

AGREEMENT
on Trade in Services and Investments in the Member States of
Common Economic Space

The Government of the Republic of Belarus, the Government of the Republic of Kazakhstan and the Government of the Russian Federation, hereinafter referred to as the Parties,

having regard to the Agreement on the Common Economic Space formation dated September 19, 2003,

guided by the Treaty on establishing the Eurasian Economic Community dated 10 October 2000, implementing the provisions of the Treaty on the Customs Union and the Common Economic Space dated February 26, 1999,

desiring to create conditions for the expansion of bilateral trade in services and enhancing its liberalization level

desiring to establish common principles and rules for the mutual trade in services in the member states of the Common Economic Space in order to promote economic growth of such countries

desiring to create favorable conditions for investment by persons of one Party in the territories of the other Parties,

have agreed as follows:

Article 1

For the purposes of this Agreement, the following terms mean:

- a) "regulatory legal acts of a Party" - laws and other normative legal acts of a State Party;
- b) "measure of a Party" - normative legal act of a Party, and the decision, act or omission of body or official of this State Party, which are accepted at any level of state authority of this Party, its local authorities or agencies in the exercise of powers delegated them by such bodies.

In case of adoption (publication) of official document by the body of the State Party, legally-binding, such a recommendation can be considered a measure for the purposes of this Agreement, if it is proved that, in practice, the primary part of the recommendation recipients (public, regional and (or) municipal authorities of the State Party, non-governmental bodies of the Party, persons of the Party, as well as persons of the other Parties, as well as those of any third country) follow it;

- c) "territory of the Party" - the territory of the State Party;
- d) " person of a Party" - any individual or legal entity of a Party;
- e) "individual of a Party" - any natural person who is a national of that Party in accordance with its regulatory and legal acts;
- f) "legal entity of a Party" - a legal entity of any organizational legal form, created or organized in the territory of a Party in accordance with the regulatory legal acts of that Party;
- g) " establishment":
 - i. creation, establishment and (or) the acquisition of a legal entity (equity of created or established legal entity) of any organizational legal form and ownership, provided in accordance with regulatory legal acts of the Party in which territory such legal entity is created or established, or
 - ii. acquisition of control over a legal entity of the Party, expressed in the potential, directly or through third parties to determine the decisions made by such legal entity, including by disposal votes accrued to the voting shares (stock), by participating in the board of directors (supervisory board) and other management bodies of a legal person, or
 - iii. opening of a branch, or
 - iv. opening of a representative office, or
 - v. registration as a individual entrepreneur;
- h) "activity" - the activities of legal entities, branches, representative offices and (or) individual entrepreneurs specified in subparagraphs "i" - "v" of paragraph "g" of this article;
- i) "trade in services" - services, which includes the production, distribution, marketing, sale, and delivery of services in the following ways:
 - i. from the territory of one Party to the territory of the other Party, or

- ii. in the territory of one Party, by the person of one Party to the person of the other Party;
- g) "service supplier" - any person who provides a service within the implementation of activities and trade in services.

Chapter I

Establishment and activity

Article 2

1. The provisions of the chapter shall apply to any measures of the Parties, related to the establishment, and (or) activity.
2. The provisions of the chapter shall not apply to the territory of a Party to the activity, which is in accordance with the legislation of that Party associated with the functions of governmental power.
3. This Agreement shall apply to the establishments created, acquired or controlled by legal entities, branches, representative offices, individual entrepreneurs registered by the date of the entry into force of the Agreement and continues to exist, as well as establishments created, acquired, controlled or registered after the Agreement enters into force.

Article 3

1. Each Party shall provide to persons of any other Party concerning the establishment and (or) activity no less favorable treatment than that provided under similar circumstances to its own persons in its territory, taking into account the restrictions provided by the individual national list for each Party in Annex IV to this Agreement.
2. Each Party shall provide in similar circumstances to persons of any other Party concerning the establishment and (or) activities in its territory no less favorable treatment than that accorded to persons of States that are not parties of this Agreement.
3. Nothing in this Agreement prevents the Parties to enter into agreements on economic integration, meeting the requirements of paragraph 4 of this Article. Each Party which has entered into the agreement on economic integration with any State not party to this Agreement shall provide in similar terms to other Parties on a reciprocal basis for concessions that it provides within the agreement on economic integration. The concessions in this paragraph are cancellation of one or more restrictions stipulated in its individual national list in Annex IV to this Agreement.
4. For the purposes of this Agreement, the agreements on economic integration between a Party and the State(s) which is (are) not a party to this Agreement shall be deemed agreements that meet the following criteria:
 - i. cover a significant number of service sectors, and does not rule out a priori of any way of supply of services and the issues of establishment and activity;
 - ii. aimed at the elimination of existing discriminatory measures, and to prohibit the introduction of new ones;
 - iii. aimed at liberalizing trade in services.The purpose of this agreement on economic integration is to facilitate the trade in services and the conditions of establishment and activity between its members, and in respect of any third country, such an agreement should not lead to an increase in the overall level of barriers to trade in services in certain sectors or subsectors compared to the level that was used before conclusion of such an agreement.
5. The Party that has concluded an agreement on economic integration, referred to in paragraph 3 of this Article with any State not a party to this Agreement, shall provide information on the conclusion of such an agreement to the other Parties within one month from the date of its signing.

Article 4

1. With the exception of the restrictions provided for individual national list for each party in Annex IV to this Agreement, a Party shall not apply and impose with regard of persons of any other Party in connection with the establishment and (or) activity limitation in respect of:

- a) form of the establishments, including the organizational legal form of a legal entity;
- b) the number of produced, established and (or) acquired legal entities, branches and representative offices, registered individual entrepreneurs;
- c) the amount of the purchased shares in the capital of the legal entity or the degree of control over the legal entity;
- d) operations of established, created, acquired or controlled legal entity, branch, representative office, registered individual entrepreneur in the course of their activities in the form of quotas, economic needs tests or any other quantitative form.

2. Subject to the provisions of the Agreement on the legal status of migrant workers and members of their families dated November 19, 2010, each of the Parties does not apply and impose in personam of any other Party limitations associated with hiring workers for the activities of established, created, acquired or controlled legal entity, branch, representative office, the registered individual entrepreneur, with the exemption of the limitations provided for individual national list for each party in Annex IV to this Agreement. The provision of this paragraph shall not apply to the requirements for education, experience, skills, employees' reputation, if the application of such rules does not lead to actual discrimination against workers depending on citizenship.

Article 5

1. With the exemption of the restrictions provided for individual national list for each party in Annex IV to this Agreement, a Party shall not implement and apply to persons of other Parties as a condition in connection with the establishment and (or) the activities of the following additional requirements:

- a) to export all or part of the goods or services produced;
- b) to import goods or services;
- c) to purchase or use products or services, the state of origin of which is a State Party;
- d) requirements that restrict the sale of goods or supply of services in the territory of the Party, the import or export of goods to/from the territory of that Party, and linked with the volume of goods manufactured (service delivery), the use of local goods and services or restrict access of the enterprise to a foreign currency due in connection with the transactions described in this paragraph;
- e) transfer technologies, know-how and other information of commercial value, with the exception of case they are transferred on the basis of the decision of a court or body authorized in the field of competition, while respecting the rules of the competition policy, established by other agreements between the Parties.

2. Compliance with the requirements specified in paragraphs "a" - "e" of paragraph 1 of this Article may also be the basis for any preference by the person of any Party in connection with the establishment or activity in the territory of the other Party.

3. The provisions of this Article shall apply without prejudice to any other agreements of the Parties under the agreements of the Customs Union and the Common Economic Space.

Article 6

1. In accordance with the obligations under the Agreement on common principles and rules of regulation of natural monopolies dated 12.09.2010, and notwithstanding the provisions of paragraph 1 of Article 4 of this Agreement, each Party may maintain in its territory the legal entities, that are subjects of natural monopolies.

2. The Party, which maintains in its territory the legal entities, referred to in paragraph 1 of this Article shall ensure that such legal entities will act in a manner consistent with the obligations of the Parties under the Agreement on common principles and rules of regulation of subject's activity of natural monopolies dated 12.09.2010

3. If a legal entity of a Party referred to in paragraph 1 of this Article competes directly or through its controlled legal entity outside the scope of its monopoly rights with persons of the other Parties, the first Party shall ensure that this legal entity does not abuse its monopoly position acting in the territory of the first Party in a manner inconsistent with the obligations of such first Party under this Agreement.

Chapter II
Cross-border trade in services
Article 7

1. The provisions of this chapter shall apply to the Parties' measures concerning trade in services, understood as measures in respect of:
 - i. purchase, payment or use of services;
 - ii. access to and use of services in connection with the provision of services in respect of which such Parties shall require the conclusion of a public contract.
2. The provisions of this chapter shall not apply to:
 - a) air transport traffic rights and services directly related to traffic rights, other than:
 - i. repair and maintenance of aircraft;
 - ii. selling and marketing of air transport services;
 - iii. computer reservation system services;
 - b) the procurement of services by government agencies for governmental purposes and not for a purpose of commercial resale or to use in the supply of services for commercial sale;
 - c) services provided in the exercise of public authority;
 - d) the provision of subsidies.

Article 8

Peculiarities of trade in services of communications and financial services are regulated by Annexes I and V of this Agreement.

Article 9

1. Each Party shall provide for services and service suppliers of any other Party with respect to trade in services, no less favorable treatment than that accorded under similar circumstances to its own like services and providers in the sectors and subject to the restrictions and conditions provided by individual national list for each of the Parties in Annex III to this Agreement.
2. Each Party shall provide, in similar circumstances, to services and service suppliers of any other Party with respect to trade in services, no less favorable treatment than that accorded to like services and service suppliers, that are not Party to this Agreement, other than as required by individual national list for each of the Parties in Annex II to this Agreement.
3. Nothing in this Agreement prevents the Parties to enter into agreements on economic integration, meeting the requirements of paragraph 4 of this Article. Each Party which has entered into an agreement on economic integration, referred to in paragraph 4 of this Article with any State not a party to this Agreement, shall provide in similar terms to other Parties on the basis of mutual concessions, which it provides within the framework of the agreement on economic integration. The concessions in this paragraph are cancellation by the Party referred to in this paragraph, one or more restrictions provided by its individual national lists in Annexes II - III to this Agreement, as well as commitments similar to the obligations provided by paragraph 1 of this Article, in sectors not included in the individual national list of its Annex III to this Agreement.
4. For the purposes of this Agreement, the agreements on economic integration between a Party and the State(s) which is (are) not a party to this Agreement shall be deemed agreements that meet the following criteria:
 - i. cover a significant number of service sectors, and does not rule out a priori of any way of supply of services and the issues of establishment and activity;
 - ii. aimed at the elimination of existing discriminatory measures, and to prohibit the introduction of new ones;
 - iii. aimed at liberalizing trade in services.

The purpose of this agreement on economic integration is to facilitate the trade in services and the conditions of establishment and activity between its members; and in respect of any third country, it should not lead to an increase in the overall level of barriers to trade in services in certain sectors or subsectors compared to the level that was used before conclusion of such an agreement.

5. The Party that has concluded an agreement on economic integration, referred to in paragraph 3 of this Article with any State not a party to this Agreement, shall provide information on the conclusion of such an agreement to the other Parties within one month from the date of its signing.

Article 10

1. In sectors listed in Annex III to the Agreement, with the exception of the restrictions provided by Annex IV, specified to in Article 9 of the Agreement, a Party shall not apply and impose with regard of services and services suppliers of any other Party in connection with the trade in activity of restrictions in respect of:

a) the number of services suppliers in the form of quotas, monopoly, economic needs tests or any other quantitative form.

d) operations of any services supplier in the form of quotas, monopoly, economic needs tests or any other quantitative form.

Article 10bis

In the sectors listed in Annex III to this Agreement, except as provided in the annexes referred to in Article 9 of this Agreement, a Party shall not implement and apply with regard of service supplier of another Party requirements of establishment (as defined in "g" of Article 1 of this Agreement) as a condition for trade in services.

Article 11

The Parties shall at least once every 3 years conduct negotiation to reach a higher level of liberalization aimed at gradually reduce the number of the restrictions specified in Article 9 of this Agreement, and restrictions set forth in Article 10 of this Agreement.

Chapter IV

Entry, exit, residence and employment of individuals

Article 12

Entry, exit, residence and employment of individuals are established by national legislation and international treaties to which States are Parties.

Chapter V

Transparency

Article 13

1. Each Party shall ensure that any regulatory legal acts of the Party, which affect or may affect the matters covered by this Agreement, have been published in the Official Gazette and, if possible, on a dedicated website so that any person whose rights and (or) obligations which may be affected by such regulatory legal acts of the Party, has an opportunity to review them.

2. Publication of regulatory legal acts referred to in paragraph 1 of this Article shall include an explanation of the purposes of these regulatory legal acts.

3. Any regulatory legal acts referred to in paragraph 1 of this Article shall be published in due time, ensuring legal certainty and reasonable expectations of persons, whose rights and (or) obligations may be affected by these regulatory legal acts of the Party, but in any case before the date of their entry effect.

4. Each Party shall establish a mechanism to ensure the provision of answers to written questions of any person relating to the current and (or) the planned regulatory legal acts on the matters covered by

this Agreement. Responses to requests should be granted to the interested party not later than 30 days after receipt of a written request.

Chapter VI Domestic Regulation

Article 14

With regard to measures of the Parties affecting trade in services, the Parties shall apply the following provisions.

1. With respect to sectors included in the annex referred to in Article 9 of this Agreement, each Party shall ensure that all measures of that Party affecting trade in services are applied in a reasonable, objective and impartial manner.

2. a) Each Party shall have or establish, as soon as practicable possible, judicial, arbitral or administrative authorities or procedures which provide, on request of service supplier, whose interests are affected, for the prompt review and informed action, correcting the relevant administrative decisions affecting trade in services. In cases where such procedures are not independent of the agency entrusted to take the administrative decision, the Party shall ensure that the procedures serve an objective and impartial review.

b) The provisions of sub-paragraph "a" of this paragraph do not provide for requirement to the Parties to create such authorities or procedures where this is inconsistent with its constitutional structure or the nature of its court system.

3. Where permits is required for the delivery of services that are included in the annexes referred to in Article 9 of this Agreement, the authorized bodies of the Party shall within a reasonable period of time after the submission of the application, which is deemed to be executed according to the requirements of national legislation and regulatory rules, inform the applicant of the decision concerning the application. At the applicant's request the authorized bodies of the Parties shall provide information on the status of the application without undue delay.

4. To maintain this position, the measures relating to qualification requirements and procedures, technical standards and licensing requirements do not constitute unnecessary barriers to trade in services, the Parties have a right to develop any necessary rules through the authorized bodies that they can create. These rules are intended to ensure that such requirements are, inter alia:

a) based on objective and transparent criteria, such as competence and the ability to supply the service;

b) not more burdensome than necessary to ensure the quality of services;

c) in the case of licensing procedures - not a restriction to the supply of the service.

5. a) In the service sectors included in the annexes referred to in Article 9 of this Agreement, until the entry into force of rules developed for these sectors pursuant to paragraph 4 of this Article, the Parties shall not apply licensing and qualification requirements and technical standards that nullify or impair benefits which are provided under the terms included in the annexes referred to in Article 9 of this Agreement, by way which:

i) does not meet the criteria specified in paragraphs "a", "b" or "c" of paragraph 4 of this Article;

ii) could not reasonably be expected from the Party on the date of signature of this Agreement.

b) When evidence of the undertaking by the Party referred to in sub-paragraph "a" of paragraph 5 of this article, attention is drawn to international standards of relevant international organizations applied by it.

6. In the annexes referred to in Article 9 of this Agreement include the obligation in the field of professional services, each Party shall provide appropriate procedures to verify the competence of professionals of any other Party.

Article 15

If a Party applies licensing in respect of the establishment and (or) activity, that Party shall ensure that:

i. names of the authorized government agencies responsible for issuing licenses for activities have been published or otherwise brought to the notice;

- ii. licensing procedures are not in themselves a restriction to the establishment or activity, and that the licensing requirements directly related to the right to business, were not in themselves unreasonable barrier to the activity;
- iii. all licensing procedures and requirements have been established in the regulatory legal acts and any regulatory legal act which establish or maintain procedures or licensing requirements is published prior to the date of its entry into force in accordance with Article 14 of this Agreement;
- iv. licensing authorities decide to grant (or refusal) to issue a license for a period of time specified in the relevant regulatory legal act, but in any event no later than 30 days from the date of receipt of the application for license issue. The terms of the decision to grant (or refusal) the license in respect of the financial services sector are set out in Annex V to this Agreement;
- v. any fees charged in connection with the submission and consideration of applications for the grant of a license, are not in themselves a restriction to the establishment and activity and based on the costs of the licensing authority concerning the application review and issuance of licenses (permits);
- vi. after a period of time specified in paragraph "iv" of this article, and at the request of the applicant, the relevant licensing authority of the Party informed the applicant of the status of his application, and whether this statement is duly filled. In any event, the applicant will be given the opportunity to make technical corrections to the statement. Application will not be considered properly filled up until all the information and documents referred to in the relevant laws and other regulatory legal acts of the Party will be received;
- vii. at the written request of the applicant, who was refused to accept the application, the licensing authority, which refused to accept the application, in writing, informed the applicant of the reasons for such refusal. However, this provision shall not be construed as required the licensing authority to disclose information, the disclosure of which prevents law enforcement or otherwise is contrary to the public interest or essential security interests;
- viii. when it is refused to accept the application, the applicant may submit a new application, in which he could try to fix any problems to grant the available license (permits);
- ix. an issuing license was valid throughout the territory of the Party. Annex I to this Agreement may establish exceptions from the provisions of this paragraph.

Article 16

1. The Parties shall seek to unify their national legislation in accordance with international principles and standards of international practice in the field of regulating the trade in services, as well as establishment and activity, with a view to the completion of the single market services and capital formation.
2. With this view, the Parties shall conduct negotiations at least twice a year for compliance of: priority areas of regulating and (or) economic sectors in terms of the need for uniformity of the legislation;
plan and harmonization time-schedule.
3. The negotiations referred to in paragraph 2 of this Article shall be completed no later than 5 years from the date of entry into force of this Agreement.
4. Financial and communications services sectors cannot be a priori excluded from the negotiations referred to in paragraph 2 of this Article.
5. The mechanism of harmonization of the rules for the carrying out activity in the financial services sector by the persons of the Parties in the territory of any other Party is established by Annex V to this Agreement.

Chapter VII State participation

Article 17

Each Party shall provide in its territory no less favorable treatment than that accorded to its own persons with regard to participation in the privatization to persons of the other Party.

Article 17bis

1. In case persons stay in the territory of the Party in which capital the state of the Party participates, or which are controlled by the government of that Party, the Party shall ensure that such persons:

a) carry out their activities on the basis of commercial considerations and act in relations governed by this Agreement:

i. on the basis of equality principle with the other participants of these relations;

ii. on the basis of the principle of non-discrimination of other participants of these relations depending on their nationality, place of incorporation (establishment), the organizational legal form or ownership, as well as

b) do not get the rights, privileges and obligations solely by virtue of the participation of the State Party in their capital or control of the State Party, except when the activities of such persons in whose capital the state participate or state-controlled, is aimed at solving social policy problems of the Party.

2. The provisions of paragraph 1 of this Article shall also apply to the enterprise, endowed with a formal or de facto exclusive rights or special privileges, except for companies endowed with rights and (or) the privileges included pursuant to subparagraphs "b" and "c" of paragraph 1 of Article 4, subparagraph "i" of paragraph 1 of Article 10 of this Agreement in the individual national lists of the Parties listed in Annex IV to this Agreement, and enterprises that are stored in accordance with paragraph 1 of Article 6 of this Agreement.

3. Each Party shall ensure that all authorities of the state of the Party at any level of governmental power of the state of the Party or the local authorities to be independent, not controlled and accountable to any person engaged in business activities in the economic sector, regulating of which is within the scope of the relevant body. Measures of that Party, including decisions of the authority referred to in this paragraph, rules and procedures established and applied by it must be impartial and objective in relation to all persons involved in economic activities.

Chapter VIII General Provisions

Article 18

1. Nothing in this Agreement prevents any Party to take or use the following measures, including the implicit restrictions, provided that such measures are not applied in a manner that creates means of arbitrary or unjustifiable discrimination between persons of the Parties in respect of trade in services and establishment (or) activity, namely:

a) necessary to protect public morals or to maintain public order. Exceptions for reasons of public order can only be applied in cases where there is real and sufficiently serious threat in respect of one of the fundamental interests of society;

b) necessary to protect the life or health of humans, animals or plants;

c) necessary to comply with laws or rules which are consistent with the provisions of this Agreement, including those relating to:

(i) the prevention of deceptive and unfair practices or the effects of a default civil law contracts;

(ii) the protection of the privacy of individuals in the processing and distribution of personal data and the protection of confidentiality of individual records and accounts;

d) inconsistent with paragraph 1 of Article 3, paragraph 1 of Article 9 of this Agreement in the part of providing the national treatment, provided that the difference in actually provided treatment is dictated by the desire to ensure a fair and efficient taxation or the imposition of taxes on persons of the other Party with regard to the establishment, activity and trade in services;

e) inconsistent with paragraph 2 of Article 3, paragraph 2 of Article 9 of this Agreement, provided that the difference in treatment is the result of an agreement on taxation, including the agreement on the avoidance of double taxation, which member is a Party.

2. Each Party shall not use mitigation requirements under its regulatory legal acts concerning the protection of life and health, environment, safety and labor standards as a mechanism of attracting persons of other Parties, as well as those of the third States for the establishment in its territory.

Article 19

Nothing in this Agreement shall be construed as preventing any Party from taking any action which it considers necessary for the protection of its essential interests of national defense or national security.

Article 20

1. If a Party maintains, in respect of a third state, restrictions or prohibitions with regard of the establishment, activity and trade in services, nothing in this Agreement shall be construed as obliging a Party to extend to persons of the other Party the provisions of this Agreement, if such a person is owned or controlled by a person the third country, and the extension of the provisions of this Agreement will lead to the elimination or violation of the above prohibitions and restrictions.

2. A Party may not extend its obligations assumed by it under this Agreement to persons of the other Party for the establishment, activity and trade in services, if such a person of the other Party has no substantial business activities in the territory of the other Party, and it is owned or controlled by a person of the first Party or a person of a third State which is not a party to this Agreement.

Article 21

1. Each Party shall cancel and not introduce new restrictions on transfers and payments in connection with the establishment and activities, as well as trade in services, for which a Party is committed in accordance with Articles 3 and 9 of this Agreement, respectively, except as provided in Article 22 of this Agreement.

2. Nothing in this Agreement shall affect the rights and obligations of any Party deriving from its membership in the International Monetary Fund, including the rights and obligations relating to foreign exchange control measures, provided that such measures comply with the Articles of Agreement of the International Monetary Fund dated July 22, 1944 ., and (or), provided that the Party does not impose restrictions on the transfer of payments that are incompatible with its obligations under this Agreement regarding such transactions, except as provided in Article 22 of this Agreement, or cases of restrictions at the request of the International Monetary Fund .

Article 22

In the case of deterioration of the balance of payments, a substantial reduction in foreign exchange reserves, sharp fluctuations of the national currency, or threat thereof, a Party may impose restrictions on the transfer of payments referred to in paragraph 1 of Article 21 of this Agreement.

2. The restrictions referred to in paragraph 1 of this Article:
- a) shall not create discrimination between the Parties;
 - b) shall comply with the Articles of Agreement of the International Monetary Fund dated July 22, 1944;
 - c) shall not cause unnecessary damage to the commercial, economic and financial interests of any other Party;
 - d) shall not be more burdensome than necessary to overcome the circumstances referred to in paragraph 1 of this Article;
 - e) shall be temporary and phased out as far as the disappearance of the circumstances referred to in paragraph 1 of this Article.

3. In determining the incidence of such restrictions, the Parties may give priority to the goods or services supply which is more essential to their economic or development programs. However, such restrictions are not set out or maintained for the purpose to protect a particular sector of the economy.

4. Any restrictions adopted or maintained by the Party in accordance with paragraph 1 of this article, or any amendments thereto are subject to immediate notification to the other Parties.

Chapter IX Final provisions

Article 23

If the separate agreements of the Common Economic Space of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation stipulates other measures in trade in services, than those that are defined by individual national lists for each party in Annex II - IV to this Agreement, the provisions of such separate agreements are applied.

Article 24

Disputes between the Parties concerning the interpretation and (or) the application of this Agreement shall be settled through consultation and negotiation.

If the dispute cannot be settled by the Parties within six months from the date of receipt of formal written request for consultations and negotiations send by one party to the dispute to the other party to the dispute, each party to the dispute may refer it to the Court of the Eurasian Economic Community.

Article 25

Annex I - V to this Agreement are an integral part.

Article 26

This Agreement shall be open for accession of any State of the Customs Union on the basis of the terms agreed in the negotiations between the acceding country and the states of the Parties for which the Agreement entered into force.

Article 27

This Agreement may be amended and supplemented by mutual agreement of the Parties.

Article 28

1. This Agreement shall enter into force from the date of receipt by the Depository of the last written notification on implementation of internal procedures necessary for its entry into force by the Signatories.
2. Depository of this Agreement is the Integration Committee of the Eurasian Economic Community.

Done in Moscow in December 9, 2010, in one original copy in Russian. The original copy of this Agreement remains deposited in the Depository Archive, which will send a certified copy to each Party.

*For
the Government of
the Republic of
Belarus*

*For
the Government of
the Republic of
Kazakhstan*

*For
the Government of
the Russian
Federation*

ANNEX I TELECOMMUNICATION SERVICES MARKET

Field of application

This Annex applies to measures of the Parties governing the activities in the field of telecommunications.

This annex does not apply to measures governing the distribution services of broadcast television stations and/or radio channels within the Party, but it applies to the measures governing the interaction of telecommunication operators of the Parties in the television and/or radio signals translation process.

This annex does not apply to activities in the field of postal services.

Nothing in this Annex shall be construed as requiring any Party (or require a Party to oblige service suppliers under its jurisdiction) to establish specific requirements for telecommunication networks with no connection to the public telecommunications network.

Definitions

1. Key terms used in this Annex:

- Telecommunications services – activity on receiving, processing, storage, and transmission and delivery of electronic messages;
- Universal telecommunication services - telecommunications services providing of which to any telecommunications services user in the entire territory of a Party with the specified quality and at an affordable price is obligatory for universal service operators of the Party;
- Public telecommunications network - technological system which includes communication facilities and lines designed for paid services to any telecommunications services user in the territory of the Parties, in accordance with the national legislation of the Parties;
- Radio channel - electronic mass media, which is a scope of radio and (or) other audio messages and materials, soundtracks, formed in accordance with the broadcasting network for further distribution;
- The TV channel - electronic mass media, which is a scope of television programs and (or) other audiovisual messages and materials formed in accordance with the broadcasting network for further distribution.

Information availability

2. In the application of Article 5 of the Agreement on Trade in Services (hereinafter – the Agreement), each Party shall ensure that the information on terms of access to public telecommunications networks and telecommunications services are widely available, including the terms of rendering of services, including tariffs (prices); the technical compounds specifications with such networks; information about the bodies responsible for the preparation and adoption of standards concerning such access and use; the conditions relating to the accession of terminal or other equipment, as well as the requirements for notification, registration or licensing, if needed.

Licensing

3. Activities in regard to rendering of telecommunication services are carried out on the basis of license issued in the order established by the legislation of the Parties by the authorized bodies of the Parties within the specified territories, the deadline, and with the numbering assigned to each operator in the order established by the legislation of the Parties.

In the implementation of the activity in regard to rendering of telecommunications services using radio spectrum, it is necessary to obtain, except for the license, the permits to use the radio frequency spectrum.

Specific frequencies assignment is carried out according to the procedure established by the legislation of the Parties.

Payments associated with the use of the radio spectrum are charged in the manner and amount established by the legislation of the Parties.

Access to public telecommunications networks and services,
rendered by telecommunications operators

4. The Parties shall take all appropriate measures, including legal and administrative at the national legislation level, to ensure non-discriminatory access to telecommunication networks and services.

5. The Parties provide access to the public telecommunications network to telecommunications operator, regardless of its position in the telecommunications services market, on the basis of national legislation, if technically possible, in terms no less favorable than those provided to other telecommunications operators of the Parties operating under comparable conditions.

Telecommunication services tariffs

6. Parties have the right to initiate and implement state regulating of tariffs for certain types of telecommunication services. Formation of telecommunication services tariffs should be based on the requirements of the national legislation of the Party. The Parties shall guarantee to persons of any Party to this Agreement, residing in the territory of a Party, rendering of telecommunications services for tariffs of the host country.

7. The Parties shall ensure the availability and effective use of competition legislation, which prevents distortion of competition between service suppliers of the Parties, for those types of telecommunication services, tariffs for which are not subject to state regulating.

Traffic transmission

8. Parties should seek to establish a common approach to pricing on traffic transmission services.

9. The Parties shall take all necessary measures to ensure the telecommunication operators of the Parties to the smooth traffic transmission, including transit, on the basis of inter-operator agreements, due to the technical capabilities of networks.

Anti-competitive cross-subsidization

10. Parties shall ensure the removal of subsidies of local and long-distance telecommunications through the completion of an international call in its territory.

The Parties will come to the implementation of the paragraph since 1 January 2013.

Regulating of scarce public resources

11. Distribution and use of radio spectrum resources and numbering resources are carried out in accordance with the national legislation of the Parties.

Universal services

12. The Parties guarantee rendering of universal telecommunications services in territory of its State on the basis of common principles and rules provided by the recommendations of international organizations in this field.

Each Party shall have a right to define the universal service obligations. These obligations will not be deemed as anti-competitive, provided that they are carried out in an openness, non-discriminatory and neutrality from viewpoint of competition and will not be more burdensome than necessary for the type of universal service defined by the Party.

Independence of the regulatory authorities

13. Regulatory authorities of the Parties shall be independent from telecommunications operators and not accountable to them. The decisions of such authorities should be impartial with respect to all market participants.

