

ALL SECTORS INCLUDED IN
THIS SCHEDULE

The level of commitments in a particular services sector shall not be construed to suit it is otherwise related. CPC numbers indicated in square brackets are references to Department of International Economics and Social Affairs, Statistical Office of the U

- 1) None 1)
- 2) None 2)
- 3) None 3)

- 4) Unbound, except for measures concerning the entry and temporary stay of natural persons (hereafter persons) falling within the following categories, as defined in paragraphs I and II below, and subject to the following limitations and conditions and to the limitations and conditions on national treatment set out under the national treatment column: Entry and stay of foreign service suppliers in Switzerland is subject to authorization (requirement of residency permit and work permit). Authorization is granted subject to measures fixing overall numbers of work permits allocated. 4)

For essential personnel as defined in paragraph I below, the period of stay is limited to a period of three years, which may be extended to a maximum of four years. For other essential personnel as defined in paragraph II below, the period of stay is limited to three months within one year; if an authorization for such a period of stay is renewed the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland. Persons staying in or entering Switzerland with an open-ended or prolongable residence permit based on an employment contract not limited in time for Switzerland are not considered as persons residing in or entering Switzerland for the purpose of

temporary stay or temporary employment in Switzerland.

I. Essential persons transferred to Switzerland within a specific business or company (intra-corporate transferees)

Are considered as essential those persons - defined in detail below - who are employees of a business or company (hereafter enterprise) providing services in Switzerland through a branch, subsidiary or affiliate established in Switzerland and who have been beforehand employees of their enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission:

a) Executives and senior managers: Persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise. Executives and senior managers would not directly perform tasks related to the actual provision of services of the enterprise.

b) Specialists: Highly qualified persons who, within an enterprise, are essential for the provision of a specific service by reason of their knowledge at an advanced level of expertise in the field of services, research equipment, techniques or management of the enterprise.

II. Other essential persons moving to Switzerland

a) Services sellers: Persons employed or mandated by an enterprise and who stay temporarily in Switzerland in order to conclude the contract for the sale of a service on behalf of the enterprise which employs them or has mandated them. Services sellers may not sell services directly to the general public or supply services themselves.

b) Persons responsible for the setting up

of a commercial presence: Persons who are employees of an enterprise not having commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a time period not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph 1a) above, and who are entering Switzerland for the purpose of setting up a commercial presence of that enterprise in Switzerland. Persons responsible for the setting-up of a commercial presence may not engage in making direct sales to the general public or supply services themselves.

c) Persons who are employees of an enterprise outside Switzerland not having commercial presence in Switzerland (other than enterprises providing services as defined by CPC 872), which has concluded a services contract with an enterprise engaged in substantive business in Switzerland, and who have been beforehand employees of the enterprise outside Switzerland for a time period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of paragraph 1b) above and who provide a service in Switzerland as a professional of a service sector as set out below on behalf of the enterprise outside Switzerland; as a further requirement five years of related experience is required. Per contract, temporary entry for a limited number of service suppliers will be granted for a single period of three months, the number of service suppliers depending on the size of the task to be performed under the contract. Individual services providers not employed by such enterprise outside Switzerland are considered as persons seeking access to the Swiss employment market.

Services sectors:

- Engineering Services (CPC 8672);
- Consultancy Services related to the installation of computer hardware

(CPC 841);

- Software Implementation Services
(CPC 842).

supersede the level of commitments taken with respect to any other services sector to which such service is covered by the UN Provisional Central Product Classification (Statistical Papers Series M No. 77, Provisional Central Product Classification, United Nations, New York, 1991).

Unbound for subsidies, tax incentives and tax credits

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The majority of the board of directors of a "joint stock company" (société anonyme /Aktiengesellschaft or société en commandite par actions/ Kommanditaktiengesellschaft) must be Swiss citizens with domicile in Switzerland (except for holding companies). At least one manager of a "corporation with limited liability" (société à responsabilité limitée/Gesellschaft mit beschränkter Haftung) must have his domicile in Switzerland. The administrators of a "co-operative society" (société coopérative/Genossenschaft) must be composed of a majority of Swiss citizens with domicile in Switzerland. Joint stock companies are not prohibited to foresee in their articles of incorporation that shareholders can be denied registration in the shareholder register, inter alia in case federal law requires a certain composition of shareholders. The establishment of a branch requires a representative (natural person) with domicile in Switzerland who is duly authorized by the company to fully represent it. The establishment of a commercial presence by natural persons or in the form of an enterprise without juridical personality according to Swiss law (i.e. in a form other than "joint stock company", "cooperation with limited liability" or "co-operative society") is subject to the requirement of a permanent residency permit of the associate(s) by cantonal law.

Eligibility for subsidies, tax incentives and tax credits may be limited to persons established in a particular geographical

sub-division of Switzerland

The acquisition of real estate by foreigners who are not permanently established in Switzerland and by enterprises with headquarters abroad and/or under foreign control is subject to authorization. For the purpose of personal housing needs (except the acquisition of holiday residences), professional use and business activities, authorization is granted upon verification of the purpose. Prohibited are purely financial investments, real estate business operations, acquisition, on a professional basis, of holiday apartments and facilities other than hotels (e.g. apartment houses, camps, sport areas) and acquisition of agricultural real estate.

Unbound, except for measures concerning the categories of natural persons referred to in the market access column, subject to the following limitations and conditions: Working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement (with respect to remuneration, working hours, etc.), measures limiting professional and geographical mobility within Switzerland, regulations related to statutory systems of social security and public retirement plans (with respect to qualifying period, residency requirement, etc.), and all other provisions of the legislation relating to immigration, entry, stay and work.

The enterprise employing such persons shall cooperate, upon request, with the authorities in charge of the enforcement of these measures. Eligibility for subsidies, tax incentives and tax credits may be limited to persons domiciled in a particular geographical subdivision of Switzerland.

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