

D) The person shall not receive remuneration during their stay, other than that paid by their employer.

E) 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).

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

G) The number of persons covered by the services contract shall not be larger than necessary to fulfill the contract..

In Belgium, an economic needs test will be applied, except for contractual service suppliers when the annual wage is above the amount defined by the relevant laws and regulations and Denmark will apply an economic needs test except for contractual service suppliers who wish to stay for up to three months.

In Austria, Bulgaria, Czech Republic, Finland, Hungary, Lithuania, Romania, Slovakia & United Kingdom, economic needs tests will be applied. These opportunities to service contracts in EC Member States are subject to the following conditions:

- In Cyprus, Denmark, Estonia, Greece, France, Ireland, Luxembourg, Malta, Netherlands, Portugal, Slovenia & Sweden, there are no market access or national treatment restrictions imposed on Vincentian service providers.

- Latvia will apply an economic needs test for contractual service suppliers.

- In Belgium, an economic needs test will be applied, except for contractual service suppliers when the annual wage is above the amount defined by the relevant laws and regulations and Denmark will apply an economic needs test except for contractual service suppliers who wish to stay for up to three months..

- In Austria, Bulgaria, Czech Republic, Finland, Hungary, Lithuania, Romania, Slovakia & United Kingdom, economic needs tests will be applied.

Q: I am an Independent Computer Services Professional. I've been offered a contract to provide computer services to a client in Europe. Does the EPA have provisions for me to travel to the EU to fulfill the contract should I accept it?

A: As an Independent Professional you are allowed under the EPA to travel to Europe to service a contract under the following conditions:

In order to apply for temporary entry, you must be a self-employed Computer Services Provider established

here in St. Vincent & the Grenadines (or another CARIFORUM territory), and your contract in Europe may not be for a period longer than 12 months. You are required to have at least six (6) years of experience in the field and must possess a university degree or equivalent qualification, and professional qualifications where required by law. As a Vincentian, your temporary entry will be for no more than six (6) months cumulatively during any 12- month period, or for the length of the contract, whichever is less, (This period is 25 weeks in Luxembourg.) and only the work under the contract is permitted during your stay in Europe. You will not be permitted to perform any other work. The following countries impose conditions on Independent Computer Services Professionals from St. Vincent & the Grenadines wishing to work in their countries:

- In Cyprus, Denmark, Estonia, Greece, France, Ireland, Luxembourg, Malta, Netherlands, Portugal, Slovenia & Sweden there are no market access or national treatment restrictions imposed on Vincentian service providers.

- In Spain, Italy & Poland an economic needs test will be applied for independent professionals, as well as in Austria, Bulgaria, Czech Republic, Finland, Hungary, Lithuania, Romania, Slovakia & United Kingdom.

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COMPUTER Services



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

COMPUTER AND RELATED 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. For those engaged in providing Computer and Computer Related Services, following are a series of questions and answers designed to address many of the issues you may have regarding access to the EC for your business.

Q: What types of Computer and Computer-related services are covered under the Economic Partnership Agreement (EPA) between the countries of CARIFORUM (Including St. Vincentian) with the European Community?

A: The CARIFORUM/EC Economic Partnership Agreement encompasses the following Computer and Related Services:

- Consultancy services related to the installation of computer hardware
- Software Implementation Services
- Data Processing Services
- Database services
- Data preparation services and other Computer Services.

Q: Which of those services listed above may European providers offer within St. Vincent & the Grenadines under the EPA?

A: For consultancy, data processing and database services and other services not elsewhere classified, EC service providers located in the EC may supply consumers in St. Vincent & the Grenadines with these services and they may also supply these services to Vincentian consumers temporarily located in the EC. St. Vincent & the Grenadines has made no commitment to permit natural persons from the EC to temporarily enter St. Vincent & the Grenadines for the purpose of supplying these services. Nevertheless, given the commitment to permit EC St. Vincent & the Grenadines operators to invest

in/ establish a business in . , the entry of key personnel and graduate trainees is permitted, but only when these skills are not available locally. In addition, the entry of contractual service suppliers is subject to an economic needs test. For software implementation services and data preparation services the same conditions apply as for those categories listed in the previous paragraph.

Q: May a Vincentian Computer Service firm (as stipulated in the list above) invest in or establish an operation in the EC?

A: Yes. There are no market access restrictions placed on Vincentian firms wishing to invest in or operate in the countries of the EC. There are some general conditions in the following countries that will apply, however:

- Austria, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Spain, Greece, Finland, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Poland, Romania, Slovak Republic, and Slovenia place limitations on the acquisition of land and real estate, while the following countries impose limitations that require senior management personnel or Directors to have either local citizenship or residency: Estonia, Finland, Italy, Romania and Sweden.

- In Poland, there are limitations on the types of businesses that Barbadians may engage in under the EPA while Bulgaria, France, Finland and Italy limit the type of investment e.g. a maximum percentage for foreign shareholding or voting rights allowed by Vincentian nationals.

- In the EC in general, there may be limitations placed on the treatment extended to branches and agencies and there are limitations on public utilities.

Q: Once a Barbadian company has been given permission to operate in the EU under the Agreement, what are the options for sending staff from this country to work in Europe?

A: Generally, the senior Vincentian staff responsible for establishing a commercial presence in Europe may stay for 90 days in any 12- month period. Key personnel will be allowed to work in Europe for a period of up to 3 years, and graduate trainees may stay for one year. Staff in these categories will be, of course, subject to normal visa and immigration requirements.

Q: Would a Vincentian Computer Services

Firm be allowed to service a contract in the EC that doesn't require staff to relocate to the European country on a permanent basis, but travel there to service the project?

A: Yes. The EPA has provisions for Computer Services suppliers who have a contract with a consumer in EC Member States to travel to these countries to provide services with the following conditions listed over page. These opportunities to service contracts in EC Member States are subject to the conditions listed over page.

In Cyprus, Denmark, Estonia, Greece, France, Ireland, Luxembourg, Malta, Netherlands, Portugal, Slovenia & Sweden, there are no market access or national treatment restrictions imposed on Vincentian service providers. Latvia will apply an economic needs test for contractual service suppliers.

Conditions In Which These Services Can Be Provided

A) The person from Barbados applying for temporary entry must be supplying a service as employee of a business that has obtained a service contract for a period not exceeding 12 months.

B) The person must have been an employee of the business for 1 year before applying for entry, and must have at least 3 years professional experience in the relevant sector.

C) The Vincentian national applying for temporary entry must have a university degree or equivalent qualification, and professional qualifications where required by law.

D) The person shall not receive remuneration during their stay, other than that paid by their employer.

E) The temporary entry will be for a cumulative period not exceeding 6 months (or 25 weeks in Luxembourg) during a 12- month period

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