ANNEX II

EXCLUSION OF LIABILITY OF THE PARTIES (ON GRANTING MFN) ACCORDING TO THE PARAGRAPH 2 OF ARTICLE 9 OF THE AGREEMENT ON TRADE IN SERVICES AND INVESTMENT IN MEMBER STATES OF THE COMMON

ECONOMIC SPACE

THE REPUBLIC OF BELARUS

Sector/Subsector	Description of measures not compatible with obligations provided by paragraph 2 of Article 9	Grounds	Validity
Audiovisual service	Measures contained in the existing or future agreements with regard of: 1. production, distribution, demonstration, broadcast or other similar forms of transmission of audiovisual works, television and radio programs,	All parties of existing and future relevant agreements and all countries with which cultural cooperation will be preferable	Not defined
	2. production and distribution via broadcast or other similar forms of transmission of audiovisual works, television and radio programs that meet the criteria of origin and other criteria set out in relevant agreements;	European Convention on the joint production of films and countries which have signed and/or may have concluded bilateral co-production agreements.	Not defined
	3. Support programs of audiovisual works, television and radio to audiovisual services suppliers, television and radio programs in compliance with the criteria established by relevant agreements.	The Council of Europe Convention on transboundary TV, the European Convention on joint film production or other European countries with which bilateral agreements may be concluded.	Not defined
TRANSPORT SERVICES:			
Automobile transport International automobile transportation of passengers and cargo	Measures contained in current and future agreements on access to market of road services, including tax benefits.	All parties of existing and future agreements	Not defined

THE REPUBLIC OF KAZAKHSTAN

Sector/Subsector	Description of measures not	Grounds	Validity
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	compatible with obligations provided by paragraph 2 of Article 9		
Audiovisual service	Measures relating to broadcasting and other similar forms of transmission of audiovisual works, television and radio programs that meet the criteria of origin and other criteria set forth in the relevant agreements.	All countries	Not defined
	Measures based on agreements on joint production of audiovisual works, through which national treatment in respect of audiovisual works covered by these agreements is granted.	All countries	Not defined
	Measures that offer subsidies to support programs for audiovisual works and audiovisual services suppliers which meet the origin criteria	All countries	Not defined
TTRANSPORT SERVICES:			
Marine transport	Cabotage is performed by vessels flying the national flag of the Republic of Kazakhstan. Cabotage is performed by vessels flying the flag of a foreign country, in accordance with a permit issued by the appropriate authorized body in accordance with the procedure established by the Government of the Republic of Kazakhstan.	All countries	Not defined
	Special mode of navigation in the Caspian Sea	Azerbaijan, Iran, Russia, Turkmenistan	Not defined
	Measures in respect of the establishment and implementation of activity of navigable companies	Agreement on partnership and cooperation between the Republic of Kazakhstan, on the one hand, and the European Communities and their Member States, on the other hand. Countries of the European Union. All parties to the existing and future agreements	Not defined
Inland water transport	Measures that provide preferential treatment with regard to the transportation of passengers and cargo in body waters of the Irtysh and Ili rivers.	All parties to the existing and future agreements	Not defined
a) passenger traffic			
б) freight traffic			
Air transportation	Measures applied on a reciprocal basis	All parties to the existing and	Not defined

services	for the establishment and opening of representative offices.	future agreements on air transportation	
Selling and marketing			
Automobile transport (transportation of passenger and cargo)	The provisions contained in existing or future agreements on international road transportation (including combined transport - rail/road) between the Republic of Kazakhstan and third countries, which are: retain or limit the provision of transport services between the contracting parties, or through the territory of the contracting parties by vehicles registered in each of the contracting parties; provide tax incentives for such vehicles.	All parties to the existing and future agreements	Not defined

THE RUSSIAN FEDERATION

Sector/Subsector	Description of measures not compatible with obligations provided by paragraph 2 of Article 9	Grounds	Validity
Audiovisual services	1. Measures relating to broadcasting and other similar forms of transmission of audiovisual works, television and radio programs that meet the criteria of origin and other criteria set forth in the relevant agreements.	The Council of Europe Convention on transboundary TV, or other European countries with which bilateral agreements may be concluded.	Not defined
	2. Measures based on agreements on joint production of audiovisual works, through which national treatment in respect of audiovisual works covered by these agreements is granted.	European Convention on the joint film production of and countries which have signed and/or may have concluded a bilateral co-production agreements.	Not defined
	3. Measures that offer subsidies to support programs for audiovisual works and audiovisual services suppliers which meet the origin criteria	The Council of Europe Convention on transboundary TV, European Convention on the joint film production and other countries which may have concluded a bilateral agreements.	Not defined
TRANSPORT SERVICES			
Marine transport	In the cases and upon condition of procedures established by the of the Government of the Russian Federation, coastal traffic and	All countries	Not defined

	coastal towing can be carried out by foreign vessels.		
	Measures relating to access of vessels flying the Polish flag in the Russian part of the Kaliningrad Gulf and the Baltic Sea Channel.	Poland	Not defined
	Measures to allow bilateral agreement relating the division of cargos.	Algeria, Brazil, Ghana, Malaysia, Mexico, Pakistan, Syria, Tunisia, Sri Lanka, Ethiopia.	Not defined
	Measures relating the operators of maritime transport, such as priority rights under production sharing Agreements.	Parties to the Agreement on partnership and cooperation between the Russian Federation and the European Communities and their Member States dated 24 June 1994, with later additions; Norway.	Not defined
	Special mode of navigation in the Caspian Sea.	Azerbaijan, Iran, Kazakhstan, Turkmenistan.	Not defined
Inland water transport:	Measures contained in existing and future agreements on access to inland waterways that provide preferential treatment with regard of the free navigation (trading rights) and the establishment of access to ports and services in ports, payments of ship and other fees.	All parties to the existing and future agreements	Not defined
A) passenger traffic;			
B) freight traffic			
Automobile transport	Measures contained in the current and future agreements on access to the market road services, including tax benefits.	All parties to the existing and future agreements	Not defined
International automobile transportation of passenger and cargo			

ANNEX III
LIST OF SECTORS IN WHICH THE PARTIES ARE PROVIDED
BY NATIONAL TREATMENT UNDER ARTICLE 9 AND OBLIGATIONS
ACCEPTED UNDER ARTICLE 10 (ON NON-APPLICATION OF
QUANTITATIVE RESTRICTIONS) AND 10 bis OF THE AGREEMENT ON TRADE IN
SERVICES AND INVESTMENTS IN THE MEMBER STATES OF THE COMMON
ECONOMIC SPACE

REPUBLIC OF BELARUS

1	2	3	4	5
Sector/Subsector	Type of restriction	Description of restriction	Grounds for application of restriction – regulatory legal act	Restriction validity
All sectors, included in the list	Restrictions under Article 9	Foreign property for agricultural land and land of border area is prohibited and may be limited to other types of land. Lease of land is allowed for the period up to 49 years		Not defined
Bce All sectors, included in the list	Restrictions under Article 9	Legal entities of the Republic of Belarus have priority right to participate in implementation of the Agreement on production sharing as contractors, suppliers, carriers or other under agreements (contracts) with investors.		Not defined
PROFESSIONAL SERVICES in respect of:				
Legal services (except notaries and patent attorneys): Legal aid is only allowed on private international law, public international law and the State law in which jurisdiction the service supplier's staff is qualified.	No restrictions			
Auditing services	Restriction under Article 9	Special rules for statutory audit of separate organizations can be set out		Not defined
Accounting services	No restrictions	-		-
Services in the field of taxation	No restrictions	-		-

Architectural services; urban and landscape design	No restrictions	-		
Services in engineering areas, including complex engineering services	No restrictions	-		-
Medicine and dentistry services	No restrictions			
Computer and related services	No restrictions	-		-
Research and development in the field of social sciences and humanities in relation to: - Cultural studies, sociology and psychology; - Economics; - Law; other social sciences and humanities	No restrictions	-		-
Services related to immovable property, except for services in respect of agricultural land	No restrictions	-		-
Rent and lease service without operators	No restrictions	-		-
OTHER SERVICES RELATED TO BUSINESS ACTIVITIES in respect of:				
Advertising services	No restrictions	-		-
Market research services	No restrictions	-		-
Consultancy Services for Management	No restrictions	-		-
Services related to consulting activities in the field of management, with the exception of labor arbitration	No restrictions	-		-
Consulting services in the field of agriculture	No restrictions	-		-
Services in relation to the supply of fishing equipment, construction, repair and maintenance of fishing vessels, consulting services in the field of	No restrictions	-		-

fishery				
Consulting services in the field of science and technology in respect of geological, geophysical and other scientific studies, excluding field work	No restrictions	-		-
Equipment repair and maintenance services	No restrictions	-		-
Cleaning Services	No restrictions	-		-
Photo services, except for specialized photography (people, objects or scenery using special equipment and techniques), and other photo services	No restrictions	-		-
Packaging services, with the exception of alcoholic beverages spill	No restrictions	-	-	-
Services related to printing and publishing	No restrictions	-	-	-
Services directly related to the organization and conduct of the negotiations, meetings and conferences	No restrictions	-		-
Interpretation and translation services	No restrictions	-		-
Duplication Services	No restrictions	-		-
Specialty design services	No restrictions	-		-
COMMUNICATION SERVICES in respect of:				
Courier services - only in part of - remittance ¹ of addressed packages and parcel posts (including books and catalogs); - remittance ² of addressed printed materials (magazines, newspapers, periodicals); - expedited delivery ³ services of addressed letters, addressed packages, parcels posts and addressed printed materials.	No restrictions	-		-

<p>Telecommunication services in relation to:</p> <p>Local telephone services, with the exception of local telephone services using payphones and public access</p> <p>Long-distance and international telephone services.</p> <p>Intra-zone telephony services.</p> <p>Local telephone services using payphones.</p> <p>Local telephone service with the use of multiple access.</p> <p>Telegraphy services.</p> <p>Communication paging services.</p> <p>Mobile radio services of the public network.</p> <p>Mobile radio services in the selected network.</p> <p>Mobile radio communications services.</p> <p>Mobile satellite radio communications services.</p> <p>Communication services for the communication channels provision.</p> <p>Data transmission services, excluding the transfer data communication services for voice data transmission.</p> <p>Data transmission services for voice data transmission.</p> <p>Telematic communication services.</p> <p>Communication services for cable distribution.</p> <p>Communication services for broadcasting.</p> <p>Communications services for wired radio.</p>	<p>Restrictions under Article 9</p>	<p>No, except for the following: Obligations are not accepted in relation of radio communication services, including satellite communications, with the exception of fixed satellite communications services provided by foreign operators of satellite communications to any legal entity of the Republic of Belarus, which has a license for the provision of telecommunications services</p>		<p>Not defined</p>
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¹The term "remittance" includes the collection, sorting, transport and delivery.

²The term "remittance" includes the collection, sorting, transport and delivery.

³Express (fast) delivery services in addition to significantly higher rates for delivery of letter (i.e., letters and post cards), as well as the high speed and reliability of delivery, can include other elements that add value, such as acceptance from the place of direct shipment, personal delivery to the addressee, tracking (monitoring) of movement, the possibility of changing the destination and addressee in delivery process, confirmation of acceptance. Significantly higher rates for delivery of letter are tariffs that are

more than 5 times exceed the base rate of the public tariff for delivery of letter of the national postal operator with category of the most urgent delivery.

1	2	3	4	5
Sector/Subsector	Type of restriction	Description of restriction	Grounds for application of restriction – regulatory legal act	Restriction validity
CONSTRUCTION SERVICES	No restrictions	-		-
DISTRIBUTION SERVICES, except for trade of weapons and arms systems, munitions and war materials, explosives, materials, equipment and instruments for blasting and fireworks, scrap waste of precious metals, precious stones and metals, narcotics and psychotropic substances.	Restrictions under Article 9	The state monopoly on the production and (or) turnover of ethyl alcohol and alcohol-containing products in the territory of the Republic of Belarus may be administered by federal law.		
	Restrictions under Article 9	Foreign individuals and/or legal entities, if they are not members of exchanges, may participate in exchange trading only through stockbrokers.		
EDUCATION SERVICES, only in relation of private educational institutions	No restrictions	-		-
SERVICES RELATED TO THE ENVIRONMENT, with the exception of radioactive waste/pollution	No restrictions	-		-
FINANCIAL SERVICES in respect of: Risks insurance associated with international: - marine shipping, commercial air transport - commercial space launches; - insurance that covers all or part of: i) the international	No restrictions	-		-

carriage of individuals; ii) the international transport of export/import goods and the carrying vehicle, including liability arising out of this; iii) the international carriage of goods by road; iv) liability in transboundary movements of individual vehicles after joining the international treaty system, and insurance certificates - Green Card.				
Reinsurance and retrocession	No restrictions	-		-
Services of insurance agents and insurance brokers	Restrictions under Article 9	Insurance intermediary associated with conclusion and distribution of insurance contracts on behalf of foreign insurers in the territory of the Republic of Belarus (except for the sectors listed in paragraph 1 of financial services subsection of this annex) are not allowed.		
Auxiliary insurance services, such as consultancy, actuarial services, risk assessment and claim settlement services	No restrictions	-		-
SERVICES IN THE FIELD OF HEALTH AND WELFARE WORK	No restrictions	-		
TOURISM AND TRAVEL-RELATED SERVICES	Restrictions under Articles 9 and 10	Tour guides can only be a citizen of the Republic of Belarus		Not defined
SERVICES FOR LEISURE STUDIES, CULTURAL AND SPORT EVENTS in respect of: - Services for the organization of entertainment - News agency services	No restrictions	-		-
TRANSPORT				

SERVICES in relation of:				
Services in the field of maritime transport International transportation, except for: 1) domestic cabotage of passengers and freight 2) Cabotage of passengers and freight between ports in the Republic of Belarus, and the facilities or structures located on the continental shelf of the Republic of Belarus	Restrictions under article 9	Emptive right to participate in the works on a production sharing agreement as carriers is owned by Belarusian legal entities		Not defined
Services of sea freight forwarding agencies	No restrictions	-		-
Maritime agency services	No restrictions	-		-
Support services of inland water transport (in terms of sanitation)	No restrictions (if technically possible)	-		-
Services in the field of air transport in relation to:				
Repair and maintenance of aircraft Selling and marketing of air transport services Computer reservation system	No restrictions	-		-
Maintenance and repair of equipment for road transport	No restrictions	-		-
Support services for road transport only in relation to the bus station and "other support services for road transport"	No restrictions (if technically possible)			-

Note: During 1 year from the entry into force of this Agreement, the Parties will consult on the regulatory conditions of rendering of aviation services and road freight transport services.

