

## SECTION C

### PERU

1. The list of commitments below indicates the services sectors committed by Peru pursuant to Article 121 of this Agreement, and, by means of reservations, the market access and national treatment limitations that apply to services and services suppliers of the other Party in those sectors. The list is composed of the following elements:
  - (a) a first column indicating the sector or sub-sector in which the commitment is assumed by the Party, and the scope of liberalization to which the reservations apply; and
  - (b) a second column describing the applicable reservations, the mode of supply and the obligation affected (Market Access - MA or National Treatment - NT). The MA and NT commitments are independent; therefore if MA is not committed in a sub-sector (remains "unbound"), this does not invalidate the NT commitment.

The cross-border supply of services sectors or sub-sectors covered by this Agreement which are not included in the following list is not committed.

2. In identifying individual sectors and sub-sectors:

"CPC" means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, CPC prov, 1991.

3. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a market access or a national treatment limitation within the meaning of Articles 119 and 120 of this Agreement. Those measures (e.g. need to obtain a license, universal service obligations, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations), even if not listed, apply in any case to the other Party service suppliers.
4. The list below is without prejudice to the feasibility of Mode 1 in certain services sectors and sub-sectors and without prejudice to the existence of public monopolies and exclusive rights.

5. In accordance with Article 107 paragraph 3 of this Agreement, the list below does not include measures concerning subsidies or grants granted by the Parties.
6. The rights and obligations arising from this list of commitments shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

Sector or Sub-Sector	Description of Reservations
ALL SECTORS INCLUDED IN THIS LIST	<p>Peru reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities and ethnic groups. For purposes of this reservation: "ethnic groups" means indigenous, native and peasant communities<sup>1</sup>.</p> <p>Peru reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent that they are social services established or maintained for a public purpose: income security and insurance, social security, social welfare, public education, public training, health, and childcare<sup>2</sup>.</p> <p>Peru reserves the right to adopt or maintain any measure at a local level of government, in force at the date of subscription of this Agreement, which limits the Market Access (Article 119 of this Agreement)<sup>3</sup>.</p> <p>Theater Arts, Visual Arts, Music and Publishing Peru reserves the right to adopt or maintain any measure conditioning the receipt or continued receipt of government support for the development and production of jewelry design, theater arts, visual arts, music, and publishing on the recipient achieving a given level or percentage of domestic creative content.</p> <p>Audio-visual industry, Publishing and Music Peru reserves the right to adopt or maintain any measure that affords to a natural person or juridical person of the other Party the treatment that is afforded by that other Party to Peruvian natural or juridical persons in the audiovisual, publishing, and music sectors.</p>

<sup>1</sup> This reservation will not apply, to the extent of the inconsistency, to the sub-sectors and modes committed by Peru in its Schedule of Commitments of 1994 (GATS/SC/69) and its modifications in the documents GATS/SC/69/Suppl.1 and GATS/SC/Suppl.2 of GATS.

<sup>2</sup> Idem, footnote 1.

<sup>3</sup> Idem, footnote 1.

