

ANNEX III

SCHEDULE OF SPECIFIC COMMITMENTS ON

TEMPORARY MOVEMENT OF NATURAL PERSONS

THE REPUBLIC OF BELARUS

1. The following Schedule sets out The Republic of Belarus' specific commitments in accordance with Chapter IV (Temporary Movement of Natural Persons) in respect of the temporary entry of natural persons.
2. The Republic of Belarus grants temporary entry to the extent provided for in this Schedule for the following categories of natural persons, provided that such natural persons are otherwise qualified under requirements to carry out a profession or activity and under all applicable immigration measures of the Republic of Belarus, so long as such requirements and immigration measures do not nullify or impair the Republic of Belarus' obligations under Chapter IV (Temporary Movement of Natural Persons).
3. This Schedule reflects horizontal commitments for the categories of persons indicated herein, engaged in services and non-services sectors subject to this Agreement.
4. Sector-specific conditions and limitations for services sectors are indicated in the Schedule of specific commitments under Chapter II (Trade in Services).

Description of Category	Conditions and Limitations (including length of stay)
A. Intra-Corporate transferees (ICT)	
<p><u>Definition:</u></p> <p>This category is limited to chief executives, senior managers and specialists of foreign juridical person other than non-profit organization, established in the territory of the People's Republic of China if such persons have been employed by the juridical person for the period of at least one year immediately preceding temporal transfer to the Republic of Belarus provided that upon transferring the said categories of ICT meet the requirements given below:</p> <p>(i) Chief executives are natural persons working within a legal person. This category includes natural persons who primarily direct the management of the organization, exercise wide latitude in decision-making and receive only supervision or direction from higher-level executives, the board of directors or stockholders. Chief executives do not directly perform tasks related to the provision of the services</p>	<p>Work permits for indicated categories of ICTs, who meet the above requirements, are issued for a period of two years, with a possibility of extension to a given foreigner working within the specified organization for a period of two years, with a total term not to exceed eight years.</p> <p>Issue of work permits for the Specialists permits requires a labour market test based on the employment situation in the subsector of the local geographic area and availability of qualified nationals. The procedures for labour market test for the specialists include publication of vacancy announcement and searching for appropriate local candidates in the state vacancy database of the competent authority. These procedures shall take no longer than one month. Permission for intra-corporate transferee shall be granted after these procedures</p>

Description of Category	Conditions and Limitations (including length of stay)
<p>of the organization;</p> <p>(ii) Senior managers are natural persons working within a legal person. This category includes natural persons who primarily direct the management of the organization or department or sub-division of the organization, supervise and control the work of other supervisory, managerial or professional staff. Senior managers do not directly perform tasks related to the provision of the services of the organization;</p> <p>(iii) Specialists are natural persons working within a legal person. This category includes natural persons who possess knowledge at an advanced level of expertise or uncommon knowledge essential to the establishment or the provision of the service, possess proprietary knowledge of the organization's products, services, research equipment, techniques or management. In assessing such knowledge account will be taken not only of the knowledge specific to the establishment, but also of whether the specialist has a high qualification referring to a type of work or trade requiring specific technical knowledge.</p>	<p>have been completed, unless a qualified local candidate who meets the requirements of the vacancy has been identified.</p> <p>However, for ICTs, that are High Tech Park residents, labour market test is not applied.</p> <p>The number of foreign employees (including chief executives) of the representative office or branch of the legal person of the People's Republic of China on the territory of the Republic of Belarus shall not exceed 5 people.</p>
B. Business visitors (BVs).	
<p><u>Definition:</u></p> <p>This category includes employees of legal person other than non-profit organization, established in the territory of the People's Republic of China and not having commercial presence in the Republic of Belarus, who enter and temporarily stay in the Republic of Belarus with the purpose to negotiate delivery of services or setting up of commercial presence. BVs should not be engaged in supplying the service themselves or making direct sales to the general public within the Republic of Belarus. BVs shall not receive any remuneration from a source located within the territory of the Republic of Belarus.</p>	<p>The period of temporary stay of BVs shall not exceed 90 days.</p>
C. Contractual Service Supplier (CSS)	
<p><u>Definition:</u></p> <p>This category includes employees of legal person other than non-profit organization, established in the territory of the People's Republic of China and not having commercial presence in the Republic of Belarus, who enter and temporarily stay in the</p>	<p>The period of temporary stay of CSS shall not exceed 90 days.</p>

Description of Category	Conditions and Limitations (including length of stay)
<p>Republic of Belarus with the purpose to fulfil the contract concluded by the legal person with a legal person of the Republic of Belarus. They have no right to perform services which are not related to the service activity which is the subject of the contract nor receive any remuneration from a source located within the Republic of Belarus.</p>	
D. Investors	
<p><u>Definition:</u></p> <p>A natural person of China, or a duly authorised representative of that person, seeking temporary entry into the Republic of Belarus to establish, expand, monitor, or dispose of a commercial presence</p>	<p>Temporary entry and temporary stay for a period of up to 90 days, and can be extended in accordance with the legislation of the Republic of Belarus, depending on the volume of investments</p>
E. Accompanying Spouses and Dependants	
<p><u>Definition</u></p> <p>Accompanying spouses and dependants of entrants (managers and executives) of China as defined in A(i) and A(ii)</p>	<p>Temporary entry and temporary stay shall not exceed 12 months.</p> <p>The working rights of the qualified accompanying spouses in the Republic of Belarus are subject to relevant laws, regulations, and rules of the Republic of Belarus.</p>