THE REPUBLIC OF KAZAKHSTAN

Sector/Subsector	Type of restriction	Description of restriction	Grounds for application of restriction – regulatory legal act	Restriction validity
All sectors included in the list	Restrictions under article 9	The private property of foreign persons cannot include land plots intended for the conduct of commercial agriculture and afforestation. Temporary paid land use right for conducting a farm and commodity agricultural production is granted to foreign persons for term up to 10 years.	Land Code of the Republic of Kazakhstan	Not defined
All sectors included in the list	Restrictions under article 10	In conducting operations on subsoil use in the Republic of Kazakhstan, a subsoil user, as well as its contractors are required to acquire goods, works and services ⁴ from Kazakhstan producers, provided they meet the requirements of the project document and the legislation of the Republic of Kazakhstan on technical regulating. Organizer of the competition for the procurement of goods, works and services in determining the winner of the contest conditionally reduces the price of the bid of participants - Kazakh producers for twenty percent.	<u>Law of the Republic of Kazakhstan "On subsoil and subsoil use"</u>	Not defined
PROFESSIONAL SERVICES in relation to:				
Legal services (advice, representation and participation in the arbitration and conciliation procedures) under the legislation in	No restrictions	-	-	-

jurisdiction of which the service supplier was qualified as a lawyer and on international law, except for notarial services and services related to criminal law				
Auditing services	Restriction under article 9	It is required a contract with a legal entity of the Republic of Kazakhstan, which is the audit firm	Law of the Republic of Kazakhstan "On Auditing"	Not defined
Accounting services	No restrictions	-	-	-
Services relating to taxation	No restrictions	-	-	-
Architectural services, urban planning and landscape design	No restrictions	-	-	-
Services in the engineering areas, including integrated engineering services	No restrictions	-	-	-
Veterinary services	No restrictions	-	-	-
Computer and related services	No restrictions	-	-	-
Services for research and experimental development in the field of social sciences and humanities	No restrictions	-	-	-
Service for rent of own or leased property or real estate services, except for services related to the areas of agricultural land	No restrictions	-	-	-
Rent and lease service without operators	No restrictions	-	-	-
OTHER SERVICES RELATED TO BUSINESS ACTIVITIES in respect of:				
Advertising services	No restrictions	-	-	-
Market research services	No restrictions	-	-	-
Consultancy Services for Management	No restrictions	-	-	-
Services related to consulting activities in the field of management (with the exception of labor arbitration)	No restrictions	-	-	-
Services related to forestry and hunting only for the development of sport hunting	No restrictions	-	-	-
Services related to fishing only related to:	No restrictions	-	-	-

- The development of sport fishing; - Technology of reproduction and rearing of fish; - Processing of fish; - The formation of the fishing crews; - Cultivation of shellfish.				
Services related to mining	No restrictions	-	-	-
Services related to manufacturing, only to the extent of consulting services	No restrictions	-	-	-
Consulting services in scientific and technical fields (geology, geophysics), except for mapping	No restrictions	-	-	-
Services for repair and maintenance of the equipment, except for repair and maintenance of ships, aircraft and other transport equipment	No restrictions	-	-	-
Cleaning services	No restrictions	-	-	-
Photo services, except for specialized photography (people, objects or scenery using special equipment and techniques), and other photo services	No restrictions	-	-	-
Packaging services, with the exception of alcoholic beverages spill	No restrictions	-	-	-
Services related to printing and publishing	No restrictions	-	-	-
Services directly related to the organization and conduct of the negotiations, meetings and conferences	No restrictions	-	-	-
Interpretation and translation services	No restrictions	-	-	-
Duplication services	No restrictions	-	-	-
Specialty design services	No restrictions	-	-	-
Ladies' and men's hairdressing services and services for cosmetic treatment, manicure and pedicure	No restrictions	-	-	-
Communication services in relation to:				

<p>Courier services - only in part of</p> <ul style="list-style-type: none"> - remittance of addressed packages and parcel posts (including books and catalogs); - remittance of addressed printed materials (magazines, newspapers, periodicals); <p>Expedited delivery services⁵ of addressed letters, addressed packages, parcels posts and addressed printed materials.</p>	<p>No restrictions</p>	<p>-</p>	<p>-</p>	<p>-</p>
<p>Telecommunication services in relation to:</p> <p>Local telephone services, with the exception of local telephone services using payphones and public access</p> <p>Long-distance and international telephone services.</p> <p>Intra-zone telephony services.</p> <p>Local telephone services using payphones.</p> <p>Local telephone service with the use of multiple access.</p> <p>Telegraphy services.</p> <p>Communication paging services.</p> <p>Mobile radio services of the public network.</p> <p>Mobile radio communications services.</p> <p>Mobile satellite radio communications services.</p> <p>Communication services for the communication channels provision.</p> <p>Data transmission services, excluding the transfer data communication services for voice data transmission.</p> <p>Data transmission services for voice data transmission.</p> <p>Telematic communication services.</p> <p>Communication services for cable distribution.</p> <p>Communication services for broadcasting.</p> <p>Communications services for wired radio.</p>	<p>Restrictions under article 9</p>	<p>No, except for the following:</p> <p>Obligations are not accepted in relation of radio communication services, including satellite communications, with the exception of fixed satellite communications services provided by foreign operators of satellite communications to any legal entity of the Republic of Kazakhstan, which has a license for the provision of telecommunications services</p>		<p>Not defined</p>

Construction services	No restrictions	-	-	-
Distribution services, except for trade of weapons and arms systems, munitions and war materials, explosives, materials, equipment and instruments for blasting and fireworks, scrap waste of precious metals, caviar and sturgeon, narcotics and psychotropic substances, ethyl alcohol, measuring devices used in the sphere of state control and regulation.	No restrictions	-	-	-
EDUCATION SERVICES, only in relation of private educational institutions	No restrictions	-	-	-
SERVICES RELATED TO THE ENVIRONMENT, with the exception of radioactive waste/pollution	No restrictions	-	-	-
FINANCIAL SERVICES in respect of:	No restrictions	-	-	-
Risks insurance associated with international: - marine shipping, - commercial air transport - commercial space launches; - insurance that covers all or part of: i) the international carriage of individuals; ii) the international transport of export/import goods and the carrying vehicle, including liability arising out of this; iii) the international carriage of goods by road; iv) liability in transboundary movements of individual vehicles after joining the international treaty system, and insurance certificates - Green Card.	Restrictions under article 9	No restrictions, except for: Insurance of property interests of the legal entity or its separate divisions located in the territory of the Republic of Kazakhstan and property interests of a natural person who is a resident of the Republic of Kazakhstan, can only be carried out by an insurance company - Resident of the Republic of Kazakhstan. - payments and money transfers related to the payment of insurance premiums (contributions) to non-residents of the Republic of Kazakhstan, from individuals and legal entities - residents of the Republic of Kazakhstan are prohibited. - Compulsory insurance contract must be on the	Law of the Republic of Kazakhstan dated December 18, 2000, № 126-II "On insurance activities_"	Not defined

		net retention of insurers - residents of the Republic of Kazakhstan.		
Reinsurance and retrocession	Restrictions under article 10	The aggregate amount of insurance premiums, accrued by reinsurance organizations - non-residents of the Republic of Kazakhstan under the current reinsurance contracts, after deduction of commissions, accrued income by their reinsurer (assignor) shall not exceed sixty (60) percent (from the accession to the WTO - 85%) of the aggregate amount of insurance premiums accrued receivable under current insurance (reinsurance) contracts Compulsory insurance contracts must be in net retention of insurers or reinsurers or sent in reinsurance by the reinsurer- resident of the Republic of Kazakhstan.	Regulation of Government of the Agency of the Republic of Kazakhstan on Regulation and Supervision of Financial Market and Financial Organizations dated August 22, 2008 № 131 On approval of instruction for normative values and methods of calculation of prudential regulations of the insurance (reinsurance) organization, forms and terms of reporting on the implementation of the prudential norms	Not defined
Services of insurance agents and insurance brokers	Restrictions under article 9	No restrictions, except for: Intermediary services for insurance conclusion on behalf of the insurance company - non-resident of the Republic of Kazakhstan, except for the insurance contract of civil liability of vehicles owners traveling outside the Republic of Kazakhstan, in the territory of the Republic of Kazakhstan is not allowed, unless the international treaties ratified by the Republic of Kazakhstan, provides otherwise.	Law of the Republic of Kazakhstan dated December 18, 2000, № 126-II "On insurance Activities"	Not defined
Auxiliary insurance services, such as consultancy, actuarial	No restrictions	-	-	-

services, risk assessment and claim settlement services				
Travel services	Restrictions under articles 9 and 10	No restrictions, except for: Guide (guide-interpreter), tourism instructor guide may be only a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan "On tourist activity"	Not defined
SERVICES FOR LEISURE STUDIES, CULTURAL AND SPORT EVENTS				
Organization of entertainment, including the organization of performances, musical shows and circuses	No restrictions	-	-	-
News agency services	No restrictions	-	-	-
TRANSPORT SERVICES				
International transportation, except for: 1) domestic cabotage of passengers and freight 2) Cabotage of passengers and freight between ports in the Republic of Kazakhstan, and the facilities or structures located on the continental shelf of the Republic of Kazakhstan	No restrictions	-	-	-
Inland water transport Repair and maintenance services of ships	No restrictions (if technically available)	-	-	-
Air transport: Services for the maintenance and repair of aircraft; Services for property sales and marketing; Computer reservation systems services	No restrictions	-	-	-
Railway transport services related to maintenance and repair of railway equipment	No restrictions (if technically available)		-	
Maintenance and repair of equipment in road transport	No restrictions	-	-	-
Support services for road	No restrictions	-	-	-

transport only related to the bus station and "other support services for road transport"	(if technically available)			
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⁴The share of goods, works and services procured from Kazakhstan producers is determined in subsoil use contracts.

³Express (fast) delivery services in addition to significantly higher rates for delivery of letter (i.e., letters and post cards), as well as the high speed and reliability of delivery, can include other elements that add value, such as acceptance from the place of direct shipment, personal delivery to the addressee, tracking (monitoring) of movement, the possibility of changing the destination and addressee in delivery process, confirmation of acceptance. Significantly higher rates for delivery of letter are tariffs that are more than 5 times exceed the base rate of the public tariff for delivery of letter of the national postal operator with category of the most urgent delivery (standard class).

Примечание: During 1 year from the entry into force of this Agreement, the Parties will consult on the regulatory conditions of rendering of aviation services and road freight transport services.

THE RUSSIAN FEDERATION

1	2	3	4	5
Sector/Subsector	Type of restriction	Description of restriction	Grounds for application of restriction – regulatory legal act	Restriction validity
All sectors included in the list	Restrictions under article 9	Foreign ownership of agricultural land and land of border areas is prohibited and may be limited to other types of land. Land leases are allowed up to 49 years	Land Code of the Russian Federation dated October 25, 2001 № 136-FL, The Federal Law dated July 24, 2002 № 101- FL "On Agricultural Land."	Not defined
All sectors included in the list	Restrictions under article 9	Operations with lands which is the traditional place of inhabitation and economic activities of native minorities and small ethnic groups, as well as land plots located in the border areas and other established special territories of the Russian Federation may be restricted or prohibited under the regulatory legal acts of the Russian Federation.	Land Code of the Russian Federation dated October 25, 2001 № 136- FL Federal law on the State Border of the Russian Federation (in particular, the Federal Law dated April 1, 1993 № 4730-1 «On the State Border of the Russian Federation)	Not defined
All sectors included in the list	Restriction under article 9	Legal entities of the Russian Federation shall have the preferential right to participate in the implementation of the Agreement as contractors, suppliers, carriers, or other agreements (contracts) with investors.	Federal Law dated December 30, 1995 № 225- FL "On Production Sharing Agreements."	Not defined
PROFESSIONAL SERVICES in relation to:				
Legal services (except notaries	No restrictions	-	-	-

and patent attorneys) under the Legal aid is only allowed on private international law, public international law and the law of the state, in jurisdiction of which the service supplier was qualified				
Auditing services	Restriction under article 9	Special rules for the statutory audit of individual organizations may be settled.	Federal Law "On Auditing" on December 20, 2008 № 307-FL	Not defined
Accounting services	No restrictions	-	-	-
Services relating to taxation	No restrictions	-	-	-
Architectural services, urban planning and landscape design	No restrictions	-	-	
Services in the engineering areas, including integrated engineering services	No restrictions	-	-	-
Services in the field of medicine and dentistry	No restrictions	-	-	-
Computer and related services	No restrictions	-	-	-
Services for research in the field of social sciences and humanities in respect of: - Cultural studies, sociology and psychology; - Economics; - Law; - Other social sciences and humanities	No restrictions	-	-	-
Services related to immovable property, except for services in respect of agricultural land	No restrictions	-	-	-
Rent and lease service without operators	No restrictions	-	-	-
OTHER SERVICES RELATED TO BUSINESS ACTIVITIES in respect of:			-	
Advertising services	No restrictions	-	-	-
Market research services	No restrictions	-	-	-
Consultancy Services for Management	No restrictions	-	-	-

Services related to consulting activities in the field of management, with the exception of labor arbitration	No restrictions	-	-	-
Consulting services in the field of agriculture	No restrictions	-	-	-
Services in relation to the supply of fishing equipment, construction, repair and maintenance of fishing vessels, consulting services in the field of fishery	No restrictions	-	-	-
Consulting services in the field of science and technology in respect of geological, geophysical and other scientific studies, excluding field work	No restrictions	-	-	-
Equipment repair and maintenance services	No restrictions	-	-	-
Cleaning Services	No restrictions	-	-	-
Photo services, except for specialized photography (people, objects or scenery using special equipment and techniques), and other photo services	No restrictions	-	-	-
Packaging services, with the exception of alcoholic beverages spill	No restrictions	-	-	-
Services related to printing and publishing	No restrictions	-	-	-
Services directly related to the organization and conduct of the negotiations, meetings and conferences	No restrictions	-	-	-
Interpretation and translation services	No restrictions	-	-	-
Duplication services	No restrictions	-	-	-
Specialty design services	No restrictions	-	-	-
Communication services in respect of:				
Courier services - only in part of- remittance ⁶ of addressed packages and parcel posts (including books and	No restrictions	-	-	-

catalogs); - remittance ⁷ of addressed printed materials (magazines, newspapers, periodicals); - expedited delivery services ⁸ of addressed letters, addressed packages, parcels posts and addressed printed materials.				
Telecommunication services in relation to: Local telephone services, with the exception of local telephone services using payphones and public access Long-distance and international telephone services. Intra-zone telephony services. Local telephone services using payphones. Local telephone service with the use of multiple access. Telegraphy services. Communication paging services. Mobile radio services of the public network. Mobile radio communications services. Mobile satellite radio communications services. Communication services for the communication channels provision. Data transmission services, excluding the transfer data communication services for voice data transmission. Data transmission services for voice data transmission. Telematic communication services. Communication services for cable distribution. Communication services for broadcasting. Communications services for wired radio.	Restrictions under article 9	No, except for the following: commitments are not accepted in respect of radio services, including satellite communications, with the exception of fixed satellite communications services provided by foreign operators of satellite communications to any legal entity of the Russian Federation, which has a license for the provision of telecommunications services	Resolution of the Government of the Russian Federation dated February 1, 2000 № 88 "On approval of the state policy in the field of distribution, use and protection of orbital frequency resource and regulations of the Russian Federation on the state regulating of admission and the use of foreign satellite communication services and broadcasting in information (telecommunication) space of the Russian Federation "	Not defined
Construction services	No restrictions	-	-	-
Distribution services, except for trade of weapons and arms systems, munitions and war	Restrictions under article 9	The state monopoly on the production and (or) turnover of	Federal Law dated November 22, 1995 № 171-FL "On state	

materials, explosives, materials, equipment and instruments for blasting and fireworks, scrap waste of precious metals, precious stones and metals, narcotics and psychotropic substances.		ethyl alcohol and alcohol-containing products in the territory of the Russian Federation may be administered by federal law.	regulating of production and turnover of ethyl alcohol and alcoholic beverages"	
	Restrictions under article 9	Foreign individuals and/or legal entities, if they are not members of exchanges, may participate in exchange trading only through stockbrokers.	Law of the Russian Federation dated February 20, 1992 № 2383-1 «On Commodity Exchanges and Exchange Trade"	
EDUCATION SERVICES, only in relation of private educational institutions	No restrictions	-	-	-
SERVICES RELATED TO THE ENVIRONMENT, with the exception of radioactive waste/pollution	No restrictions	-	-	-
FINANCIAL SERVICES in respect of:				
Risks insurance associated with international: - marine shipping - commercial air transport - commercial space launches; - insurance that covers all or part of: i) the international carriage of individuals; ii) the international transport of export/import goods and the carrying vehicle, including liability arising out of this; iii) the international carriage of goods by road; iv) liability in transboundary movements of individual vehicles after joining the international treaty system, and insurance certificates - Green Card.	No restrictions	-	-	-
Reinsurance and retrocession	No restrictions	-	-	-
Services of insurance agents and insurance brokers	Restriction under article 9	Insurance intermediary associated with conclusion and	Law of the Russian Federation dated November 27, 1992 № 4015-1 "On	

		distribution of insurance contracts on behalf of foreign insurers in the territory of the Russian Federation (except for the sectors listed in paragraph 1 of financial services subsection of this annex) are not allowed.	Insurance in the Russian Federation"	
Auxiliary insurance services, such as consultancy, actuarial services, risk assessment and claim settlement services	No restrictions	-	-	-
SERVICES IN THE FIELD OF HEALTH AND WELFARE WORK	No restrictions	-	-	-
TOURISM AND TRAVEL-RELATED SERVICES	Restriction under article 9 and 10	Tour guide can only be a citizen of the Russian Federation	Federal Law № 132-FL dated 24 November 1996 "On the basis of tourist activity"	Not defined
SERVICES FOR LEISURE STUDIES, CULTURAL AND SPORT EVENTS in respect of: - Services for the organization of entertainment - News agency services	No restrictions	-	-	-
TRANSPORT SERVICES in relation of:				
Services in the field of maritime transport International transportation, except for: 1) domestic cabotage of passengers and freight 2) Cabotage of passengers and freight between ports in the Russian Federation, and the facilities or structures located on the continental shelf of the Russian Federation	Restriction under article 9	Emptive right to participate in the works on a production sharing agreement as carriers is owned by Russian legal entities	Federal Law dated December 30, 1995 № 225-FL "On Production Sharing Agreements"	Not defined
Services of sea freight forwarding agencies	No restrictions	-	-	-
Maritime agency services	No restrictions	-	-	-
Support services of inland	No restrictions	-	-	-

water transport (in terms of sanitation)	(if technically available)			
Services in the field of air transport in relation to:				
Repair and maintenance of aircraft Selling and marketing of air transport services Computer reservation system	No restrictions	-	-	-
Maintenance and repair of equipment for road transport	No restrictions	-	-	-
Support services for road transport only in relation to the bus station and "other support services for road transport"	No restrictions (if technically available)	-	-	-

⁶The term "remittance" includes the collection, sorting, transport and delivery.

