	<p>1) None, other than:            (Alberta): Service suppliers required to designate a place within Alberta where they can be served legal documents.</p> <p>2) None.</p> <p>3) None, other than:            (Alberta): Required to have an attorney for service in legal documents.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
E*. Other	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:  <b>Retail petroleum</b> (Prince Edward Island): Public convenience and necessity test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			← Formatierte Tabelle
6 ENVIRONMENTAL				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
SERVICES				
A. <u>Sewage services</u> (CPC 9401)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. <u>Refuse disposal services</u> (CPC 9402)				
C. <u>Sanitation and similar services</u> (CPC 9403)				
D. <u>Other</u>				
Cleaning services of exhaust gases (CPC 9404)				
Noise abatement services (CPC 9405)				
Nature and landscape protection services (CPC 9406)				
Other environmental services n.e.c. (CPC 9409)				
7. FINANCIAL SERVICES				
Canada undertakes commitments on Financial Services in accordance with the provisions of Annex [X] on Financial Services of this Agreement. While financial services are subject to the general conditions and limitations applicable to all sectors in this schedule, the scheduling framework established in Annex [X] on Financial Services of this Agreement and Canada's headnotes for financial services, as specified below, are applicable to all conditions and limitations as they apply to financial services.				
1. This offer does not take into account Article 13 (Senior Management and Board of Directors) of Annex [X] on Financial Services. Canada is open to the application of the obligation contained within Article 13 if and when parties reach consensus on the obligation within the Annex on Financial Services.				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
2. For financial services, in the interpretation of conditions and qualifications for National Treatment on existing measures (Part II), to the extent that the Measures element is qualified by a specific reference in the Description element, the Measures element as so qualified shall prevail over all other elements.						
3. To clarify Canada's commitment with respect to Article I-3 (Market Access), juridical persons supplying financial services and constituted under the laws of Canada are subject to non-discriminatory limitations on juridical form <sup>5</sup> .						
4. It is understood that Article 3 (Market Access Commitments), paragraph 1(c) of Annex [X] on Financial Services of this Agreement does not impose any obligation to allow non-resident financial services suppliers to solicit business.						
5. The listing of a measure related to a reservation in Part I, Section A or Section B, or Part II, does not mean that it cannot otherwise be justified as a measure adopted or maintained for prudential reasons pursuant to Article 16 (Prudential Measures) of Annex [X] on Financial Services of the Agreement.						
Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments		
All financial services	1), 2) None.  3) None, other than:  (Federal): No one person (Canadian or foreign) may own more than 10 per cent of any class of shares of a financial institution constituted under federal legislation.  (Federal): Financial institutions constituted under federal legislation having equity in excess of C\$1 billion are required, within three years of having reached the threshold, to have 35 per cent of their voting shares widely-held and listed and posted for trading on a Canadian stock exchange.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.		3) (Federal): A minimum of one half of the directors of a financial institution constituted under federal regulation that is a subsidiary of a foreign institution and a majority of the directors of any other financial institution constituted under federal legislation must be either Canadian citizens ordinarily resident in Canada or permanent residents ordinarily resident in Canada.  <u>Measures:</u> <i>Bank Act</i> (159, 749) <i>Insurance Companies Act</i> (167, 796) <i>Trust and Loan Companies Act</i> (163) <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Insurance Companies)</i> <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Trust and Loan Companies)</i> <i>Cooperative Credit Associations Act</i> (169)			

<sup>5</sup> For example, partnerships and sole proprietorships are generally not acceptable juridical forms for financial institutions in Canada. This headnote is not itself intended to affect, or otherwise limit, a choice by a financial institution of the other Party between branches or subsidiaries.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
A. Insurance and Insurance-Related Services (CPC 812* + 814)	1) None, other than:  <u>Direct insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u>			
a) Life, accident and health insurance services (CPC 8121)	(Alberta, <u>Nova Scotia</u> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
b) Non-life insurance services (except deposit insurance and similar compensation schemes) (CPC 8129)	(Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (British Columbia, <u>Nova Scotia</u> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
c) Reinsurance and retrocession (CPC 81299*)	2) None, other than:  <u>Direct Insurance:</u>  (Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (Alberta, Newfoundland and Labrador): The purchase of reinsurance services by a Canadian insurer, other than a life insurer or a reinsurer, from a non-resident reinsurer is limited to no more than 25 per cent of the risks undertaken by the insurer purchasing the reinsurance.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p><u>Direct insurance and reinsurance and retrocession</u></p> <p>(Federal): A foreign entity authorised to insure, in Canada, risks must be established directly under the foreign insurance company incorporated in the jurisdiction where the foreign insurance company, either directly or through a subsidiary, principally carries on business.</p> <p>(All provinces and territories): Insurance activities can only be provided through:</p> <ul style="list-style-type: none"> <li>(i) a corporation incorporated under provincial statutes;</li> <li>(ii) an extra-provincial insurance corporation, i.e., an insurer incorporated by, or under the laws of another jurisdiction (including a federally-authorized branch of a foreign corporation);</li> <li>(iii) an association formed on the plan known as Lloyds; or</li> <li>(iv) (Excluding Québec and Prince Edward Island): Reciprocal insurance exchanges.</li> </ul> <p>(Alberta, Prince Edward Island): Subsidiaries of foreign insurance corporations must be federally authorized.</p> <p>(Québec): Non-residents <del>can not</del> cannot acquire, without ministerial approval, either directly or indirectly, more than 30 per cent of the voting rights attached to shares of a Québec-chartered insurance company or of its controlling entity.</p> <p>(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company "SSQ, Société d'assurance-vie inc" or of the</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional Commitments	
	<p>holding company “Groupe SSQ inc”, the minister may, ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of a company, incorporation, share acquisition or application for business authorisation is subject to approval by the financial institutions commission.</p> <p><u>Motor vehicle insurance</u> (Manitoba, Saskatchewan, British Columbia): Motor vehicle insurance is provided by public monopoly.</p> <p>(Québec): Automobile insurance, with respect to personal injury and death, is provided by public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	<p>1) None, other than:</p> <p><u>Intermediation of insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u> (Alberta, Nova Scotia, Ontario, Quebec, Yukon): Services must be supplied through a commercial presence in the province or territory in which the service is provided.</p> <p>(Ontario): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Alberta,): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>2) None.</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	3) None, other than:  (New Brunswick): Licenses shall not be issued to a corporation whose head office is outside Canada.  (Ontario, Prince Edward Island): Non-resident individual adjusters are prohibited from being adjusters in the province.  (Ontario): A foreign-owned insurance brokerage must have an address in Ontario suitable to permit service and must have its trust funds in one or more accounts in any Ontario branch of defined financial institutions.  (Manitoba): Licenses to act as insurance agents and brokers are not issued to non-residents of Canada.  (Alberta, Manitoba): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.  (British Columbia): Licenses for general insurance shall be issued only to residents of the province.  (Prince Edward Island): Licenses to act as insurance agent or adjusters are not issued to non-resident of the province.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. Banking and Other Financial Services  (excl. insurance)	1) None.  2) None.  3) None, other than:  (Federal): In order to establish a bank branch, a foreign		3) None, other than:	
a) Acceptance of deposits and other repayable funds from				

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
the public (CPC 81115-81119)	bank must be a bank in the jurisdiction under whose laws it is incorporated.			
b) Lending of all types, including <i>inter alia</i> , consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)	(Federal): A bank branch must be established directly under the authorised foreign bank incorporated in the jurisdiction where the authorised foreign bank principally carries on business.			
c) Financial leasing (CPC 8112)	(Federal): Full service foreign bank branches and lending foreign bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.	(Federal): Full service bank branches and lending bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.		
d) All payment and money transmission services (CPC 81339*)			<b>Measures:</b> <i>Bank Act</i> s. 520, 540, 545 Schedule I and Schedule II to the <i>Bank Act</i> <i>Canadian Deposit Insurance Corporation Act</i> s.2, 8, 17	
e) Guarantees and commitments (CPC 81199*)	(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.	(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.	<b>Measures:</b> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
	(Federal): Foreign lending branches may not accept deposits.	(Federal): Foreign lending branches may not accept deposits.	<b>Measures:</b> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
	(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.	(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.	<b>Measures:</b> <i>Canadian Payments Act</i> s. 2, 4 <i>Bank Act</i> s. 524, 540	
	(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>“SSQ, Société d’assurance-vie inc” or of the holding company “Groupe SSQ inc”, the minister may ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p><u>Trust and loan companies</u></p> <p>(Federal): Federal laws do not permit a trust and loan company to be established through branches of corporations organized under a foreign country’s law.</p> <p>(All provinces and territories, excluding British Columbia, Québec): Federal or provincial incorporation is required.</p> <p>(Ontario, Québec, Manitoba): The direct or indirect acquisition of Canadian-controlled companies by non-residents is restricted to 10 per cent individually and 25 per cent collectively.</p> <p>(Saskatchewan): Individual and collective foreign ownership of Canadian-controlled and provincially incorporated companies can be no more than 10 per cent of shares.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of the company, incorporation, share acquisition or application for business authorization is subject to approval by the financial institutions commission.</p> <p>(Ontario, New Brunswick and Nova Scotia): Incorporation or registration will be refused unless authorities are satisfied that there exists a public benefit and advantage for an additional corporation.</p> <p>(Ontario): Consent to change in control or transfers of 10</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>per cent or more of voting shares may be refused if it would be in the public interest to do so.</p> <p><u>Credit unions, caisses populaires and associations or groups thereof</u></p> <p>(Federal): Federal laws do not permit a credit union or fraternal benefit society in Canada to be established through branches of corporations organized under a foreign country's law.</p> <p>(All provinces and territories): Must incorporate in the jurisdictions in which they operate.</p> <p><u>Mortgage brokers</u></p> <p>(Ontario): Must incorporate under the laws of Canada, Ontario or of another province. Ownership of a corporation by foreign persons must not exceed 10 per cent individually and 25 per cent collectively of the total number of equity shares.</p> <p>(Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p>(Saskatchewan): Must maintain a business office in the province.</p> <p><u>Loan and investment companies</u></p> <p>(Québec): Federal or provincial incorporation.</p> <p><u>Co-operative corporations</u></p> <p>(Newfoundland and Labrador, Ontario): Must incorporate under the law of the applicable province or under federal law.</p> <p><u>Lending of all types</u> (Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p><u>Acceptance of deposits</u> (Québec): The acceptance of</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>deposits of public and para-public institutions is provided by a public monopoly.</p> <p>4) <b>NoneUnbound</b>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Mortgage brokers</b> (Ontario): Must be Canadian citizens or permanent residents of Canada and ordinarily resident in Canada.</p> <p>(Nova Scotia): Must be resident in the province.</p> <p>1) None, other than:</p> <p><b>Advisory and auxiliary financial services</b> (Alberta, <a href="#">British Columbia</a>, <a href="#">Nova Scotia</a>, <a href="#">Québec</a>, <a href="#">Saskatehewan</a>): Services must be supplied through a commercial presence in the jurisdiction in which the adviser is providing advice.</p> <p><b>Asset management</b> (Alberta, <a href="#">British Columbia</a>, <a href="#">Nova Scotia</a>, <a href="#">Québec</a>, <a href="#">Saskatehewan</a>): Services must be supplied through a commercial presence in the jurisdiction in which the service is provided.</p> <p>(Québec): The management of pension funds of public and para-public institutions in Québec is provided by public monopoly.</p> <p><b>Custodial services</b> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.</p> <p>2) None, other than:</p>			
f) Trading for own account or for account of customers whether on an exchange, in an over-the-counter market or otherwise, the following:				
- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339*);				
- foreign exchange (CPC 81333*);				
- derivative products including but not limited to, futures and options (CPC 81339*)				
- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (CPC 81339*)				
- transferable securities (CPC 81321*)				
- other negotiable instruments and financial assets, including bullion (CPC 81339*)				
g) Participation in issues of all kinds of securities, including				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)	<u>Trading in securities and commodity futures - persons</u> (All provinces and territories): There is a requirement to register in order to trade through dealers and brokers that are neither resident nor registered in the province or territory in which the trade is affected.			
h) Money broking (CPC 81339*)	3) None, other than:  <u>Securities dealers and brokers</u> (British Columbia, Ontario, Saskatchewan, Yukon): Must be incorporated, formed or continued under federal, provincial or territorial laws.			
i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services (CPC 8119*, 81323*).	<u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.			
j) Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments (CPC 81339*, 81319)	<u>Advisory and auxiliary financial services</u> (British Colombia): Must be incorporated, formed or continued under federal, provincial or territorial laws.			
k) Advisory, intermediation and other auxiliary financial services on all the activities listed in Article 2(a)(v) through (xv) of the Annex on Financial Services, incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131*, 8133*)	<u>Asset management</u> (Québec): The management of pension funds of public and para-public institutions in Québec is provided by a public monopoly.			
l) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131*, 842*, 843*, 844*)	4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotels and restaurants</u> (including catering)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p> <p>Hotel and other lodging services (CPC 641)</p> <p>Food and beverage serving services (CPC 642/3)</p> <p>Sale of liquor on premises (Nova Scotia: A liquor license for a hotel or restaurant serving food requires about three weeks. A license for a bar or nightclub (primarily serving alcoholic beverages) requires up to three months and must be preceded by a public hearing.)</p> <p>Sale of liquor in a tavern, restaurant or bar (Québec): For juridical persons not listed on a Canadian stock exchange, all shareholders owning 10 per cent or more of voting shares must be Canadian citizens or permanent residents.</p> <p>(Saskatchewan): <b>The majority of shareholders must be Canadian and manager must be a Canadian citizen or permanent resident.</b></p> <p>Sale of liquor (Québec): Is limited to federally incorporated companies.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>Sale of liquor in a restaurant and tavern (Québec): Requirement for residency and citizenship.</p> <p>Sale of alcoholic beverages (Alberta, Saskatchewan): Requirement for permanent residency.</p> <p>(Manitoba): Requirement for citizenship and residency.</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(Nova Scotia): Licenses for the sale of alcoholic beverages will be granted only to Canadian citizens or permanent residents.			
B   <u>Travel agencies and tour operators services</u>  Travel agency and tour operator services (CPC 7471)	1) None, <del>other than:</del>  <del>Travel agencies and travel wholesalers (Ontario): Services must be supplied through a commercial presence.</del>  <del>Travel agencies (Québec): Services must be supplied through a commercial presence.</del>  2) None. 3) None. 4) <del>None</del> Unbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
I   . TRANSPORT SERVICES	Pursuant to the <i>Canada Transportation Act</i> , any proposed transaction that involves a transportation undertaking that raises issues with respect to the public interest as it relates to national transportation as determined by the Minister requires approval by the Governor in Council.  Approval is required from the National Transportation Agency prior to the acquisition of any federally regulated transportation undertaking with assets or annual gross sales in Canada in excess of \$10 million. For these purposes, a transportation undertaking means any business principally engaged in any transportation activity under federal jurisdiction within Canada, excluding (a) those operated by a person whose principal place of residence is outside Canada, and (b) those engaged in the transport of goods and/or passengers solely between Canada and another country.			
A. <u>Maritime Transport Services</u>  International maritime transport (Freight and passengers) CPC 7211	1) 2) 3) 4) Unbound with respect to international maritime transport and maritime auxiliary services and			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	service suppliers of [ ... ].			
<b>MARITIME TRANSPORT SERVICES*</b> (See Notes 1 and 2)				
International Transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage (See Note 3)	<p>1) (a) Liner Shipping and 1) (b) Bulk, tramp, and other international shipping, including passenger transportation: None, other than:</p> <p><u>Shipping Conferences</u> (only for mode 1) (a) (Liner Shipping): Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely:</li> </ul>		<p><u>Local Presence</u></p> <p><u>Shipping Conferences</u>:</p> <p>1)2)4) Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Measures</u>:</p> <p><i>Shipping Conferences Exemption Act 1987</i>, R.S.C. 1985, c. 17 (3rd Supp.)</p> <p><u>National Treatment, Local Presence</u></p> <p>1) (a) <u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely:</li> </ul>	<p>Canada does not require private sector terminal operators and providers of maritime auxiliary services to accord access to and use of their services on non-discriminatory terms and conditions.</p> <p>However, no measures prevent access to and use of the following services at the port by international maritime transport service suppliers, except for service suppliers of [ ... ], on terms and conditions that accord national treatment:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Navigation aids;</li> <li>6. Shore-based operational services essential to ship operations, including: communications, water and electrical supplies;</li> <li>7. Emergency repair facilities;</li> <li>8. Anchorage, berth and</li> </ol>

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<p>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</p> <p>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</p> <p>(iii) a ship management company incorporated under the laws of Canada or a province or territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <p>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>, or</p> <p>(b) a corporation incorporated under the laws of Canada or a province or territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of</p> <p>(a) Inuit entities or individuals,</p>	<p>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</p> <p>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</p> <p>(iii) a ship management company incorporated under the laws of Canada or a province or territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><b>National Treatment, Local Presence</b></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <p>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>, or</p> <p>(b) a corporation incorporated under the laws of Canada or a province or territory.</p> <p><b>Measures:</b> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p>	<p>berthing services;</p> <p>9. Lightering and water taxi services;</p> <p>10. Ship agencies;</p> <p>11. Custom brokers;</p> <p>12. Stevedoring and terminal services;</p> <p>13. Surveying and classification services;</p> <p>14. Transport services for the purposes of onward forwarding of cargo; i.e. directly contracting with providers of other transport services for the provision of door-to-door or multimodal transport operations.</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>(b) Nunavut businesses or residents, or  (c) local businesses or residents,  as these terms may be defined by the Government of Nunavut.</p> <p>(Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>2) None, other than:  (Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.</p> <p>3) (a) None, other than:  <u>Ship registration</u>: as set out under mode 1.</p> <p><b>Measures:</b>  <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of</p> <p>(a) Inuit entities or individuals,  (b) Nunavut businesses or residents, or  (c) local businesses or residents,  as these terms may be defined by the Government of Nunavut.</p> <p>3) (b) Other forms of commercial presence for the supply of international maritime transport services (as defined):  None.</p> <p>4) (a) masters and crew: Unbound.</p>		<p><u>National Treatment, Local Presence</u></p> <p>3)(a)  <u>Ship registration</u>: as set out under mode 1.</p> <p><b>Measures:</b>  <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><u>National Treatment, Local Presence</u></p> <p>4) (a) masters and crew: Masters, mates, engineers and certain other seafarers must hold certificates granted by the Minister of Transport as a requirement of service on Canadian registered ships. Such certificates may be granted only to Canadian citizens or permanent residents.</p> <p><b>Measures:</b>  <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i>  <i>Marine Personnel Regulations, SOR/2007-115</i></p> <p><u>National Treatment, Local Presence</u></p> <p>1) 4) A licence or a pilotage certificate issued by the</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Pilotage services* <sup>6</sup> (CPC 74520)*	4) (b) Key personnel employed in relation to a commercial presence as defined under 3 b) above: None, except for entry of a natural person which is as indicated in the horizontal section.	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound.	relevant regional Pilotage Authority is required to provide pilotage services in the compulsory pilotage waters of the territory of Canada. Only Canadian citizens or permanent residents may obtain such a licence or pilotage certificate. A permanent resident of Canada who has been issued a pilot's licence or pilotage certificate must become a Canadian citizen within five years of receipt of such licence or pilotage certificate in order to retain it.  <b>Measures:</b> <i>Pilotage Act, R.S.C. 1985, c.P-14</i> <i>General Pilotage Regulations, SOR/2000-132</i> <i>Atlantic Pilotage Authority Regulations, C.R.C., c.1264</i> <i>Laurentian Pilotage Authority Regulations, C.R.C., c. 1268</i> <i>Great Lakes Pilotage Regulations, C.R.C., c. 1266</i> <i>Pacific Pilotage Regulations, C.R.C., c. 1270</i>	
MARITIME AUXILIARY SERVICES  Maritime Cargo Handling Services (as defined)	1) Unbound. 2) None. 3) None, other than:  (Nunavut): The Government of Nunavut may, in connection with maritime cargo handling services, take any measure that provides for or results in favourable treatment of (a) Inuit entities or individuals, (b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut.  4) <b>None</b> Unbound, except for entry of a natural person which is as indicated in the horizontal section.			