Sector or Sub-Sector	Description of Reservations
1. BUSINESS SERVICES	
A. PROFESSIONAL SERVICES	In order to provide professional services in Peru, diplomas which have been obtained abroad must be recognized by the competent authority in Peru. Residence in Peru is required, with no nationality discrimination, for the recognition of diplomas. Moreover, in some professions it is required to be an active member of the relevant professional body in order to practice the profession.
a) Legal Services (CPC 861)	<p>For Mode 1:  MA: None, except that the number of notary positions depends of the number of inhabitants of each city.  NT: None, except that only Peruvian nationals by birth may practice as a notary.</p> <p>For Mode 2:  MA, NT: None</p>
b) Accounting, auditing and book-keeping services (CPC 862)	<p>For Mode 1:  MA, NT: None, except that auditing societies shall be constituted only and exclusively by public accountants licensed and resident in the country and duly qualified by the Board of Public Accountants of Lima ("Colegio de Contadores Públicos de Lima"). No partner may be a member of another auditory society in Peru.</p> <p>For Mode 2:  MA, NT: None</p>
c) Taxation services (CPC 863)	<p>For Mode 1:  MA, NT: None</p> <p>For Mode 2:  MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
d) Architectural services (CPC 8671)	<p>For Mode 1:            MA: None, except that to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.            NT: None, except that there may be a difference in the amount of the enrolment fee for Peruvians and foreigners. The proportion of that difference may not exceed the 12 times. For greater transparency, the current enrolment fees are:            (a) US\$250 for a Peruvian national with a degree from a Peruvian university;            (b) US\$400 for a Peruvian national with a degree from a foreign university; or            (c) US\$3,000 for a foreign national with a degree from a foreign university.            Also, to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.</p> <p>For Mode 2:            MA, NT: None</p>
e) Engineering services (CPC 8672)	<p>For Mode 1:            MA, NT: None</p> <p>For Mode 2:            MA, NT: None</p>
f) Integrated engineering services (CPC 8673)	<p>For Mode 1:            MA, NT: None</p> <p>For Mode 2:            MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
g) Urban planning and landscape architectural services (CPC 8674)	<p>For Mode 1:            MA: None, except that to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.            NT: None, except that there may be a difference in the amount of the enrolment fee for Peruvians and foreigners. The proportion of that difference may not exceed the 12 times. For greater transparency, the current enrolment fees are:            (a) US\$250 for a Peruvian national with a degree from a Peruvian university;            (b) US\$400 for a Peruvian national with a degree from a foreign university; or            (c) US\$3,000 for a foreign national with a degree from a foreign university.            Also, to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.</p> <p>For Mode 2:            MA, NT: None</p>
h) Veterinary services (CPC 932)	<p>For Mode 1:            MA, NT: None</p> <p>For Mode 2:            MA, NT: None</p>
j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	<p>For Mode 1:            MA, NT: None</p> <p>For Mode 2:            MA, NT: None</p>
k) Other Solely: Management consulting services for advice, guidance and operational assistance related to tourism development (CPC 86509)	<p>For Mode 1:            MA, NT: None</p> <p>For Mode 2:            MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
<p>B. COMPUTER AND RELATED SERVICES (CPC 84)</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
<p>C. RESEARCH AND DEVELOPMENT SERVICES (CPC 85)</p>	<p>For Mode 1: MA: None, except that a permission of operation or authorization may be required and the competent authority may state the incorporation to the expedition of one or more representatives of the Peruvian pertinent activities, in order to participate and know the studies and its scope.</p> <p>NT: None, except that archaeological research projects headed by foreign archaeologists must employ a Peruvian archaeologist with accredited experience registered in the National Registry of Archaeologists as scientific co-director or sub-director of the project. The co-director and sub-director shall participate in the integral execution of the project (field and office work).</p> <p>For Mode 2: MA, NT: None</p>
<p>D. REAL ESTATE SERVICES (CPC 821 + 822)</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>



Sector or Sub-Sector	Description of Reservations
E. RENTAL/LEASING SERVICES WITHOUT OPERATORS	
a) Relating to ships (CPC 83103)	<p>For Mode 1: MA, NT: None, except that: A "National Shipowner" or "National Ship Enterprise" is understood as a natural person of Peruvian nationality or juridical person constituted in Peru, with its principal domicile and real and effective headquarters in Peru, whose business is to provide water transportation services in national traffic or cabotage<sup>4</sup> and/or international traffic and who is the owner or lessee under a financial lease or a bareboat charter, with an obligatory purchase option, of at least one Peruvian flag merchant vessel and that has obtained the relevant Operation Permit from the General Aquatic Transport Directorate ("<i>Dirección General de Transporte Acuático</i>").</p> <p>For Mode 2: MA, NT: None</p>
b) Relating to aircraft (CPC 83104)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
c) Relating to other transport equipment (CPC 83101, 83102, 83105)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
d) Relating to other machinery and equipment (CPC 83106-83109)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

<sup>4</sup> For greater certainty, water transportation service includes transport by lakes and rivers.