⁷The term "remittance" includes the collection, sorting, transport and delivery.

⁸Express (fast) delivery services in addition to significantly higher rates for delivery of letter (i.e., letters and post cards), as well as the high speed and reliability of delivery, can include other elements that add value, such as acceptance from the place of direct shipment, personal delivery to the addressee, tracking (monitoring) of movement, the possibility of changing the destination and addressee in delivery process, confirmation of acceptance. Significantly higher rates for delivery of letter are tariffs that are more than 5 times exceed the base rate of the public tariff for delivery of letter of the national postal operator with category of the most urgent delivery.

Note: During 1 year from the entry into force of this Agreement, the Parties will consult on the regulatory conditions of rendering of aviation services and road freight transport services.

ANNEX IV
LIST OF RESTRICTIONS RETAINED BY THE PARTIES REGARDING TO THE
ESTABLISHMENT, ACTIVITY (RESERVATIONS UNDER ARTICLE 3, RESTRICTIONS
UNDER ARTICLES 4 AND 5 OF THE AGREEMENT ON TRADE IN SERVICES AND
CAPITAL INVESTMENTS IN MEMBER STATES OF THE COMMON
ECONOMIC SPACE)

THE REPUBLIC OF BELARUS

1 №	2 Type of restriction	3 Definition of restriction	4 Reasons for application of restriction - regulatory legal act	5 Restriction validity
1.	Restrictions under para 1 of article 3 (in relation to activity)	Conditions and procedure for access, including restrictions of such access to subsidies and other measures of state support are set by the government of the Republic of Belarus	The Budget Code of the Republic of Belarus, the Tax Code of the Republic of Belarus, the Decree of the President of the Republic of Belarus dated March 28, 2006 № 182 "On improvement of legal regulating of the order of state support for legal entities and individual entrepreneurs"	Not defined
2.	Restrictions under para 1 of article 3 (in relation to establishment) and para 2 of article 4	Private notary in Belarus can be a citizen of the Republic of Belarus.	Articles 25, 27 of the Law "On Notaries and Notarial Activity" Articles 24, 33, 40 of the Law "On State Service in the Republic of Belarus" Paragraphs 435, 437 Regulations on licensing of certain activities, approved by Presidential Decree dated September 1, 2010 № 450 "On licensing certain types of activities" Articles 27, 32 of the Law "On Notaries and notarial Activity" Articles 24, 33, 40 of the Law "On State Service in the Republic of Belarus"	Not defined
3.	Restrictions under para 1 of article 3 (in relation to establishment) and para 2 of article 4	Any citizen of the Republic of Belarus can be registered as a patent attorney/		Not defined
4.	Restrictions under article 3 (in relation to activity) and para 1 of article 4	If the size (quota) of foreign capital in the authorized capital of insurance companies is more than 30	Presidential Decree dated August 25, 2006 № 530 "On insurance"	Not defined

		<p>percent, the Ministry of Finance of the Republic of Belarus stops issuing licenses to conduct insurance business by insurance companies, which are subsidiary undertakings with respect to foreign investors (the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent.</p> <p>Insurance organizations must obtain prior permission from the Ministry of Finance of the Republic of Belarus to increase the size of its share of authorized capital by foreign investors and/or their subsidiary undertakings to dispose for the benefit of foreign investors (including selling to foreign investors) their shares (shares in authorized capital), and Belarusian shareholders (participants) - to dispose of their shares (shares in authorized capital) of the insurance company for the benefit of foreign investors and/or their subsidiary undertakings. Insurance companies cannot be refused in preliminary permission, which are subsidiary undertakings with respect to foreign investors (the main organizations), or have a share of foreign investors in their charter capital of more than 49 percent, or becoming established as a result of these transactions, if the size specified in this paragraph (quota) will not be exceeded in the transactions.</p> <p>Payment by foreign investors of their shares (shares in authorized capital) of insurance companies is made exclusively in cash in the currency of the Republic of Belarus.</p>		
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	<p>Insurance companies, which are subsidiary undertakings with respect to foreign investors (the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent, may create separate divisions of the Republic of Belarus, as well as be the founders of (participants) other insurance companies after receiving that preliminary permit of the Ministry of Finance of the Republic of Belarus. That preliminary permit shall be refused in exceeding of size (quota) of foreign capital in insurance organizations of the Republic of Belarus.</p> <p>Insurance organization, which is a subsidiary undertaking with respect to a foreign investor (the main organization) has the right to exercise insurance business in the Republic of Belarus, if a foreign investor (the main organization) is not less than 15 years an insurance company, carrying out its business in accordance with the legislation of the State, and at least for two years has participated in the activities of insurance companies established in the Republic of Belarus.</p> <p>Insurance companies, which are subsidiary undertakings with respect to foreign investors (the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent cannot exercise in the Republic of Belarus life insurance, compulsory insurance, including compulsory state insurance, property insurance, associated with the delivery of supplies or performance of</p>		
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		contract work for public use, as well as insurance of the property interests of the Republic of Belarus and its administrative units.		
5.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Belarusian legal entities which share of foreign persons (or their combined share) in the authorized (share) capital is more than 50 percent can own agricultural land only in rent. The term of such lease shall not exceed 49 years.		Not defined
6.	Restriction under para 1 of article 3 (in relation to establishment and activity)	The list of organizations eligible to exercise refining of precious metals, as well as their work procedure is established by regulatory legal acts of the Republic of Belarus.		Not defined
7.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 1 of article 4	Advocates of the Republic of Belarus shall be a citizen of the Republic of Belarus.	Article 7 of the Law "On the Bar"	Not defined
8.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Only individuals and legal entities of the Republic of Belarus may carry out private detective and security activity in the Republic of Belarus.		Not defined
9.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 1 of article 4	Restrictions apply to the establishment by the person of a Party in the territory of the Republic of Belarus for carrying out the activities and operations in the field of nuclear energy and radioactive waste.		Not defined
10.	Restriction under para 1 of article 4	Cadastral activities in the Republic of Belarus may be carried out exclusively by persons of the Republic of Belarus.		Not defined
11.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 1 of article 4	Only Belarusian persons can be insurance agents, insurance brokers.		Not defined
12.	Restriction under para 1 of article 3 (in relation to establishment and	Establishment of credit organizations with foreign		Not defined

	activity) and para 1 of article 4	investment requires preliminary permit from the National Bank. The National Bank stops issuing licenses to carry out banking operations to banks with foreign investments, when the quota established by the legislation of the Republic of Belarus. National Bank has the right to take any action to enforce this restriction. In considering question to issue a permit the level of the quota of foreign capital in the banking system of the Republic of Belarus, as well as the financial position and business reputation of the founders of the non-resident are considered.		
13.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 1 of article 4	Transportation and towing in communication between the seaports of the Republic of Belarus (cabotage) are conducted by vessels flying the national flag of the Republic of Belarus, except for vessels registered in Belarus International Ship Register, and belonging to legal entities of the Republic of Belarus, which share of foreign participation in the capital does not exceed forty-nine percent. Foreigners cannot hold the office of captain, chief mate, chief engineer and radio officer flying the flag of the Republic of Belarus, pilots can only be citizens of the Republic of Belarus.		Not defined
14.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Restrictions can be imposed in relation to activities in the continental shelf of the Republic of Belarus.		Not defined
15.	Restriction under para 1 of article 3 (in relation to activity)	Priority in the provision for the use of animals in a particular area or water is given to citizens of the Republic of Belarus.		Not defined
16.	Restriction under para 1	1. A foreign national cannot		Not defined

	of article 3 (in relation to establishment and activity)	<p>be the founder (co-founder) of mass media.</p> <p>2. Foreign legal entity, the Belarusian legal entity which the share of foreign investment in the authorized capital is 50 percent or more, may not be founders of TV and video programs.</p> <p>3. A foreign national, a foreign legal entity, the Belarusian legal entity which share of foreign investment in the authorized capital is 50 percent or more, may not form a legal entities, entrusted with the editorial TV programs' functions, carrying out TV broadcasts, covering the territory inhabited by half or more of the population of the Republic of Belarus;</p> <p>4. Disposal of shares (shares) by the founder of TV and video programs, including after its state registration, a legal entity which is entrusted with the editorial TV programs' functions performing television broadcasting, covering the territory inhabited by half or more of the population of the Republic of Belarus, which caused the appearance of their share in the authorized capital (contribution) of foreign investment of 50 percent or more, is not allowed.</p>		
17.	Restriction under para 1 of article 4	In respect of audit services: A commercial organization can be established in any organizational legal form, with the exception of the open joint stock company, state or municipal unitary enterprise.		Not defined
18.	Restriction under para 1 of article 3 and para 1 of article 4	License to operate in the financial services industry in the Republic of Belarus is issued to legal entities of the Republic of Belarus, established in the legal form according to the legislation of		Not defined

		the Republic of Belarus.		
19.	Restriction under para 3 of article 3	<p>In respect of credit institutions with foreign investments:</p> <p>If the person performing the functions of the sole executive body of the Belarusian credit institution is a foreign national or a stateless person, the collegial executive body of a credit institution is not less than fifty per cent shall be formed of citizens of the Republic of Belarus.</p> <p>Number of employees - citizens of the Republic of Belarus shall be at least seventy-five percent of the total number of employees of the Belarusian credit organizations with foreign investments.</p>		Not defined
20.	Restriction under para 3 of article 4	Executive heads (including sole executive body) and the Chief Accountant of the subject of the Belarusian insurance - legal entity must be resident of the Republic of Belarus		Not defined
21.	Restriction under article 3 (in relation to establishment and activity), article 4	<p>1. Foreign investments participation in the aviation organization engaged in the development, manufacture, testing, repair and (or) disposal of aircraft is allowed, provided that the share of foreign capital is less than twenty five percent of the authorized capital of aviation organizations, according to the Presidential decision, only the citizens of the Republic of Belarus can be the executive heads or persons that make up the corporate bodies of such organizations, unless otherwise determined by the decision of the President.</p> <p>2. Establishment in the territory of the Republic of Belarus of an aviation company with foreign capital</p>		Not defined

		shall be permitted, if the share of foreign capital does not exceed 49 percent of the authorized capital of an aviation company, its executive head is a citizen of the Republic of Belarus and the number of foreign citizens in the governing body of an aviation company, does not exceed one-third of the governing body. Foreign aviation companies may establish offices in the territory of the Republic of Belarus in accordance with the legislation of the Republic of Belarus and (or) international treaties of the Republic of Belarus.		
22.	Restriction under para 1 of article 4	Contracts related to the activity in the housing and communal services, water use and supply are concluded with a legal entity. The number of contracts may be restricted in accordance with local needs.		Not defined
23.	Restriction under para 1 of article 4	The right to appoint an exclusive concessionaire is retained. Individual rights and responsibilities of the grantor may be carried out by the authorized grantor.		Not defined
24.	Restriction under para 1 of article 4	Activity which requires a license may be exercised only by legal entities of the Republic of Belarus or individual entrepreneurs, duly registered in the Republic of Belarus. Activities subject to licensing are determined in accordance with the legislation of the Republic of Belarus.		Not defined
25.	Restriction under para 1 of article 4	Activities related to the turnover of narcotic drugs and psychotropic substances in parts of cultivation of crops		Not defined

		used for the production of narcotic drugs and psychotropic substances, processing, manufacture, distribution and destruction of narcotic drugs and psychotropic substances can only be carried out by state unitary enterprises.		
26.	Restriction under para 1 of article 4	Activities related to the employment of citizens of the Republic of Belarus outside the Republic of Belarus, cannot be carried out by private entrepreneur of the Republic of Belarus.		Not defined
27.	Restriction under para 1 of article 3 and article 4	Space activities can be carried out only by legal entities of the Republic of Belarus.		Not defined
28.	Restriction under article 4	The share of each founder or a member of the Exchange in its authorized capital cannot exceed ten percent.		Not defined
29.	Restriction under para 1 of article 4	Activities in the field of education is carried out by legal entities of the Republic of Belarus, which are nonprofit organizations.		Not defined

THE REPUBLIC OF KAZAKHSTAN

1 №	2 Type of restriction	3 Definition of restriction	4 Reasons for application of restriction - regulatory legal act	5 Restriction validity
1.	Restriction under para 1 of article 3 (in relation to activity)	Budget subsidies and other government support measures are provided to individuals and legal entities of the Republic of Kazakhstan in accordance with the procedure established by the Government of the Republic of Kazakhstan.	<u>Budget Code</u> of the Republic of Kazakhstan	Not defined

2.	Restriction under para 1 of article 3 (in relation to establishment and activity)	It is prohibited: 1. management or operation of trunk lines by foreigners. 2. foreigners and foreign legal entities directly and (or) indirectly to own, use, dispose of and (or) to manage a total of more than 49 percent of the voting shares and shares, equities of legal entity carrying out activities in the field of telecommunications as a long-distance and (or) international communications operator holding ground (cable, including fiber optic, microwave) communication links.	Law of the Republic of Kazakhstan «On national security »	Measure is retained up to January 1, 2017, with the exception of «Kazakhtelecom» JCS its possible successors
3.	Restriction under para 1 of article 3 (in relation to activity) and para 1 of article 4	Foreign individuals and legal entities are prohibited direct and (or) indirectly to own, use, dispose and (or) control more than 20 percent of stocks (shares, equities) of a legal entity - a representative of mass the media in the Republic of Kazakhstan or working in this field.	Law of the Republic of Kazakhstan «On national security »	Not defined
4.	Restriction under para 1 of article 3 (in relation to activity)	Public authority may refuse to issue a permit to the applicant for transactions to use of strategic resources of the Republic of Kazakhstan if it may lead to the concentration of the rights of one person or group of persons from the same country. Compliance with this requirement is mandatory in relation to transactions with affiliates.	Law of the Republic of Kazakhstan «On national security »	Not defined
5.	Restriction under para 1 of article 3	Subsoil use contracts between the Government of Kazakhstan and the subsoil user, concluded before the entry into force of the Agreement.	Law of the Republic of Kazakhstan “On subsoil use”	Not defined
6.	Restriction under para 1 of article 3 (in relation to establishment and activity)	The private property of foreign persons cannot include land plots intended for the conduct of commercial agriculture and afforestation. Temporary paid land use right for conducting a country or farm and agricultural commodity production is granted to foreign persons for up to 10 years.	Land Code of the Republic of Kazakhstan	Not defined

