Sector: Health, Social and Education Services

Sub-Sector:

Industry Classification:

Obligations Concerned: National Treatment (Article 9.4 and Article 10.3)
Most-Favoured-Nation Treatment (Article 9.5 and Article 10.4)
Performance Requirements (Article 9.10)
Senior Management and Boards of Directors (Article 9.11)
Market Access (Article 10.5)

Description: Investment and Cross-Border Trade in Services

1. The United Kingdom, when selling or disposing of its equity interests in, or the assets of, an existing state enterprise or an existing governmental entity providing health, social or education services, may prohibit or impose limitations on the ownership of such interests or assets, and on the ability of owners of such interests and assets to control any resulting enterprise, by investors of another Party or their investments. With respect to such a sale or other disposition, the United Kingdom may adopt or maintain any measure relating to the nationality of senior management or the nationality or residency of members of the boards of directors, as well as any measure limiting the number of suppliers.

2. For the purposes of this entry:

(a) any measure adopted or maintained after the date of entry into force of this Agreement for the United Kingdom that, at the time of the sale or other disposition, prohibits or imposes limitations on the ownership of equity interests or assets or imposes nationality or residency requirements or imposes limitations on the numbers of suppliers as described in this entry shall be deemed to be an existing measure subject to Article 9.12.1 (Non-Conforming Measures) and Article 10.7.1 (Non-Conforming Measures); and

(b) **state enterprise** means an enterprise owned or controlled through ownership interests by the United Kingdom and includes an enterprise established after the date of entry into force of this Agreement for the United Kingdom solely for the purposes of selling or disposing of equity interests in, or the assets of, an existing state enterprise or governmental entity.

Existing Measures: