2. Switzerland reserves the right to maintain, modify or adopt any measures relating to the entry and temporary stay of natural persons for business purposes, except for measures concerning natural persons falling within the categories defined in paragraphs 2 and 3 of Article II of this Appendix who shall be subject to the limitations and conditions set out in subparagraphs (a) to (f) and to the condition that entry and stay of foreign service suppliers in Switzerland are subject to authorisation (requirement of residence permit and work permit).

(a) working conditions prevailing in the branch and the place of activity provided by law and/or collective agreement, in particular with respect to remuneration and working hours;

(b) measures limiting professional and geographical mobility within Switzerland, such as the requirement of an authorisation to change the place of residence;

(c) regulations related to statutory systems of social security and public retirement plans, in particular with respect to qualifying period and residence requirement;

(d) requirement that the enterprise employing such natural persons cooperate, upon request, with the authorities in charge of the enforcement of such measures;

(e) eligibility for subsidies, tax incentives and tax credits may be limited to natural persons domiciled in a particular geographical subdivision of Switzerland; and

(f) all other provisions of the legislation relating to immigration, entry, stay and work.

3. For essential personnel as defined in paragraph 2 of Article II of this Appendix, the period of stay is limited to three years, which may be extended to a maximum of five years. For other essential personnel as defined in paragraph 3 of Article II of this Appendix, the period of stay is limited to 90 days within one year; if an authorisation for such a period of stay is renewed for the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland.

4. Natural persons staying in or entering Switzerland with an open-ended or extendable residence permit based on an employment contract which does not limit the period of employment in Switzerland are not considered as persons residing in or entering Switzerland for the purpose of temporary stay or temporary employment in Switzerland.

Article IV
Most-Favoured-Nation Treatment Limitation

Measures based on bilateral agreements between the Principality of Liechtenstein, or the European Community and/or its Member States, and Switzerland providing for the movement of all categories of natural persons supplying services are not subject to Article 45.

Section 2: Non-services sectors

Article V
Definitions of Categories of Natural Persons

1. The categories of natural persons defined in paragraphs 2 and 3 are relevant for the application of Article VI of this Appendix.

2. Essential personnel transferred to Switzerland within a specific enterprise (Intra-corporate transferees)