<sup>6</sup> Asterisk designates “part of”.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Storage and Warehousing Services CPC 742	1) Unbound. 2) None. 3) None. 4) <b>None</b> <b>Unbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
Customs Clearance Services (as defined)	<p>1) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence.  (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>2) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence.  (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.  (b) A partnership must be composed of persons who are permanent residents.</p>	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence.  (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence.  (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) <u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			(b) A partnership must be composed of persons who are permanent residents.	
			<b>Measures:</b> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	
		4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section, and:	<b>Measures:</b> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	
		Licensed Customs Brokers (Federal) (Natural persons): Requirement for permanent residency.	National Treatment, Local Presence, <b>Local Management and Boards of Directors</b>	
		<b>Measures:</b> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	4) <b>Licensed Customs Brokers (Federal)</b> (Natural persons): Requirement for permanent residency.	
			<b>Measures:</b> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	
Container Station and Depot Services (as defined)	1) Unbound. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
Maritime Agency Services (as defined)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
Maritime Freight Forwarding Services (as defined)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in the horizontal section.			
<b>NOTE TO THE SCHEDULE (Maritime Transport Services)</b>				
1. Specific commitments in any sector or subsector shall not be construed to override the limitations established in the Maritime Transport Services schedule, including all maritime cabotage conditions and qualifications.				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
2.	Nothing in Canada's Schedule of Specific Commitments for Maritime Transport Services shall be interpreted to apply to fishing vessels as defined in the Coastal Fisheries Protection Act.			
3.	Canada's specific commitments on Maritime Transport Services (Market Access, National Treatment and Additional Commitments) do not apply to fees imposed or applied in respect of marine navigation services. Consequently, Canada does not undertake any obligations with respect to any measure adopted or maintained in connection with the imposition or application of marine navigation services fees.			
<b>DEFINITIONS RELATED TO SECTION 11, TRANSPORT SERVICES</b>				
For the purposes of this section and subject to relevant limitations in Canada's Schedule of Specific Commitments:				
1	"Cabotage" services as defined by the <i>Coasting Trade Act</i> include:			
	(a) the transportation of goods or passengers by ship or by ship and any other mode of transport between points in the territory of Canada or above the continental shelf of Canada either directly or by way of a place outside Canada;			
	(b) with respect to waters above the continental shelf, the transportation of goods or passengers in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf; and			
	(c) the engaging by ship in any maritime activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other maritime activities of a commercial nature in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf.			
2.	"Container station and depot services" means activities in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.			
3.	"Custom clearance services" means activities in carrying out, on behalf of another party, customs formalities concerning import, export or through transport of cargoes, irrespective of whether this service is the main or secondary activity of the service provider.			
4.	"Maritime agency services" means activities in representing, within a given geographic area, the business interests of one or more shipping lines or 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 in organising the call of the ship or taking control of cargoes.			
5.	"Maritime cargo handling services" means the work performed by stevedore companies or public terminal operators[, but <u>not including</u> the work performed by dock labour, when this workforce is organised independently of the stevedoring or public terminal operator companies]. The work activities covered are the performance, organization 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.			
6.	"Maritime freight forwarding services" means the activity of organising and monitoring shipments on behalf of shippers, through providing such services as the arranging of transport and related services, consolidation and packing of cargo, preparation of documentation and provision of business information.			
7.	"Ship" means a boat, vessel or craft designed, used or capable of being used solely or partly for navigation in, on, through, or immediately above water, without regard to			

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***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
method or lack of propulsion, and includes such a ship that is under construction.						
8. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport suppliers of other Members to undertake locally, in Canada, activities that are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element. These activities are:						
(a)	marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services					
(b)	being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;					
(c)	making arrangements, on their own account or on behalf of their customers (and the resale to their customers) for any transport or related services, including: anchorage, berth and berthing services, onward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;					
(d)	preparation of documentation including transport documents, customs documents, or other documents related to the origin and character of goods transported;					
(e)	provision of business information by any means, including computerized information systems and electronic data interchange (subject to any provision or limitation in this Agreement that may restrict or allow a Member to restrict the provision of business information);					
(f)	setting up 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 natural persons ) with any locally established shipping agency;					
(g)	acting on behalf of the companies, organizing any aspect of the call of the ship or taking control over cargoes when required; provision of port captain services					
<u>C*. Air Transport Services</u>						
d) Maintenance and repair of aircraft and aircraft engines (CPC 8868*)	1) None. 2) Unbound.	<u>National Treatment, Local Presence</u>  2) Aircraft and other aeronautical product repair, overhaul or maintenance activities (including line maintenance) required to maintain the airworthiness of Canadian-registered aircraft and other aeronautical products must be performed by persons meeting Canadian aviation regulatory requirements (i.e. approved maintenance organizations and aircraft maintenance engineers). Certifications are not provided for persons located outside Canada, except sub-organizations of approved maintenance organizations that are themselves located in Canada.	<u>Measures:</u> <i>Aeronautics Act, R.S.C. 1985, c. A-2</i>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<i>Canadian Aviation Regulations, SOR/96-433: Part IV “Personnel Licensing &amp; Training”; Part V “Airworthiness”; Part VI “General Operating &amp; Flight Rules”; and Part VII “Commercial Air Services”</i>	
Computer reservations systems	3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
E. Rail Transport Services				
a), b) Railway passenger and freight transport (CPC 7111, 7112)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
d) Maintenance and repair of rail transport equipment (CPC 8868*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
F*. Road Transport Services			<u>National Treatment, Local Presence</u>	
a*) Passenger transportation Interurban scheduled bus passenger transportation (CPC 71213)	1) None, other than:  <u>Cabotage</u> :		1) For CPC 7121, 7122:  <u>Cabotage</u> :	
Taxis (CPC 71221)	Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the		Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the	
Rental services of cars with drivers				

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 71222)  Non-scheduled motor buses, chartered buses and tour and sightseeing buses (CPC 71223)	<p>territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p> <p><u>Interurban bus transport and non-scheduled services</u> (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Taxis and rental services with drivers</u>: Operating licenses and permission are under the purview of local/provincial authorities. (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p><u>Interurban bus transport and scheduled services</u>: (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for</p>	<p>territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
b*) Freight transportation	<p>expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
Highway freight transportation (CPC 71231, 71232, 71233, 71234)	<p>1) None, other than:</p> <p><b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p> <p><b>Highway freight transportation (Québec):</b> Requirement for commercial presence in region where permit applies.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><b>Highway freight transportation:</b> (Saskatchewan, Quebec, Newfoundland and Labrador): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the</p>		<p><u>National Treatment, Local Presence</u></p> <p>1) For CPC 7123:</p> <p><b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p>	

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
c*) Rental of commercial vehicle with operator	applicant to provide proper service.)	4) <u>UnboundNone</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
Rental services of commercial road vehicles with operators (CPC 7124)	<p>1) None, other than:  <b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p> <p>2) None.  3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	<p><u>National Treatment, Local Presence</u></p> <p>1) <b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b>  <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.  <i>Canada Transportation Act</i>, S.C. 1996, c. 10  <i>Customs Tariff</i>, 1997, c. 36</p>		
d) Maintenance of road transport equipment	1) None. 2) None. 3) None.			
Maintenance and repair services of motor vehicles (CPC 6112)	4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Maintenance and repair services of motorcycles and snowmobiles (CPC 6122)				
Repair services n.e.c. of motor vehicles, trailers, semi-trailers on a fee or contract basis				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 8867)				
H*. Services auxiliary to all modes of transport other than Maritime Transport Services				
a) Container handling services (CPC 7411)	<p>1) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>	
Other cargo handling services (CPC 7419)				
b) Storage and warehouse services (CPC 742)				
c) Freight transport agency services (CPC 748)				
d) Other supporting and auxiliary transport services, including freight forwarding (CPC 749)	<p>2) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <p>a) A corporation must be incorporated in Canada and the majority of its directors must be Canadian citizens or permanent residents.</p> <p>b) A partnership must be composed of persons who are</p>		<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <p>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian citizens or permanent residents.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments and:</p> <p><u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>	<p>(b) A partnership must be composed of persons who are permanent residents.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>4) <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><b>Measures:</b>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		
12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95, 97,98,99)	<p><u>Other services not included elsewhere,</u>  <u>except for marriage commissioner services (CPC 95910) and funeral and (Alberta): Unbound.</u>  <u>cremation services (CPC 9703) (CPC 95*,97*, 98, 99)</u></p> <p>4) <u>None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</u>  <u>(Alberta): Unbound.</u></p> <p><u>Services of membership organisation</u></p> <p><u>Services furnished by business, employers and professional organizations (CPC 951*)</u></p> <p>1) None  2) None  3) None  4) <u>Unbound, except as indicated in Horizontal Commitments.</u></p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Services furnished by trade unions <small>(CPC 952*)</small>		(Alberta): 1) 2) 3) 4) Unbound.		
		1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.		
		(Alberta): 1) 2) 3) 4) Unbound.		
Religious Services (CPC 9591)				
Marriage commissioner services <small>(CPC 95910)</small>	1) None, other than:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.  (Alberta): Unbound.	2) None, <small>other than:</small>  (Alberta): Unbound.	3) None, <small>other than:</small>  (Alberta): Unbound.	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.  (Alberta): 1) 2) 3) 4) Unbound.(Alberta): Unbound.			
<u>Services furnished by political organizations (CPC 9592)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.			
<u>Services furnished by other membership organizations (CPC 9599)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.			
<u>Other services</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.			
<u>Washing, cleaning and dyeing services (CPC 9701)</u>				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Hairdressing and other beauty services (CPC 9702)	<p>(Alberta): 1) 2) 3) 4) Unbound.</p> <p>1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.</p> <p>(Alberta): 1) 2) 3) 4) Unbound.</p>			
Funeral and cremation services (CPC 9703)	<p>1) None, other than:</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p>(Alberta): Unbound.</p> <p>2) None, other than:</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p>(Alberta): Unbound.</p> <p>3) None, other than:</p> <p>(New Brunswick): Only residents of New Brunswick who are Canadian citizens or Canadian landed immigrants are eligible to be registered under the Act as an embalmer or</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments	
	<p>funeral director, or as an apprentice. Resident is not defined by the Act or Regulations, but in practice, the Board would consider such things as possession of a New Brunswick Medicare number or driver's licence, or an indication that income tax is filed with the Province.</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p><i>(Alberta): Unbound.</i></p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p><i>(Alberta): Unbound.</i></p> <p><i>(Alberta): 1) 2) 3) 4) Unbound.</i></p>			
Other services (CPC 9709)	<p><u>1) None</u></p> <p><u>2) None</u></p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Private households with employed persons	3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			
Private households with employed persons (CPC 980*)	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			
Services provided by extraterritorial organizations and bodies				
Services provided by extraterritorial organizations and bodies (CPC 990*)	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments  (Alberta): 1) 2) 3) 4) Unbound.			

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CANADA - LIST OF ARTICLE [...] MFN EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Film, Video and Television Programming Co-production	Differential treatment is accorded to works co-produced with persons of countries with which Canada may have co-production agreements or arrangements, as well as to natural persons engaged in such co-production.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Canadian audiovisual productions in Canada, to promote greater diversity among foreign audiovisual works on the Canadian market, as well as to promote the international exchange of audiovisual works.
Film, Video and Television Programming Co-production and Distribution	Differential treatment is accorded to works co-produced with persons of countries with which Québec may have co-production arrangements, and to natural persons engaged in such co-productions, as well as to natural and juridical persons engaged in film and video distribution pursuant to bilateral arrangements for the distribution of film, video and television programming in its territory.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Québécois audiovisual productions in Québec, to promote greater diversity among foreign audiovisual works on the Québec market, and to promote the international exchange of audiovisual works, as well as to ensure that Québec distributors have improved access to films originating from all parts of the world, while allowing partners in film distribution arrangements to continue to distribute in Québec films for which they are recognized as the producers or the holders of the world distribution rights.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Fishing-Related Services	Licenses for access to Canadian waters for specific purposes, such as purchase of fuel and supplies, ship repair, crew exchanges and transhipment of fish catches, are granted only to fishing ships from a country with which Canada has favourable fishery relations, based primarily on adherence by that country to Canadian and international conservation practices and policies.	All countries.	Indeterminate.	Conservation of fisheries.
Insurance Intermediation: Agency Services	Preferential access to the Ontario insurance services market is provided to non-resident individual US insurance agents.	All states in the United States.	Indeterminate.	Reciprocity.
Maritime Transport	Preferential treatment may be accorded to services providers of countries with which Canada has agreements, arrangements and other formal or informal undertakings with respect to maritime activities in waters of mutual interest in areas such as: pollution control, safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control and maritime communications.	United States, France.	Indeterminate.	Bilateral agreements, arrangements and undertakings.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport: Tonnage Dues	United States ships are exempt from the payment of tonnage dues when entering ports in the province of Ontario from the Great Lakes and their connecting and tributary waters.	United States.	Indeterminate.	Maintenance of existing historical preference.
International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	Canada may accord to services and service suppliers of [...] treatment less favourable than that it accords to like services and service suppliers of any other Party.	[...]	Indeterminate.	Reciprocity.
Air and Maritime Transport - Exemptions from tax	Exemption from taxes on income and capital of a non-resident person earned in Canada from the operation of a ship or aircraft in international traffic on the basis of reciprocity with the country in which the person resides.	All countries.	Indeterminate.	Maintenance of reciprocity as the basis for the tax reciprocity exemption.
Air Transport - aircraft repair and maintenance services provided by service suppliers located outside of Canada	Preferential treatment is extended to the supply of repair and maintenance services as defined in Article I-1:2(b) (consumption abroad) by some foreign repair and maintenance service suppliers.	All countries.	Indeterminate.	Air safety standards procedures.
Air Transport - the selling and marketing of air transport services	Bilateral air services agreements contain provisions that place limitations on the advertising, selling or marketing of specified air transport services.	All countries.	Indeterminate.	Bilateral air agreements.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Services incidental to agriculture - temporary entry of natural persons supplying services	Temporary entry of agricultural workers from countries with which Canada has signed a memorandum of understanding is subject to an accelerated process for labour certification.	Anguilla Antigua and Barbuda Barbados Dominica Grenada Jamaica Mexico Montserrat St. Kitts-Nevis St. Lucia St. Vincent Trinidad and Tobago	Indeterminate.	Seasonal shortages of experienced farm workers and requirement for guaranteed return passage.
All sectors	Canada accepts compulsory arbitration of investor/state investment disputes brought by or in respect of service suppliers of countries with which Canada may have agreements providing for such a procedure.	All countries.	Indeterminate.	Promotion and protection of foreign investment.

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**Trade in Services Agreement**

**May 6**~~October 21~~, 2016

**Second Final Revised Offer from Canada**

This ~~second final revised~~ offer is expressed through commitments taken with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article I-5 (Additional commitments); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured-Nation Treatment).

**Conditions applying to Canada's second final revised offer**

*Canada's presentation of its ~~second revised final~~ offer in the context of the TISA negotiations is without prejudice to Canada revising, supplementing or withdrawing all or any part of this offer.*

This ~~second final revised~~ offer is subject to the following conditions:

1. Canada's offer may change depending on the nature of final obligations, particularly with respect to Article I-3 (Market Access); Article I-4 (National Treatment); Article X.1 (Local Presence); Article X.2 (Local Management and Boards of Directors); Article X.3 (Local Content and Other Performance Requirements); Article II-1 (Scheduling of Market Access Commitments); Article II-2 (Scheduling of National Treatment Commitments); Article I-5 (Additional commitments); Article X.4 (Scheduling of Localization Commitments) and Article [...] (Most-Favoured Nation Treatment), and any new and enhanced disciplines developed by the Parties.
2. Canada obtains satisfactory offers from other Parties representing an appropriate balance of market openness relative to Canada's offer.
3. In these negotiations, Canada will seek to secure the flexibility necessary to achieve its domestic cultural policy objectives. Canada is still developing the proposals that it will make in this area. Canada reserves its right to supplement its offer with proposals related to culture and cultural industries.
4. Given that the scope of coverage in the Maritime Transport Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to, modify or withdraw its offer on Maritime Transport Services. In particular, Canada is developing a definition of international maritime transport services to enhance the legal certainty of its commitments. This Maritime Transport Services offer is also conditional on Canada receiving satisfactory offers on Maritime Transport Services from other TISA Parties.
5. Given that the scope of coverage in the Air Services sector and the related definitions are yet to be agreed, Canada reserves the right to add to or modify its offer in the following sub-sectors:
  - Specialty Air Services (for greater certainty, a service provided from an aircraft is not committed unless specifically listed under specialty air services);
  - Airport Operation Services;
  - Ground handling Services;
  - Aircraft Repair and Maintenance Services;
  - Selling and Marketing Services; and,
  - Computer Reservation Systems Services.

