Appendix 8-A-3

INDIA'S SCHEDULE OF SPECIFIC COMMITMENTS ON ENTRY AND TEMPORARY STAY OF NATURAL PERSONS

For the purposes of this Schedule, the term "CPC" means the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

<table>
<tr><th>Category of natural persons</th><th>Duration of stay</th></tr>
<tr><td colspan="2">A. Business visitors</td></tr>
<tr><td colspan="2">Commitments under this category are applicable for all sectors or sub-sectors that are committed in Annex 8-H (Schedule of specific commitments of India).</td></tr>
<tr><td>Business visitors means natural persons of the European Union seeking temporary entry into India for the following purposes:
i. negotiating and entering into agreements for supply of services, where such negotiations do not involve making of direct sales to the general public or supplying services directly;
ii. negotiating sale of goods, including distribution or retailing arrangements, where such negotiations do not involve direct sales to the general public;
iii. visiting as an investor or an employee of an investor, who is a manager, executive or specialist as defined under this Schedule;
iv. participating in business negotiations or meetings, trade fairs, conferences and similar activities;
v. participating in pre-sales or post-sales activity not amounting to actual execution of any contract or project; or
vi. visiting as trainees of multinational companies or corporate houses for in-house training in the regional hubs of the concerned company located in India.
Temporary entry of business visitors of the European Union into India is subject to the condition that such business visitors do not receive any remuneration from a source located in India.</td><td>Temporary entry of business visitors shall be granted for a period of not more than 180 days, which may be extended at the discretion of India in accordance with its laws and regulations.</td></tr>
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<table>
<tr><th>Category of natural persons</th><th>Duration of stay</th></tr>
<tr><td colspan="2">B. Intra-corporate transferees</td></tr>
<tr><td colspan="2">Commitments under this category are applicable for all sectors or sub-sectors that are committed in Annex 8-H (Schedule of specific commitments of India).</td></tr>
<tr><td>Intra-corporate transferees means natural persons who are employed by a juridical person of the European Union with a commercial presence in India, who are being transferred to a branch, a representative office, an affiliate or a subsidiary on a temporary basis and who belong to a category of employees as defined below:

a) Managers, means natural persons who direct a branch office, representative office or subsidiary or one or more departments as their head, or supervise or control the work of other supervisory, professional or managerial personnel and have the authority to appoint or remove the personnel and the powers to exercise discretionary authority over day-to-day operations;

b) Executives, means natural persons who are in senior positions within a juridical person, including a branch, who primarily direct the management, have wide decision-making powers and either are members of the board of directors, receive directions from the board of directors or the general body of shareholders; or

c) Specialists, means natural persons who possess high qualifications and knowledge at an advanced level relevant to the organisation's activities or of the organisation's research, equipment, techniques or management and may include persons who are members of accredited professional bodies.</td><td>Temporary entry of intra-corporate transferees, who otherwise meet the criteria for the grant of an immigration visa, shall be granted for a period of one year or the period of the contract, whichever is less. The period of stay may be extended on a year-to-year basis for a total term not exceeding five years.</td></tr>
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Category of natural persons	Duration of stay
C. Contractual service suppliers	
1. Contractual service suppliers means: a) employees of a juridical person based in the European Union, who travel to India temporarily for short periods of stay of up to one year or the duration of the contract, whichever is less, in order to perform a service pursuant to a contract between their employer and its clients located in India; or b) employees of a juridical person based in the European Union, who travel to India temporarily for short periods of stay of up to one year in order to fulfil qualification and licensing requirements where presence in India is an essential condition for the fulfilment of these requirements. 2. The contract has to be obtained in one of the sectors listed below and subject to the conditions inscribed in Annex 8-A (Entry and temporary stay of natural persons) and additional conditions, if any, mentioned in the sector or the relevant sub-sector in Annex 8-H (Schedule of specific commitments of India): a) Engineering services (CPC 8672); b) Integrated engineering services (CPC 8673); c) Architectural services (CPC 8671); d) Urban planning and landscape architectural services (CPC 8674); e) Taxation advisory services (excluding legal advisory and legal representational services on tax matters) (part of CPC 863);	Temporary entry of contractual service suppliers shall be granted for a period of one year or, if relevant, the period of the contract, whichever is less. The contract to supply services shall comply with the requirements of the law that apply in India. India may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements or licensing procedures that does not constitute a limitation within the meaning of Article 8-A.5 (Contractual service suppliers and independent professionals)]. Those measures, which include requirements to obtain a licence, to obtain recognition of qualifications in regulated sectors or to pass specific examinations, such as language examinations, even if not listed in this Schedule, apply in any case.