Sector or Sub-Sector	Description of Reservations
e) Other (CPC 832)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
<b>F. OTHER BUSINESS SERVICES</b>	
a) Advertising services (CPC 871)	<p>For Mode 1: MA, NT: None, except that: commercial advertising produced in Peru, must have at least 80 per cent of national artists. National artists shall receive no less than 60 per cent of the total payroll for wages and salaries paid to artists. The same percentages established in the preceding paragraphs shall govern the work of technical personnel involved in commercial advertising.</p> <p>For Mode 2: MA, NT: None</p>
b) Market research and public opinion polling services (CPC 864)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
c) Management consulting service (CPC 865)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
d) Services related to management consulting (CPC 866)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
e) Technical testing and analysis services (CPC 8676)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
f) Services incidental to agriculture, hunting and forestry (CPC 881)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
g) Services incidental to fishing (CPC 882)	<p>For Mode 1: MA: Unbound, except "none" for advisory and consulting services relating to fishing. NT: None, except that: Before commencing operations, shipowners of foreign-flagged fishing vessels must present an unconditional, irrevocable, letter of guarantee with automatic execution and joint liability, which will be valid for no more than 30 days after the expiry of the fishing permit, issued for the benefit and to the satisfaction of the Ministry of Production ("<i>Ministerio de la Producción</i>") by a financial, banking or insurance institution recognized by the Superintendency of Banking, Insurance and Private Pension Fund Administrators ("<i>SBS - Superintendencia de Banca, Seguros y AFP</i>"). Such letter shall be issued in an amount equal to 25 per cent of the amount that must be paid for fishing rights. A shipowner of a foreign-flagged fishing vessel, that is not of large scale and that operates in Peruvian jurisdictional waters must rely on the Satellite Tracking System in its vessel, except for shipowners operating in highly migratory fisheries who are excepted from this obligation by a Ministerial Resolution. Foreign-flagged fishing vessels with a fishing permit must have on board a scientific technical observer appointed by the Sea Institute of Peru ("<i>IMARPE - Instituto del Mar del Perú</i>"). The shipowner must provide accommodation on board for that representative and a daily stipend, which must be deposited in a special account to be administered by IMARPE. Shipowners of foreign-flagged fishing vessels that operate in Peruvian jurisdictional waters must hire a minimum of 30 per cent of Peruvian crew, subject to applicable domestic legislation. Peru reserves the right to adopt or maintain any measure relating to artisanal fishing.</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
h) Services incidental to mining (CPC 883+5115)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
i) Services incidental to manufacturing (CPC 884+885)  Except those included in CPC 88442 and the jewelry design services	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
k) Placement and supply services of personnel (CPC 872)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
l) Investigation and security (CPC 873)	<p>For Mode 1: MA: None NT: None, except that persons hired as security watchmen must be Peruvian nationals by birth. A senior manager of an enterprise that supplies security services must be a Peruvian national by birth and be a resident of Peru.</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
m) Related scientific and technical consulting services (CPC 8675)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment different from those included in CPC 6122)  Solely: (CPC 6122+633+7545+8861+8862+ 8864+8865+8866)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
<ul style="list-style-type: none"> <li>– Maintenance and repair of maritime vessels (CPC 8868**)</li> <li>– Maintenance and repair of aircraft (CPC 8868**)</li> <li>– Maintenance and repair of railway transport equipment (CPC 8868**)</li> <li>– Maintenance and repair of vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 8867** and CPC 8868**)</li> </ul>	For Mode 1: MA: Unbound NT: None  For Mode 2: MA, NT: None

Sector or Sub-Sector	Description of Reservations
o) Building-cleaning services (CPC 874)	For Mode 1: MA, NT: Unbound* <sup>5</sup>  For Mode 2: MA, NT: None
p) Photographic services (CPC 875)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
q) Packaging services (CPC 876)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
r) Printing of packaging materials (CPC 88442**)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None

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<sup>5</sup> Unbound\* means "unbound due to lack of technical feasibility".

Sector or Sub-Sector	Description of Reservations
s) Convention services (CPC 87909* <sup>6</sup> )	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
t) Other (CPC 8790), except:  – Credit rating services (CPC 87901) – Speciality design services (CPC 87907**) and design services of handicrafts that are identified as peruvian handicrafts – Other business services non elsewhere classified (CPC 87909)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
Other Additional Services, different from those established in 1.F.t of W/120 classification, solely:  Advisory services on telecommunications (CPC 7544)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None

<sup>6</sup> The (CPC\*) means that the service specified is a component of a more aggregated CPC item of the W120 Classification.

Sector or Sub-Sector	Description of Reservations
2. COMMUNICATION SERVICES	<p>Horizontal Note: The provision of postal, courier or telecommunication services in Peru requires a concession or another authorisation. To grant a concession or another authorization, commercial presence may be required.</p> <p>Horizontal Note - Postal and Courier: In case of inconsistency between the commitments of the Postal and Courier Sector and the commitments and/or the applicable legislation of the Air and Land Transport Sectors, the commitments and/or the applicable legislation of these sectors shall prevail.</p> <p>Horizontal Note - Telecommunications: In the case of value-added services and/or information services defined in accordance with the national legislation, the Ministry of Transportation and Communications reserves the right to determine the cases in which a concession or authorization may be required to provide these services.</p>



Sector or Sub-Sector	Description of Reservations
<b>POSTAL AND COURIER SERVICES</b>	
<p>Services relating to the handling<sup>7</sup> of postal items<sup>8</sup> according to the following list of sub-sectors, whether for domestic or foreign destinations: (i) handling of addressed written communications on any kind of physical medium<sup>9</sup>, including hybrid mail service and direct mail, (ii) handling of addressed parcels and packages<sup>10</sup>, (iii) handling of addressed press products<sup>11</sup>, (iv) handling of items referred to in (i) to (iii) above as registered or insured mail, (v) express delivery services<sup>12</sup> for items referred to in (i) to (iii) above, (vi) handling of non-addressed items, (vii) document exchange<sup>13</sup></p>	<p>For Mode 1: MA, NT: None, except as indicated in the Horizontal Note of this Sector.</p> <p>For Mode 2: MA, NT: None, except as indicated in the Horizontal Note of this Sector.</p>

<sup>7</sup> The term "handling" should be taken to include clearance, sorting, transport and delivery.

