



Report of the 17th TiSA negotiation round 10 – 15 April 2016

Summary

*The **17th TiSA negotiating round** took place from 10 – 15 April 2016. It was organised and chaired by Australia. The **next round** is scheduled for 26 May – 3 June, and a **TiSA Ministerial meeting** will take place on 1 June in Paris. Both events will be organised and chaired by the EU.*

*The round was organised according to the work plan endorsed at the February round. The objective of this round was to get closer to agreeing on text in **Annexes on Telecoms, E-commerce, Localisation, Financial Services and Mode 4**. In addition, the agenda provided for discussion of **all Transport Annexes (maritime, air and road)**. **Market access** discussions were held bilaterally.*

*Overall, **good progress was made in working towards agreed text.***

Detailed report

1. Financial Services

Further progress was made in agreeing on text in Financial Services. Good progress was made particularly on transparency and domestic regulation in Financial Services. Participants also continued discussions on which standard market access commitments should be included in the text, in addition to those stemming from the GATS Understanding on Commitments in Financial Services. Participants also discussed a provision on international standards, including on tax evasion, which threshold should apply to nationality requirements for senior management and boards of directors, as well as an article on self-regulatory organisations.

2. Mode 4

This round had a strong focus on mode 4. Overall, good progress was made towards agreeing on text. Discussions focused on an article on visa procedures, relating to which the EU proposed a [dedicated protocol](#). In the understanding that the substance of the provisions

does not prejudge their final placement (whether in the mode 4 Annex or a separate Protocol), Participants made good progress on the text. The remainder of the Mode 4 Annex has been essentially agreed.

3. Telecoms

A good outcome was also achieved in Telecommunications. Several provisions, including those that build on the standard GATS provisions on interconnection and access and use, are stabilised or very close to stabilisation. In addition, several provisions that do not build on the GATS, including provisions related to the scope, international mobile roaming, openness, and interconnection for all suppliers are also stabilised or close to being stabilised.

There was also good progress with regard to obligations ensuring access to essential facilities as well as the coverage of telecommunications services.

4. E-commerce

With regard to E-commerce, several provisions, including on online consumer protection, customs duties, spam, net neutrality and the scope of the Annex have been largely stabilised. With regard to data flows and computing facilities no substantial discussions took place. Questions were raised regarding a rule proposed by one Participant on non-discrimination with regard to digital content.

5. Localisation

Following the merging of text proposals by different Participants into one consolidated draft text, discussions progressed on rules regarding Local Presence, Local Management and Board of Directors, Local Content and Performance Requirements, as well as on the scheduling framework. Overall, there was good engagement with some text attributions to the consolidated text. Participants continued to ask for clarification on a number of issues, in particular with regard to applicable exceptions.

6. Transport

The discussion on the Annex on **maritime transport** progressed well on several definitions as well as for provisions on access to ports and to port services good progress, and port fees and charges.

The discussion on the Annex on **air transport** also showed good progress, with an increased level of support for the definitions of ground-handling and airport operation services.

On the Annex on **road transport** discussions focused on provisions relating to the scope, definitions, domestic regulation and access and use of infrastructure.

7. Other topics

On **Professional Services**, discussions took place on a model schedule for legal services which many welcomed as a useful negotiating tool.

Participants also discussed intersessional progress on the scope and definition of **Energy and Mining related Services**.