

APPENDIX 5A-e TO ANNEX 5A

REFERRED TO IN ARTICLE 5.4 (SCHEDULE OF SPECIFIC COMMITMENTS)

SWITZERLAND'S SCHEDULE OF SPECIFIC COMMITMENTS

1. This Schedule of Specific Commitments indicates the sectors liberalised pursuant to Article 5.4 (Schedule of Specific Commitments) of the Agreement and, by means of reservations, the conditions and qualifications on national treatment that apply to juridical and natural persons of another Party and to the commercial presence of such persons in those sectors.
2. This Schedule of Specific Commitments is composed of the following elements:
 - (a) the first column indicating the sector or sub-sector in which the commitment is undertaken by Switzerland and the scope of liberalisation to which the reservations apply;¹ and
 - (b) the second column describing the applicable reservations on national treatment.
3. For the purposes of this Appendix, "ISIC Rev 4" means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 4/Rev.
4. For greater certainty, non-discriminatory requirements as regards the type of legal form of an establishment do not need to be specified in this Schedule of Specific Commitments in order to be maintained or adopted by Switzerland.
5. For greater certainty, this Schedule of Specific Commitments only covers activities which fall under the scope of Chapter 5 (Investment) of the Agreement. Where a listed sector or sub-sector also contains an element of supply of services, only the non-services aspects of the sector or sub-sector shall be committed in this Schedule of Specific Commitments.
6. The rights and obligations arising from the list below shall have no self-executing effect and thus not confer rights directly on natural or juridical persons.

¹ For clarity, commercial presence in sectors or sub-sectors covered by Chapter 5 (Investment) and not mentioned in the Schedule of Specific Commitments is not committed.

Sector or sub-sector	Description of Reservations
ALL SECTORS	<u>Composition of Governing Bodies /Representatives of Branch Offices</u> For a “corporation” (<i>société anonyme / Aktiengesellschaft</i>), a “corporation with unlimited partners” (<i>société en commandite par actions / Kommanditaktiengesellschaft</i>), a “limited liability company” (<i>société à responsabilité limitée / Gesellschaft mit beschränkter Haftung</i>) and a “cooperative” (<i>société cooperative / Genossenschaft</i>) at least one member of the governing body of the juridical person or another person with the right to represent the juridical person must be domiciled in Switzerland. A foreign juridical person may also establish one or several branch offices in Switzerland. At least one person of the branch office with the right to represent the branch office must be domiciled in Switzerland.
ALL SECTORS	<u>Acquisition of real estate</u> Acquisition of real estate by persons abroad is subject to authorisation by the relevant cantonal authority. For the purpose of a permanent business establishment or a main residence, authorisation is granted upon verification of the purpose.
ALL SECTORS	<u>Investment Screening</u> Foreign participation in Swiss companies may be subject to prior notification requirements, examination or authorisation by the relevant Swiss authorities. Any such requirements shall be applied in accordance with domestic law, in a non-arbitrary and good faith manner.

Sector or sub-sector	Description of Reservations
A. AGRICULTURE, FORESTRY AND FISHING	
<u>Crop and Animal Production and Hunting and Related Service Activities</u> (ISIC Rev 4: 011, 012, 013, 014, 015, 016, 017)	None
<u>Forestry and Logging</u> (ISIC Rev 4: 021, 022, 023)	None
<u>Fishing and Aquaculture</u> (ISIC Rev 4: 031, 032)	None
B. MINING AND QUARRYING	
<u>Mining of Coal and Lignite</u> (ISIC Rev 4: 051, 052)	None
<u>Mining of Metal Ores</u> (ISIC Rev 4: 071, 072)	None
<u>Other Mining and Quarrying</u> (ISIC Rev 4: 081, 089)	Unbound for the extraction of salt in ISIC Rev 4: 0893
C. MANUFACTURING	
<u>Manufacture of Food Products</u> (ISIC Rev 4: 101, 102, 103, 104, 105, 106, 107, 108)	Unbound for manufacture of salt into food-grade salt, e.g. iodised salt in ISIC Rev 4: 1079

Sector or sub-sector	Description of Reservations
<u>Manufacture of Beverages</u> (ISIC Rev 4: 110)	Unbound for manufacture of wine in ISIC Rev 4: 1102
<u>Manufacture of Textiles</u> (ISIC Rev 4: 131, 139)	None
<u>Manufacture of Wearing Apparel</u> (ISIC Rev 4: 141, 142, 143)	None
<u>Manufacture of Leather and Related Products</u> (ISIC Rev 4: 151, 152)	None
<u>Manufacture of Wood and of Products of Wood and Cork, except Furniture; Manufacture of Products of Straw and Plaiting Materials</u> (ISIC Rev 4: 161, 162)	None
<u>Manufacture of Paper and Paper Products</u> (ISIC Rev 4: 170)	None
<u>Printing and Reproduction of Recorded Media</u> (ISIC Rev 4: 181, 182)	None
<u>Manufacture of Coke and Refined Petroleum Products</u> (ISIC Rev 4: 191, 192)	None

Sector or sub-sector	Description of Reservations
<u>Manufacture Chemicals and Chemical Products</u> (ISIC Rev 4: 201, 202, 203)	Unbound for the enrichment of uranium and thorium ores and production of fuel elements for nuclear reactors in ISIC Rev 4: 2011
<u>Manufacture of Pharmaceuticals, Medicinal Chemical and Botanic Products</u> (ISIC Rev 4: 210)	None
<u>Manufacture of Rubber and Plastic Products</u> (ISIC Rev 4: 221, 222)	None
<u>Manufacture of other Non-Metallic Mineral Products</u> (ISIC Rev 4: 231, 239)	None, unbound for cement in ISIC Rev 4: 2394
<u>Manufacture of Basic Metals</u> (ISIC Rev 4: 241, 242, 243)	None
<u>Manufacture of Fabricated Metal Products, except Machinery and Equipment</u> (ISIC Rev 4: 251, 252, 259)	Unbound for manufacture of nuclear reactors in ISIC Rev 4: 2513
<u>Manufacture of Computer, Electronic and Optical Products</u> (ISIC Rev 4: 261, 262, 263, 264, 265, 266, 267, 268)	None

Sector or sub-sector	Description of Reservations
<u>Manufacture of Electrical Equipment</u> (ISIC Rev 4: 271, 272, 273, 274, 275, 279)	None
<u>Manufacture of Machinery and Equipment n.e.c.</u> (ISIC Rev 4: 281, 282)	None
<u>Manufacture of Motor Vehicles, Trailers and Semi-Trailers</u> (ISIC Rev 4: 291, 292, 293)	None
<u>Manufacture of other Transport Equipment</u> (ISIC Rev 4: 301, 302, 304, 309)	None, manufacture of railway locomotives and rolling stock may be subject to joint venture.
<u>Manufacture of Furniture</u> (ISIC Rev 4: 310)	None
<u>Other Manufacturing</u> (ISIC Rev 4: 321, 322, 323, 324, 325, 329)	None