

Q: What about Vincentian companies providing entertainment services to EU consumers from SVG to EU consumers who are located in SVG? Does the EPA allow this activity?

A: With the following conditions, yes.

Cyprus, Czech Republic, Finland, Malta, Poland, Romania, Slovakia, and Slovenia: There is no commitment to permit the supply of these services via this form of supply.

Bulgaria: There is no commitment to permit the supply of these services in SVG except for theatrical producers, singer groups, band and orchestra entertainment services; services provided by authors, composers, sculptors, entertainers and other individual artistes; ancillary theatrical services.

Estonia: There is no commitment to permit the supply of these services except for cinema services, and in **Lithuania & Latvia**, there is no commitment to permit the supply of these services except for cinema theatre operation services

Q: How about entertainment services providers who are independent operators. Are they allowed to enter into contracts in the EU under the EPA?

A: Yes, independent entertainment services providers who have a contract with a client in an EU Member State may travel to these countries to provide services under these conditions:

The person from SVG applying for temporary entry must be supplying a service and must be a self-employed person established in SVG, and must have obtained a service contract for a period not exceeding 12 months.

The independent entertainment services provider must possess at least 6 years professional experience in the relevant sector.

The temporary entry will be for a cumulative period not exceeding 6 months (or 25 weeks in Luxembourg) during a 12- month period or for the duration of the contract (whichever is less).

The visa permits only the contracted service activity, no other business activities.

The independent professional in the entertainment services field will also be subject to the following conditions in certain countries:

Bulgaria, Cyprus, Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Hungary, Ireland, Italy, Lithuania,

Latvia, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Sweden & United Kingdom: Qualification may be required. Economic needs test will be applied.

Austria: Advanced qualification may be required. Economic needs tests will be applied.

Slovenia: The Vincentian professional's duration of stay is limited to 7 days per event. For circus and amusement park services, the duration of stay is limited to a maximum of 30 days per calendar year.

Belgium: There is no commitment to permit the supply of these services via this form of supply.

Q: What about an EU firm that wishes to supply entertainment services to Vincentians who are resident in an EU Member State?

A: There are no restrictions on EU entertainment service suppliers providing services to Vincentian in an EU state.

Q: Is an EU entertainment services firm permitted to invest in or operate a business in SVG?

A: Yes An EC Entertainment Services firm can operate a business in SVG subject to registering the business and applying for work permit. The entry of contractual service suppliers and independent personnel are subject to economic needs test.

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Entertainment Services



*CARIFORUM-EU EPA
the gateway for increase trade
and economic stability*

ENTERTAINMENT SERVICES UNDER THE ECONOMIC PARTNERSHIP AGREEMENT (EPA)

The Economic Partnership Agreement (EPA) signed between CARIFORUM (the Caribbean Community and the Dominican Republic) and the European Community (EC) came into effect on January 1, 2008. Among other things, the Agreement covers issues such as market access for trade in goods, services and investment as well as other areas such as intellectual property rights, ecommerce, innovation and development cooperation.

These Questions and Answers are designed to answer your questions about providing entertainment services to European Community countries using the provisions of the CARIFORUM/EC Economic Partnership Agreement.

Q: What types of entertainment services can Vincentian interests invest in or own in the EU?

A: Under the CARIFORUM/EC Economic Partnership Agreement, Vincentian companies may invest in or establish a legal entity in the EU in the entertainment services sector. The areas that are allowed for Vincentian investment are theatre, live bands and circus and discotheque services. NOT allowed in this category, however, are audio-visual services.

Q: Other than the restriction on the provision of audio-visual services, are there any other restrictions on Vincentian firms in the entertainment services field doing business in the EU?

Cyprus, Czech Republic, Finland, Malta, Poland, Romania, Slovenia & Slovakia: There is no commitment to permit the supply of these services.

Latvia: There is no commitment to permit the supply of these services via this form of supply except for cinema theatre operation services.

Estonia: There is no commitment to permit the supply of these services via this form of supply for other entertainment services except for cinema theatre services.

Bulgaria: There is no commitment to permit the supply of these services via this form of supply except for theatrical producer, vocal group, band and orchestra entertainment services, services provided by authors, composers, sculptors, entertainers and other individual artists and ancillary theatrical services.

Q: What about the staff of entertainment services entities? Provided that the proper permissions are granted in the EU country, what members of staff are allowed to live and work in the country from SVG?

A: Key personnel, those considered to be managers and specialists from the SVG entertainment services firm, may live and work for up to three years, subject to the normal visa and immigration requirements. Those senior staff whose responsibility is limited to setting up the entertainment services business are allowed to be in the EC for 90 days during any 12- month period, and graduate trainees for up to one year – once again – subscribing to normal visa and immigration requirements. Note, however, that the one exception in the EU is in France where the necessary authorization for the access to management functions is subject to a condition of nationality when the authorisation for more than two years is required.

Q: If an entertainment services firm wishes to enter an EU country to fulfil a contract and not necessarily to invest or open an office, what are the allowances under the EPA?

Vincentian entertainment services providers with a contract for services in EC Member States may go to those countries to provide their services; however, there are some restrictions. A Vincentian wishing to provide these services must not be working on a contract that exceeds 12 months, and must have been an employee of the business for at least one year before the application for entry and have at least three years professional experience in their field.

The Vincentian is also not allowed to collect remuneration other than what is paid by the Vincentian company for the contract during their stay, and may not stay for more than six months cumulatively – or for the duration of the contract if that is

less. Only the number of people from the Vincentian company necessary to fulfil the contract will be allowed and they may not conduct any other business while in the Member State.

In addition to those general conditions throughout the EU, there are some country- specific conditions:

Bulgaria, Cyprus, Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Sweden & United Kingdom:

Qualification may be required. Economic needs test will be applied.

Austria: Advanced qualification may be required. Economic needs tests will be applied.

Slovenia: The duration of stay for Vincentian supplying their services is limited to 7 days per event. For circus and amusement park services, the duration of stay is limited to a maximum of 30 days per calendar year.

Belgium: There is no commitment to permit the supply of these services via this form of supply.

Q: Our entertainment services firm is able to provide services to a client in the EU without actually travelling there to live or work. Are there provisions in the EPA for that type of activity?

A: Yes, there are. However, under the EPA, the following countries have made no commitment to permit the supply of entertainment services through this form:

Bulgaria, Cyprus, Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Sweden & United Kingdom:

Qualification may be required. Economic needs test will be applied.

Austria: Advanced qualification may be required. Economic needs tests will be applied.

Slovenia: The duration of stay for Vincentians supplying their services is limited to 7 days per event. For circus and amusement park services, the duration of stay is limited to a maximum of 30 days per calendar year.

Belgium: There is no commitment to permit the supply of these services via this form of supply.