Category of natural persons	Duration of stay
f) Accounting and book keeping services (excluding auditing services) (part of CPC 862);	
g) Computer and related services (CPC 841, 842, 843, 844, 845 and 849);	
h) Research and development services (CPC 85101, 85103, 85104 and part of 852);	
i) Management consulting services (excluding all services relating to legal consultancy) (part of CPC 865);	
j) Services related to management consulting (excluding all services relating to legal consultancy) (CPC 86601);	
k) Insurance and insurance related services (part of CPC 812 and 8140), only in respect of advisory and consulting services;	
l) Other financial services[1], only in respect of advisory and consulting services;	
m) Advertising services (part of CPC 871);	
n) Site investigation work (CPC 5111);	
o) Services incidental to mining (CPC 883 and 5115), only in respect of advisory or consulting services;	
p) Telecommunication services (part of CPC 7521, 7522, 7523, 7529 and 843), only in respect of advisory and consulting services;	
q) Environmental services (CPC 9401, 9402, 9403 and 9404), only in respect of advisory and consulting;	
r) Related scientific and technical consulting services (part of CPC 8675);	

[1] For greater certainty, these exclude banking.

Category of natural persons	Duration of stay
s) Technical testing and analysis services (CPC 8676); t) Transport (part of CPC 71, 72, 73 and 74), only in respect of advisory and consulting; u) Maintenance and repair of vessels and aircraft equipment (part of CPC 8868); v) Translation and interpretation services (CPC 87905) (excluding official or certified activities); w) Maintenance and repair of personal and household goods (CPC 633); x) Services incidental to manufacturing (CPC 884 and 885), only in respect of advisory and consulting; y) Hotel and restaurant services (CPC 641, 642 and 643); z) Travel agency and tour operator services (CPC 7471); or aa) Tourist guides services (CPC 7472). 3. Temporary entry of contractual service suppliers into India shall be available only in the specific service sector in which the relevant contract has been entered into and the contractual service suppliers should have appropriate educational and professional qualifications relevant to the services to be provided.	

<table>
<tr><th>Category of natural persons</th><th>Duration of stay</th></tr>
<tr><td colspan="2">D. Independent professionals</td></tr>
<tr><td>1. Independent professionals means:

a) natural persons of the European Union who travel to India temporarily for short periods of stay up to twelve months with permission to extend for a maximum of three months or the duration of the contract, whichever is less, in order to perform a service pursuant to contracts between them and their clients located in India for which they possess appropriate educational and professional qualifications and have obtained, wherever necessary, registration with the professional body and remuneration is to be paid solely to the natural person; and

b) natural persons of the European Union who travel to India temporarily for short periods of stay up to twelve months in order to fulfil qualification and licensing requirements where presence in India is an essential condition for the fulfilment of these requirements.

2. Entry granted in accordance with points (a) and (b) of paragraph 1 has to be obtained in one of the sectors listed below and subject to additional conditions, if any, mentioned in relation to the sector or the relevant sub-sector in Annex 8-H (Schedule of specific commitments of India):

a) Accounting and bookkeeping services (part of CPC 862);

b) Engineering services (CPC 8672);

c) Integrated engineering services (CPC 8673);</td><td>Temporary entry of independent professionals shall be granted for a period of one year or, if relevant, the period of contract, whichever is less.

The contract to supply services shall comply with the requirements of the law that apply in India.

India may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements or licensing procedures that does not constitute a limitation within the meaning of Article 8-A.5 (Contractual service suppliers and independent professionals). Those measures, which include requirements to obtain a licence, to obtain recognition of qualifications in regulated sectors or to pass specific examinations, such as language examinations, even if not listed in this Schedule, apply in any case.</td></tr>
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Category of natural persons	Duration of stay
d) Architectural services (CPC 8671); e) Urban planning and landscape architectural services (CPC 8674); f) Computer and related services (CPC 841, 842, 843, 844, 845 and 849); g) Research and development services (CPC 85101,85103, 85104 and part of 852); h) Management consulting services (excluding all services relating to legal consultancy) (part of CPC 865); i) Services related to management consulting (excluding all services relating to legal consultancy) (CPC 86601); j) Hotel and restaurant services (CPC 641, 642 and 643); k) Travel agency and tour operator services (CPC 7471); or l) Tourist guides services (CPC 7472). 3. Temporary entry of independent professionals into India shall be available only in the specific service sector in which the relevant contract has been entered into and the independent professionals should have appropriate educational and professional qualifications relevant to the services to be provided.	

Category of natural persons	Duration of stay
E. Installer and servicer	
Commitments under this category are applicable for all sectors or sub-sectors that are committed in Annex 8-H (Schedule of specific commitments of India).	
1. India shall grant temporary entry to an installer and servicer of the European Union, who otherwise meets its criteria for the grant of an immigration visa, for a duration of three months or the period of contract, whichever is less. 2. Temporary entry shall be granted to such installers and servicers provided that the natural person provides documentation demonstrating that he or she will be so engaged, and describing the purpose of entry, including a bona fide letter of contract from the entity engaging the services of the natural person in India; and provides documentation demonstrating the attainment of the relevant minimum educational requirements or alternative credentials.	Temporary entry of installer and servicer shall be granted for a period of three months or the period of the contract, whichever is less.