<sup>8</sup> "Postal item" refers to items handled by any type of commercial operator, whether public or private.

<sup>9</sup> E.g. letter, postcards.

<sup>10</sup> Books, catalogues are included hereunder.

<sup>11</sup> Journals, newspapers, periodicals.

<sup>12</sup> Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

<sup>13</sup> Provision of means, including the supply of *ad hoc* premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. Postal item refers to items handled by any type of commercial operator, whether public or private.

Sector or Sub-Sector	Description of Reservations
<p>Sub-sectors (i), (iv) and (v) are however excluded when they fall into the scope of the services which may be reserved, which is: for items of correspondence the price of which is less than 2.5 times the public basic tariff, provided that they weigh less than 50 grams<sup>14</sup>, plus the registered mail service used in the course of judicial or administrative procedures. (CPC 751**, 71235**<sup>15</sup> and 73210**<sup>16</sup>)</p>	

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<sup>14</sup> "Items of correspondence" means a communication in written form on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping. Books, catalogues, newspapers and periodicals are not regarded as items of correspondence.

<sup>15</sup> Transportation of mail on own account by any land mode.

<sup>16</sup> Transportation of mail on own account by air.

Sector or Sub-Sector	Description of Reservations
<p><b>C. TELECOMMUNICATION SERVICES</b></p> <p>All services consisting of the transmission and reception of signals by any electromagnetic means<sup>17</sup>, excluding broadcasting<sup>18</sup></p> <p>These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport.</p>	<p>For Mode 1:</p> <p>MA: None, except:</p> <ul style="list-style-type: none"> <li>(a) as indicated in the horizontal Note of this Sector. The juridical persons constituted under Peruvian law can be eligible for a concession;</li> <li>(b) the Call-back, understood as being the offer of telephone services for the realization of attempts to make calls originated in the country with the objective of obtaining a return call with an invitation to dial, coming from a basic telecommunications network located outside the national territory, is prohibited. This restriction does not apply to the value added and/or information services;</li> <li>(c) the supply of the service for national and international long-distance communications must use the carrier services developed by enterprises that hold a concession or authorization granted by the Ministry of Transportations and Communications; and</li> <li>(d) the interconnection among private services is prohibited.</li> </ul> <p>NT: None, except:</p> <ul style="list-style-type: none"> <li>(a) as indicated in the horizontal Note of this Sector; and</li> <li>(b) the Call-back, understood as being the offer of telephone services for the realization of attempts to make calls originated in the country with the objective of obtaining a return call with an invitation to dial, coming from a basic telecommunications network located outside the national territory, is prohibited. This restriction does not apply to the value added and/or information services.</li> </ul>

<sup>17</sup> These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under 1.B. (Computer services).

<sup>18</sup> Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

Sector or Sub-Sector	Description of Reservations
	For Mode 2: MA, NT: None, except: (a) as indicated in the horizontal Note of this Sector; and (b) the Call-back, understood as being the offer of telephone services for the realization of attempts to make calls originated in the country with the objective of obtaining a return call with an invitation to dial, coming from a basic telecommunications network located outside the national territory, is prohibited. This restriction does not apply to the value added and/or information services.
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>	
<b>A. GENERAL CONSTRUCTION WORK FOR BUILDINGS</b> (CPC 512)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
<b>B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING</b> (CPC 513)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
<b>C. INSTALLATION AND ASSEMBLY WORK</b> (CPC 514+516)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None

