

## ANNEX II

### SCHEDULE OF PERU<sup>1</sup> (Reservations for Trade in Services and Establishment)

#### EXPLANATORY NOTES

1. This Schedule sets out, pursuant to Article 8.7 (Non-Conforming Measures) of Chapter 8 (Trade in Services) and Article 12.6 (Non-Conforming Measures) of Chapter 12 (Establishment and Related Provisions), the specific sectors, sub-sectors or activities for which Peru may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

- (a) Article 8.3 (National Treatment) of Chapter 8 (Trade in Services) or Article 12.4 (National Treatment) of Chapter 12 (Establishment and Related Provisions);
- (b) Article 8.4 (Most-Favoured-Nation Treatment) of Chapter 8 (Trade in Services);
- (c) Article 8.5 (Market Access) of Chapter 8 (Trade in Services);
- (d) Article 8.6 (Local Presence) of Chapter 8 (Trade in Services); or
- (e) Article 12.5 (Performance Requirements) of Chapter 12 (Establishment and Related Provisions).

2. Each Schedule entry sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Sub-Sector**, where referenced, refers to the specific sub-sector for which the entry is made;
- (c) To identify the different sectors and sub-sectors in this list, the CPC prov, 1991 is used, which stands for the Central Product Classification according to the definition of the United Nations Statistics Office, Statistical Reports, Series M, No. 77, CPC prov, 1991;

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<sup>1</sup> In case of discrepancy or divergence between the authentic texts, the Spanish text of this Schedule shall prevail.

- (d) **Obligations Concerned** specifies the obligations referred to in paragraph 1 that, pursuant to Article 8.7.2 (Non-Conforming Measures) of Chapter 8 (Trade in Services) and Article 12.6.2 (Non-Conforming Measures) of Chapter 12 (Establishment and Related Provisions), do not apply to the sectors, sub-sectors or activities listed in the entry;
- (e) **Description** sets out the scope or nature of the sectors, sub-sectors or activities covered by the entry to which the reservation applies; and
- (f) **Existing Measures**, where specified, identifies, for transparency purposes, a non-exhaustive list of existing measures that apply to the sectors, sub-sectors or activities covered by the entry.

3. In accordance with Article 8.7.2 (Non-Conforming Measures) of Chapter 8 (Trade in Services) and Article 12.6.2 (Non-Conforming Measures) of Chapter 12 (Establishment and Related Provisions), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the sectors, sub-sectors and activities identified in the **Description** element of that entry.

## **II-PERU-1**

**Sector** All

**Sub-Sector**

**Obligations Concerned** Most-Favoured-Nation Treatment (Article 8.4)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure that accords differential treatment to countries in accordance with any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.

Peru reserves the right to adopt or maintain any measure that accords differential treatment to countries in accordance with any bilateral or multilateral international agreements in force or signed after the date of entry into force of this Agreement involving:

- (a) aviation;
- (b) fisheries; or
- (c) maritime matters<sup>2</sup>, including salvage.

**Existing Measures**

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<sup>2</sup> For greater certainty, maritime matters include transport by lakes and rivers.

## **II-PERU-2**

**Sector** Indigenous Communities, Peasant, Native and Minority Affairs

**Sub-Sector**

**Obligations Concerned** National Treatment (Article 8.3 and Article 12.4)  
Most-Favoured-Nation Treatment (Article 8.4)  
Local Presence (Article 8.6)  
Performance Requirements (Article 12.5)

**Description** Establishment and Trade in Services

Peru reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities and ethnic groups. For the purposes of this entry, “ethnic groups” means indigenous, native and peasant communities.

**Existing Measures**

### **II-PERU-3**

**Sector**

Fishing and Services related to Fishing

**Sub-Sector**

**Obligations Concerned**

National Treatment (Article 8.3 and Article 12.4)  
Most-Favoured-Nation Treatment (Article 8.4)  
Performance Requirements (Article 12.5)

**Description**

Establishment and Trade in Services

Peru reserves the right to adopt or maintain any measure relating to artisanal fishing.