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6. Given that scheduling modalities for commitments on Mode 4 are yet to be agreed, Canada reserves the right to add to or modify its offer with respect to Mode 4.
7. This offer is based on Canada's position regarding the current TISA text. In addition, given that the framework for making commitments on financial services is not finalized, and links to other certain horizontal provisions have yet to be confirmed agreed upon, Canada reserves the right to add to or modify its offer on Financial Services.

**Headnote to Canada's Schedule of Specific Commitments**

**1) Conditions and qualifications on national treatment and local presence, local management and boards of directors, local content and other performance requirements**

**a. Policy Space: Conditions and qualifications on national treatment and local presence, local management and boards of directors and local content and other performance requirements for future measures**

Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X.4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence), and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance Requirements).

Each condition and qualification sets out the following elements:

- a. Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b. Sub-Sector: refers to the specific sector in which the condition and qualification is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Description: sets out the scope of the sector, sub-sector or activities covered by the condition and qualification
- e. Existing Measure: identifies, for transparency purposes, an existing measure applying to the sector, sub-sector or activities covered by the condition and qualification

In interpreting a condition and qualification listed pursuant to Article II-2:4 and/or Article X.4:3, all elements of the condition and qualification are considered with the exception of Industry Classification. The Description element prevails over all other elements.

~~Canada's Schedule sets out, under Part I, Section A (RESERVATIONS pursuant to Article II-2:4 and/or Article X.4:3), conditions and qualifications for specific sectors, sub-sectors or activities for which it may maintain existing, or adopt new or more restrictive, measures, whether at the federal, provincial, territorial or local level of government, that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence).~~

**b. Existing measures: Conditions and qualifications on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, for existing measures**

Canada's Schedule sets out, under Part I, Section B (RESERVATIONS pursuant to Article II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2) and Part II (Sector-Specific Commitments), conditions and qualifications for existing measures that do not conform with the obligation imposed by Article I-4 (National Treatment) and/or Article X.1 (Local Presence) and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance

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Requirements). -

Each condition and qualification sets out the following elements:

- a. Sector: refers, for transparency purposes, to the general sector in which the condition and qualification is listed
- b. Sub-Sector: refers, for transparency purposes, to the specific sector in which the condition and qualification is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Measure: identifies a law, regulation or other measure, as qualified, where indicated, by the ~~4~~Description element, for which a condition and qualification is listed. A measure cited in the Measure element:
  - a. Means the measure as amended, continued or renewed as of the date of entry into force of this Agreement, and
  - b. Includes a subordinate measure adopted or maintained under the authority of and consistent with the measure; and
- e. Description: sets out the aspect of the existing measure that does not conform to Article I-4 (National Treatment) and/or Article X.1 (Local Presence) and/or Article X.2 (Local Management and Boards of Directors) and/or Article X.3 (Local Content and Other Performance Requirements) for which the condition and qualification is listed.

In the interpretation of a condition and qualification, all elements of the condition and qualification, with the exception of Industry Classification, are considered. The Measure element prevails over other elements, unless a discrepancy between the Measure element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the Measure element prevails, in which case the other elements prevail to the extent of that discrepancy.

For greater certainty, the fact that an existing measure has not been listed as a condition or qualification in a particular Sector or Sub-Sector shall not be interpreted as limiting the scope of the condition or qualification.

The listing of a measure in this Schedule under Part I, Section B or Part II pursuant to Article II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2 is without prejudice to a future claim that Article II-2:4 and/or Article X.4:3 may apply to the measure or some application of the measure.

## **2) Terms, limitations and conditions on market access**

Canada's Schedule sets out the commitments it undertakes pursuant to Article I-3 (Market Access) and Article II-1 (Scheduling of Market Access Commitments). The Schedule also specifies, with respect to sectors where such commitments are undertaken, the terms, limitations and conditions on market access.

Each term, limitation and condition sets out the following elements:

- a. Sector: refers to the general sector in which the term, limitation and condition is listed
- b. Sub-Sector: refers to the specific sector in which the term, limitation and condition is listed
- c. Industry Classification: refers, where applicable, to the activity covered by the condition and qualification according to the Central Product Classification numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991
- d. Description: sets out the scope of the sector, sub-sector or activities covered by the term, limitation and condition.

In the interpretation of a term, limitation and condition, all elements of the term, limitation and condition are considered, except that the Industry Classification element shall only be considered to the extent that the other elements, taken as a whole, leave the meaning of the term, limitation and condition ambiguous or obscure or leads to a result which is manifestly

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absurd or unreasonable.

- 3) Where a measure is listed as both a term, limitation and condition on market access and a condition and qualification on national treatment, local presence, local management and boards of directors, and local content and other performance requirements, the rules governing the interpretation of conditions and qualifications on national treatment ~~and~~ local presence, local management and boards of directors, and local content and other performance requirements as set out under paragraph 1 of this headnote shall apply to the exclusion of those governing the interpretation of terms, limitations and conditions on market access as set out under paragraph 2 of this headnote.

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PART I: HORIZONTAL COMMITMENTS – SECTION A

Sector or subsector	Mode	Other Limitations
<b>Reservations pursuant to Article II-2:4 and/or Article X.4:3 of the Localization annex</b>		
Canada reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
All sectors: Aboriginal Affairs	All	<p>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</p> <p>Canada reserves the right to adopt or maintain any measure denying service suppliers of a Party any rights or preferences provided to aboriginal peoples.</p> <p><u>Existing Measures:</u> <i>Constitution Act, 1982</i>, being Schedule B of the Canada Act 1982 (U.K.), 1982, c. 11</p>
All sectors: Oceanfront Land	3	<p>National Treatment</p> <p>Canada reserves the right to adopt or maintain any measure relating to residency requirements for the ownership by service suppliers of a Party of oceanfront land.</p>
All sectors: Socially or Economically Disadvantaged Minorities	All	<p>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</p> <p>Canada reserves the right to adopt or maintain any measure conferring rights or privileges to a socially or economically disadvantaged minority.</p>
Cultural Industries	All	<p>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</p> <p>Canada reserves the right to adopt or maintain any measure with respect to a cultural industry. For the purposes of this reservation:</p> <p>“cultural industry” means a person engaged in the following activities:</p> <ul style="list-style-type: none"><li>a) the publication, distribution or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li><li>b) the production, distribution, sale or exhibition of film or video recordings;</li><li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li><li>d) the publication, distribution or sale of music in print or machine-readable form; or</li><li>e) radiocommunications in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li></ul>

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Sector or subsector	Mode	Other Limitations
Social Services	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure for providing public law enforcement and correctional services, as well as the following services to the extent that they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.</p>
Sector Communications  Sub-sector: Telecommunications Transport Networks and Services Radiocommunications	3	<p><u>National Treatment, Local Management and Boards of Directors</u></p> <p>Canada reserves the right to adopt or maintain any measure:</p> <ul style="list-style-type: none"> <li>(a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;</li> <li>(b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;</li> <li>(c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.</li> </ul> <p>The following exceptions apply to this reservation:</p> <ul style="list-style-type: none"> <li>(a) foreign investment is allowed up to 100% for suppliers conducting operations under an international submarine cable licence;</li> <li>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</li> <li>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</li> <li>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</li> <li>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</li> </ul> <p><u>Existing Measures:</u>  <i>Telecommunications Act, S.C. 1993, c. 38</i>  <i>Canadian Telecommunications Common Carrier Ownership and</i></p>

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Sector or subsector	Mode	Other Limitations
		<i>Control Regulations, SOR/94-667 Radiocommunications Act, R.S.C. 1985, c. R-2 Radiocommunication Regulations, SOR/96-484</i>
Sector: Financial Services  Sub-sector: All	1	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u>
Sector: Financial Services  Sub-sector: All	2	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</u>
Sector: Financial Services  Sub-sector: All	1), 2)	<u>National Treatment</u>  <u>Canada reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</u>  <u>a. Canada reserves the right to adopt or maintain any measures with respect to all financial services as referred to in [Article X.2 of Annex [...] (Financial Services) of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement; and</u>  <u>b. Paragraph 3 of Article II-2 of the Agreement shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement.</u>
Sector: Financial Services  Sub-sector: All	All	<u>National Treatment</u>  <u>Canada reserves the right to adopt or maintain any measure with respect to housing finance programs.</u>
Sector: Fisheries  Sub-sector: Services Incidental to Fishing	All	<u>National Treatment</u>  Canada reserves the right to adopt or maintain any measure with respect to licensing fishing or fishing related activities including entry of foreign fishing vessels to Canada's exclusive economic zone, territorial sea, internal waters or ports and use of services therein.  <u>Existing Measures:</u> <i>Coastal Fisheries Protection Act, R.S.C. 1985, c. C-33 Fisheries Act, R.S.C 1985, c. F-14 Coastal Fisheries Protection Regulations, C.R.C. 1978, c. 413 Commercial Fisheries Licensing Policy Policy on Foreign Investment in the Canadian Fisheries Sector, 1985</i>
Sector: Government Finance	3	<u>National Treatment</u>

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Sector or subsector	Mode	Other Limitations
Sub-sector: Securities		<p>Canada reserves the right to adopt or maintain any measure relating to the acquisition, sale or other disposition by nationals of a Party of bonds, treasury bills or other kinds of debt securities issued by the Government of Canada or a Canadian sub-national government.</p> <p><u>Existing Measures:</u> <i>Financial Administration Act, R.S.C. 1985, c. F-11</i></p>
Sector: Transportation	All	<u>National Treatment, Local Presence</u>
Sub-sector: Air Transportation		Canada reserves the right to adopt or maintain any measure relating to the selling and marketing of air transportation services.
Sector Transportation  Sub-sectors: - CPC 721 Transportation Services by Sea-going Vessels - CPC 722 Transportation Services by Non-sea-going Vessels - CPC 745 Supporting Services for Water Transport - CPC 5133 and 5233 Construction Work for Waterways, Harbours, Dams and Other Water Works - Any other marine activity of a commercial nature undertaken by or from a vessel.	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the investment in or provision of marine cabotage services, including:</p> <p class="list-item-l1">(a) the transportation of either goods or passengers by ship between points in the territory of Canada or above the continental shelf of Canada, either directly or by way of a place outside Canada; but with respect to waters above the continental shelf of Canada, the transportation of either goods or passengers only in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada; and</p> <p class="list-item-l1">(b) the engaging by ship in any other marine activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other marine activities of a commercial nature that are in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf.</p> <p>This reservation relates to, among other things, limitations and conditions for service providers entitled to participate in these activities, criteria for the issuance of a temporary cabotage license to foreign ships and limits on the number of cabotage licenses issued to foreign ships.</p>
Sector Transportation  Sub-sector: International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage	All	<p><u>National Treatment, Local Presence, Local Management and Boards of Directors, Local Content and Other Performance Requirements</u></p> <p>Canada reserves the right to adopt or maintain any measure inconsistent with Article I-4 with respect to international maritime transport and maritime auxiliary services and service suppliers of [ ... ].</p>
Sector: Transportation  Sub-sector: Technical testing and analysis services related to International maritime	All	<p><u>Local Presence</u></p> <p>Canada reserves the right to adopt or maintain any measure relating to the recognition of a person, classification society or organization authorized to carry out statutory inspections and certification of ships on behalf of Canada. For greater certainty, only a person, classification society or other organization authorized by Canada, and having a local presence in Canada, may carry out statutory</p>

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Sector or subsector	Mode	Other Limitations
transport (Freight and passengers) CPC 7211 and 7212		inspections and issue Canadian Maritime Documents to Canadian registered ships and their equipment on behalf of Canada.
Sector Postal Services  Sub-sector: Postal services, mail transportation by any mode of transport.  CPC 7511, 7321, 71124, 71235	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a>, <a href="#">Local Content and Other Performance Requirements</a></p> <p>Canada reserves the right to adopt or maintain any measure related to Canada Post's exclusive privilege. Under the Canada Post Corporation Act, the Canada Post Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters, as defined in the Letter Definition Regulations, within Canada.</p> <p><b>Existing Measures:</b>  <i>Canada Post Corporation Act, R.S.C., 1985, c. C-10</i>  <i>Letter Definition Regulations, SOR/83-481</i></p>
All sectors: Subsidies	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a></p> <p>Canada reserves the right to adopt or maintain any measure with respect to a subsidy or grant provided by a Party or a state enterprise, including a government-supported loan, guarantee or insurance.</p>
All sectors: Taxation Measures	All	<p>National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a>, <a href="#">Local Content and Other Performance Requirements</a></p> <p>Canada reserves the right to adopt or maintain any taxation measure:</p> <ol style="list-style-type: none"> <li>1. that distinguishes between service suppliers who are not alike, in particular with regard to their place of residence or with regard to the place where their capital is invested;</li> <li>2. that aims to prevent the avoidance or evasion of taxes pursuant to its tax laws or tax conventions;</li> <li>3. that falls within the scope of a tax convention of which Canada is a Party. In the event of inconsistency between this Agreement and any such convention, that convention prevails to the extent of the inconsistency.</li> <li>4. that provides a more favourable tax treatment to a corporation that is a service supplier, or to a shareholder of a corporation that is a service supplier, on the basis that the corporation is wholly or partly owned or controlled, directly or indirectly, by one or more investors who are residents of that Party;</li> <li>5. that provides an advantage relating to the contributions made to, or income of, an arrangement providing for the deferral of, or exemption from, tax for pension, retirement, savings, education, health, disability or other similar purposes, conditional on a requirement that that Party maintains continuous jurisdiction over such arrangement;</li> <li>6. that provides an advantage relating to the purchase or consumption of a particular service, conditional on a requirement that the service be provided in the territory of that Party;</li> </ol>

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Sector or subsector	Mode	Other Limitations
		<p>7. that provides an advantage to a government, a part of a government, or a person that is directly or indirectly owned, controlled or established by a government;</p> <p>8. that aims at ensuring the equitable and effective imposition or collection of taxes, including a measure that is taken by a Party in order to ensure compliance with the Party's taxation system;</p> <p>9. that provides an advantage to a charity or a non-profit organization;</p> <p>10. that imposes tax in respect of a service that is acquired outside Canada for consumption, use or supply in Canada, in respect of the use of a service outside Canada that is in relation to an activity, business or adventure in the nature of trade in Canada, or in respect of an outlay made or expense incurred outside Canada that may reasonably be regarded as being applicable to an activity carried on, engaged in, or conducted in Canada;</p> <p>11. that imposes tax in respect of net premiums paid to non-resident insurers or exchanges in regard to a contract against a risk ordinarily within Canada, unless such insurance is deemed not to be available in Canada, or in respect of net premiums payable with regard to a contract entered into through a non-resident broker or agent, with an insurer authorized under the laws of Canada or of any province or territory to carry out the business of insurance;</p> <p>12. that results in differences in treatment with respect to delivery by mail of goods in Canada;</p> <p>13. that provides an advantage to a person that is licensed, accredited, certified, registered or otherwise authorized to carry out an activity or to practice a trade, occupation or profession in Canada; or</p> <p>14. that results in differences in treatment with respect to foreign-based rental vehicles.</p> <p>For the purposes of this reservation and for greater certainty:</p> <p><b>"taxation measure"</b> means a taxation measure adopted or maintained at any level of government.</p> <p><b>"tax convention"</b> means a convention for the avoidance of double taxation or other international taxation agreements or arrangements.</p>
All sectors: Movement of Natural Persons Providing Services	4	<p><u>National Treatment</u></p> <p>Canada reserves the right to adopt or maintain any immigration measure, including any measure affecting the application and processing of entry visas, except as specifically set out in this Schedule.</p> <p><u>Intra-Corporate Transferees</u></p> <p>Natural persons of another Party who have been employed by a juridical person of another Party for a period of not less than one year within the three-year period immediately preceding the date of application for admission to Canada and seeks temporary entry in order to render services to (i) the same juridical person which is engaged in substantive business operations in Canada or (ii) a juridical person constituted in Canada and engaged in substantive business operations in Canada which is owned by or controlled by or affiliated with the aforementioned</p>

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Sector or subsector	Mode	Other Limitations
		<p>juridical person.</p> <p>These comprise:</p> <ul style="list-style-type: none"> <li>a) Executives Natural persons employed by a juridical person who primarily direct the management of that juridical person, establish goals and policies for the juridical person or for one of its major components or functions, have wide decision-making powers and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the juridical person.</li> <li>b) Managers Natural persons employed by a juridical person who directs that juridical person or one of its departments or subdivisions; supervises and controls the work of other supervisory, professional or managerial employees; exercises discretionary authority over day-to-day operations at a senior level.</li> </ul> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying intra-corporate transferees.</i></p> <p>Entry and stay shall be for an initial period equivalent to the lesser of 3 years or the period of the transfer, with the possibility of extensions. Entry and stay, including extensions, may not exceed seven years.</p> <p><u>Business Visitors</u></p> <p>Natural persons who enter Canada for a purpose outlined in the chart below, without acquiring remuneration from within Canada and without engaging in direct sales or supplying services to the general public.</p> <p><i>Labour market tests or other procedures of similar intent and work permits are not required for qualifying business visitors.</i></p> <p>Entry and stay shall be for a period of no more than 90 days.</p> <p><u>Contract Service Suppliers (CSS)</u></p> <p>Natural persons who are employees of a juridical person of another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that juridical person of the other Party (other than agencies as defined by CPC 872), in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying contract service suppliers.</i></p> <p>Entry and stay shall be for a period of one year or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p> <p><u>Independent Professionals</u></p>

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Sector or subsector	Mode	Other Limitations
		<p>Natural persons who are self-employed professionals in another Party and seek to engage, as part of a services contract granted by a juridical person or a services consumer in Canada and obtained by that professional in an activity at a professional level in an occupation listed in the chart below, provided that the persons possess the necessary education and accreditation requirements as stipulated in the chart below.</p> <p><i>Labour market tests or other procedures of similar intent are not required for qualifying independent professionals.</i></p> <p>Entry and stay shall be for a period of 90 days or the time necessary to complete the services contract, whichever is less. Extensions may be possible.</p>

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**Business Visitors**  
**List of Acceptable Purposes**

***Meetings and Consultations***

Business persons attending meetings, seminars, conferences, conventions, or trade fairs, or engaged in consultations with business associates.