7.	Restriction under para 1 of article 3 (in relation to activity)	Without prejudice to any other agreement concluded between the Parties within the CU and CES, only legal entities - residents of the Republic of Kazakhstan have a right to import and export of ethyl alcohol and alcohol products to the territory (from the territory) of the Republic of Kazakhstan.	P. 1-2 art.10 <u>Law</u> of the Republic of Kazakhstan "On state regulating of production and turnover of ethyl alcohol and alcoholic beverages"	Not defined
8.	Restriction under para 1 of article 3 (in relation to activity) and para 2 of article 4	Foreigners cannot hold a position of the captain, chief mate and chief engineer. Only citizens of the Republic of Kazakhstan can be allowed to work as a maritime pilots.	<u>Law</u> of the Republic of Kazakhstan «On inland water transport» <u>Law</u> of the Republic of Kazakhstan «On merchant shipping»	Not defined
9.	Restriction under para 1 of article 4	Activities in the field of education are carried out by educational institutions that are legal entities of the Republic of Kazakhstan.	<u>Law</u> of the Republic of Kazakhstan «On education»	Not defined
10.	Restriction under para 1 of article 4	Foreign organizations are carrying out business activity to organize construction of residential buildings by attracting shareholders' money only through the establishment of a legal entity in the Republic of Kazakhstan.	<u>Law</u> of the Republic of Kazakhstan «On the equity participation in housing construction »	Not defined
11.	Restriction under para 1 of article 4	Agreements related to the activity in the housing and communal services, water supply and use, are concluded with a legal entity. The number of contracts may be restricted in accordance with local needs.	<u>Laws</u> of the RK «On housing relations»	Not defined
12.	Restriction under para 1 of article 4	The right to appoint an exclusive concessionaire is retained. Individual rights and responsibilities of the grantor may be carried out by the authorized grantor.	<u>Law</u> of the RK «On concession»	Not defined
13.	Restriction under para 1 of article 3 (in relation to establishment and activity) and article 4	Restrictions apply to the establishment by the person of a Party in the territory of the Republic of Kazakhstan for carrying out activities and operations in the field of nuclear energy and radioactive waste.	<u>Law</u> of the Republic of Kazakhstan «On nuclear energy use»	Not defined

14.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Restrictions can be imposed in relation to activities in the continental shelf of the Republic of Kazakhstan.	<u>Law</u> of the Republic of Kazakhstan «On subsoil and subsoil use »	Not defined
15.	Restriction under para 1 of article 4	The share of the founders or members of the Exchange in its authorized capital may be limited.	<u>Law</u> of the Republic of Kazakhstan «On the Securities Market»	Not defined
16.	Restriction under para 1 of article 4	Activities related to the turnover of narcotic drugs and psychotropic substances in parts of cultivation of crops used for the production of narcotic drugs and psychotropic substances, processing, manufacture, distribution and destruction of narcotic drugs and psychotropic substances can only be carried out by state unitary enterprises.	<u>Law</u> of the Republic of Kazakhstan dated July 10, 1998 N 279-1 On narcotic drugs and psychotropic substances, precursors and measures to counter illicit trafficking and abuse	Not defined
17.	Restriction under para 1 of article 4	Activity which requires a license may be exercised only by legal entities of the Republic of Kazakhstan or individual entrepreneurs, duly registered in the Republic of Kazakhstan. Activities subject to licensing of the Republic of Kazakhstan are determined in according to the legislation	<u>Law</u> of the Republic of Kazakhstan «On licensing»	Not defined
18.	Restriction under para 1 of article 3 (in relation to activity)	Director of the Aviation Safety airport, airline, performing scheduled air services can only be a citizen of the Republic of Kazakhstan.	<u>Law</u> of the Republic of Kazakhstan "On the use of air space and aviation"	Not defined
19.	Restriction under para 1 of article 4	A person responsible for the security of the operator performing the non-scheduled air services and aerial work can only be a citizen of the Republic of Kazakhstan.	<u>Law</u> of the Republic of Kazakhstan "On the use of air space and aviation"	Not defined

20.	Restriction under para 1 of article 4	Airlines performing scheduled air services are created in the form of a joint stock company. The share of foreign participation, and (or) foreign legal persons in the authorized capital of the airline shall not exceed forty-nine percent.	Law of the Republic of Kazakhstan "On the use of air space and aviation"	Not defined
21.	Restriction under para 1 of article 3 (in relation to activity)	Individual entrepreneur can only be - a citizen of the Republic of Kazakhstan or repatriates ¹ performing individual entrepreneurship without establishing a legal entity.	Law of the Republic of Kazakhstan «On private entrepreneurship»	Not defined
22.	Restriction under para 1 of article 3 (in relation to establishment)	Lawyer ² and lawyer trainee can only be a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On advocacy»	Not defined
23.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Notary and assistant notary can only be a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On notariat»	Not defined
24.	Restriction under para 1 of article 3 (in relation to establishment)	The activities of property management and affairs of insolvent debtors in bankruptcy proceedings may be carried out only by citizens of the Republic of Kazakhstan.	Licensing rules and eligibility requirements required for management activity of the property and affairs of insolvent debtors in bankruptcy proceedings. Approved by the Resolution of the Government of the Republic of Kazakhstan № 615 dated 07.20.2007	Not defined
25.	Restriction under para 1 of article 3 (in relation to activity)	The position of the assessor in the judicial examination bodies may be taken by a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On forensic activities in the Republic of Kazakhstan»	Not defined

26.	Restriction under para 1 of article 3 (in relation to establishment)	Patent attorney can only be a citizen of the Republic of Kazakhstan	Patent Law of the Republic of Kazakhstan	Not defined
27.	Restriction under para 1 of article 4	The audit organization is created in the organizational legal form of a limited liability company.	Law of the Republic of Kazakhstan «On audit activities»	Not defined
28.	Restriction under para 1 of article 3 (in relation establishment and to activity)	Legal entities with foreign participation, and foreigners are not entitled to: 1) carry out all types of security activities; 2) establish or be founders (participants) of the private security organizations; 3) have a trust private security organizations; 4) establish guard units of individual entrepreneurs and legal entities.	Law of the Republic of Kazakhstan « On security activities»	Not defined
29.	Restriction under para 1 of article 3 (in relation to activity) and para 2 of article 4	Guide (guide-interpreter), tourism instructor guide may be only a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On tourist activity in the Republic of Kazakhstan»	Not defined
30.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 2 of article 4	Editor in chief of the mass media can only be a citizen of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On mass media»	Not defined
31.	Restriction under para 1 of article 4	The Banks are established in the form of is a joint-stock companies.	Law of the Republic of Kazakhstan «On banks and bank activities»	Not defined
32.	Restriction under para 1 of article 3 (in relation to establishment)	Opening of branches of non-resident banks in the Republic of Kazakhstan is prohibited.	Law of the Republic of Kazakhstan «On banks and bank activities in the Republic of Kazakhstan»	Not defined
33.	Restriction under para 1 of article 4	Representative office of non-resident bank of the Republic of Kazakhstan, within thirty days from the date of registration in the judiciary must notify in writing the authorized body to opening.	Law of the Republic of Kazakhstan «On banks and bank activities in the Republic of Kazakhstan»	Not defined

34.	Restriction under para 1 of article 4	The insurance (reinsurance) organization is established in the form of is a joint-stock companies	Law of the Republic of Kazakhstan «On insurance activities»	Not defined
35.	Restriction under para 1 of article 4	Representative office of insurance (reinsurance) organization - non-resident of the Republic of Kazakhstan, within thirty days from the date of registration in the judiciary must notify in writing the authorized body to opening.	Law of the Republic of Kazakhstan «On insurance activities»	Not defined
36.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Opening of branches of insurance (reinsurance) organization - non-resident in the Republic of Kazakhstan is prohibited.	Law of the Republic of Kazakhstan «On insurance activities»	Not defined
37.	Restriction under para 1 of article 4	Organizational legal form of an insurance broker is a limited liability company or joint stock company.	Law of the Republic of Kazakhstan «On insurance activities»	Not defined
38.	Restriction under para 1 of article 4	Pension Saving Fund is established as a joint stock company.	Law of the Republic of Kazakhstan «On pension benefits»	Not defined
39.	Restriction under para 1 of article 4	Organizations engaged in investment management of pension assets from pension funds should be established as a joint stock company and be a professional participant of the securities market.	Law of the Republic of Kazakhstan «On pension benefits»	Not defined
40.	Restriction under para 1 of article 3 (in relation to establishment)	Opening of branches and representative offices of pension saving funds – non-resident in the Republic of Kazakhstan in the Republic of Kazakhstan is prohibited.	Law of the Republic of Kazakhstan «On pension benefits in the Republic of Kazakhstan»	Not defined
41.	Restriction under para 1 of article 4	The total net worth of open pension saving funds with foreign participation may not exceed twenty-five percent of the total registered authorized capital of all open pension saving funds of the Republic of Kazakhstan.	Law of the Republic of Kazakhstan «On pension benefits in the Republic of Kazakhstan»	Not defined
42.	Restriction under para 1 of article 4	At least one-third of the members of the board and the administration of the open pension saving fund with the participation of non-residents of the Republic of Kazakhstan shall be citizens of the Republic of	Law of the Republic of Kazakhstan «On pension benefits in the Republic of Kazakhstan»	Not defined

		<p>Kazakhstan.</p> <p>Non-residents of the Republic of Kazakhstan – members of the board of directors and the administration of the open pension saving fund are required to submit documentation of management experience of at least three years in organizations engaged the financial markets activities.</p>		
43.	Restriction under para 1 of article 4	<p>Total net worth of organizations engaged in investment management of pension saving funds, with foreign ownership cannot exceed fifty percent of the total net worth of all organizations engaged in investment management of pension assets of the Republic of Kazakhstan.</p>	<p><u>Law</u> of the Republic of Kazakhstan «On pension benefits in the Republic of Kazakhstan»</p>	Not defined
44.	Restriction under para 2 of article 4	<p>At least one-third of the members of the board and the administration of organizations engaged in investment management of pension assets with the participation of non-residents shall be citizens of the Republic of Kazakhstan.</p> <p>Non-residents of the Republic of Kazakhstan – members of the board of directors and the administration of the organizations engaged in investment management of pension assets are required to submit documentation of management experience of at least three years in organizations engaged the financial markets activities.</p>	<p><u>Law</u> of the Republic of Kazakhstan «On pension benefits in the Republic of Kazakhstan»</p>	Not defined
45.	Restriction under para 1 of article 4	<p>Bank holding company – non-resident of the Republic of Kazakhstan, which directly owns twenty-five percent or more of outstanding (net of preferred shares and redeemed by the bank) shares or has the opportunity to vote directly by twenty-five percent or more of the voting shares of the bank, may be the only financial institution.</p>	<p>Amendments to the <u>Law</u> of the Republic of Kazakhstan «On banks and bank activities in the Republic of Kazakhstan»</p>	Not defined

46.	Restriction under para 1 of article 4	Central Depository is the only organization in the Republic of Kazakhstan, carrying out depository activities. Central Depository is established as a joint stock company	<u>Law</u> of the Republic of Kazakhstan «On securities market»	Not defined
47.	Restriction under para 1 of article 4	Professional securities market participant - a legal entity engaged in the organizational legal form of the company ((excluding broker and (or) the dealer, without the right to manage client accounts, of registrar, transfer agent)	<u>Law</u> of the Republic of Kazakhstan «On securities market»	Not defined
48.	Restriction under para 1 of article 4	Stock Exchange - a legal entity established in the legal form of the joint stock company.	<u>Law</u> of the Republic of Kazakhstan «On securities market»	Not defined

¹Repatriates - foreigners or stateless Kazakh persons inhabited at the time of acquisition of sovereignty by the Republic of Kazakhstan abroad and arrived in Kazakhstan for permanent residence

²The presence of status of a lawyer is only required for the conduct of criminal cases.

THE RUSSIAN FEDERATION

1 №	2 Type of restriction	3 Definition of restriction	4 Reasons for application of restriction - regulatory legal act	5 Restriction validity
1.	Restriction under para 1 of article 3 (in relation to activity)	Conditions and procedure for access, including restrictions of such access, subsidies and other measures of state support are	Budget Code of the Russian Federation, the Federal Law "On the Federal Budget" for the relevant year, regulatory	Not defined

		established by federal, state and municipal government agencies and fully applied, notwithstanding the provisions of the Agreement.	legal acts of objects of the Russian Federation and municipalities.	
2.	Restriction under para 1 of article 3 (in relation to establishment) and para 2 of article 4	Notaries, notary trainees and assistants can only be citizens of the Russian Federation. Chamber of Notaries, notary office may be established only by a person of the Russian Federation	Law dated February 11, 1993 № 4462-1 «Fundamentals of Russian Federation legislation on notariat»	Not defined
3.	Restriction under para 1 of article 3 (in relation to establishment) and para 2 of article 4	A citizen of the Russian Federation can be registered as a patent attorney.	The Civil Code of the Russian Federation	Not defined
4.	Restriction under article 3 (in relation to establishment and activity) and para 1 of article 4	If the size (quota) of foreign capital in the authorized capital of insurance companies is more than 25 percent, the insurance authority stops issuing licenses to conduct insurance business by insurance companies, which are subsidiary undertakings with respect to foreign investors (the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent. Insurance organizations must obtain prior permission from the insurance authority to increase the size of its share of authorized capital by foreign investors and/or their subsidiary undertakings to dispose for the benefit of foreign investors (including selling to foreign investors) their shares (shares in authorized capital), and Russian shareholders (participants) - to dispose of their shares (shares in authorized capital) of the insurance company for the benefit of foreign investors and/or their subsidiary undertakings. Insurance companies cannot be refused in preliminary permission, which are subsidiary undertakings with respect to foreign investors (the main organizations), or have a share of foreign investors in their charter capital of more than 49 percent, or becoming established as a result of these transactions, if the size specified in this paragraph	Federal Law dated November 27, 1992 № 4015-1 “On Insurance in the Russian Federation”	Not defined