**Existing Measures**

## **II-PERU-4**

**Sector** Cultural Industries

**Sub-Sector**

**Obligations Concerned** Most-Favoured-Nation Treatment (Article 8.4)

**Description** Trade in Services

For the purposes of this entry, “cultural industries” means:

- (a) publication, distribution or sale of books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing;
- (b) production, distribution, sale or display of recordings of movies or videos;
- (c) production, distribution, sale or display of music recordings in audio or video format;
- (d) production and presentation of theatre arts<sup>3</sup>;
- (e) production and exhibition of visual arts;
- (f) production, distribution or sale of printed music scores or scores readable by machines;
- (g) design, production, distribution and sale of handicrafts; or
- (h) radiobroadcasts aimed at the public in general, as well as all radio, television, and cable television-related activities, satellite programming services, and broadcasting networks.

Peru reserves the right to adopt or maintain any measure giving preferential treatment to persons of other countries pursuant to any existing or future bilateral or multilateral international agreement regarding cultural industries, including audio-visual cooperation agreements.

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<sup>3</sup> The term “theatre arts” means live performances or presentations such as drama, dance or music.

For greater certainty, Chapter 8 (Trade in Services) and Article 12.4 (National Treatment) of Chapter 12 (Establishment and Related Provisions) shall not apply to government support for the promotion of cultural industries.

### **Existing Measures**

## **II-PERU-5**

**Sector** Handicraft Industries

**Sub-Sector**

**Obligations Concerned** National Treatment (Article 8.3 and Article 12.4)  
Performance Requirements (Article 12.5)

**Description** Establishment and Trade in Services

Peru reserves the right to adopt or maintain any measure relating to the design, distribution, retailing or exhibition of handicrafts that are identified as Peruvian handicrafts.

Performance requirements shall in all cases be consistent with the *Agreement on Trade-Related Investment Measures*, set out in Annex 1A to the WTO Agreement (TRIMs Agreement).

**Existing Measures**



## **II-PERU-6**

**Sector** Audio-Visual Industry

**Sub-Sector**

**Obligations Concerned** National Treatment (Article 8.3)  
Performance Requirements (Article 12.5)

**Description** Establishment and Trade in Services

Peru reserves the right to adopt or maintain any measure whereby a specified percentage (up to 20 per cent) of the total cinematographic works shown on an annual basis in cinemas or exhibition rooms in Peru consist of Peruvian cinematographic works. In establishing such percentage, Peru shall take into account factors including the national cinematographic production, the existing exhibition infrastructure in the country and attendance.

**Existing Measures**

## **II-PERU-7**

### **Sector**

Jewellery Design  
Theatre Arts  
Visual Arts  
Music  
Publishing

### **Sub-Sector**

### **Obligations Concerned**

National Treatment (Article 8.3)  
Performance Requirements (Article 12.5)

### **Description**

#### **Establishment and Trade in Services**

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 jewellery design, theatre arts, visual arts, music and publishing on the recipient achieving a given level or percentage of domestic creative content.

### **Existing Measures**

## **II-PERU-8**

<b>Sector</b>	Audio-Visual Industry Publishing Music
<b>Sub-Sector</b>	
<b>Obligations Concerned</b>	National Treatment (Article 8.3 and Article 12.4) Most-Favoured-Nation Treatment (Article 8.4)
<b>Description</b>	<u>Establishment and Trade in Services</u>  Peru may adopt or maintain any measure that affords a person of the other Party the treatment that is afforded by that Party to Peruvian persons in the audio-visual, publishing and music sectors.
<b>Existing Measures</b>	

## **II-PERU-9**

### **Sector**

Social Services

### **Sub-Sector**

### **Obligations Concerned**

National Treatment (Article 8.3 and Article 12.4)

Most-Favoured-Nation Treatment (Article 8.4)

Local Presence (Article 8.6)

Performance Requirements (Article 12.5)

### **Description**

#### **Establishment and Trade in Services**

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.

### **Existing Measures**

**II-PERU-10**

**Sector** Public Supply of Potable Water

**Sub-Sector**

**Obligations Concerned** Local Presence (Article 8.6)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure in relation to the public supply of potable water.

For greater certainty, nothing in this entry shall affect the ability of a foreign enterprise to supply bottled water.

**Existing Measures**

**II-PERU-11**

**Sector** Public Sewage Services

**Sub-Sector**

**Obligations Concerned** Local Presence (Article 8.6)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure in relation to public sewage services.

**Existing Measures**

**II-PERU-12**

**Sector** Telecommunications Services

**Sub-Sector**

**Obligations Concerned** Most-Favoured-Nation Treatment (Article 8.4)  
Local Presence (Article 8.6)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure in relation to the granting of a concession for the installation, operation and exploitation of public telecommunication services.