***Research and Design***

Technical, scientific and statistical researchers conducting independent research or research for an enterprise located in the territory of another Party.

***Commercial Transactions***

Management, supervisory, purchasing, and financial services personnel (insurers, bankers, or investment brokers) conducting commercial transactions for an enterprise located in the territory of another Party.

***Marketing***

Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise located in the territory of another Party.

***Sales***

Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in the territory of another Party but not delivering goods or providing services.

***Distribution***

Transportation operators transporting goods or passengers to the territory of Canada from the territory of another Party or loading and transporting goods or passengers from the territory of Canada, with no unloading in that territory, to the territory of another Party.

Customs brokers providing consulting services regarding the facilitation of the import or export of goods.

***After-Sales or After-Lease Service***

Installers, repair and maintenance personnel, and supervisors, possessing specialized knowledge essential to a seller's or lessor's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located outside the territory of Canada into which temporary entry is sought, during the

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life of the warranty or service agreement.

***General Service***

Contract service suppliers and independent professionals engaging in an acceptable purpose for business visitors set out in this List of Acceptable Purposes.

Tour guides or tour operators conducting a tour that has begun in the territory of another Party.

Employees of an enterprise located in the territory of another Party supporting a business activity in the territory of the other Party by performing translation and interpretation services directly to their enterprise.

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**Chart for Contract Service Suppliers and Independent Professionals**

<b>Occupation</b>	<b>Minimum Education Requirements/Alternative Credentials</b>	<b>Other Requirements</b>
Engineers	Baccalaureate degree. <sup>1</sup>	Provincial license. <sup>3</sup>
Agrologists	Baccalaureate degree in agriculture or related science plus four years of related experience.	Licensing is required in New Brunswick, Alberta and Québec. Temporary licensing is required in British Columbia.
Architects	Baccalaureate degree in architecture.	Provincial license and certificate required to practice.
Forestry Professionals	Baccalaureate degree in forestry management or forestry engineering, or a provincial license.	Licensing as a forester or forestry engineer is required in Alberta, British Columbia and Québec.
Geomatics Professionals	Baccalaureate degree in surveying, geography or environmental sciences plus three years related experience.	
Land Surveyors	Baccalaureate degree.	Provincial license.
Foreign Legal Consultants	Baccalaureate degree in law.	Provincial license.
Urban Planners	Baccalaureate degree in urban planning.	Provincial license.
Senior Computer Specialists	Graduate degree <sup>2</sup> in computer sciences, or related discipline; and ten (10) years of experience in computer science.	

<sup>1</sup> The term "Baccalaureate degree" means a degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>2</sup> The term "Graduate degree" means at least a Masters degree from an accredited academic institution in Canada or equivalent. Academic equivalencies will be determined by the relevant equivalencies services in Canada.

<sup>3</sup> The term "Provincial license" means any document issued by a provincial government, or under its authority, which permits a person to engage in a regulated activity or profession.

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**PART I: HORIZONTAL COMMITMENTS - SECTION B**

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<b>Limitations on Market Access pursuant to Article II-1</b>  Canada maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:		<b>Reservations pursuant to Articles II-2:2 and II-2:3 and/or Article X.4:1 and X.4:2</b>  Canada maintains the following conditions and qualifications on national treatment, <u>and</u> local presence, <b>local management and boards of directors and local content and other performance requirements</b> in all sectors:	
All sectors: Cross border and consumption abroad	1), 2) None.			
All sectors: Commercial presence	3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:  (a) any direct acquisition of a Canadian business with assets of C\$5 million or more;  (b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and  (c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.  2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a	National Treatment, <b>Local Management and Boards of Directors, Local Content and Other Performance Requirements</b>  3) 1. Under the <i>Investment Canada Act</i> , the following acquisitions of Canadian businesses by "non-Canadians" are subject to review by the Director of Investments:  (a) any direct acquisition of a Canadian business with assets of C\$5 million or more;  (b) any indirect acquisition of a Canadian business with assets of C\$50 million or more; and  (c) any indirect acquisition of a Canadian business with assets between C\$5 million and C\$50 million that represent more than 50% of the value of the assets of all the entities the control of which is being acquired, directly or indirectly, in the transaction in question.  2. For the purposes of this reservation: <b>a "non-Canadian"</b> means an individual, government or agency thereof or an entity that is not Canadian; and <b>"Canadian"</b> means a Canadian citizen or permanent resident, a government in Canada or agency thereof, or a		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment;</li> </ul>	<p>Canadian-controlled entity as described in the <i>Investment Canada Act</i>.</p> <p>3. In addition, the specific acquisition or establishment of a new business in designated types of business activities relating to Canada's cultural heritage or national identity, which are normally notifiable, may be subject to review if the Governor-in-Council authorizes a review in the public interest.</p> <p>4. An investment subject to review under the <i>Investment Canada Act</i> may not be implemented unless the Minister responsible for the <i>Investment Canada Act</i> advises the applicant that the investment is likely to be of net benefit to Canada. This determination is made in accordance with 6 factors described in the Act, summarized as follows:</p> <ul style="list-style-type: none"> <li>(a) the effect of the investment on the level and nature of economic activity in Canada, including the effect on employment, on the use of parts, components and services produced in Canada and on exports from Canada;</li> <li>(b) the degree and significance of participation by Canadians in the investment;</li> <li>(c) the effect of the investment on productivity, industrial efficiency, technological development and product innovation in Canada;</li> <li>(d) the effect of the investment on competition within an industry or industries in Canada;</li> <li>(e) the compatibility of the investment with national industrial, economic and cultural policies, taking into consideration industrial, economic and cultural policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the investment; and</li> </ul>		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>and</p> <p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>		<p>(f) the contribution of the investment to Canada's ability to compete in world markets.</p> <p>5. In making a net benefit determination, the Minister, through the Director of Investments, may review plans under which the applicant demonstrates the net benefit to Canada of the proposed acquisition. An applicant may also submit undertakings to the Minister in connection with a proposed acquisition that is the subject of review. In the event of noncompliance with an undertaking by an applicant, the Minister may seek a court order directing compliance or any other remedy authorized under the Investment Canada Act.</p> <p>6. A non-Canadian who establishes or acquires a Canadian business, other than those that are subject to review as described above must notify the Director of Investments.</p> <p>7. The Director of Investments will review an "acquisition of control", as defined in the <i>Investment Canada Act</i>, of a Canadian business by a non-Canadian if the value of the gross assets of the Canadian business is not less than the applicable threshold.</p> <p>8. The higher review threshold, calculated as set out in paragraph 12, does not apply to an acquisition in the cultural business sector.</p> <p>9. Only non-Canadians who are nationals of another Party or entities controlled by nationals of another Party as provided for in the <i>Investment Canada Act</i> may benefit from the higher review.</p> <p>10. An indirect "acquisition of control" of a Canadian business by a non-Canadian in a sector other than those sectors identified in paragraph 8 is not reviewable.</p>	

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices}}{\text{Previous Year Nominal GDP at Market Prices}} - x \text{ amount determined for previous year}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars.</p> <p><b>Measures:</b></p>	<p>11. Canada may impose requirements, or enforce a commitment or undertaking in connection with the establishment, acquisition, expansion, conduct or operation of an investment of a non-Canadian for the transfer of technology, production process or other proprietary knowledge to a national or enterprise, affiliated to the transferor, in Canada in connection with the review of an acquisition of an investment under the <i>Investment Canada Act</i>.</p> <p>12. For any non-Canadian the applicable threshold for review is C\$344 million for 2013. In January of each subsequent year the amount will be determined by the Minister using the following formula:</p> $\text{Annual Adjustment} = \frac{\text{Current Nominal GDP at Market Prices}}{\text{Previous Year Nominal GDP at Market Prices}} - x \text{ amount determined for previous year}$ <p><b>Current Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters.</p> <p><b>Previous Year Nominal GDP at Market Prices</b> means the average of the Nominal Gross Domestic Products at Market Prices for the most recent 4 consecutive quarters for the comparable period in the year preceding the year used in calculating the Current Nominal GDP at Market Prices.</p> <p>For the above-mentioned purposes, the amounts will be rounded to the nearest million dollars</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>		<b>Measures:</b> <i>Investment Canada Act, R.S.C. 1985, c. 28 (1st Supp.)</i> <i>Investment Canada Regulations, SOR/85-611</i>	
All sectors: Commercial presence	<p>3) The acquisition of control of a Canadian business, or establishment of a new business related to Canada's cultural heritage or national identity, by a non-Canadian is subject to approval.</p> <p>For the purposes of this schedule of commitments, businesses related to Canada's cultural heritage and national identity mean persons engaged in the following activities:</p> <ul style="list-style-type: none"> <li>a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;</li> <li>b) the production, distribution, sale or exhibition of film or video recordings;</li> <li>c) the production, distribution, sale or exhibition of audio or video music recordings;</li> <li>d) the publication, distribution or sale of music in print or machine readable form; or</li> <li>e) radiocommunication in which the transmissions are intended for direct reception by the general public, and all radio, television and cable broadcasting undertakings and all satellite programming and broadcast network services.</li> </ul>			
All sectors: Commercial presence	<p>3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing</p>		<u>National Treatment, Local Management and Boards of Directors</u> <p>3) Canada or a province or territory, when selling or disposing of its equity interests in, or the assets of, an existing government enterprise or an existing</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>	<p>governmental entity, may prohibit or impose limitations on the ownership of such interests or assets and on the ability of owners of such interests or assets to control a resulting enterprise by non-Canadian investors or their investments. With respect to such a sale or other disposition, Canada or a province or territory may adopt or maintain a measure relating to the nationality of senior management or members of the board of directors.</p> <p>For purposes of this reservation:</p> <ul style="list-style-type: none"> <li>(a) any measure maintained or adopted after the date of entry into force of this Agreement that, at the time of sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes a nationality requirement described in this reservation is an existing measure; and</li> <li>(b) “<b>government enterprise</b>” means an enterprise owned or controlled through ownership interests by Canada or a province or territory, and includes an enterprise established after the date of entry into force of this Agreement solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing State enterprise or governmental entity.</li> </ul> <p><u>Measures:</u> as described in this reservation.</p>		
All sectors: Commercial presence		<p><u>National Treatment</u></p> <p>3) A corporation may place constraints on the issue, transfer and ownership of shares in a federally incorporated corporation. The object of those constraints is to permit a corporation to meet Canadian ownership or control requirements, under certain laws set out in the <i>Canada Business Corporations Act Regulations</i>, in sectors where Canadian ownership or control is required as a condition to receive licenses, permits, grants,</p>		

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>payments or other benefits. In order to maintain certain Canadian ownership levels, a corporation is permitted to sell shareholders' shares without the consent of those shareholders, and to purchase its own shares on the open market.</p> <p>The <i>Canada Cooperatives Act</i> provides that constraints may be placed on the issue or transfer of investment shares of a cooperative to persons not resident in Canada to permit cooperatives to meet Canadian ownership requirements to obtain a license to carry on a business, to become a publisher of a Canadian newspaper or periodicals or to acquire shares of a financial intermediary and in sectors where Canadian ownership or control is a required condition to receive licenses, permits, grants, payments and other benefits. Where the ownership or control of investment shares would adversely affect the ability of a cooperative to maintain a level of Canadian ownership or control, the <i>Canada Cooperatives Act</i> provides for the limitation of the number of investment shares that may be owned or for the prohibition of the ownership of investment shares.</p> <p>For the purposes of this reservation <b>Canadian</b> means “Canadian” as defined in the Canada Business Corporations or in the Canada Cooperatives Regulations.</p> <p><b>Measures:</b></p> <p><i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, cI  <i>Canada Cooperatives Regulations</i>, SOR/99-256</p>	
All sectors: Commercial presence			<p><u>National Treatment, Local Management and Boards of Directors</u></p> <p>3) The <i>Canada Business Corporations Act</i> requires for most federally incorporated corporations, that 25 percent of directors be resident Canadians and, if such</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>corporations have fewer than four directors, at least one director must be a resident Canadian. As provided in the <i>Canada Business Corporations Regulations</i>, simple majority of resident Canadian directors is required for corporations in the following sectors: uranium mining; book publishing or distribution; book sales, where the sale of books is the primary part of the corporations business, and film or video distribution. Similarly, corporations that, by an Act of Parliament or Regulation, are individually subject to minimum Canadian ownership requirements are required to have a majority of resident Canadian directors.</p> <p>For purposes of the <i>Canada Business Corporations Act</i>, <b>resident Canadian</b> means an individual who is a Canadian citizen ordinarily resident in Canada, a citizen who is member of a class set out in the <i>Canada Business Corporation Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than one who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>In the case of a holding corporation, not more than one-third of the directors need be resident Canadians if the earnings in Canada of the holding corporation and its subsidiaries are less than 5 percent of the gross earnings of the holding corporation and its subsidiaries.</p> <p>The <i>Canada Cooperatives Act</i> requires that not less than two-thirds of the directors be members of the cooperative. At least 25 percent of directors of a cooperative must be resident in Canada; if a cooperative has only three directors, at least one director must be resident in Canada.</p> <p>For the purposes of the <i>Canada Cooperatives Act</i>, a resident of Canada is defined in the <i>Canada Cooperatives Regulations</i> as an individual who is a Canadian citizen and who is ordinarily resident in Canada; a Canadian citizen who is ordinarily resident in Canada and who is a</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>member of a class set out in the <i>Canada Cooperatives Regulations</i>, or a permanent resident as defined in the <i>Immigration and Refugee Protection Act</i> other than a permanent resident who has been ordinarily resident in Canada for more than one year after becoming eligible to apply for Canadian citizenship.</p> <p>Under Part IV of the <i>Canada Corporations Act</i>, a simple majority of the elected directors of a Special Act corporation must be resident in Canada and citizens of a Commonwealth country. This requirement applies to every joint stock company incorporated subsequent to June 22, 1869 by any Special Act of Parliament.</p> <p><b>Measures:</b>  <i>Canada Business Corporations Act</i>, R.S.C. 1985, c. C-44  <i>Canada Business Corporations Act Regulations</i>, SOR/2001-512  <i>Canada Cooperatives Act</i>, S.C.1998, c1  <i>Canada Cooperatives Regulations</i>, SOR/99-256  Special Acts of Parliament incorporating specific companies</p>	
All sectors: Commercial presence			<p><u>National Treatment</u></p> <p>3) The <i>Foreign Ownership of Land Regulations</i> are made pursuant to the <i>Citizenship Act</i> and the Alberta <i>Agricultural and Recreational Land Ownership Act</i>, RSA 1980, c. A-9. In Alberta, an ineligible person or foreign-owned or -controlled corporation may only hold an interest in controlled land consisting of maximum of 2 parcels containing, in the aggregate, a maximum of 20 acres.</p> <p>For the purpose of this reservation:</p> <p><b>ineligible person</b> means:</p> <p>(a) a natural person who is not a Canadian citizen or</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>permanent resident;</p> <p>(b) a foreign government or agency thereof; or</p> <p>(c) a corporation incorporated in a country other than Canada.</p> <p><b>Controlled land</b> means land in Alberta but does not include:</p> <p>(a) land of the Crown in right of Alberta;</p> <p>(b) land within a city, town, new town, village or summer village; and</p> <p>(c) mines or minerals.</p> <p><b>Measures:</b></p> <p><i>Citizenship Act, R.S.C. 1985, c. C-29</i></p> <p><i>Foreign Ownership of Land Regulations, SOR/79-416</i></p>	
All sectors: Commercial presence			<p><b>National Treatment</b></p> <p>3) A "non-resident" or "non-residents" may not own more than a specified percentage of the voting shares of the corporation to which each Act applies. For some companies the restrictions apply to individual shareholders, while for others the restrictions may apply in the aggregate. Where there are limits on the percentage that an individual Canadian investor can own, these limits also apply to non-residents. The restrictions are as follows:</p> <ul style="list-style-type: none"> <li>• Air Canada: 25% in the aggregate;</li> <li>• Cameco Limited (formerly Eldorado Nuclear Limited): 15% per non-resident natural person, 25% in the aggregate;</li> <li>• Nordion International Inc.: 25% in the aggregate;</li> <li>• Theratronics International Limited: 49% in the aggregate; and</li> <li>• Canadian Arsenals Limited: 25% in the aggregate.</li> </ul> <p>For the purposes of this reservation, "non-resident"</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>includes:</p> <ul style="list-style-type: none"> <li>a) a natural person who is not a Canadian citizen and not ordinarily resident in Canada;</li> <li>b) a corporation incorporated, formed or otherwise organized outside Canada;</li> <li>c) the government of a foreign State or a political subdivision thereof, or a person empowered to perform a function or duty on behalf of such a government;</li> <li>d) a corporation that is controlled directly or indirectly by an entity referred to in subparagraphs (a) through (c);</li> <li>e) a trust:           <ul style="list-style-type: none"> <li>(i) established by an entity referred to in subparagraphs (b) through (d), other than a trust for the administration of a pension fund for the benefit of natural persons the majority of whom are resident in Canada, or</li> <li>(ii) in which an entity referred to in subparagraphs (a) through (d) has more than 50% of the beneficial interest; and</li> </ul> </li> </ul> <p>a corporation that is controlled directly or indirectly by a trust referred to in subparagraph (e).</p> <p><u>Measures:</u></p> <p><i>Air Canada Public Participation Act, R.S.C. 1985, c. 35 (4th Supp.)</i>  <i>Canadian Arsenals Limited Divestiture Authorization Act, S.C. 1986, c. 20</i>  <i>Eldorado Nuclear Limited Reorganization and Divestiture Act, S.C. 1988, c. 41</i>  <i>Nordion and Theratronics Divestiture Authorization Act,</i></p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Energy			<p>S.C. 1990, c. 4</p> <p><u>National Treatment</u></p> <p>1) 2) 4) Under the <i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada–Newfoundland Atlantic Accord Implementation Act</i>, in order to proceed with an oil and gas development project in the offshore area, a corporation or other body may be required to:</p> <ul style="list-style-type: none"> <li>(a) give first consideration to individuals resident in the province for training and employment; and</li> <li>(b) give first consideration to services provided from within the province, where those services are competitive in terms of fair market price, quality and delivery.</li> </ul> <p><u>Measures:</u></p> <p><i>Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i>, S.C. 1988, c. 28</p> <p><i>Canada–Newfoundland Atlantic Accord Implementation Act</i>, S.C. 1987, c. 3</p>	
All sectors: Energy			<p><u>Local Content and Other Performance Requirements</u></p> <p>3) Under the <i>Hibernia Development Project Act</i>, Canada and the Hibernia Project Owners may enter into agreements. Those agreements may require the Project Owners to undertake to perform certain work in Canada and Newfoundland and Labrador and to use their best efforts to achieve specific Canadian and Newfoundland target levels in relation to the provisions of a “benefits plan” required under the <i>Canada–Newfoundland and Labrador Atlantic Accord Implementation Act</i>. “Benefits plans” are further described in the reservation below.</p> <p>In addition, Canada may impose in connection with the Hibernia project a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a</p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>national or enterprise in Canada.</u></p> <p><u>Measures:</u></p> <p><u>—Hibernia Development Project Act, S.C. 1990, c. 41</u></p> <p><u>—Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987, c. 3</u></p>	
All sectors: Energy			<p><u>Local Presence</u></p> <p><u>1) Under the Canada Oil and Gas Operations Act, a “benefits plan” must be approved by the Minister in order to be authorized to proceed with an oil and gas development project.</u></p> <p><u>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</u></p> <p><u>The benefits plan contemplated by the Canada Oil and Gas Operations Act permits the Minister to impose on the applicant an additional requirement to ensure that disadvantaged individuals or groups have access to training and employment opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</u></p> <p><u>Provisions continuing those set out in the Canada Oil and Gas Operations Act are included in laws which implement the Canada Yukon Oil and Gas Accord.</u></p> <p><u>Provisions continuing those set out in the Canada Oil and Gas Operations Act will be included in laws or regulations to implement the Northwest Territories Oil and Gas Accord and the Canada–Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords shall be deemed, once</u></p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><del>concluded, to be existing measures.</del></p> <p><del>The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and the Canada-Newfoundland Atlantic Accord Implementation Act have the same requirement for a benefits plan but also require that the benefits plan ensures that:</del></p> <ul style="list-style-type: none"> <li><del>(a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</del></li> <li><del>(b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</del></li> <li><del>(c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality and delivery.</del></li> </ul> <p><del>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</del></p> <p><del>In addition, Canada may impose a requirement or enforce a commitment or undertaking for the transfer of technology, a production process or other proprietary knowledge to a person of Canada in connection with the approval of development projects under the applicable Acts.</del></p> <p><del>Measures:</del></p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><i>Canada Oil and Gas Production and Conservation Act, R.S.C. 1985, c. O-7, as amended by Canada Oil and Gas Operations Act, S.C. 1992, c. 35</i></p> <p><i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></p> <p><i>Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></p> <p>Measures implementing the Canada-Yukon Oil and Gas Accord, including the <i>Canada Yukon Oil and Gas Accord Implementation Act, 1998</i>, c.5, s.20 and the <i>Oil and Gas Act, RSY 2002</i>, c.162</p> <p>Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories.</p> <p>Measures implementing the Canada Quebec-Gulf of St. Lawrence Petroleum Resources Accord</p>	
All sectors: Energy			<p>National Treatment, Local Presence, Local Content and Other Performance Requirements</p> <p>1)2)3)4) Before any work, activity or development plan may be approved under the <i>Canada Oil and Gas Operations Act</i>, a “benefits plan” must be approved by the Minister responsible for that Act.</p> <p>A “benefits plan” is a plan for the employment of Canadians and for providing Canadian manufacturers, consultants, contractors and service companies with a full and fair opportunity to participate on a competitive basis in the supply of goods and services used in proposed work or activity referred to in the benefits plan.</p> <p>The Minister responsible for that Act has the authority to require that a benefits plan includes an “affirmative action program” to ensure that disadvantaged individuals or groups have access to training and employment</p>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p>opportunities or can participate in the supply of goods and services used in proposed work referred to in the benefits plan.</p> <p>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> are included in laws which implement the Canada-Yukon Oil and Gas Accord and the Northwest Territories Oil and Gas Accord.</p> <p>Provisions continuing those set out in the <i>Canada Oil and Gas Operations Act</i> may be included in federal laws or regulations to implement accords with various provinces and territories, including the Canada-Quebec Gulf of St. Lawrence Petroleum Resources Accord. For the purposes of this reservation these accords and implementing legislation shall be deemed, once concluded, to be existing measures.</p> <p>The <i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act</i> and the <i>Canada - Newfoundland and Labrador Atlantic Accord Implementation Act</i> have an equivalent requirement for a benefits plan but also require that the benefits plan ensures that:</p> <ul style="list-style-type: none"> <li>• (a) the corporation or other body submitting the plan establishes in the applicable province an office where appropriate levels of decision-making are to take place, prior to carrying out work or an activity in the offshore area;</li> <li>• (b) expenditures be made for research and development to be carried out in the province, and for education and training to be provided in the province; and</li> <li>• (c) first consideration be given to goods produced or services provided from within the province, where those goods or services are competitive in terms of fair market price, quality</li> </ul>	