		<p>(quota) will not be exceeded in the transactions. Payment by foreign investors of their shares (shares in authorized capital) of insurance companies is made exclusively in cash in the currency of the Russian Federation.</p> <p>Insurance companies, which are subsidiary undertakings with respect to foreign investors (the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent, except for organizations that are subsidiary undertakings of foreign investors of Member States of the European Union or have a share of foreign investors in its authorized capital of more than 49 percent, may create their branches in the territory of the Russian Federation, participate in subsidiary undertakings after receiving that preliminary permit of the insurance authority.</p> <p>That preliminary permit shall be refused in exceeding of size (quota) of foreign capital in insurance organizations of the Russian Federation. Insurance organization, which is a subsidiary undertaking with respect to a foreign investor (the main organization), except for organizations that are subsidiary undertakings of foreign investors of Member States of the European Union or have a share of foreign investors in its authorized capital of more than 49 percent, has the right to exercise insurance business in the Russian Federation, if a foreign investor (the main organization) is not less than 15 years an insurance company, carrying out its business in accordance with the legislation of the State, and at least for two years has participated in the activities of insurance companies established in the territory of the Russian Federation. Insurance companies, which are subsidiary undertakings with respect to foreign investors</p>		
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		<p>(the main organization) or have a share of foreign investors in its authorized capital of more than 49 percent, except for organizations that are subsidiary undertakings of foreign investors of Member States of the European Union or have a share of foreign investors in its authorized capital of more than 49 percent, cannot exercise in the Russian Federation life insurance, compulsory insurance, including compulsory state insurance, property insurance, associated with the delivery of supplies or performance of contract work for public use, as well as insurance of the property interests of the state and its municipal organizations. Notwithstanding the provisions of this Agreement, insurance companies licensed to carry out insurance business prior to Russia's accession to the WTO, can continue to implement these activities in accordance with the terms on which the license was issued.</p>		
5.	<p>Restriction under para 1 of article 3 (in relation to establishment and activity), article 5, para 1 of article 4</p>	<p>Transactions made by a person of any other Party, and entailing the establishment of control over Russian business associations engaged in at least one of the activities that have strategic importance for national defense and security, require the approval of the authorized body of the Russian Federation in the manner specified by statutory legal acts of the Russian Federation. Foreign governments, international organizations, as well as those under their control persons, including those created in the Russian Federation, shall not perform any transactions entailing the establishment of control over Russian business associations engaged in at least one of the activities which have strategic importance for the defense and national security, foreign investors or group of persons shall submit to the authorized body information</p>	<p>Federal Law dated April 29, 2008 № 57 - FL "On Foreign Investments in Business associations of Strategic Importance which have a strategic importance for state defense and security."</p>	<p>Not defined</p>

		about the acquisition of five percent or more of stocks (shares) of the authorized capital of companies, engaged in at least one of the activities that have strategic importance for national defense and security.		
6.	Restriction under para 1 of article 3 (in relation to establishment and activity) and article 4	Establishment of legal entities by persons of any other Party, opening of branches and representative offices, registration as an individual entrepreneur in the closed administrative-territorial unit in the Russian Federation, the acquisition by persons of any other Party the equity of legal entities registered in closed administrative-territorial unit, and the activities of legal entities registered in closed administrative territorial unit (including foreign capital), branches of representative offices may be restricted or prohibited in accordance with the regulatory legal acts of the Russian Federation.	Federal Law dated July 14, 1992 № 3297-1 "On a closed administrative-territorial unit"	Not defined
7.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Operations with lands which is the traditional place of inhabitation and economic activities of native minorities and small ethnic groups, as well as land plots located in the border areas and other established special territories of the Russian Federation may be restricted or prohibited under the regulatory legal acts of the Russian Federation.	Land Code of the Russian Federation fated October 25, 2001 № 136- FL Federal law on the State Border of the Russian Federation (in particular, the Federal Law dated April 1, 1993 № 4730-1 «On the State Border of the Russian Federation)	Not defined
8.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Russian legal entities which share of foreign persons (or their combined share) in the authorized (share) capital is more than 50 percent can own agricultural land only in rent. The term of such lease shall not exceed 49 years.	Land Code of the Russian Federation dated October 25, 2001 № 136-FL, The Federal Law dated July 24, 2002 № 101- FL "On Agricultural Land."	Not defined
9.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Restrictions are applied to the purchase by persons of any other Party of over 20 percent of the total amount of ordinary shares of Russian regional gas supply systems owners and owners of gas distribution systems. Total amount of ordinary shares of organization - owner of the Unified Gas Supply	Federal Law dated March 31, 1999 № 69-FL "On Gas Supply in the Russian Federation."	Not defined

		System, owned by the Russian Federation, shall be not less than 50 percent plus one share. Subsoil of federal significance, determined by the Government of the Russian Federation may be offered available for use without tenders and auctions for exploration and production of gas output or for geological study of subsoil, exploration and production of gas carried out under a combined license, the organization - owner of the unified gas supply system or organization - owner of the regional gas supply system.		
10.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Russian Federation, objects of the Russian Federation, and organizations created without the participation (direct or indirect) of foreign persons must have majority of votes taking into account when decision taken by authorities of organizations engaged in diamond mining in the territory of the Russian Federation.	Federal Law dated March 26, 1998 № 41-FL "On Precious Metals and	Not defined
11.	Restriction under para 1 of article 3 (in relation to establishment and activity)	The list of organizations eligible to exercise refining, as well as their work procedures, is established by regulatory legal acts of the Russian Federation.	Government Resolution dated August 17, 1998 № 972 "On approval of the work procedure of organizations engaged in the refining, and the list of organizations eligible to exercise refining"	Not defined
12.	Restriction under para 1 of article 3 (in relation to establishment and activity) and para 1 of article 4	Lawyers can provide services only through law firms and offices, the Bar and the legal advice. Foreign lawyers are not allowed to provide legal assistance in the territory of the Russian Federation on issues related to state secrets of the Russian Federation. Foreign nationals may acquire the status of a lawyer in the Russian Federation, if they are not lawyer of other states.	Federal Law dated May 31, 2002 № 63-FL "On Advocacy and Bar in the Russian Federation"	Not defined
13.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Only individuals and legal entities of the Russian Federation may carry out private detective and security activity in the Russian Federation.	Law of the RF dated March 11, 1992 № 2487-I «On Private Detective and Security Activity in the Russian Federation"	Not defined

14.	Restriction under para 1 of article 3 (in relation to establishment and activity) and article 4	Restrictions apply to the establishment by the person of a Party in the territory of the Russian Federation for carrying out the activities and operations in the field of nuclear energy and radioactive waste	Federal Law dated February 5, 2007 N 13-FL "On the specifics of management and disposition of property and shares of organizations operating in the field of nuclear energy, and on amendments to certain legislative acts of the Russian Federation", Federal Law dated November 21 1995 № 170-FL "On the Use of Nuclear Energy", Federal Law dated November 30, 1995 № 187-FL "On the continental shelf of the Russian Federation"	Not defined
15.	Restriction under para 1 of article 4	Cadastral activities in the Russian Federation may be carried out exclusively by persons of the Russian Federation.	Federal Law dated July 24, 2007 № 221-FL "On the State Cadastral Register."	Not defined
16.	Restriction under para 1 of article 3 (in relation to establishment and activity) and article 4	Only Russian persons can be insurance agents, insurance brokers.	Federal Law dated November 27, 1992 № 4015-1 «On Insurance in the Russian Federation"	Not defined
17.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Establishment of credit organizations with foreign investment requires preliminary permit from the Bank of Russia. The Bank of Russia stops issuing licenses to carry out banking operations to banks with foreign investments, when the quota established by the legislation of the Russian Federation. The Bank of Russia has the right to take any action to enforce this restriction. In considering question to issue a permit the level of the quota of	RSFSR Law dated December 2, 1990 № 395-1 «On Banks and Banking", Federal Law dated July 10, 2002 № 86-FL "On the Central Bank of the Russian Federation (Bank of Russia), Resolution of the Bank of Russia dated April 23, 1997 № 437 "On peculiarities of registration of credit organizations with foreign investment."	Not defined

		foreign capital in the banking system of the Russian Federation, as well as the financial position and business reputation of the founders of the non-resident are considered.		
18.	Restriction under para 1 of article 4 (in relation to establishment and activity)	Without prejudice to other agreements of the Parties concluded within the framework of the CES, the exclusive right to export gas is granted to organization - owner of the Unified gas supply system or its subsidiary undertakings which share in the authorized capital of the organization - owner of a Unified gas supply system is one hundred percent.	Federal Law dated July 18, 2006 № 117-FL «On gas export».	Not defined
19.	Restriction under para 1 of article 3 (in relation to establishment) and article 4	Transportation and towing in communication between the seaports of the Russian Federation (cabotage) are conducted by vessels flying the national flag of the Russian Federation, except for vessels registered in Russian International Ship Register, and belonging to legal entities of the Russian Federation, which share of foreign participation in the capital does not exceed forty-nine percent. Foreigners cannot hold the office of captain, chief mate, chief engineer and radio officer flying the flag of the Russian Federation, pilots can only be citizens of the Russian Federation.	Merchant Shipping Code of the Russian Federation dated April 30, 1999 № 81-FL	Not defined
20.	Restriction under para 1 of article 3 (in relation to establishment and activity)	Restrictions can be imposed in relation to activities in the continental shelf of the Russian Federation.	Federal Law dated November 30, 1995 № 187-FL «On continental shelf of the Russian Federation»	Not defined
21	Restriction under para 1 of article 3 (in relation to activity)	Priority in the provision for the use of animals in a particular area or water is given to citizens of the Russian Federation.	Federal Law dated April 24, 1995 № 52-FL «On wildlife».	Not defined
22	Restriction under para 1 of article 3 (in relation to establishment and activity)	1. A foreign national cannot be the founder (co-founder) of mass media. 2. Foreign legal entity, the Russian legal entity which the share (contribution) of foreign	Federal Law dated December 27, 1991 № 2124-1 «On mass media».	Not defined

		<p>investment in the authorized (share) capital is 50 percent or more, may not be founders of TV and video programs.</p> <p>3. A foreign national, a foreign legal entity, the Russian legal entity which share (contribution) of foreign investment in the authorized (share) capital is 50 percent or more, may not form organizations (legal entities), entrusted, carrying out TV broadcasts, covering the territory inhabited by half or more of the population of the Russian Federation;</p> <p>4. Disposal of shares (shares) by the founder of TV and video programs, including after its registration, an organization (legal entity) performing television broadcasting, covering the territory inhabited by half or more of the population of the Russian Federation, which caused the appearance of their share in the authorized capital (contribution) of foreign investment of 50 percent or more, is not allowed.</p>		
23.	<p>Restriction under para 1 of article 3 (in relation to establishment and activity), article 5</p>	<p>In regard to the conclusion of production sharing agreements, which were concluded before the date of entry into force:</p> <p>1. Auction terms to conclude a Production Sharing Agreement shall be provided for the participation of Russian legal entities in the implementation of the agreements in shares determined by the Government of the Russian Federation.</p> <p>2. The agreement provides for the obligation of the investor:</p> <ul style="list-style-type: none"> - granting to Russian legal entities an empty right to participate in the work under the agreement as contractors, suppliers, carriers, or other on the basis of agreements (contracts) with investors; - attract workers - citizens of the Russian Federation, the number of which shall be not less than 80 percent of all the involved employees, attract foreign workers 	<p>Federal Law dated December 30, 1995 № 225-FL «On production sharing agreement».</p>	<p>Not defined</p>

		<p>and specialists only in the initial stages of the work under the agreement or in the absence of workers and professionals - the citizens of the Russian Federation with the relevant qualifications;</p> <p>- acquisition of processing equipment, tools and materials of the Russian origin needed for exploration and production, transportation and processing of minerals of at least 70 percent of the total cost (including rental and lease agreements, and otherwise) in each calendar year to perform work under the agreement, the equipment, tools and materials, the cost of the acquisition and use of which is reimbursed to the investor of compensation products. And equipment, tools and materials are considered to be of Russian origin, provided that they are made by Russian legal entities and (or) by the citizens of the Russian Federation in the territory of the Russian Federation of units, parts, components and accessories, not less than 50 per cent in terms of value, produced in the territory of the Russian Federation by Russian legal entities and (or) the citizens of the Russian Federation.</p> <p>The parties to the agreement must include a condition that at least 70 percent of the production equipment in terms of value for mining, transportation and processing (if so provided in the agreement), acquired and (or) used by the investor to perform work under the agreement shall be of Russian origin .</p> <p>This provision does not apply to the use of objects of trunk pipelines, construction and acquisition of which does not provided by the agreement.</p>		
24.	Restriction under para 1 of article 4	In respect of audit services: A commercial organization can be established in any organizational legal form, with the exception of the open joint stock company, state or municipal unitary enterprise.	Federal Law dated December 30, 2008 № 307-ФЗ «On audit services»	Not defined

25.	Restriction under para 1 of article 4 and para 1 of article 4	License to operate in the financial services industry in the Russian Federation is issued to legal entities of the Russian Federation, established in the legal form according to the legislation of the Russian Federation ³ .	Federal Law dated December 1, 1990 № 395-1 «On banks and banking»; Federal Law dated April 22, 1996 № 39-ФЗ «On securities market»; Federal Law dated November 27, 1992 № 4015-1 «On insurance establishment in the Russian Federation»	Not defined
26.	Restriction under para 3 of article 4	In respect of credit institutions with foreign investments: If the person performing the functions of the sole executive body of the Russian credit institution is a foreign national or a stateless person, the collegial executive body of the credit institution is not less than fifty per cent shall be formed of citizens of the Russian Federation. Number of employees - citizens of the Russian Federation shall be at least seventy-five percent of the total number of employees of the Russian credit organizations with foreign investments.	Order of the Central Bank of Russia dated April 23, 1997 N 02-195 "On entry into force of the Regulation "On peculiarities of registration of credit institutions with foreign investment and on procedure to obtain the prior permit of the Bank of Russia to increase the authorized capital of the credit institution at the expense of non-residents"	Not defined
27.	Restriction under para 3 of article 4	Executive heads (including sole executive body) and the Chief Accountant of the subject of the Russian insurance - legal entity must be resident of the Russian Federation		Not defined
28.	Restriction under article 3 (in relation to establishment and activity), under article 4	1. Foreign investments participation in the aviation organization engaged in the development, manufacture, testing, repair and (or) disposal of aircraft is allowed, provided that the share of foreign capital is less than twenty five percent of the authorized capital of aviation organizations, according to the	Air Code of the Russian Federation dated March 19, 1997 № 60-FL Federal Law dated January 8, 1998 № 10- FL "On state regulation of aviation development", the Government Resolution of the Russian Federation dated Mat 27, 2002 № 346	Not defined

		<p>Presidential decision of the Russian Federation. Only the citizens of the Russian Federation can be the executive heads or persons that make up the corporate bodies of such organizations, unless otherwise determined by the decision of the President of the Russian Federation.</p> <p>2. Establishment in the territory of the Russian Federation of an aviation company with foreign capital shall be permitted, if the share of foreign capital does not exceed 49 percent of the authorized capital of an aviation company, its executive head is a citizen of the Russian Federation and the number of foreign citizens in the governing body of an aviation company, does not exceed one-third of the governing body. Foreign aviation companies may establish offices in the territory of the Russian Federation in accordance with the legislation of the Russian Federation and (or) international treaties of the Russian Federation.</p>	"On approval of provisions on licensing in the field of aviation technology"	
29.	Restriction under para 1 article 4 (in relation to activity)	<p>Contracts related to the activity in the housing and communal services, water use and supply are concluded with a legal entity. The number of contracts may be restricted in accordance with local needs.</p>	<p>The Water Code of the Russian Federation dated July 3, 2006 № 74- RF FL Government Resolution dated May 23, 2006 № 307 "On the procedure of rendering of public services to citizens." Housing Code of the Russian Federation</p>	Not defined
30.	Restriction under para 1 article 4	<p>The right to appoint an exclusive concessionaire is retained. Individual rights and obligations of the grantor may be carried out by the authorized grantor.</p>	<p>Federal Law dated July 21, 2005 № 115-ФЗ «On concession agreement»</p>	Not defined

31.	Restriction under para 1 article 4	Activity which requires a license may be exercised only by legal entities of the Russian Federation or individual entrepreneurs, duly registered in the Russian Federation. Activities subject to licensing are determined in accordance with the legislation.	Federal Law № 128-FL dated August 8, 2001 «On licensing of types of activity» and legislation, regulating types of activities listed in para 2 of article 1 of the Federal Law.	Not defined
32.	Restriction under para 1 article 4	Activities related to the turnover of narcotic drugs and psychotropic substances in parts of cultivation of crops used for the production of narcotic drugs and psychotropic substances, processing, manufacture, distribution and destruction of narcotic drugs and psychotropic substances can only be carried out by state unitary enterprises.	Government Resolution dated April 7, 2008 N 249 "On approval of the licensing activities related to trafficking in narcotic drugs and psychotropic substances included in List I, in accordance with the Federal Law "On Narcotic Drugs and Psychotropic Substances"	Not defined
33.	Restriction under para 1 article 3 (in relation to activity and establishment) and para 1 article 4	Activities related to the employment of citizens of the Russian Federation outside the Russian Federation, cannot be carried out by private entrepreneur of the Russian Federation.	Government Resolution dated December 23, 2006 N 797 "On approval of the licensing activities related to employment of citizens of the Russian Federation outside the Russian Federation"	Not defined

34.	Restriction under para 1 article 3 (in relation to activity and establishment) and article 4	Space activities can be carried out only by legal entities of the Russian Federation.	Government Resolution dated June 30, 2006 N 403 "On approval of the Regulation on licensing of space activities"	Not defined
35.	Restriction under article 4	The share of each founder or a member of the Exchange in its authorized capital cannot exceed ten percent. ⁴	Law of the RF dated February 20, 1992 N 2383-1 "On Commodity Exchanges and Exchange Trade"	Not defined
36.	Restriction under para 1 article 4	Activities in the field of education are carried out by legal entities of the Russian Federation, which are nonprofit organizations.	Law of the Russian Federation dated July 10, 1992 N 3266-1 "On Education"	Not defined

³Notwithstanding the provisions of Annex V to the Agreement, measure validity is not defined.