**Existing Measures**

## **II-PERU-13**

**Sector** Education Services

**Sub-Sector**

**Obligations Concerned** National Treatment (Article 8.3)  
Most-Favoured-Nation Treatment (Article 8.4)  
Local Presence (Article 8.6)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure relating to natural persons who supply educational services, including teachers and auxiliary personnel rendering educational services in basic and superior education including technical and productive training (*educación técnico productiva*) as well as other people who supply services related to education including sponsors of educational institutions of any level or stage of the educational system.

**Existing Measures**



## **II-PERU-14**

<b>Sector</b>	Transportation Services
<b>Sub-Sector</b>	Road transportation services
<b>Obligations Concerned</b>	National Treatment (Article 8.3)
<b>Description</b>	<u>Trade in Services</u>

Peru reserves the right to adopt or maintain any measure that authorises only Peruvian natural or juridical persons to supply land transportation of persons or merchandise inside the territory of Peru (cabotage). For this, the enterprises shall use vehicles registered in Peru.

### **Existing Measures**

## **II-PERU-15**

<b>Sector</b>	Transportation
<b>Sub-Sector</b>	International road transportation services
<b>Obligations Concerned</b>	National Treatment (Article 8.3 and Article 12.4) Most-Favoured-Nation Treatment (Article 8.4) Local Presence (Article 8.6)
<b>Description</b>	<p><u>Establishment and Trade in Services</u></p> <p>Peru reserves the right to adopt or maintain any measure relating to the international land transportation of cargo or passengers in border areas.</p> <p>Additionally, Peru reserves the right to adopt or maintain the following limitations for the supply of international land transportation from Peru:</p> <ul style="list-style-type: none"><li>(a) the service supplier must be a Peruvian natural or juridical person;</li><li>(b) the service supplier must have a real and effective domicile in Peru; and</li><li>(c) in the case of juridical persons, the service supplier must be legally constituted in Peru and more than 50 per cent of its capital stock must be owned by Peruvian nationals and its effective control must be by Peruvian nationals.</li></ul>
<b>Existing Measures</b>	

## **II-PERU-16**

<b>Sector</b>	Transportation
<b>Sub-Sector</b>	Air transportation services
<b>Obligations Concerned</b>	Most-Favoured-Nation Treatment (Article 8.4) Local Presence (Article 8.6)
<b>Description</b>	<u>Trade in Services</u>  Peru reserves the right to adopt or maintain any measure relating to ground-handling services.
<b>Existing Measures</b>	

**II-PERU-17**

<b>Sector</b>	Transportation
<b>Sub-Sector</b>	Air transportation services
<b>Obligations Concerned</b>	National Treatment (Article 8.3) Most-Favoured-Nation Treatment (Article 8.4) Local Presence (Article 8.6)
<b>Description</b>	<u>Trade in Services</u>  Peru reserves the right to adopt or maintain any measure relating to airport operation services.
<b>Existing Measures</b>	

## **II-PERU-18**

**Sector** All

**Sub-Sector**

**Obligations Concerned** Market Access (Article 8.5)

**Description** Trade in Services

Peru reserves the right to adopt or maintain any measure relating to Article 8.5 (Market Access) of Chapter 8 (Trade in Services), except for the following sectors and sub-sectors subject to the limitations and conditions listed below:

*Legal services:* For (a) and (c): None, except that the number of notary positions depends of the number of inhabitants of each city. For (b): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Accounting, auditing and bookkeeping services:* For (a) and (c): 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 Association of Public Accountants of Lima (*Colegio de Contadores Públicos de Lima*). No partner may be a member of another auditing society in Peru. For (b): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Taxation services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Architectural services:* For (a), (b) and (c): None, except that for temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Engineering services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign

Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Integrated engineering services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Urban planning and landscape architectural services:* For (a), (b) and (c): None, except that to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Veterinary services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Services provided by midwives, nurses, physiotherapists and paramedical personnel:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Computer and related services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Research and development services on natural sciences:* For (a), (b) and (c): None, except that a permission of operation may be required and the competent authority may require the inclusion to the expedition of one or more representatives of the Peruvian pertinent activities, in order to participate and know the studies and its scope. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Research and development services on social sciences and humanities:* For (a), (b) and (c): None, subject to the respective authorisations of the competent authority. For (d): No commitments, except as indicated in the Law for Foreign

Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Interdisciplinary research and development services:* For (a), (b) and (c): None, except that a permission of operation may be required. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Real estate services: Involving owned or leased property or on a fee or contract basis:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Rental/leasing services without crew/operators, related to vessels, aircraft, any other transport equipment, and other machinery and equipment:* For (a), (b) and (c): None, except that:

A “national ship owner” 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, cabotage<sup>4</sup> or international traffic, 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 (*Dirección General de Transporte Acuático*).