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
			<p><u>and delivery.</u></p> <p><u>The Boards administering the benefits plan under these Acts may also require that the plan include provisions to ensure that disadvantaged individuals or groups, or corporations owned or cooperatives operated by them, participate in the supply of goods and services used in proposed work or activity referred to in the plan.</u></p> <p><u>Measures:</u></p> <p><u><i>Canada Oil and Gas Operations Act R.S.C., 1985, c. O-7</i></u></p> <p><u><i>Canada - Nova Scotia Offshore Petroleum Resources Accord Implementation Act, S.C. 1988, c. 28</i></u></p> <p><u><i>Canada - Newfoundland Atlantic Accord Implementation Act, S.C. 1987, c. 3</i></u></p> <p><u><i>Measures implementing the Canada-Yukon Oil and Gas Accord, including the Canada-Yukon Oil and Gas Accord Implementation Act, 1998, c.5, s. 20 and the Oil and Gas Act, RSY 2002, c. 162</i></u></p> <p><u><i>Measures implementing the Northwest Territories Oil and Gas Accord, including implementing measures that apply to or are adopted by Nunavut as the successor territories to the former Northwest Territories</i></u></p> <p><u><i>Measures implementing the Accord between the Government of Canada and the Government of Quebec for the joint management of petroleum resources in the Gulf of St. Lawrence or any other similar federal-provincial accords related to the joint management of petroleum resources.</i></u></p>	
All sectors: Export and import permits			<p><u>Local Presence</u></p> <p>1) 2) 4) Only individuals ordinarily resident in Canada, enterprises having their head offices in Canada or branch offices in Canada of foreign enterprises may apply for and be issued import or export permits or transit authorization certificates for goods and related services subject to controls under the <i>Export and Import Permits Act</i>.</p> <p><u>Measures:</u></p>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
All sectors: Examination of Cultural Property			<u>Export and Import Permits Act</u> , R.S.C. 1985, c. E-19 <b>Local Presence</b> 1) 2) 3) 4) Only a "resident of Canada" or an "institution" in Canada may be designated as an "expert examiner" of cultural property for purposes of the <i>Cultural Property Export and Import Act</i> . A " <b>resident</b> " of Canada is an individual who is ordinarily resident in Canada, or a corporation that has its head office in Canada or maintains one or more establishments in Canada to which employees employed in connection with the business of the corporation ordinarily report for work. An " <b>institution</b> " is an institution that is publicly owned and operated solely for the benefit of the public, that is established for educational or cultural purposes and that conserves objects and exhibits them. <b>Measures:</b> <i>Cultural Property Export and Import Act</i> , R.S.C. 1985, c. C-51	
All sectors: Taxation measures			National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a> , <a href="#">Local Content and Other Performance Requirements</a> 1) 2) 3) 4) Canada reserves the right to maintain any existing taxation measure.	
All sectors: Sub-federal measures			National Treatment, Local Presence, <a href="#">Local Management and Boards of Directors</a> , <a href="#">Local Content and Other Performance Requirements</a> 1) 2) 3) 4) Canada reserves the right to maintain any existing non-conforming measure of provincial, territorial, and local governments or authorities.	
All sectors: Movement of Natural Persons Providing Services	4) Unbound for the entry of a natural person except for the specified commitments in Part I, Section A.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
<b>PART II. SECTOR-SPECIFIC COMMITMENTS</b>						
<b>1. BUSINESS SERVICES</b>						
A*. <u>Professional Services</u>						
a) Legal Services <sup>4</sup>	1) None. 2) None. 3) None, other than:  Foreign Legal Consultants Advisory services (CPC 861 <sup>*</sup> )  iii International Law	Commercial presence must take the form of a sole proprietorship or partnership.  4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Lawyers</u> (Alberta, Ontario, Newfoundland and Labrador): Requirement to be permanent resident for accreditation.				
b) Accounting, auditing and book-keeping services (CPC 862)	1) None, other than:  <del>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario) - Requirement for a commercial presence</del>  (Nova Scotia): Residency requirement for licence. (Alberta): Permanent residence required for accreditation.  2) None, other than:  <del>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario) - Requirement for a commercial</del>	1) 2) 4) Banks are required to have a firm of accountants to be auditors of the bank. A firm of accountants must be qualified as set out in the <i>Bank Act</i> . Among the qualifications required is that two or more members of the firm must be ordinarily resident in Canada and that the member of the firm jointly designated by the firm and the bank to conduct the audit must be ordinarily resident in Canada.  An insurance company, a cooperative credit association, and a trust or loan company require an auditor who can either be a natural person or a firm of accountants. An auditor of such an institution must be qualified as set out				

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<sup>4</sup> For the purpose of this entry:

'foreign law' – the laws of the territories of TISA Parties and other countries other than the law of Canada

'international law' – includes law established by international treaties and conventions, as well as customary law.

\* Asterisks designate "part of".  
\* Asterisks designate "part of".

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>presence.</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p> <p>3) None, <b>other than:</b>  <b>Commercial presence must take the form of a sole proprietorship or partnership.</b></p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <b>Auditing (Saskatchewan, Newfoundland and Labrador, Manitoba, Ontario): Requirement for a commercial presence.</b>            (Nova Scotia): Residency requirement for licence.            (Alberta): Permanent residence required for accreditation.</p>	<p>in the <i>Insurance Companies Act</i>, the <i>Cooperative Credit Associations Act</i> or the <i>Trust and Loan Companies Act</i>, as the case may be. In the case where a natural person is appointed to be the auditor of such a financial institution, among the qualifications required is that the person must be ordinarily resident in Canada. In the case where a firm of accountants is appointed to be the auditor of such a financial institution, the member of the firm jointly designated by the firm and the financial institution to conduct the audit must be ordinarily resident in Canada.</p> <p><b>Measures:</b>  <i>Bank Act</i>, S.C. 1991, c. 46  <i>Insurance Companies Act</i>, S.C. 1991, c. 47  <i>Cooperative Credit Associations Act</i>, 1991, c. 48  <i>Trust and Loan Companies Act</i>, 1991, c. 45</p>		
c) Taxation Services (excluding legal services) (CPC 863*)	<p>1) None.            2) None.            3) None.            4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Architectural services (CPC 8671)  Advisory and pre-design architectural services (CPC 86711)  Architectural design services (CPC 86712)  Contract administration services	<p>1) None.            2) None.            3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 86713)  Combined architectural design and contract administration services (CPC 86714)  Other architectural services (CPC 86719)				
e) Engineering services (CPC 8672)  Advisory and consultative engineering services (CPC 86721)  Engineering design services for foundations and building structures (CPC 86722)  Engineering design services for mechanical and electrical installations for buildings (CPC 86723)  Engineering design services for civil engineering construction (CPC 86724)  Engineering design for industrial processes and production (CPC 86725)  Engineering design services n.e.c. (CPC 86726)	<p>1) None, other than:  <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p> <p>2) None, other than:  <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Engineers</u> (Alberta): Must be permanent resident for accreditation.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Other engineering services during the construction and installation phase (CPC 86727)				
Other engineering services (CPC 86729)				
f) Integrated engineering services (CPC 8673)	1) None, other than:  <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
Integrated engineering services for transportation infrastructure turnkey projects (CPC 86731)	2) None, other than:  <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
Integrated engineering and project management services for water supply and sanitation works turnkey projects (CPC 86732)	3) None.			
Integrated engineering services for the construction of manufacturing turnkey projects (CPC 86733)	4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal <u>Commitments, and Commitments and</u> :  <u>Engineers</u> (‐Alberta‐): Must be permanent resident for accreditation.			
Integrated engineering services for other turnkey projects (CPC 86739)				
g) Urban planning and landscape architectural services (CPC 8674)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Computer and Related Services</u>  (CPC 84, except those listed under Financial Services 7B1.)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
C*. <u>Research and Development Services</u>  a) Research and experimental development services on natural sciences and engineering (CPC 851)	1)2)3) None, except for: (Alberta, <b>Manitoba</b> , Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  (Alberta, <b>Manitoba</b> , Yukon): Unbound			
b*) Research and experimental development services on social sciences and humanities, including law, economics, except linguistics and language (CPC 852*)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Interdisciplinary research and experimental development services (CPC 853)	1)2)3) None, except for: (Alberta, Yukon): Unbound  4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments,			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	and:  (Alberta, Yukon): Unbound			
D. <u>Real Estate Services</u>	<p>a) Real estate services involving own or leased property (CPC 821)</p> <p>b) Real estate services on a fee or contract basis (CPC 822)</p>			
	<p>1) None, other than:   <u>Real Estate Services</u> (<u>Ontario, Nova Scotia, Newfoundland and Labrador</u>, Prince Edward Island, <u>Saskatchewan</u>): Services must be supplied through a commercial presence.</p> <p><u>Real Estate Agents</u> (Alberta, <u>Newfoundland and Labrador</u>): Services must be supplied through a commercial presence.</p> <p>2) None. 3) None. 4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:   <u>Real Estate Services</u> (<u>Ontario, Nova Scotia, Newfoundland and Labrador</u>, Prince Edward Island, <u>Saskatchewan</u>): Services must be supplied through a commercial presence.</p> <p><u>Real Estate Agents</u> (Alberta, <u>Newfoundland and Labrador</u>): Services must be supplied through a commercial presence.</p>			
E*. <u>Rental/Leasing Services without Operators</u>	<p>a),b),c),d) Leasing or rental services concerning machinery and equipment without operator,</p> <p>1) None. 2) None. 3) None.</p>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
including computers (CPC 831)	4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e*) Leasing or rental services concerning personal and household goods (excluding in 83201, the rental of pre-recorded records, sound cassettes, CD's and excluding 83202, rental services concerning video tapes) (CPC 832*)				
F*. Other Business Services				
b) Market research and public opinion polling services (CPC 864)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
c) Management consulting services (CPC 865)  General management Consulting services (CPC 86501)  Financial management consulting services (CPC 86502)  Marketing management consulting services (CPC 86503)  Human resources management consulting	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
services (CPC 86504)				
Production management consulting services (CPC 86505)				
Public relations services (CPC 86506)				
Other management consulting services, including agrology, agronomy, farm management and related consulting services (CPC 86509)				
d) Services related to management consulting (CPC 866)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
e) Technical testing and analysis services including quality control and inspection (CPC 8676)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
f*) Rental of agricultural equipment with operator (CPC 8811*)  Services incidental to forestry and logging, including forest management (CPC 8814)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
h) Services incidental to mining, including drilling	1) None. 2) None.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and field services and rental of equipment with operator (CPC 883)	3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Site preparation for mining (CPC 5115)				
i*) Toll refining services - oil (CPC 8845*)	1) None. 2) None, <u>other than</u> :  <u>Toll Refining of Basic Metals (Ontario): Must be treated or refined in Canada</u> .			
Toll refining services - basic metals (CPC 8851)	3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
k) Placement and supply services of personnel (CPC 872)	1) None, <u>other than</u> :  <u>Placement and Supply Services of Personnel (Ontario): Services must be supplied through a commercial presence</u> .  2) None, <u>other than</u> :  <u>Services must be supplied through a commercial presence</u> .  3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			← Formatted: Indent: Left: 0 cm, Hanging: 5.6 cm
l) Investigation and security services (CPC 873)	1) None, <u>other than</u> :  <u>Business and Personal Information Investigators (Ontario): Services must be supplied through a commercial presence</u> .  2) None, <u>other than</u> :			← Formatted Table