Sector or Sub-Sector	Description of Reservations
D. BUILDING COMPLETION AND FINISHING WORK (CPC 517)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
E. OTHER (CPC 511+515+518)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
4. DISTRIBUTION SERVICES	
A. COMMISSION AGENTS' SERVICES (CPC 621), except for hydrocarbons	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
B. WHOLESALE TRADE SERVICES (CPC 622), except for hydrocarbons and products that are identified as handicrafts of Peru	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
<b>C. RETAILING SERVICES</b>	
<ul style="list-style-type: none"> <li>- Retailing services of food (CPC 631), except for alcohol and tobacco</li> <li>- Retailing services of non-edible products (CPC 632) except for products that are identified as handicrafts of Peru</li> </ul>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
<ul style="list-style-type: none"> <li>- Sales services of motor vehicles (CPC 6111) For greater certainty, this commitment includes the commission agents' and the wholesale trade services of motor vehicles</li> <li>- Sales services of parts and accessories of motor vehicles (CPC 6113) For greater certainty, this commitment includes the commission agents' and the wholesale trade services of parts and accessories of motor vehicles</li> </ul>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
<ul style="list-style-type: none"> <li>- Sales services of motorcycles and snowmobiles and related parts and accessories (CPC 6121) For greater certainty, this commitment includes the commission agents' and the wholesale trade services of motorcycles and snowmobiles and related parts and accessories</li> <li>- Wholesale trade and retail services of telecommunications equipment (CPC 7542)</li> </ul>	
<p>D. FRANCHISING (CPC 8929)</p> <p>Solely franchises and no other rights for other exclusive uses</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
6. ENVIRONMENTAL SERVICES	
A. SEWAGE SERVICES (CPC 9401)	For Mode 1: MA, NT: Unbound, except "None" for consulting services.
B. REFUSE DISPOSAL SERVICES (CPC 9402)	For Mode 2: MA, NT: None
C. SANITATION AND SIMILAR SERVICES (CPC 9403)	
D. CLEANING SERVICES OF EXHAUST GASES (CPC 9404)	
E. NOISE ABATEMENT SERVICES (CPC 9405)	
F. NATURE AND LANDSCAPE PROTECTION SERVICES Solely: Remediation and clean-up of soil and waters (part of CPC 94060)  Except <sup>19</sup> : Bioprospecting or biological prospecting services	

<sup>19</sup> For greater certainty, this exception applies to the services mentioned in A to F.



Sector or Sub-Sector	Description of Reservations
7. FINANCIAL SERVICES	<p>MA, NT:</p> <ul style="list-style-type: none"> <li>(a) Commitments with respect to modes 1 and 2 in this Schedule do not be construed to allow that non-resident services suppliers to do business or solicit in its territory. Peru may define "doing business" and "solicitation" for the purposes of this commitment.</li> <li>(b) Foreign banking and reinsurance institutions may carry out promotional activities in Peru through a representative in the country, without having to set up a public limited company provided that they have been so authorized by the Superintendency of Banking, Insurance and Pension Fund Management Companies (SBS). Representatives may not engage in the actual business operations of the enterprises they represent<sup>20</sup>.</li> <li>(c) Foreign institutions may not make claims through diplomatic channels in respect of business or operations which they carry out in Peru on the basis of rights derived from their nationality.</li> </ul> <p>Creditors domiciled in Peru have legal preference with regard to the assets located in Peru of a branch of a foreign financial services supplier, in case of liquidation of the enterprise or its branch in Peru.</p>
A. ALL INSURANCE AND INSURANCE-RELATED SERVICES	<p>For Mode 1:</p> <p>MA, NT: Unbound, except:</p> <ul style="list-style-type: none"> <li>(a) insurance of risks relating to: <ul style="list-style-type: none"> <li>(i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods, and any liability arising therefrom; and</li> <li>(ii) goods in international transit;</li> </ul> </li> <li>(b) reinsurance and retrocession;</li> <li>(c) auxiliary services to insurance, for example consultancy, actuarial, risk assessment, and claim settlement services; and</li> <li>(d) insurance intermediation referred to in subparagraphs (a) and (b).</li> </ul>

<sup>20</sup> For greater certainty, representatives may not 1) capture or place funds directly in Peru; or 2) offer or place foreign securities directly in Peru.

Sector or Sub-Sector	Description of Reservations
	<p>For Mode 2:  MA, NT: Unbound, except:</p> <ul style="list-style-type: none"> <li>(a) insurance of risks relating to: <ul style="list-style-type: none"> <li>(i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods, and any liability arising therefrom; and</li> <li>(ii) goods in international transit</li> </ul> </li> <li>(b) reinsurance and retrocession;</li> <li>(c) auxiliary services to insurance, for example consultancy, actuarial, risk assessment, and claim settlement services; and</li> <li>(d) insurance intermediation referred to in subparagraphs (a) and (b).</li> </ul> <p>Insurance enterprises may contract reinsurance abroad, whenever the reinsurance enterprises are classified in accordance with international standards, and subjected to the rules dictated by the Superintendency of Banking, Insurance and Private Pension Fund Administrators ("SBS - Superintendencia de Banca y Seguros"). If the insurance enterprises contract reinsurances directly, they should do it with enterprises included in the SBS reinsurance registry.</p> <p>Peru reserves the right to adopt or maintain measures that restrict the acquisition of services auxiliary to insurance related to obligatory insurance outside of Peru, or that require that services auxiliary to insurance be purchased from suppliers established in Peru.</p>
<p><b>B. BANKING AND OTHER FINANCIAL SERVICES</b>  (EXCLUDING INSURANCE)</p>	<p>For Mode 1:  MA, NT: Unbound, except the provision and transfer of financial information and financial data processing and related software referred to in subparagraph (b)(xi) of the definition of financial service of Article 152 of this Agreement, subject to prior authorization from the relevant regulator, as required, and advisory and other auxiliary financial services, excluding intermediation, relating to banking and other financial services as referred to in subparagraph (b)(xii) of the definition of financial service of Article 152 of this Agreement.</p>

