

Legal Services – Model Schedule – Option B

Members wishing to maintain limitations should only do so insofar that these limitations reflect existing domestic legislation. This applies in particular for nationality conditions, residency requirements and foreign equity caps.

Members wishing to commit to permitting foreign practitioners the right to practise domestic law (host-country law) as a host-country lawyer can commit under i) below. Members wishing to commit to providing access to foreign practitioners to practise foreign and international law (laws other than host-country law) can commit under ii) below. Those Members who have regulatory regimes that allow for both licensing regimes and wish to commit in both areas can make commitments under i) and ii) and thereby have the added advantage of making GATS commitments with increased transparency by identifying specific and separate restrictions that may apply in relation to each of the regimes

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
1. BUSINESS SERVICES A. Professional Services a) Legal Services (CPC 861) i). Legal advisory and representational services in domestic law (host-country law). Legal arbitration and conciliation/mediation services. ii). Legal advisory services in foreign law and international law. Legal arbitration and conciliation/mediation services.	1), 2) ‘None’ or ‘None except ... (specific limitation)’. 3) ‘None’ or ‘None except ... (applicable specific limitations identified in Article XVI(2), including non-discriminatory requirements on types of legal entity or joint venture. Eg: sole proprietorship where only natural persons may be licensed as lawyers)’. 4) ‘Unbound except as indicated in the horizontal section’ or similar* 1), 2) ‘None’ or ‘None except ... (specific limitation)’. 3) ‘None’ or ‘None except ... (applicable specific limitations identified in Article XVI(2), including specific requirement to, or restrictions on partnership or commercial association with host-country lawyers/law firms; type of legal entity or joint venture)’. 4) ‘Unbound except as indicated in the horizontal section’ or similar*	1), 2), 3) ‘None’ or ‘None except ... (specific limitations Eg: discriminatory requirements, including residency requirements)’. 4) ‘Unbound except as indicated in the horizontal section’ or similar* 1), 2), 3) ‘None’. 4) ‘Unbound except as indicated in the horizontal section’ or similar*	– Use of firm name of choice permitted. – Association with, or recruitment of, foreign lawyers (lawyers not licensed to practise domestic law) permitted. – Use of firm name of choice permitted.

* Mode 4 horizontal commitments should cover ICT, BV, CSS & IP categories for lawyers¹

Note: Terminology used above in the ‘Sector or Sub-sector’ column derived from definitions in the **Joint Statement on Legal Services TN/S/W/37**.

Optional: Short description of regulatory regimes applicable to lawyers practising domestic law and to foreign lawyers providing legal advisory services only in foreign and international law. For example: item i) above provides the capacity to practise all legal and related services provided by, and as, a host-country lawyer - Full Licence - and requires full admission/licence in accordance with [host-country] admission/licensing requirements and agrees to submit to the Code of Ethics, or its equivalent, and all other rules and regulations applicable to fully admitted/licensed [host-country] lawyers. Item ii) above provides for the capacity to provide advisory services in foreign and international law - Limited Licence - without the requirement to undertake a full admission/licence process in [host-country], but a less burdensome registration process with agreement to submit to the Code of Ethics or its equivalent in [host-country] and carry liability insurance or bond indemnity or other security consistent with local law which is no more burdensome than required of fully admitted/licensed [host-country] lawyers.

¹ For this element, the United States is not a requesting Member, but shall be deemed a recipient.