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p><b>Services must be supplied through a commercial presence.</b></p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><b>Security and investigation services (Québec); Citizenship requirement for private investigators.</b></p>			
m) Related scientific and technical consulting services (CPC 8675)	<p>1) None, other than:</p> <p><b>Free Miner (British Columbia): Applicant must ordinarily be a Canadian citizen and a permanent resident of Canada, a Canadian corporation or a partnership of the foregoing.</b></p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p>(Manitoba): Citizenship requirement for accreditation. (Newfoundland and Labrador): Permanent residency requirement for accreditation.</p>			
Geological, geophysical and other scientific prospecting services, including those related to mining (CPC 86751)	<p>2) None, other than:</p> <p><b>Land Surveyors (Saskatchewan): Requirement for a commercial presence for accreditation.</b></p> <p><b>(Ontario): Training must be completed in Ontario for accreditation.</b></p> <p>(Manitoba; <b>Newfoundland and Labrador</b>): Citizenship requirement for accreditation. <b>(Newfoundland and Labrador): Permanent residency requirement for accreditation.</b></p>			
Subsurface surveying services (CPC 86752)	<p>3) None, other than:</p> <p><b>Land Surveyors</b>: Commercial presence must take the form of a sole proprietorship or partnership except in</p>			
Surface surveying services (CPC 86753)				
Map making services (CPC 86754)				

*Without Prejudice*

Modes of supply:	1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons		
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
	<p>Alberta where it may take the form of a surveyor's corporation.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Free Miner</u> (British Columbia): Applicant must be a permanent resident.</p> <p><u>Land Surveyors</u> (Manitoba): Citizenship requirement for accreditation.</p> <p>(Newfoundland and Labrador): Permanent residency requirement for accreditation.</p>		
n) Repair services of personal and household goods (CPC 633)  Repair services incidental to metal products, machinery and equipment including computers and communications equipment on a fee or contract basis (CPC 8861 to 8866)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
o) Building-cleaning services (CPC 874)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
q) Packaging services (CPC 876)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
t) Other business services, including: (CPC 879)	<p>1) None, other than:  <u>Credit Reporting</u> (Saskatchewan): Services must be</p>	<p>National Treatment <u>Local Presence</u></p> <p>Patent Agents:</p>	<p>Formatted: Underline</p>

*Without Prejudice*

Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
Credit reporting services (CPC 87901)		<u>supplied through a commercial presence.</u>  <u>Credit Reporting and Collection Agencies (Newfoundland and Labrador, Prince Edward Island, Nova Scotia):</u> Services must be supplied through a commercial presence.	1) 2) 4): To represent a person in the prosecution of a patent application or in other business before the Patent Office, a patent agent must be resident in Canada and registered by the Patent Office.  <u>Measures:</u> <i>Patent Act</i> , R.S.C. 1985, c. P-4 <i>Patent Rules</i> , SOR/96-423	
Collection agency services (CPC 87902)			<u>National Treatment Local Presence</u>	
Telephone answering services (CPC 87903)		<u>Consumer Reporting Agencies (Nova Scotia, Newfoundland and Labrador) – For juridical persons, requirement for a commercial presence.</u>	<u>Trade Mark Agents:</u>  1) 2) 4): To represent a person in the prosecution of an application for a trade-mark or in other business before the Trade-marks Office, a trade-mark agent must be resident in Canada and registered by the Trade-marks Office.	
Duplicating services (CPC 87904)		(Nova Scotia): For natural persons, requirement for permanent residency.	<u>Measures:</u> <i>Trade-Marks Act</i> , R.S.C. 1985, c. T-13 <i>Trade-marks Regulations</i> , SOR/96-195	
Translation and interpretation services (CPC 87905)		<u>Collection Agency Services (Alberta):</u> Trust funds must remain in Alberta. Must maintain address for service in Alberta.		
Mailing list compilation and mailing services (CPC 87906)		2) None.  3) None, other than:  <u>Collection Agencies (Ontario):</u> Collection agencies must be incorporated under an Act of Ontario, an Act of Canada or an Act of another Province or Territory of Canada.		
Specialty design services (CPC 87907)		<u>Consumer Reporting Agencies (Nova Scotia):</u> Requirement to incorporate.		
Other business services n.e.c. including patent agents (CPC 87909)		4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:  <u>Consumer Agent Services (Nova Scotia):</u> For natural persons, requirement for permanent residency.		
2. COMMUNICATION SERVICES				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>Courier services</u>	Commercial courier services, including by public transport or self-owned transport (CPC 75121*)	1) None. 2) None. 3) None. 4) <del>None</del> Unbound, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
C. <u>Telecommunications Services*</u> , **	a) Voice telephone services  b) Packet-switched data transmission services  c) Circuit-switched data transmission services  d) Telex services  e) Telegraph services  f) Facsimile services  g) Private leased circuit services  o) Other— <del>Mobile services</del>	1) None. 2) None.  3) None, other than:  Canada reserves the right to adopt or maintain any measure:  (a) limiting foreign investment in facilities-based telecommunications service suppliers, provided that the measure adopted or maintained by Canada does not limit foreign investment to less than a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33.3% indirect investment;  (b) requiring that facilities-based telecommunications service suppliers be controlled in fact by a Canadian;  (c) requiring that at least 80% of the members of the board of directors of facilities-based telecommunications service suppliers be Canadian.	The following exceptions apply to this reservation:  (a) foreign investment is allowed up to 100% for	
*Excluding services regulated under the <u>Broadcasting Act</u> and measures affecting such services.				
**Excluding telecommunications services supplied for the transmission of services regulated under the <u>Broadcasting Act</u> where such services are intended for direct reception by				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
the public.		<p>suppliers conducting operations under an international submarine cable licence;</p> <p>(b) mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; and</p> <p>(c) fixed satellite systems owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside Canada.</p> <p>(d) foreign investment is allowed up to 100 percent for suppliers conducting operations under a satellite authorisation; and</p> <p>(e) foreign investment is allowed up to 100 percent for facilities-based telecommunications service suppliers that have revenues, including those of its affiliates, from the provision of telecommunications services in Canada representing less than 10 percent of the total telecommunications services annual revenues in Canada.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
C*. <u>Telecommunications services</u> , of which:  Enhanced or value-added services, for the supply of which the underlying telecommunications transport facilities are leased from providers of public telecommunications transport networks; these include:		<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
h) Electronic mail (CPC 7523*)				
i) Voice mail (CPC 7523*)				
j) On-line information and database retrieval (CPC 7523*)				
k) Electronic data interchange (EDI) (CPC 7523*)				
l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523*)				
m) Code and protocol conversion (CPC n.a.)				
n) On-line information and/or data processing (including transaction processing) (CPC 843*)				
3. CONSTRUCTION SERVICES				
A. <u>General construction work for buildings</u>				
Construction work for buildings, including for multi-dwelling buildings, warehouses and commercial buildings (CPC 512)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
B*. <u>General construction work for civil engineering</u>	Construction work for civil engineering, including for highways, airports, harbours, dams, bridges, construction for mining and manufacturing, rail, power and communications facilities, pipelines and stadia and other recreational facilities (CPC 513*)	1) None 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
C. <u>Installation and assembly work</u>	Assembly and erection of prefabricated constructions (CPC 514)  Installation work (CPC 516)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
D. <u>Building completion and finishing work</u>	Building completion and finishing work (CPC 517)	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
E*. <u>Other</u>	Pre-erection work at construction sites, including excavation, earthmoving and site work except 5115, site preparation for mining	1) None. 2) None. 3) None. 4) <b>NoneUnbound</b> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 511*)  Special trade construction work (CPC 515)  Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)				
4. DISTRIBUTION SERVICES				
A*. <u>Commission agents' services</u>  Commission agents' services (excluding 62112, sales on a fee or contract basis of food products, beverages and tobacco and sales on a fee or contract basis of pharmaceutical and medical goods in 62117) (CPC 621*)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B*. <u>Wholesale trade services</u>  Wholesale trade services (excluding agriculture and live animals in 6221; fisheries products in 62224; alcoholic beverages in 62226; musical scores, audio and video recordings in 62244; and books, magazines, newspapers, journals, periodicals and other printed matter in 62262; and 62251 of	1) None, other than:  <u>Sale of Amusement Machines (Québec): Services must be supplied through a commercial presence.</u>  <u>Sale of Motor Vehicles (Saskatchewan): Services must be supplied through a commercial presence.</u>  <u>Sale of Amusement Machines (Québec): Citizenship</u>			

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
pharmaceutical and medical goods, and 62252, surgical and orthopaedic instruments and devices (CPC 622*)	<p>requirement in order to sell amusement machines.</p> <p>2) None.</p> <p>3) None, other than: <u>Fish Buyers</u> (British Columbia): Mobile fish buyers licenses are not issued to foreigners.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
C*. <u>Retailing services</u>			<u>National Treatment Local Presence</u> <u>Duty free shops:</u> <p>1) 2) 4) To be a licensed duty free shop operator at a land border crossing in Canada, a natural person must:</p> <p>(a) be a Canadian national;          (b) be of good character;          (c) be principally resident in Canada; and          (d) have resided in Canada for at least 183 days of the year preceding the year of application for the license.</p> <p>3) To be a licensed duty free shop operator at a land border crossing in Canada, a corporation must:</p> <p>(a) be incorporated in Canada; and          (b) have all of its shares beneficially owned by Canadian nationals who meet the requirements as specified in the other modes of supply for this reservation.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Duty Free Shop Regulations</i>, SOR/86-1072</p>	<span style="border: 1px solid red; padding: 2px;">Formatted: Underline</span>
Food retailing services (excluding liquor, wine and beer sales in 63107) (CPC 631*)	<p>1) None, other than: <u>Itinerant Sellers (Québec): Commercial presence required</u></p>			
Non-food retailing services (excluding music scores, audio and video records and tapes in 63234; books, magazines, newspapers and periodicals in 63253; and pharmaceutical, medical and orthopaedic goods in 63211 and printed music in 63251) (CPC 632*)	<p><u>Direct Sellers (Nova Scotia): Services must be supplied through a commercial presence</u></p> <p>2) None.          3) None.          4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
Sale of motor vehicles including automobiles and other road vehicles (CPC 6111)				
Sale of parts and accessories of motor vehicles (CPC 6113)				
Sales of motorcycles and				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
snowmobiles and of related parts and accessories (CPC 6121)				
D*. <u>Franchising</u>	<p>1) None, other than:            (Alberta): Service suppliers required to designate a place within Alberta where they can be served legal documents.</p> <p>2) None.</p> <p>3) None, other than:            (Alberta): Required to have an attorney for service in legal documents.</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
E*. Other  Retail sales of motor fuel (CPC 613)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:  <u>Retail petroleum</u> (Prince Edward Island): Public convenience and necessity test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <u>NoneUnbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
6. ENVIRONMENTAL				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
A. <u>Sewage services</u> (CPC 9401)	1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
B. <u>Refuse disposal services</u> (CPC 9402)				
C. <u>Sanitation and similar services</u> (CPC 9403)				
D. <u>Other</u>				
Cleaning services of exhaust gases (CPC 9404)				
Noise abatement services (CPC 9405)				
Nature and landscape protection services (CPC 9406)				
Other environmental services n.e.c. (CPC 9409)				
7. FINANCIAL SERVICES				
Canada undertakes commitments on Financial Services in accordance with the provisions of Annex [X] on Financial Services of this Agreement. While financial services are subject to the general conditions and limitations applicable to all sectors in this schedule, the scheduling framework established in Annex [X] on Financial Services of this Agreement and Canada's headnotes for financial services, as specified below, are applicable to all conditions and limitations as they apply to financial services.				
1. This offer does not take into account Article 13 (Senior Management and Board of Directors) of Annex [X] on Financial Services. Canada is open to the application of the obligation contained within Article 13 if and when parties reach consensus on the obligation within the Annex on Financial Services.				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
2. For financial services, in the interpretation of conditions and qualifications for National Treatment on existing measures (Part II), to the extent that the Measures element is qualified by a specific reference in the Description element, the Measures element as so qualified shall prevail over all other elements.						
3. To clarify Canada's commitment with respect to Article I-3 (Market Access), juridical persons supplying financial services and constituted under the laws of Canada are subject to non-discriminatory limitations on juridical form <sup>5</sup> .						
4. It is understood that Article 3 (Market Access Commitments), paragraph 1(c) of Annex [X] on Financial Services of this Agreement does not impose any obligation to allow non-resident financial services suppliers to solicit business.						
5. The listing of a measure related to a reservation in Part I, Section A or Section B, or Part II, does not mean that it cannot otherwise be justified as a measure adopted or maintained for prudential reasons pursuant to Article 16 (Prudential Measures) of Annex [X] on Financial Services of the Agreement.						
Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments		
All financial services	1), 2) None.  3) None, other than:  (Federal): No one person (Canadian or foreign) may own more than 10 per cent of any class of shares of a financial institution constituted under federal legislation.  (Federal): Financial institutions constituted under federal legislation having equity in excess of C\$1 billion are required, within three years of having reached the threshold, to have 35 per cent of their voting shares widely-held and listed and posted for trading on a Canadian stock exchange.  4) <b>NoneUnbound</b> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.		3) (Federal): A minimum of one half of the directors of a financial institution constituted under federal regulation that is a subsidiary of a foreign institution and a majority of the directors of any other financial institution constituted under federal legislation must be either Canadian citizens ordinarily resident in Canada or permanent residents ordinarily resident in Canada.  <b>Measures:</b> <i>Bank Act</i> (159, 749) <i>Insurance Companies Act</i> (167, 796) <i>Trust and Loan Companies Act</i> (163) <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Insurance Companies)</i> <i>Foreign Institutions Subject to the Canadian Residency Requirements Regulations (Trust and Loan Companies)</i> <i>Cooperative Credit Associations Act</i> (169)			

<sup>5</sup> For example, partnerships and sole proprietorships are generally not acceptable juridical forms for financial institutions in Canada. This headnote is not itself intended to affect, or otherwise limit, a choice by a financial institution of the other Party between branches or subsidiaries.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
A. Insurance and Insurance-Related Services (CPC 812* + 814)	1) None, other than:  <u>Direct insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u>			
a) Life, accident and health insurance services (CPC 8121)	(Alberta, <b>Nova Scotia</b> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
b) Non-life insurance services (except deposit insurance and similar compensation schemes) (CPC 8129)	(Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (British Columbia, <b>Nova Scotia</b> , Ontario, Québec, Yukon): Services must be supplied through a commercial presence.			
c) Reinsurance and retrocession (CPC 81299*)	2) None, other than:  <u>Direct Insurance</u> :  (Saskatchewan): A fee payable to the province of 10 per cent of the premium is required on insurance of risks in the province by unlicensed insurers.  <u>Reinsurance and retrocession</u>  (Alberta, Newfoundland and Labrador): The purchase of reinsurance services by a Canadian insurer, other than a life insurer or a reinsurer, from a non-resident reinsurer is limited to no more than 25 per cent of the risks undertaken by the insurer purchasing the reinsurance.			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p><u>Direct insurance and reinsurance and retrocession</u></p> <p>(Federal): A foreign entity authorised to insure, in Canada, risks must be established directly under the foreign insurance company incorporated in the jurisdiction where the foreign insurance company, either directly or through a subsidiary, principally carries on business.</p> <p>(All provinces and territories): Insurance activities can only be provided through:</p> <ul style="list-style-type: none"> <li>(i) a corporation incorporated under provincial statutes;</li> <li>(ii) an extra-provincial insurance corporation, i.e., an insurer incorporated by, or under the laws of another jurisdiction (including a federally-authorized branch of a foreign corporation);</li> <li>(iii) an association formed on the plan known as Lloyds; or</li> <li>(iv) (Excluding Québec and Prince Edward Island): Reciprocal insurance exchanges.</li> </ul> <p>(Alberta, Prince Edward Island): Subsidiaries of foreign insurance corporations must be federally authorized.</p> <p>(Québec): Non-residents <del>can not</del> cannot acquire, without ministerial approval, either directly or indirectly, more than 30 per cent of the voting rights attached to shares of a Québec-chartered insurance company or of its controlling entity.</p> <p>(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company “SSQ, Société d’assurance-vie inc” or of the</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>holding company “Groupe SSQ inc”, the minister may, ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of a company, incorporation, share acquisition or application for business authorisation is subject to approval by the financial institutions commission.</p> <p><u>Motor vehicle insurance</u> (Manitoba, Saskatchewan, British Columbia): Motor vehicle insurance is provided by public monopoly.</p> <p>(Québec): Automobile insurance, with respect to personal injury and death, is provided by public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>			
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	<p>1) None, other than:</p> <p><u>Intermediation of insurance relating to maritime shipping, commercial aviation, space launching, freight (including satellites) and goods in international transit</u> (Alberta, Nova Scotia, Ontario, Quebec, Yukon): Services must be supplied through a commercial presence in the province or territory in which the service is provided.</p> <p>(Ontario): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Alberta,): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>2) None.</p>			