Sector or Sub-Sector	Description of Reservations
	<p data-bbox="696 256 2051 316">It is understood that advisory and other auxiliary financial services do not include those services referred to in subparagraphs (b)(i) through (b)(xi) of the definition of financial service in Article 152 of this Agreement.</p> <p data-bbox="696 347 2022 406">It is understood that a trading platform, whether electronic or physical, does not fall within the range of services specified in the first paragraph.</p> <p data-bbox="696 438 2063 497">It is understood that, where the financial information or financial data processing referred to in the first paragraph involves personal data, the treatment of such personal data shall be in accordance with Peru's law regulating the protection of such data.</p> <p data-bbox="696 529 2089 715">For Mode 2: MA, NT: Unbound, except the provision and transfer of financial information and financial data processing and related software referred to in subparagraph (b)(xi) of the definition of financial service of Article 152 of this Agreement, subject to prior authorization from the relevant regulator, as required, and advisory and other auxiliary financial services, excluding intermediation, relating to banking and other financial services as referred to in subparagraph (b)(xii) of the definition of financial service of Article 152 of this Agreement.</p> <p data-bbox="696 746 2067 805">It is understood that advisory and other auxiliary financial services do not include those services referred to in subparagraphs (b)(xi) through (b)(xii) of the definition of financial service in Article 152 of this Agreement.</p>

Sector or Sub-Sector	Description of Reservations
	<p>It is understood that a trading platform, whether electronic or physical, does not fall within the range of services specified in the first paragraph.</p> <p>Financial service providers constituted under the laws of Peru and debt securities offered in a primary or secondary public offering in the territory of Peru must be rated by Credit Rating Companies constituted under the laws of Peru. They may also be rated by other credit rating agencies, but only in addition to the mandatory rating.</p> <p>It is understood that, where the financial information or financial data processing referred to in first paragraph involves personal data, the treatment of such personal data shall be in accordance with Peru's law regulating the protection of such data.</p>
9. TOURISM AND TRAVEL RELATED SERVICES	
A. HOTELS AND RESTAURANTS, including catering (CPC 641-643)	<p>For Mode 1: MA, NT: Unbound*<sup>21</sup>, except "none" for catering.</p> <p>For Mode 2: MA, NT: None</p>
B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES (CPC 7471)	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

<sup>21</sup> Unbound\* means "unbound due to lack of technical feasibility".

Sector or Sub-Sector	Description of Reservations
C. TOURIST GUIDES SERVICES (CPC 7472)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES	
B. NEWS AGENCY SERVICES (CPC 962)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
C. LIBRARIES, ARCHIVES, MUSEUMS AND OTHER CULTURAL SERVICES (CPC 963) except CPC 96332	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None

Sector or Sub-Sector	Description of Reservations
<p><b>D. SPORTING AND OTHER RECREATIONAL SERVICES</b></p> <p>Solely:</p> <ul style="list-style-type: none"> <li>- Sporting services (CPC 9641)</li> <li>- Other recreational services (CPC 9649)</li> </ul> <p>Solely:</p> <p>Recreational parks services (part of the CPC 96491)</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
<b>11. TRANSPORT SERVICES</b>	
<p><b>A. MARITIME TRANSPORT SERVICES</b></p> <p>International transport (freight and passengers) (CPC 7211 and 7212)</p> <p>Except cabotage (as defined in paragraph 1 of Note 1 of this Section)</p> <p><b>B. INTERNAL WATERWAYS TRANSPORT</b> (only international transport)</p>	<p>For Mode 1:</p> <p>(a) MA, NT: Liner Shipping: None, except that the following water transportation and related services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment:</p> <ol style="list-style-type: none"> <li>(1) fuel replenishment services;</li> <li>(2) mooring and unmooring services;</li> <li>(3) diving services;</li> <li>(4) victualing services;</li> <li>(5) dredging services;</li> <li>(6) harbor pilotage services;</li> <li>(7) waste collection services;</li> <li>(8) tug boat services; and</li> <li>(9) transport of persons</li> </ol>

