

Trade in Services

This chapter of the Economic Partnership Agreement (EPA) applies to measures of the European Community affecting trade in services by service suppliers of any CARIFORUM State and to measures of any CARIFORUM State affecting trade in services by service suppliers of the Community and its Members.

Negotiating Issue	CARIFORUM Position	Business Impact
Horizontal		
Offensive		
Multiple EU registration processes for professionals	Establish a single EU registration process for professionals from CARIFORUM	Service suppliers would avoid onerous registration procedures in every member state
Mode 3 citizenship requirements, discriminatory capital requirements; land purchase restrictions, equity caps, and economic needs tests (ENTs)	Under Mode 3, remove citizenship requirements, discriminatory capital requirements; land purchase restrictions, equity caps, and economic needs tests (ENTs) where still in place	Investment by CARIFORUM firms would be more readily facilitated
Eligibility for EU subsidies	Extend eligibility for subsidies to juridical and natural persons, including eligibility for education and training scholarships	Provision of Modes 3 and 4 services would be more readily facilitated through increased support to CARIFORUM services firms
Linking Temporary entry (Mode 4) to a requirement for commercial presence	Under Mode 4, remove the requirement that small service suppliers have commercial presence. Grant small service suppliers entry as individuals	Provision of Mode 4 services would be more readily facilitated for services providers without the capital to set up physical offices in the EU, or whose industry does not require this
Mode 4 - citizenship and residency requirements, economic needs tests ENTs and prior years of experience	Under Mode 4, remove citizenship and residency requirements, as well as economic needs tests ENTs and prior years of experience, where they still exist	Provision of Mode 4 services would be more readily facilitated for non-EU residents and based on commercial relationships, referrals or interests
Requirements for an economic needs test (ENT) for intra-corporate transferees, business visitors, contract service suppliers, and professionals	Remove requirements for an economic needs test (ENT) for intra-corporate transferees, business visitors, contract service suppliers, and professionals	Provision of Mode 4 services would be more readily facilitated because of reduced bureaucracy
Limited list of contract service suppliers and independent professionals covered under the EU's Mode 4 horizontal commitments	Expand the list of contract service suppliers and independent professionals covered under the EU's Mode 4 horizontal commitments	Provision of Mode 4 services would be more readily facilitated for more types of services providers and there would be increased access to a wider range of contractors
Restrictions on legal form	Remove restrictions on legal form, allowing all legally registered juridical persons in CARIFORUM access to the EU market	Investment by CARIFORUM firms would be more readily facilitated because they may not have to use limited resources incorporate or set up subsidiaries
Defensive	EU Position	Business Impact
Definition of Small Business	The EU requests clarification of a small business	This definition should be in line with relevant legislation

Quantitative Restrictions for intra-corporate transferees, business visitors or contractual service suppliers	The EU has requested removal of quantitative restrictions for these categories	This request must be reconciled with size constraints of CARIFORUM firms and economy
ENT for intra-corporate transferees, business visitors or contractual service suppliers	The EU has requested removal of the requirement for ENT for these categories	This request must be reconciled with size constraints of CARIFORUM firms and economy
Sectoral		
Offensive	CARIFORUM Position	Business Impact
Legal Services (CPC 861)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM lawyers would be able to provide services more readily
Accounting (CPC 862)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM accountants would be able to provide services more readily
Architectural Services (CPC 867)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM architects would be able to provide services more readily
Midwives and Nurses (CPC 93191)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM Midwives and Nurses would be able to provide services more readily especially in Mode 4
Computer and Related Services (CPC 84)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide computer services more readily. This is sector that would benefit from investment, coincides with requests made of CARIFORUM and could probably be liberalized further
Research and Development (CPC 851)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily. This sector is dependent on investment
Management consulting services (CPC 865); and Services related to management consulting (CPC 866)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM professionals would be able to provide services more readily
Telecommunications (CPC 752)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily. This sector is capital dependent
Audio-visual Services (CPC 9611)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily
Educational Services (CPC 921)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily. This sector is already being liberalized
Health-related services (CPC 931) also "Spa" services	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily
Entertainment (CPC 9619)	Request access to the EU market in Modes 1,2,3 and 4 as outlined in the Horizontal section	CARIFORUM providers would be able to provide services more readily

Defensive	EU Position	Business Impact
Legal Services (CPC 861)	The EU has requested commitments by qualified lawyers in legal consultancy on public international law and law of jurisdiction in Modes 3 and in Mode 4 as outlined in the Horizontal section	Commitments in these sectors may not affect local practitioners or firms who do not currently offer these services.
Computer and Related Services (CPC 84)	The EU has requested full commitments in Modes 1,2 and 3; and in Mode 4 as outlined in the Horizontal section	CARIFORUM suppliers may benefit from investment (Mode 3) in this sector
Management consulting services (CPC 865); and Services related to management consulting (CPC 866)	The EU has requested full commitments in Modes 1,2 and 3; and in Mode 4 as outlined in the Horizontal section for both sectors	CARIFORUM nationals currently offer these services on the basis of specialised professional expertise. Foreign service suppliers may also have certified management consultant accreditation that CARIFORUM nationals do not have. CARIFORUM nationals should seek such accreditation to offer Modes 2 and 4 services
Data transmission services (CPC 7523)	The EU has requested that CARIFORUM countries undertake commitments in this sector	Further liberalisation of the telecommunications sector directly affects ability to competitively provide all other services but must be reconciled with existing arrangements.
Catering (C9C 6423)	The EU has requested that CARIFORUM countries undertake commitments in this sector	Investment in this sector including via joint ventures may create opportunities for CARIFORUM nationals to provide Mode 2 services. Assessment of this request should reconcile the current level of competitiveness of CARIFORUM caterers and firms with the extent of already existing foreign participation
Travel agencies and Tour operators (CPC 7471)	The EU has requested that CARIFORUM countries consider taking commitments in this sector	This sector should be assessed in line with its central role in the tourist sector. Foreign providers are likely to be highly capitalized providing significant competition to CARIFORUM nationals
International Transport (freight and passenger) CPC 7211 and 7212 less cabotage	The EU has requested commitments in Modes 1 – Liner shipping; bulk tramp, passenger and other international shipping; 2 and 3 – establishment of registered company to operate fleet and supply international maritime services; and in Mode 4 – ships’ crews and key personnel required for establishment as outlined in the Horizontal section for both sectors	These services are increasingly provided by foreign providers, are central to tourism services and would benefit from investment
Maritime cargo handling services	The EU has requested commitments in Modes 1 – transshipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment; 2 and 3	These services are increasingly provided by foreign providers, are central to tourism services and may benefit from investment
Storage and Warehousing Services (CPC	The EU has requested commitments in Modes 2 and 3	Investment in this sector may be beneficial

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Customs Clearance services	The EU has requested commitments in Modes 2 and 3	This sector should be assessed in line with its central role in goods clearance. Foreign providers are likely to be highly capitalized providing significant competition to CARIFORUM nationals
Container Station and Depot services	The EU has requested commitments in Modes 2 and 3	The Government may have interest in this sector
Maritime agency services	The EU has requested commitments in Modes 1, 2 and 3	Commitments in this area may be associated with international transport and maritime cargo and handling services
(Maritime) freight forwarding services	The EU has requested commitments in Modes 1, 2 and 3	This sector should be assessed in line with its central role in goods clearance. Foreign providers are likely to be highly capitalized providing significant competition to CARIFORUM nationals