⁴Notwithstanding the provisions of Annex V to the Agreement, measure validity is not defined.

ANNEX V On Financial Services

Article 1 Scope

1. This Annex applies to measures of the Parties affecting the supply/trade in financial services.
2. Each Party shall accord national treatment and allow financial service providers - legal entities of the other Parties to supply their own, through an intermediary or as an intermediary in accordance with the conditions stipulated in the annexes of the Parties referred to in Article 9 of this Agreement, the following services:
 - a) insurance of risks relating to:
 - i. maritime, commercial air transport, commercial space launching and freight (including satellites), with respect to which such insurance affects all or part of: goods transported, the vehicles carrying goods and civil liability arising in connection with the carriage, and
 - ii. goods moved within the international transit;
 - b) reinsurance and auxiliary insurance services such as consultancy, actuarial, risk assessment and settlement of claims;
 - c) provision and transfer of financial information and financial data processing and related software providers of other financial services, and;
 - d) advisory and other auxiliary services, excluding intermediation (including the provision of reference materials, except for services related to the analysis of credit histories, research and recommendations on direct and portfolio investment, advice on acquisitions, corporate restructuring and strategy) in respect of:
 - Acceptance of deposits and other repayable funds from the citizens;
 - Granting of all kinds of loans;
 - Financial leasing;
 - All kinds of services for payments and money transfers;
 - Trading for own account or for account of customers in the foreign exchange, OTC market or otherwise: financial market instruments, foreign exchange, derivatives, and other instruments relating to foreign exchange rates and interest rates, transferable securities, other negotiable instruments and financial assets;
 - Participation in securities issues;
 - Brokerage transactions in the financial market;

- Asset management;
- Clearing services for financial assets, including securities, derivatives and other negotiable instruments;

- The provision and transfer of financial information.

3. Each Party shall allow persons of that Party in the territory of any other Party, the following financial services described in subparagraphs "a" - "d" of paragraph 2 of this Article.

Article 2

Definitions

For the purposes of this Annex, the following terms mean:

1. "Supply/trade in financial services" in the Annex means "trade in services", as defined in paragraph "i" of Article 1 of this Agreement, in the sectors referred to in paragraph 4 of Article 2 of this Annex.

2. "Financial service supplier" means any individual or legal entity, supplying financial services, except for public institutions.

3. "Public institution" means:

Public institution - means a public authority or a Central Bank (National Bank), or the organization of state of the Party, owned or controlled by the state of that Party, which carries out only the powers delegated to the government body of the Party or the Central Bank (National Bank) of the Party.

4. "Financial services" means any services of a financial nature offered by a financial service supplier of a Party. Financial services include all insurance and insurance-related services, and all banking services and securities market services, in particular, include the following services:

4.1 Insurance and insurance-related services:

i. Insurance (co-insurance):

a) life insurance

b) insurance other than life insurance.

ii. Reinsurance;

iii. Insurance intermediation, such as brokerage and agency intermediation;

iv. Support services for insurance, such as consultancy, actuarial, risk assessment and claim settlement services.

4.2. Banking Services:

i. Reception of deposits and other repayable funds from the citizens;

ii. Lending of all types of loans, including consumer credit, mortgage credit, factoring and financing of commercial transactions;

iii. Financial leasing;

iv. All kinds of services for payment and money transfers, including credit, charge and debit cards, travelers checks and bank notes;

v. Trading for own account or for account of customers, the currency exchange and outside the exchange, or otherwise:

a) foreign exchange;

c) derivatives, including, but not limited to, futures and options;

d) instruments relating to foreign exchange rates and interest rates, including such transactions as "swap" and forward transactions;

4.3. Services in the securities market:

i. Trading for own account or for account of customers, the currency exchange and outside the exchange, or otherwise:

a) financial market instruments (including checks, transfer note, deposit certificates;

b) transferable securities;

c) other negotiable instruments and financial assets;

ii. Participation in the emissions of all kinds of securities, including guarantee and placement as agent (whether public or private), and the rendering of services related to such emissions;

iii. Brokerage transactions in the financial market;

- iv. Asset management, such as cash or securities, all kinds of collective investment management, pension fund management, custody, storage services, and trust services;
- v. Clearing services for financial assets, including securities, derivatives and other instruments;
- vi. Provision and transfer of financial information and financial data processing and related software providers of other financial services;
- vii. Advisory, intermediation and other auxiliary financial services for all the activities listed in subparagraphs "i" - "v" of this para, including background and analysis on credit issues, findings and recommendations on direct and portfolio investment, advice on acquisitions, restructuring and corporate strategies.

Article 3 Domestic Regulation

1. The procedure for issuing licenses and special permits to operate in the financial services market in the territory of a State of the Party in accordance with the national legislation of the Party in territory of which it is supposed to operate.

2. Nothing in this Agreement shall prevent a Party from taking prudential measures, including the protection of investors, depositors, policy holders and the persons to whom the service supplier has a fiduciary responsibility, or measures to ensure the integrity and stability of the financial system. If such measures are inconsistent with the Agreement, they shall not be used as a means of avoiding to fulfill the commitments by the Party taken by such Party in accordance with the Agreement.

3. Nothing in this Annex shall be construed as requirement for a Party to disclose information regarding the accounts of individual customers or any other confidential or owned information that have public institutions.

Article 4 Harmonization of legislation of the Parties

The Parties shall harmonize national legislation on the basis of international principles and standards, or international best practice, and not less than the best standards and practices, already used in the states of the Parties, in order to establish a harmonized level of requirements with respect to persons of the Parties operating in the following sectors of services:

- i. Banking services;
- ii. Insurance services;
- iii. Services on the securities market.

Article 5 The harmonization procedure

1. Harmonization of relevant rules shall be in accordance with the following stages:

1.1. By December 31, 2013 the parties will conclude an Agreement on the requirements for the implementation of activities in the financial markets of the Common Economic Space. This agreement will provide for the direction and harmonization procedure of national legislation of the Parties, in particular, in the sphere of requirements and conditions for the issuance of licenses for activities in the sectors of services referred to in Article 4 of this Annex.

1.2. By 2015, the Parties shall consider the possibility of the establishment and operation of a supranational authority to regulate the financial market of the Parties.

1.3. By January 1, 2020 the Parties will complete the harmonization process of national legislation in the sectors of services specified in Article 4 of this Annex.

1.4. Acting in accordance with this Agreement, the Parties seek to mutual recognition licenses for activities in the sectors of services referred to in Article 4 of this Annex, issued in the territory of any other Party since January 1, 2020.

2. By January 1, 2020 the Parties shall achieve the following:

2.1. In the banking sector

Within the framework of national law the Parties provide for harmonized requirements for regulation and supervision of credit institutions, guided in their actions by Fundamental Principles for Effective

Banking Supervision of the Basel Committee on Banking Supervision and best international practice, including in relation to:

- i. the concept of "credit organization" and its legal status;
- ii. the procedure and conditions of disclosure of information by credit organization, banking groups and their affiliated entities, bank holding companies;
- iii. the rules of accounting and implementation of audits, established in accordance with International Financial Reporting Standards for all activities, including the banking sector, and the requirements for the audit of the financial (accounting) report in accordance with International Standards on Auditing;
- iv. the procedure and conditions of a credit organization, in particular with regard to:
 - a) the requirements for constituent documents;
 - b) the procedure of state registration of legal entity/branch and state registration of the credit organization;
 - c) determine the minimum size of the authorized capital of the credit organization, the procedure of its formation and methods of payment;
 - d) the requirements for professional qualifications and reputation managers of the credit organization;
 - e) the procedure and conditions for issuance of a license to conduct banking operations, including the requirements for the documents required to obtain a license to conduct banking operations;
 - v. the grounds for refusal of a national registration of a credit organization and issue a license to conduct banking operations;
 - vi. the order, procedures and conditions for the liquidation or reorganization of a credit organization (including compulsory liquidation);
 - vii. the grounds for revocation of license for banking operations of a credit organization;
 - viii. the order and peculiarities of the reorganization of credit organizations in the form of merger, acquisition and conversion;
 - ix. ensure financial soundness of a credit organization, including the definition in addition to other banking activities permitted for credit organization, prudential regulations, obligatory requirements and special provisions;
 - x. the order of supervision of credit organization, bank holding companies and banking groups by the authorized bodies of each Party;
 - xi. the conditions order and amount of sanctions to credit organization and bank holding companies;
 - xii. requirements for activity and providing the financial soundness of banking groups and bank holding companies;
 - xiii. establishment and functioning of the deposit insurance system (including the deposits payments);
 - xiv. the procedures for financial recovery and bankruptcy of credit organizations (including the regulation of the creditors' rights, the order of meeting requirements);
 - xv. list of operations recognized as bank operations;
 - xvi. list of organizations and their status, which are entitled to carry out separate parts of banking operations.

2.1.1. Under the Agreement on the requirements for the implementation of activities in the financial markets of the Common Economic Space the Parties will develop cross-impact parameter between the authorized bodies of the Parties in the control and supervision of activity in this market and coordination in other areas related to the activities of credit organizations, bank holding companies and bank groups.

2.2. In the insurance sector

2.2.1. Within the framework of national law the Parties provide harmonized requirements for regulation and supervision of professional participants of the insurance market, guided in their actions by Fundamental Principles for Effective Insurance Supervision IAIS and best international practice, including in relation to:

- i. the concept of "professional participant of insurance market" and its legal status;
- ii. ensure financial sustainability of a professional participant of the insurance market, including in relation to:
 - a) the insurance reserves, sufficient to fulfill the insurance, co-insurance, reinsurance, mutual insurance obligations;
 - b) the structure and composition of assets accepted to cover the insurance reserves;

- c) the minimum level and establishment procedure of authorized and equity capital;
- d) the conditions and procedures for the transfer of the insurance portfolio;
- iii. the rules of accounting and implementation of audits, established in accordance with International Financial Reporting Standards for insurance sector, and the requirements for the audit of the financial (accounting) report in accordance with International Standards on Auditing;
- iv. the procedure and conditions for the establishment and licensing of insurance activity;
- v. the order of supervision of a professional participants' activity of the insurance market by the authorized bodies of each Party;
- vi. the order, conditions and amount of penalties for violation of the order of the activities in the market by professional participants of the insurance market;
- vii. the requirements for professional qualifications and reputation of professional executives of the insurance market;
- viii. the grounds for refusal to issue a license for insurance activity;
- ix. the order, procedures and conditions for the liquidation or reorganization of a professional participant of the insurance market (including the forced liquidation/bankruptcy);
- x. the grounds for revocation license for insurance activity, and revocation, limitation or suspension of the license of a professional participant of the insurance market;
- xi. the order and peculiarities of the reorganization of a professional participant of the insurance market in the form of merger, acquisition and conversion;
- xii. the requirements to members of the insurance groups and insurance holding companies and their financial security.

2.2.2. Under the Agreement on the requirements for the implementation of activities in the financial markets of the Common Economic Space, the Parties will develop cross-impact parameters between the authorized bodies of the Parties in the field of control and supervision of this market.

2.3. In the securities market

2.3.1. Within the framework of national law the Parties provide harmonized requirements and conditions of the following activities:

- i. Brokerage activities in the securities market;
- ii. Dealer activities in the securities market;
- iii. The securities management, financial instruments, asset management of pension funds and collective investment;
- iv. defining mutual obligations (clearing);
- v. Depository activities;
- vi. Keeping the register of security holders;
- vii. The organization of trading in the securities market.

2.3.2. Within the framework of national law the Parties provide harmonized requirements for regulation and supervision of the securities market in sub-paragraph 2.3.1 of this Article, guided in their actions by fundamental principles of effective supervision of the securities market IOSCO, OECD and best international practice, including to:

- i. determine the order of establishment and payment of the authorized capital, as well as the requirements for net worth adequacy;
- ii. the order and the terms of the license to operate in the securities market, including the requirements for the documents required to obtain a license to operate in the securities market;
- iii. the requirements for professional qualifications and reputation of managers of professional participants of the securities market;
- iv. the grounds for refusal to issue a license to operate in the securities market, as well as cancellation, restriction or suspension of the license;
- v. the rules of accounting and implementation of audits, established in accordance with International Financial Reporting Standards for all activities in the securities market and the requirements for the audit of the financial (accounting) report in accordance with International Standards on Auditing and the organization of internal accounting and internal control;
- vi. the order, procedures and conditions for the liquidation or reorganization of a professional participant of the securities market (including compulsory liquidation);
- vii. the grounds for revocation of a professional securities market participant's license to operate in the securities market;

- viii. the order, conditions and size of administrative sanctions for violations of procedure of activity in the financial markets by professional securities market participants;
- ix. the order of supervision of activity of entities (members) of the securities market by the authorized bodies of each Party;
- x. the requirements and conditions imposed on the activities of professional participants of the securities market.

2.3.3. Under the Agreement on the requirements for the implementation of activities in the financial markets of the Common Economic Space, the Parties will develop cross-impact parameter between the authorized bodies of the Parties in the control and supervision of this market.

Article 6 Recognition

1. Party may recognize prudential measures of any other Party in determining of application of the measures relating to the delivery of financial services. Such recognition, which may be achieved through harmonization of national legislations of the Parties or otherwise, may be based upon agreement or arrangement with the Party or may be accorded unilaterally.

2. A Party, which is a party to the agreement or arrangement on recognition of prudential measures of any other Party, both future and existing, shall submit to other interested parties a reasonable opportunity to negotiate their accession to such agreements or arrangements, or to negotiate conclusion of the agreements or arrangements which, depending on the circumstances, could have equivalent rules, control, mechanism of implementation of such rules, and if possible, the procedures for exchange of information between the parties to such agreements and arrangements. If Party accords recognition unilaterally, it ensures that the implementation of an adequate opportunity to another Party to demonstrate (using legal mechanisms) that such circumstances exist.

Article 7 Application of other CES Agreements

The provisions of this Annex shall be applied without prejudice to the provisions of the agreed principles of monetary policy in the member states of the Common Economic Space dated 12.09.2010 and the Agreement on the creation of conditions in the financial markets to ensure the free movement of capital in the member states of the Common Economic Space dated 12.09.2010.

Article 8 Removal of Restrictions

Each Party shall terminate the application of the measures referred to in its individual national list in Annex IV to this Agreement in respect of the financial services sectors, in which all Parties were satisfied with the harmonization of national legislation with regard to paragraph 1.3 of Article 5 of this Annex, a condition on mutual recognition of license referred to in paragraph 1.4 of Article 5 of this Annex and met the parameters specified in paragraph 2 of Article 5 of this Annex.

I hereby certify that the text is complete and authentic copy of the original Agreement on trade in services and investments in the member states of the Common Economic Space, signed on the 9th of December 2010 in Moscow from the Republic of Belarus - Deputy Prime Minister of the Republic of Belarus A.V. Kobyakov, from the Government of the Republic of Kazakhstan - First Deputy Prime Minister of the Republic of Kazakhstan U.E. Shukeyev, from the Government of the Russian Federation - First Deputy Prime Minister I.I. Shuvalov.

The original copy is kept in the Integration Committee of the Eurasian Economic Community.

*Head of Legal
Department of the Secretariat of
EurAsEC Integration Committee V.S. Knyazev
12.13.2010*