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Modes of supply:	1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons		
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional Commitments
	<p>3) None, other than:</p> <p>(New Brunswick): Licenses shall not be issued to a corporation whose head office is outside Canada.</p> <p>(Ontario, Prince Edward Island): Non-resident individual adjusters are prohibited from being adjusters in the province.</p> <p>(Ontario): A foreign-owned insurance brokerage must have an address in Ontario suitable to permit service and must have its trust funds in one or more accounts in any Ontario branch of defined financial institutions.</p> <p>(Manitoba): Licenses to act as insurance agents and brokers are not issued to non-residents of Canada.</p> <p>(Alberta, Manitoba): A license to act as a special broker authorized to place insurance coverage with unlicensed insurers is restricted to residents of the province, as the case may be.</p> <p>(British Columbia): Licenses for general insurance shall be issued only to residents of the province.</p> <p>(Prince Edward Island): Licenses to act as insurance agent or adjusters are not issued to non-resident of the province.</p> <p>4) <b>NoneUnbound</b>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
B. Banking and Other Financial Services  (excl. insurance)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p>	<p>3) None, other than:</p>	
a) Acceptance of deposits and other repayable funds from	(Federal): In order to establish a bank branch, a foreign		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
the public (CPC 81115-81119)	bank must be a bank in the jurisdiction under whose laws it is incorporated.			
b) Lending of all types, including <i>inter alia</i> , consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)	(Federal): A bank branch must be established directly under the authorised foreign bank incorporated in the jurisdiction where the authorised foreign bank principally carries on business.			
c) Financial leasing (CPC 8112)	(Federal): Full service foreign bank branches and lending foreign bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.		(Federal): Full service bank branches and lending bank branches are prohibited from becoming member institutions of the Canada Deposit Insurance Corporation.  <u>Measures:</u> <i>Bank Act</i> s. 520, 540, 545 Schedule I and Schedule II to the <i>Bank Act</i> <i>Canadian Deposit Insurance Corporation Act</i> s.2, 8, 17	
d) All payment and money transmission services (CPC 81339*)			(Federal): A foreign bank must establish a subsidiary as a condition for accepting retail deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	
e) Guarantees and commitments (CPC 81199*)	(Federal): Foreign lending branches may not accept deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	(Federal): Foreign lending branches may not accept deposits.  <u>Measures:</u> <i>Bank Act</i> s. 520, 524, 540, 545 <i>Sales or Trades (Authorized Foreign Banks) Regulations</i>	(Federal): Lending branches of foreign banks are prohibited from becoming members of the Canadian Payments Association.  <u>Measures:</u> <i>Canadian Payments Act</i> s. 2, 4 <i>Bank Act</i> s. 524, 540	
	(Québec): Upon any allotment or transfer of voting shares of the capital stock insurance company			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>“SSQ, Société d’assurance-vie inc” or of the holding company “Groupe SSQ inc”, the minister may ask such companies to prove that the shares were offered by preference to Québec residents and subsequently to other Canadian residents, but that no offer was made or was acceptable.</p> <p><u>Trust and loan companies</u></p> <p>(Federal): Federal laws do not permit a trust and loan company to be established through branches of corporations organized under a foreign country’s law.</p> <p>(All provinces and territories, excluding British Columbia, Québec): Federal or provincial incorporation is required.</p> <p>(Ontario, Québec, Manitoba): The direct or indirect acquisition of Canadian-controlled companies by non-residents is restricted to 10 per cent individually and 25 per cent collectively.</p> <p>(Saskatchewan): Individual and collective foreign ownership of Canadian-controlled and provincially incorporated companies can be no more than 10 per cent of shares.</p> <p>(British Columbia): Where any person controls or will control 10 per cent or more of the votes of the company, incorporation, share acquisition or application for business authorization is subject to approval by the financial institutions commission.</p> <p>(Ontario, New Brunswick and Nova Scotia): Incorporation or registration will be refused unless authorities are satisfied that there exists a public benefit and advantage for an additional corporation.</p> <p>(Ontario): Consent to change in control or transfers of 10</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
	<p>per cent or more of voting shares may be refused if it would be in the public interest to do so.</p> <p><u>Credit unions, caisses populaires and associations or groups thereof</u></p> <p>(Federal): Federal laws do not permit a credit union or fraternal benefit society in Canada to be established through branches of corporations organized under a foreign country's law.</p> <p>(All provinces and territories): Must incorporate in the jurisdictions in which they operate.</p> <p><u>Mortgage brokers</u></p> <p>(Ontario): Must incorporate under the laws of Canada, Ontario or of another province. Ownership of a corporation by foreign persons must not exceed 10 per cent individually and 25 per cent collectively of the total number of equity shares.</p> <p>(Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p>(Saskatchewan): Must maintain a business office in the province.</p> <p><u>Loan and investment companies</u></p> <p>(Québec): Federal or provincial incorporation.</p> <p><u>Co-operative corporations</u></p> <p>(Newfoundland and Labrador, Ontario): Must incorporate under the law of the applicable province or under federal law.</p> <p><u>Lending of all types</u> (Nova Scotia): Must incorporate under the laws of Canada or Nova Scotia.</p> <p><u>Acceptance of deposits</u> (Québec): The acceptance of</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
<p>f) Trading for own account or for account of customers whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> <li>- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339*);</li> <li>- foreign exchange (CPC 81333*);</li> <li>- derivative products including but not limited to, futures and options (CPC 81339*)</li> <li>- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (CPC 81339*)</li> <li>- transferable securities (CPC 81321*)</li> <li>- other negotiable instruments and financial assets, including bullion (CPC 81339*)</li> </ul> <p>g) Participation in issues of all kinds of securities, including</p>	<p>deposits of public and para-public institutions is provided by a public monopoly.</p> <p>4) <u>NoneUnbound</u>, except for entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Mortgage brokers</u> (Ontario): Must be Canadian citizens or permanent residents of Canada and ordinarily resident in Canada.</p> <p>(Nova Scotia): Must be resident in the province.</p> <p>1) None, other than:</p> <p><u>Advisory and auxiliary financial services</u> (Alberta, <del>British Columbia, Nova Scotia, Québec, Saskatchewan</del>): Services must be supplied through a commercial presence in the jurisdiction in which the adviser is providing advice.</p> <p><u>Asset management</u> (Alberta, <del>British Columbia, Nova Scotia, Québec, Saskatchewan</del>): Services must be supplied through a commercial presence in the jurisdiction in which the service is provided.</p> <p>(Québec): The management of pension funds of public and para-public institutions in Québec is provided by public monopoly.</p> <p><u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.</p> <p>2) None, other than:</p>			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional Commitments
underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)	<u>Trading in securities and commodity futures - persons</u> (All provinces and territories): There is a requirement to register in order to trade through dealers and brokers that are neither resident nor registered in the province or territory in which the trade is affected.			
h) Money broking (CPC 81339*)	3) None, other than:  <u>Securities dealers and brokers</u> (British Columbia, Ontario, Saskatchewan, Yukon): Must be incorporated, formed or continued under federal, provincial or territorial laws.  <u>Custodial services</u> (All provinces and territories): Mutual funds which offer securities in Canada must use a resident custodian. A non-resident sub-custodian may be used if it has shareholders equity of at least C\$100 million.			
i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services (CPC 8119*, 81323*).				
j) Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments (CPC 81339*, 81319)				
k) Advisory, intermediation and other auxiliary financial services on all the activities listed in Article 2(a)(v) through (xv) of the Annex on Financial Services, incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131*, 8133*)	<u>Advisory and auxiliary financial services</u> (British Columbia): Must be incorporated, formed or continued under federal, provincial or territorial laws.  <u>Asset management</u> (Québec): The management of pension funds of public and para-public institutions in Québec is provided by a public monopoly.  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
l) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131*, 842*, 843*, 844*)				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotels and restaurants</u> (including catering)	<p>1) None.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Sale of liquor on premises</u> (Nova Scotia: A liquor license for a hotel or restaurant serving food requires about three weeks. A license for a bar or nightclub (primarily serving alcoholic beverages) requires up to three months and must be preceded by a public hearing.</p> <p><u>Sale of liquor in a tavern, restaurant or bar</u> (Québec): For juridical persons not listed on a Canadian stock exchange, all shareholders owning 10 per cent or more of voting shares must be Canadian citizens or permanent residents.</p> <p><b>(Saskatchewan): The majority of shareholders must be Canadian and manager must be a Canadian citizen or permanent resident.</b></p> <p><u>Sale of liquor</u> (Québec): Is limited to federally incorporated companies.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p><u>Sale of liquor in a restaurant and tavern</u> (Québec): Requirement for residency and citizenship.</p> <p><u>Sale of alcoholic beverages</u> (Alberta, Saskatchewan): Requirement for permanent residency.</p> <p>(Manitoba): Requirement for citizenship and residency.</p>			

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Modes of supply:			
1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
	(Nova Scotia): Licenses for the sale of alcoholic beverages will be granted only to Canadian citizens or permanent residents.		
B. <u>Travel agencies and tour operators services</u>  Travel agency and tour operator services (CPC 7471)	1) None, <u>other than:</u>  <u>Travel agencies and travel wholesalers (Ontario): Services must be supplied through a commercial presence.</u>  <u>Travel agencies (Québec): Services must be supplied through a commercial presence.</u>  2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.		
11. TRANSPORT SERVICES	<u>Pursuant to the <i>Canada Transportation Act</i>, any proposed transaction that involves a transportation undertaking that raises issues with respect to the public interest as it relates to national transportation as determined by the Minister requires approval by the Governor in Council.</u>  <u>Approval is required from the National Transportation Agency prior to the acquisition of any federally regulated transportation undertaking with assets or annual gross sales in Canada in excess of \$10 million. For these purposes, a transportation undertaking means any business principally engaged in any transportation activity under federal jurisdiction within Canada, excluding (a) those operated by a person whose principal place of residence is outside Canada, and (b) those engaged in the transport of goods and/or passengers solely between Canada and another country.</u>		
A. <u>Maritime Transport Services</u>  International maritime transport (Freight and passengers) CPC 7211	1) 2) 3) 4) Unbound with respect to international maritime transport and maritime auxiliary services and		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	service suppliers of [ ... ].			
<b>MARITIME TRANSPORT SERVICES*</b> (See Notes 1 and 2)	<p>1) (a) Liner Shipping and 1) (b) Bulk, tramp, and other international shipping, including passenger transportation: None, other than:</p> <p><u>Shipping Conferences</u> (only for mode 1) (a) <u>Liner Shipping</u>: Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely:</li> </ul>	<p><u>Local Presence</u></p> <p><u>Shipping Conferences</u>:</p> <p>1)2)4) Members of a shipping conference must maintain jointly an office or agency in the region of Canada where they operate. A shipping conference is an association of ocean carriers that has the purpose or effect of regulating rates and conditions for the transportation by those carriers of goods by water.</p> <p><u>Measures</u>:</p> <p><i>Shipping Conferences Exemption Act 1987</i>, R.S.C. 1985, c. 17 (3rd Supp.)</p> <p><u>National Treatment Local Presence</u></p> <p>1) (a) <u>Ship registration</u>: I. To register a ship in Canada, the owner of that ship or the person who has exclusive possession of that ship must be:</p> <ul style="list-style-type: none"> <li>(a) a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the <u>Immigration and Refugee Protection Act</u>;</li> <li>(b) a corporation incorporated under the laws of Canada or a province or territory; or</li> <li>(c) when the ship is not already registered in another country, a corporation incorporated under the laws of a country other than Canada if one of the following is acting with respect to all matters relating to the ship; namely:</li> </ul>	<p>Canada does not require private sector terminal operators and providers of maritime auxiliary services to accord access to and use of their services on non-discriminatory terms and conditions.</p> <p>However, no measures prevent access to and use of the following services at the port by international maritime transport service suppliers, except for service suppliers of [ ... ], on terms and conditions that accord national treatment:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Navigation aids;</li> <li>6. Shore-based operational services essential to ship operations, including: communications, water and electrical supplies;</li> <li>7. Emergency repair facilities;</li> <li>8. Anchorage, berth and</li> </ol>	<p><b>Formatted:</b> Font: Italic, No underline</p> <p><b>Formatted:</b> Font: Italic, No underline</p> <p><b>Formatted:</b> Font: Italic</p>

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</p> <p>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</p> <p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><u>Measures:</u> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <p>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>; or</p> <p>(b) a corporation incorporated under the laws of Canada or a province or territory.</p> <p><u>Measures:</u> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p>(Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of</p> <p>(a) Inuit entities or individuals,</p>	<p>(i) a subsidiary of the corporation that is incorporated under the laws of Canada or a province or territory;</p> <p>(ii) an employee or director in Canada of any branch office of the corporation that is carrying on business in Canada; or</p> <p>(iii) a ship management company incorporated under the laws of Canada or a province territory.</p> <p><u>Measures:</u> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p> <p><u>National Treatment, Local Presence</u></p> <p>II. A ship registered in a foreign country which has been bareboat chartered may be listed in Canada for the duration of the charter while the ship's registration is suspended in its country of registry, if the charterer is:</p> <p>(a) a Canadian citizen or permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i>; or</p> <p>(b) a corporation incorporated under the laws of Canada or a province or territory.</p> <p><u>Measures:</u> <i>Canada Shipping Act, 2001, S.C. 2001, c. 26</i></p>	<p>berthing services;</p> <p>9. Lightering and water taxi services;</p> <p>10. Ship agencies;</p> <p>11. Custom brokers;</p> <p>12. Stevedoring and terminal services;</p> <p>13. Surveying and classification services;</p> <p>14. Transport services for the purposes of onward forwarding of cargo; i.e. directly contracting with providers of other transport services for the provision of door-to-door or multimodal transport operations.</p>	<p>Formatted: Font: Italic, No underline</p> <p>Formatted: Font: Italic</p> <p>Formatted: Font: Italic, No underline</p>

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	(b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut.  (Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.  2) None, other than: (Quebec): Tax deductions allowed for sailors residing in Quebec and working in international shipping may lead to differential treatment for ship management companies residing in Canada or affiliated with Canadian residents.  3) (a) None, other than: <u>Ship registration</u> : as set out under mode 1.  <u>Measures</u> : <i>Canada Shipping Act</i> , 2001, S.C. 2001, c. 26  (Nunavut): The Government of Nunavut may, in connection with international maritime transport services, take any measure that provides for or results in favourable treatment of (a) Inuit entities or individuals, (b) Nunavut businesses or residents, or (c) local businesses or residents, as these terms may be defined by the Government of Nunavut. 3) (b) Other forms of commercial presence for the supply of international maritime transport services (as defined): None.  4) (a) masters and crew: Unbound.		<u>National Treatment, Local Presence</u> 3)(a) <u>Ship registration</u> : as set out under mode 1.  <u>Measures</u> : <i>Canada Shipping Act</i> , 2001, S.C. 2001, c. 26  <u>National Treatment, Local Presence</u>  4) (a) masters and crew: Masters, mates, engineers and certain other seafarers must hold certificates granted by the Minister of Transport as a requirement of service on Canadian registered ships. Such certificates may be granted only to Canadian citizens or permanent residents.  <u>Measures</u> : <i>Canada Shipping Act</i> , 2001, S.C. 2001, c. 26 <i>Marine Personnel Regulations</i> , SOR/2007-115  <u>National Treatment, Local Presence</u>  1) 4) A licence or a pilotage certificate issued by the	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Pilotage services* <sup>6</sup> (CPC 74520)*	<p>4) (b) Key personnel employed in relation to a commercial presence as defined under 3 b) above: None, except for entry of a natural person which is as indicated in the horizontal section.</p> <p>1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound.</p>	<p>relevant regional Pilotage Authority is required to provide pilotage services in the compulsory pilotage waters of the territory of Canada. Only Canadian citizens or permanent residents may obtain such a licence or pilotage certificate. A permanent resident of Canada who has been issued a pilot's licence or pilotage certificate must become a Canadian citizen within five years of receipt of such licence or pilotage certificate in order to retain it.</p> <p><u>Measures:</u></p> <p><i>Pilotage Act, R.S.C. 1985, c.P-14</i>  <i>General Pilotage Regulations, SOR/2000-132</i>  <i>Atlantic Pilotage Authority Regulations, C.R.C., c.1264</i>  <i>Laurentian Pilotage Authority Regulations, C.R.C., c. 1268</i>  <i>Great Lakes Pilotage Regulations, C.R.C., c. 1266</i>  <i>Pacific Pilotage Regulations, C.R.C., c. 1270</i></p>		
MARITIME AUXILIARY SERVICES	<p>1) Unbound. 2) None. 3) None, other than:</p> <p>(Nunavut): The Government of Nunavut may, in connection with maritime cargo handling services, take any measure that provides for or results in favourable treatment of</p> <p>(a) Inuit entities or individuals,  (b) Nunavut businesses or residents, or  (c) local businesses or residents,  as these terms may be defined by the Government of Nunavut.</p> <p>4) <del>None</del>Unbound, except for entry of a natural person which is as indicated in the horizontal section.</p>			

<sup>6</sup> Asterisk designates “part of”.

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Storage and Warehousing Services CPC 742	1) Unbound. 2) None. 3) None. 4) <u>None</u> <u>Unbound</u> , except for entry of a natural person which is as indicated in the horizontal section.			
Customs Clearance Services (as defined)	<p>1) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>2) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:   <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.  (b) A partnership must be composed of persons who are permanent residents.</p>	<p><u>National Treatment</u>, <u>Local Presence</u>, <u>Local Management</u> and <u>Boards of Directors</u></p> <p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment</u>, <u>Local Presence</u>, <u>Local Management</u> and <u>Boards of Directors</u></p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment</u>, <u>Local Presence</u>, <u>Local Management</u> and <u>Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:  (a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</p>		

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Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>  4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section, and:  <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.  <u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	(b) A partnership must be composed of persons who are permanent residents.  <u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>  <u>National Treatment, Local Presence, Local Management and Boards of Directors</u>  4) <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.  <u>Measures:</u> <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i> <i>Customs Brokers Licensing Regulations, SOR/86-1067</i>	
Container Station and Depot Services (as defined)		1) Unbound. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.		
Maritime Agency Services (as defined)		1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.		
Maritime Freight Forwarding Services (as defined)		1) None. 2) None. 3) None. 4) <u>NoneUnbound</u> , except for entry of a natural person which is as indicated in the horizontal section.		
<b>NOTE TO THE SCEDULE (Maritime Transport Services)</b>				
1. Specific commitments in any sector or subsector shall not be construed to override the limitations established in the Maritime Transport Services schedule, including all maritime cabotage conditions and qualifications.				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
2.	Nothing in Canada's Schedule of Specific Commitments for Maritime Transport Services shall be interpreted to apply to fishing vessels as defined in the Coastal Fisheries Protection Act.			
3.	Canada's specific commitments on Maritime Transport Services (Market Access, National Treatment and Additional Commitments) do not apply to fees imposed or applied in respect of marine navigation services. Consequently, Canada does not undertake any obligations with respect to any measure adopted or maintained in connection with the imposition or application of marine navigation services fees.			