Sector or Sub-Sector	Description of Reservations
<p>– Passenger transportation (CPC 7221)</p> <p>– Freight transportation (CPC 7222)</p> <p>Except cabotage (as defined in paragraph 1 of Note 1 of this Section)</p>	<p>(b) MA, NT: Bulk, tramp, and other international shipping, including passenger transportation: None, except:</p> <p>The following water transportation and related services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment:</p> <ol style="list-style-type: none"> <li>(1) fuel replenishment services;</li> <li>(2) mooring and unmooring services;</li> <li>(3) diving services;</li> <li>(4) victualing services;</li> <li>(5) dredging services;</li> <li>(6) harbor pilotage services;</li> <li>(7) waste collection services;</li> <li>(8) tug boat services; and</li> <li>(9) transport of persons</li> </ol> <p>Only natural persons domiciled in Peru or juridical persons constituted and domiciled in Peru may provide tourist water transportation services.</p> <p>For Mode 2:</p> <p>(a) MA, NT: Liner Shipping: None</p> <p>(b) MA, NT: Bulk, tramp, and other international shipping, including passenger transportation: None, except that only natural persons domiciled in Peru or juridical persons constituted and domiciled in Peru may provide tourist water transportation exclusively for domestic tourism services.</p>

Sector or Sub-Sector	Description of Reservations
D. TRANSPORTATION VIA SPACE (CPC 733)	For Mode 1: MA, NT: None  For Mode 2: MA, NT: None
E. TRANSPORT SERVICES BY RAILWAY	
a) Passenger transportation (CPC 7111)	For Mode 1: MA, NT: Unbound* <sup>22</sup>
b) Freight transportation (CPC 7112)	For Mode 2: MA, NT: None
SERVICES AUXILIARY TO TRANSPORT	
A. SERVICES AUXILIARY TO MARITIME TRANSPORT	
Maritime cargo handling services (as defined in paragraph 4 of Note 1 of this Section)	For Mode 1: MA, NT: Unbound*  For Mode 2: MA, NT: None

<sup>22</sup> Unbound\* means "unbound due to lack of technical feasibility".



Sector or Sub-Sector	Description of Reservations
Storage and warehouse services (CPC 742)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Customs Clearance Services (as defined in paragraph 5 of Note 1 of this Section)	<p>For Mode 1: MA, NT: Unbound</p> <p>For Mode 2: MA, NT: None</p>
Container Station and Depot Services (as defined infra - 6)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Maritime Agency Services (as defined in paragraph 7 of Note 1 of this Section)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Maritime freight forwarding Services (as defined in paragraph 8 of Note 1 of this Section)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
Rental of Vessels with Crew (CPC 7213)	<p>For Mode 1: MA, NT: Unbound</p> <p>For Mode 2: MA, NT: None, except that the limitations listed in the Establishment Section apply.</p>
Pushing and towing services (CPC 7214)	<p>For Mode 1: MA, NT: None, except that towing, pushing, mooring and unmooring services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment.</p> <p>For Mode 2: MA, NT: None</p>
Supporting services for maritime transport (part of CPC 745)	<p>For Mode 1: MA, NT: None, except that the following water transportation and related services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment:</p> <ol style="list-style-type: none"> <li>(1) fuel replenishment services;</li> <li>(2) mooring and unmooring services;</li> <li>(3) diving services;</li> <li>(4) victualing services;</li> <li>(5) dredging services;</li> <li>(6) harbor pilotage services;</li> <li>(7) waste collection services;</li> <li>(8) tug boat services; and</li> <li>(9) transport of persons</li> </ol> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
<b>B. SERVICES AUXILIARY TO INTERNAL WATERWAYS TRANSPORT</b>	
Cargo-handling services (part of CPC 741)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Storage and warehouse services (part of CPC 742)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Freight transport agency services (part of CPC 748)	<p>For Mode 1: MA, NT: None, except that the establishment in Peru is required.</p> <p>For Mode 2: MA, NT: None</p>
Rental of Vessels with Crew (CPC 7223)	<p>For Mode 1: MA, NT: Unbound</p> <p>For Mode 2: MA, NT: None, except that the limitations listed in the Establishment Section apply.</p>

Sector or Sub-Sector	Description of Reservations
Pushing and towing services (CPC 7224)	For Mode 1: MA, NT: None, except that towing, pushing, mooring and unmooring services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment. For Mode 2: MA, NT: None
Supporting services for internal waterway transport (part of CPC 745)	For Mode 1: MA, NT: None, except that the following water transportation and related services supplied in bay and port areas must be supplied by natural persons domiciled in Peru, and juridical persons constituted and domiciled in Peru, properly authorized with Peruvian flag vessels and equipment: (1) fuel replenishment services; (2) mooring and unmooring services; (3) diving services; (4) victualing services; (5) dredging services; (6) harbor pilotage services; (7) waste collection services; (8) tug boat services; and (9) transport of persons  For Mode 2: MA, NT: None