**DEFINITIONS RELATED TO SECTION 11, TRANSPORT SERVICES**

For the purposes of this section and subject to relevant limitations in Canada's Schedule of Specific Commitments:

1. "Cabotage" services as defined by the *Coasting Trade Act* include:
  - (a) the transportation of goods or passengers by ship or by ship and any other mode of transport between points in the territory of Canada or above the continental shelf of Canada either directly or by way of a place outside Canada;
  - (b) with respect to waters above the continental shelf, the transportation of goods or passengers in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf; and
  - (c) the engaging by ship in any maritime activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other maritime activities of a commercial nature in relation to the exploration, exploitation, or transportation of the mineral or non-living natural resources of the continental shelf.
2. "Container station and depot services" means activities in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.
3. "Custom clearance services" means activities in carrying out, on behalf of another party, customs formalities concerning import, export or through transport of cargoes, irrespective of whether this service is the main or secondary activity of the service provider.
4. "Maritime agency services" means activities in representing, within a given geographic area, the business interests of one or more shipping lines or 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 in organising the call of the ship or taking control of cargoes.
5. "Maritime cargo handling services" means the work performed by stevedore companies or public terminal operators[, but not including the work performed by dock labour, when this workforce is organised independently of the stevedoring or public terminal operator companies]. The work activities covered are the performance, organization 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.
6. "Maritime freight forwarding services" means the activity of organising and monitoring shipments on behalf of shippers, through providing such services as the arranging of transport and related services, consolidation and packing of cargo, preparation of documentation and provision of business information.
7. "Ship" means a boat, vessel or craft designed, used or capable of being used solely or partly for navigation in, on, through, or immediately above water, without regard to

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments		
method or lack of propulsion, and includes such a ship that is under construction.						
8. “Other forms of commercial presence for the supply of international maritime transport services” means the ability for international maritime transport suppliers of other Members to undertake locally, in Canada, activities that are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element. These activities are:						
	(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services					
	(b) being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;					
	(c) making arrangements, on their own account or on behalf of their customers (and the resale to their customers) for any transport or related services, including: anchorage, berth and berthing services, onward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;					
	(d) preparation of documentation including transport documents, customs documents, or other documents related to the origin and character of goods transported;					
	(e) provision of business information by any means, including computerized information systems and electronic data interchange (subject to any provision or limitation in this Agreement that may restrict or allow a Member to restrict the provision of business information);					
	(f) setting up 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 natural persons ) with any locally established shipping agency;					
	(g) acting on behalf of the companies, organizing any aspect of the call of the ship or taking control over cargoes when required; provision of port captain services					
C*. <u>Air Transport Services</u>						
d) Maintenance and repair of aircraft and aircraft engines (CPC 8868*)	1) None. 2) Unbound.	<u>National Treatment, Local Presence</u>  2) Aircraft and other aeronautical product repair, overhaul or maintenance activities (including line maintenance) required to maintain the airworthiness of Canadian-registered aircraft and other aeronautical products must be performed by persons meeting Canadian aviation regulatory requirements (i.e. approved maintenance organizations and aircraft maintenance engineers). Certifications are not provided for persons located outside Canada, except sub-organizations of approved maintenance organizations that are themselves located in Canada.	<u>Measures:</u> <i>Aeronautics Act, R.S.C. 1985, c. A-2</i>			

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Modes of supply:	1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons		
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
Computer reservations systems	<p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p> <p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>	<i>Canadian Aviation Regulations, SOR/96-433:</i> Part IV “Personnel Licensing & Training”; Part V “Airworthiness”; Part VI “General Operating & Flight Rules”; and Part VII “Commercial Air Services”	
E. Rail Transport Services			
a), b) Railway passenger and freight transport (CPC 7111, 7112)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
d) Maintenance and repair of rail transport equipment (CPC 8868*)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p>		
F*. Road Transport Services			
a*) Passenger transportation Interurban scheduled bus passenger transportation (CPC 71213)	<p>1) None, other than:</p> <p><u>Cabotage</u>:</p> <p>Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the</p>	<u>National Treatment, Local Presence</u> <p>1) For CPC 7121, 7122:</p> <p><u>Cabotage</u>:</p> <p>Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the</p>	
Taxis (CPC 71221)			
Rental services of cars with drivers			

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 71222)	territory of Canada.		territory of Canada.	
Non-scheduled motor buses, chartered buses and tour and sightseeing buses (CPC 71223)	<p><u>Measures:</u></p> <p><i>Motor Vehicle Transport Act, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.</i></p> <p><i>Canada Transportation Act, S.C. 1996, c. 10</i></p> <p><i>Customs Tariff, 1997, c. 36</i></p> <p><u>Interurban bus transport and non-scheduled services</u> (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>2) None.</p> <p>3) None, other than:</p> <p><u>Taxis and rental services with drivers:</u> Operating licenses and permission are under the purview of local/provincial authorities. (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p><u>Interurban bus transport and scheduled services:</u> (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, Newfoundland and Labrador, Nunavut, Northwest Territories): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for</p>	<p><u>Measures:</u></p> <p><i>Motor Vehicle Transport Act, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13.</i></p> <p><i>Canada Transportation Act, S.C. 1996, c. 10</i></p> <p><i>Customs Tariff, 1997, c. 36</i></p>		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
b*) Freight transportation				
Highway freight transportation (CPC 71231, 71232, 71233, 71234)	<p>expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to provide proper service.)</p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.</p> <p>1) None, other than:</p> <p><b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p> <p><b>Highway freight transportation</b> (Québec): Requirement for commercial presence in region where permit applies.</p> <p>2) None.</p> <p>3) None, other than:</p> <p><b>Highway freight transportation:</b> (Saskatchewan, Quebec, Newfoundland and Labrador): Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the</p>	<p><b>National Treatment, Local Presence</b></p> <p>1) For CPC 7123:</p> <p><b>Cabotage:</b> Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.</p> <p><b>Measures:</b> <i>Motor Vehicle Transport Act</i>, R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i>, S.C. 1996, c. 10 <i>Customs Tariff</i>, 1997, c. 36</p>		

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
c*) Rental of commercial vehicle with operator	applicant to provide proper service.)  4) <u>Unbound</u> <u>None</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.	1) None, other than:  <u>Cabotage</u> : Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.  <u>Measures</u> : <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36	<u>National Treatment, Local Presence</u>  1) <u>Cabotage</u> : Only persons of Canada using Canadian-registered and either Canadian built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of Canada.  <u>Measures</u> : <i>Motor Vehicle Transport Act</i> , R.S.C. 1985, c. 29 (3rd Supp.), as amended by S.C. 2001, c. 13. <i>Canada Transportation Act</i> , S.C. 1996, c. 10 <i>Customs Tariff</i> , 1997, c. 36	
Rental services of commercial road vehicles with operators (CPC 7124)	2) None. 3) None.  4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
d) Maintenance of road transport equipment	1) None. 2) None. 3) None.			
Maintenance and repair services of motor vehicles (CPC 6112)	4) <u>None</u> <u>Unbound</u> , except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments.			
Maintenance and repair services of motorcycles and snowmobiles (CPC 6122)				
Repair services n.e.c. of motor vehicles, trailers, semi-trailers on a fee or contract basis				

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
(CPC 8867)				
H*. Services auxiliary to all modes of transport other than Maritime Transport Services				
a) Container handling services (CPC 7411)	<p>1) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>		<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>1) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p>	
Other cargo handling services (CPC 7419)				
b) Storage and warehouse services (CPC 742)				
c) Freight transport agency services (CPC 748)				
d) Other supporting and auxiliary transport services, including freight forwarding (CPC 749)	<p>2) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Services must be supplied through a commercial presence.(Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p>3) None, other than:  <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <ul style="list-style-type: none"> <li>a) A corporation must be incorporated in Canada and the majority of its directors must be Canadian citizens or permanent residents.</li> <li>b) A partnership must be composed of persons who are</li> </ul>		<p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>2) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Requirement for a commercial presence. (Natural persons): Requirement for a permanent residence.</p> <p><u>Measures:</u>  <i>Customs Act</i>, R.S.C. 1985, c. 1 (2nd Supp.)  <i>Customs Brokers Licensing Regulations</i>, SOR/86-1067</p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>3) <u>Licensed Customs Brokers</u> (Federal) (Juridical persons): Commercial presence must be by means of incorporation or a partnership:</p> <ul style="list-style-type: none"> <li>(a) A corporation must be incorporated in Canada and the majority of its directors must be permanent residents.</li> </ul>	

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Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>Canadian citizens or permanent residents.</p> <p><u>Measures:</u>  <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i>  <i>Customs Brokers Licensing Regulations, SOR/86-1067</i></p> <p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments and:</p> <p><u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i>  <i>Customs Brokers Licensing Regulations, SOR/86-1067</i></p>	<p>(b) A partnership must be composed of persons who are permanent residents.</p> <p><u>Measures:</u>  <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i>  <i>Customs Brokers Licensing Regulations, SOR/86-1067</i></p> <p><u>National Treatment, Local Presence, Local Management and Boards of Directors</u></p> <p>4) <u>Licensed Customs Brokers (Federal)</u> (Natural persons): Requirement for permanent residency.</p> <p><u>Measures:</u>  <i>Customs Act, R.S.C. 1985, c. 1 (2nd Supp.)</i>  <i>Customs Brokers Licensing Regulations, SOR/86-1067</i></p>		
12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95, 97,98,99)	<p><u>Other services not included elsewhere,</u> <u>1)2)3) None, except for: except for marriage commissioner services (CPC 95910) and funeral and cremation services (CPC 9703) (CPC 95*,97*, 98, 99)</u></p> <p><u>4) None, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</u></p> <p><u>(Alberta): Unbound.</u></p> <p><u>Services of membership organisation</u></p> <p><u>Services furnished by business, employers and professional organizations (CPC 951*)</u></p> <p><u>1) None</u>  <u>2) None</u>  <u>3) None</u>  <u>4) Unbound, except as indicated in Horizontal Commitments.</u></p>			

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Modes of supply:			
1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
Services furnished by trade unions <small>(CPC 952*)</small>	<p>(Alberta): 1) 2) 3) 4) Unbound.</p> <p>1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.</p> <p>(Alberta): 1) 2) 3) 4) Unbound.</p>		
Religious Services (CPC 9591)			
Marriage commissioner services <small>(CPC 95910)</small>	<p>1) None, other than:</p> <p>(Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.</p> <p>(Alberta): Unbound.</p> <p>2) None, <small>other than:</small></p> <p>(Alberta): Unbound.</p> <p>3) None, <small>other than:</small></p> <p>(Alberta): Unbound.</p>		

*Without Prejudice*

Modes of supply:	1) Cross border supply  Sector or subsector	2) Consumption abroad  Limitations on Market Access	3) Commercial presence  Other Limitations	4) Presence of natural persons  Additional Commitments
		<p>4) <u>None</u><u>Unbound</u>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>(Manitoba): Under the Marriage Act, the Minister responsible may appoint any person as a marriage commissioner for the province or any part thereof specified by the Minister and that person may solemnize ceremonies of marriage in accordance with the tenor of the appointment. The Minister may afford preferential treatment to Canadian citizens or permanent residents of Manitoba.</p> <p>(Alberta): 1) 2) 3) 4) <u>Unbound</u>. (Alberta): <u>Unbound</u>.</p>		
<u>Services furnished by political organizations (CPC 9592)</u>		<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) <u>Unbound, except as indicated in Horizontal Commitments</u>.</p> <p>(Alberta): 1) 2) 3) 4) <u>Unbound</u>.</p>		
<u>Services furnished by other membership organizations (CPC 9599)</u>		<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) <u>Unbound, except as indicated in Horizontal Commitments</u>.</p> <p>(Alberta): 1) 2) 3) 4) <u>Unbound</u>.</p>		
<u>Other services</u>		<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) <u>Unbound, except as indicated in Horizontal Commitments</u>.</p>		
<u>Washing, cleaning and dyeing services (CPC 9701)</u>				

*Without Prejudice*

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
Hairdressing and other beauty services (CPC 9702)	(Alberta): 1) 2) 3) 4) Unbound.  1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments.  (Alberta): 1) 2) 3) 4) Unbound.			
Funeral and cremation services (CPC 9703)	1) None, other than:  (Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.  (Quebec): Funeral directors must be permanent residents.  (Alberta): Unbound.  2) None, other than:  (Quebec): Funeral directors must be permanent residents.  (Alberta): Unbound.  3) None, other than:  (New Brunswick): Only residents of New Brunswick who are Canadian citizens or Canadian landed immigrants are eligible to be registered under the Act as an embalmer or			

***Without Prejudice***

Modes of supply:	1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on Market Access		Other Limitations	Additional Commitments
	<p>funeral director, or as an apprentice. Resident is not defined by the Act or Regulations, but in practice, the Board would consider such things as possession of a New Brunswick Medicare number or driver's licence, or an indication that income tax is filed with the Province.</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p><b>(Alberta): Unbound.</b></p> <p>4) <b>NoneUnbound</b>, except for the entry of a natural person which is as indicated in Part I: Horizontal Commitments, and:</p> <p>(Nova Scotia): The Minister has power to refuse to issue or reissue a licence in respect of a funeral home for any reasonable cause. The regulation provides that a person applying for an apprentice embalmer's licence must have completed one of two courses of study in Nova Scotia. If a person has completed a course of study in a jurisdiction other than Nova Scotia, the Board has the discretion not to approve and accept the course of study.</p> <p>(Quebec): Funeral directors must be permanent residents.</p> <p><b>(Alberta): Unbound.</b></p> <p><b>(Alberta): 1) 2) 3) 4) Unbound.</b></p>			
Other services (CPC 9709)	1) None 2) None			

*Without Prejudice*

Modes of supply:	1) Cross border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons		
Sector or subsector	Limitations on Market Access	Other Limitations	Additional Commitments
<u>Private households with employed persons</u>	<u>3) None</u> <u>4) Unbound, except as indicated in Horizontal Commitments</u>  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>		
<u>Private households with employed persons (CPC 980*)</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound, except as indicated in Horizontal Commitments</u>  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>		
<u>Services provided by extraterritorial organizations and bodies</u>			
<u>Services provided by extraterritorial organizations and bodies (CPC 990*)</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound, except as indicated in Horizontal Commitments</u>  <u>(Alberta): 1) 2) 3) 4) Unbound.</u>		

*Without Prejudice*

CANADA - LIST OF ARTICLE [...] MFN EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Film, Video and Television Programming Co-production	Differential treatment is accorded to works co-produced with persons of countries with which Canada may have co-production agreements or arrangements, as well as to natural persons engaged in such co-production.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Canadian audiovisual productions in Canada, to promote greater diversity among foreign audiovisual works on the Canadian market, as well as to promote the international exchange of audiovisual works.
Film, Video and Television Programming Co-production and Distribution	Differential treatment is accorded to works co-produced with persons of countries with which Québec may have co-production arrangements, and to natural persons engaged in such co-productions, as well as to natural and juridical persons engaged in film and video distribution pursuant to bilateral arrangements for the distribution of film, video and television programming in its territory.	All countries.	Indeterminate.	For reasons of cultural policy, including to improve the availability of Québécois audiovisual productions in Québec, to promote greater diversity among foreign audiovisual works on the Québec market, and to promote the international exchange of audiovisual works, as well as to ensure that Québec distributors have improved access to films originating from all parts of the world, while allowing partners in film distribution arrangements to continue to distribute in Québec films for which they are recognized as the producers or the holders of the world distribution rights.

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Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Fishing-Related Services	Licenses for access to Canadian waters for specific purposes, such as purchase of fuel and supplies, ship repair, crew exchanges and transhipment of fish catches, are granted only to fishing ships from a country with which Canada has favourable fishery relations, based primarily on adherence by that country to Canadian and international conservation practices and policies.	All countries.	Indeterminate.	Conservation of fisheries.
Insurance Intermediation: Agency Services	Preferential access to the Ontario insurance services market is provided to non-resident individual US insurance agents.	All states in the United States.	Indeterminate.	Reciprocity.
Maritime Transport	Preferential treatment may be accorded to services providers of countries with which Canada has agreements, arrangements and other formal or informal undertakings with respect to maritime activities in waters of mutual interest in areas such as: pollution control, safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control and maritime communications.	United States, France.	Indeterminate.	Bilateral agreements, arrangements and undertakings.

*Without Prejudice*

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport: Tonnage Dues	United States ships are exempt from the payment of tonnage dues when entering ports in the province of Ontario from the Great Lakes and their connecting and tributary waters.	United States.	Indeterminate.	Maintenance of existing historical preference.
International maritime transport (Freight and passengers) CPC 7211 and 7212, excluding cabotage - and maritime auxiliary services (as defined and CPC 742)	Canada may accord to services and service suppliers of [...] treatment less favourable than that it accords to like services and service suppliers of any other Party.	[...]	Indeterminate.	Reciprocity.
Air and Maritime Transport - Exemptions from tax	Exemption from taxes on income and capital of a non-resident person earned in Canada from the operation of a ship or aircraft in international traffic on the basis of reciprocity with the country in which the person resides.	All countries.	Indeterminate.	Maintenance of reciprocity as the basis for the tax reciprocity exemption.
Air Transport - aircraft repair and maintenance services provided by service suppliers located outside of Canada	Preferential treatment is extended to the supply of repair and maintenance services as defined in Article I-1:2(b) (consumption abroad) by some foreign repair and maintenance service suppliers.	All countries.	Indeterminate.	Air safety standards procedures.
Air Transport - the selling and marketing of air transport services	Bilateral air services agreements contain provisions that place limitations on the advertising, selling or marketing of specified air transport services.	All countries.	Indeterminate.	Bilateral air agreements.

*Without Prejudice*

Sector or sub-sector	Description of measure indicating its inconsistency with Article [...]	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Services incidental to agriculture - temporary entry of natural persons supplying services	Temporary entry of agricultural workers from countries with which Canada has signed a memorandum of understanding is subject to an accelerated process for labour certification.	Anguilla Antigua and Barbuda Barbados Dominica Grenada Jamaica Mexico Montserrat St. Kitts-Nevis St. Lucia St. Vincent Trinidad and Tobago	Indeterminate.	Seasonal shortages of experienced farm workers and requirement for guaranteed return passage.
All sectors	Canada accepts compulsory arbitration of investor/state investment disputes brought by or in respect of service suppliers of countries with which Canada may have agreements providing for such a procedure.	All countries.	Indeterminate.	Promotion and protection of foreign investment.