Sector or Sub-Sector	Description of Reservations
C. SERVICES AUXILIARY TO RAIL TRANSPORT	
Cargo-handling services (part of CPC 741)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Storage and warehouse services (part of CPC 742)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
Freight transport agency services (part of CPC 748)	<p>For Mode 1: MA, NT: None, except that the establishment in Peru is required.</p> <p>For Mode 2: MA, NT: None</p>
Pushing and towing services (CPC 7113)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
Supporting services for rail transport services (CPC 743)	For Mode 1: MA, NT: Unbound*  For Mode 2: MA, NT: None
D. SERVICES AUXILIARY TO ROAD TRANSPORT	
Cargo-handling services (CPC 741**)	For Mode 1: MA, NT: Unbound*  For Mode 2: MA, NT: None
Storage and warehouse services (CPC 742**)	For Mode 1: MA, NT: Unbound*  For Mode 2: MA, NT: None
Freight transport agency services (CPC 748**)	For Mode 1: MA, NT: None, except that the establishment in Peru is required.  For Mode 2: MA, NT: None
Supporting services for road transport services (CPC 744)	For Mode 1: MA, NT: Unbound*  For Mode 2: MA, NT: None

Sector or Sub-Sector	Description of Reservations
E. SERVICES AUXILIARY TO AIR TRANSPORT SERVICES	
<ul style="list-style-type: none"> <li>- Selling and marketing of air transport services</li> <li>- Computer reservation system ("CRS") services</li> </ul>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>
F. SERVICES AUXILIARY TO PIPELINE TRANSPORT OF GOODS OTHER THAN FUEL	
Storage and warehouse services of goods other than fuel (CPC 742**)	<p>For Mode 1: MA, NT: Unbound*</p> <p>For Mode 2: MA, NT: None</p>
G. PIPELINE TRANSPORT	
<p>Solely:</p> <p>b) Transportation of other goods other than fuel (CPC 7139)</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>

Sector or Sub-Sector	Description of Reservations
ENERGY SERVICES	Foreign enterprises must establish a branch or constitute a society under the Ley General de Sociedades, to be domiciled in the capital of the Republic of Peru, and appoint a Peruvian national as an executive agent. Foreign natural persons must register in the Public Registry and provide a power of attorney to a Peruvian national resident in the capital of the Republic of Peru.
A. SERVICES RELATED TO EXPLORATION AND PRODUCTION	
<p>Related scientific and technical consulting services (CPC 8675)</p> <p>Services incidental to mining (CPC 883)</p> <p>Maintenance and Repair services of fabricated metal products, machinery and equipment, and electrical machinery (part of CPC 8861-8866)</p> <p>Engineering services (CPC 8672)</p>	<p>For Mode 1: MA, NT: None</p> <p>For Mode 2: MA, NT: None</p>



Sector or Sub-Sector	Description of Reservations
Integrated engineering services (CPC 8673)	
Management consulting services (CPC 865)	
Services related to management consulting (CPC 866)	
Technical testing and analysis services (CPC 8676)	

## NOTE 1

### LIST OF INTERNATIONAL MARITIME TRANSPORT SERVICES

Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this List, a multimodal transport operator (as defined in paragraph 3 below) shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to, and use of, these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.

"Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations and this additional commitment, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date.

### DEFINITIONS

1. In the case of Peru, "cabotage" or "commercial water transportation in national traffic" is performed between Peruvian ports, in accordance with the provisions of Article 2 of the Legislative Decree 683 of 2001.

2. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of the other Party to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of supply. For greater certainty, this commitment does not grant rights to operate as maritime transport enterprise or national ship enterprise in Peru.

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated services;

- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
  - (d) the provision of business information by any means, including computerized information systems and electronic data interchange (subject to the provisions of the Section on Telecommunications);
  - (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency; and
  - (f) acting on behalf of the companies, organizing the call of the ship or taking over cargoes when required.
3. "Multimodal transport operators" means the person on whose behalf the bill of lading, multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

4. "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered include the organization and supervision of:
  - (a) the loading/discharging of cargo to/from a ship;
  - (b) the lashing/unlashing of cargo;
  - (c) the reception/delivery and safekeeping of cargoes before shipment or after discharge.
  
5. "Customs clearance services" (alternatively "customs house brokers services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

6. "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.
  7. "Maritime agency services" means activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:
    - (a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
    - (b) acting on behalf of the companies organizing the call of the ship or taking over cargoes when required.
  8. "Freight forwarding services" means the activity consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.
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