Cabotage is exclusively reserved to Peruvian flagged merchant vessels owned by a national ship owner or national ship enterprise or leased under a financial lease or a bareboat charter, with an obligatory purchase option, except that:

- (i) up to 25 per cent of the transport of hydrocarbons in national waters is reserved for the ships of the Peruvian Navy; and
- (ii) foreign-flagged vessels may be operated exclusively by national ship owners or national ship enterprises for a period of three years for water transportation

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

exclusively between Peruvian ports or cabotage when such an entity does not own its own vessels or lease vessels under the modalities previously mentioned. That period may be renewed for up to one year.

For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Advertising services:* For (a), (b) and (c): None, except that: Commercial advertising produced in Peru, must use at least 80 per cent 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. For (d): No commitments, except as indicated in the Law of the Artist and Performer (*Ley del Artista, Intérprete y Ejecutante*) and Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Market research and public opinion polling services, management consulting services, services related to management consulting, and technical testing and analysis services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Services related to agriculture, hunting and forestry:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Services incidental to fishing: solely advisory and consulting services relating to fishing:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Services related to mining, placement and supply services of personnel, and investigation and security services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).



*Related scientific and technical consulting services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Maintenance and repair of equipment (not including vessels, aircraft or other transport equipment), building-cleaning services, photographic services, packing services and convention services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Printing and publishing services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Other (CPC 8790) except: credit rating services (CPC 87901); jewellery design services; design services of handicrafts that are identified as Peruvian handicrafts; and other business services not elsewhere classified (CPC 87909):* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Express delivery services:* For (a) and (b): No commitments. For (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Advisory services on telecommunications:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*National or international long-distance telecommunications services:* For (a), (b), (c) and (d): Peru reserves the right to adopt or maintain any measure that is not inconsistent with the commitments of Peru under Article XVI of GATS.

*Carrier telecommunications services, private telecommunications services and value added services*<sup>5</sup>: For (a), (b), (c):

None, except for the obligation of obtaining a concession, authorisation, registry or any other title which Peru considers convenient to grant in order to habilitate the suppliers to provide these services. The juridical persons constituted under Peruvian law can be eligible for a concession.

Call-back, understood as being the offer of telephone services for the realisation of attempts to make calls originating 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.

International traffic shall be routed through the installations of a company holding a concession or other permission for operation granted by the Ministry of Transport and Communications (*Ministerio de Transportes y Comunicaciones*).

Interconnection among private services is prohibited.

For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Commission agents services (except hydrocarbons)*: For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Retailing services, except alcohol and tobacco*: For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Wholesale trade services (except hydrocarbons)*: For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

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<sup>5</sup> Value added services shall be defined in accordance with Peruvian legislation.

*Franchising:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Construction services: solely consulting services related to construction:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Higher education services*<sup>6</sup>: For (a): No commitments, except for subjects that are part of a programme that mainly takes place outside Peru. For (b): None. For (c) and (d): No commitments.

*Environmental services: solely consulting services:* For (a): No commitments. For (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Hotels and restaurants (including catering), travel agencies and tour operators services, and tourist guide services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Entertainment services (including theatre, live bands and circus services), news agencies services, libraries, archives, museums, and other cultural and sporting services:* For (a), (b) and (c): None, except that:

- (i) any domestic theatre arts<sup>7</sup> and visual arts production and any domestic artistic live performance must be comprised of at least 80 per cent 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 artistic activities.

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<sup>6</sup> For greater certainty, these commitments do not affect any regulation or mandatory requirements related to the recognition of certificates or degrees and they shall not be construed to exempt any student from meeting any applicable requirement to practice a profession or otherwise engage in business activities.

<sup>7</sup> The term “theatre arts” means live performances or presentations such as drama, dance or music.

- (ii) a foreign circus may stay in Peru with the original cast for a maximum of 90 days. This period may be extended for the same period of time. If it is extended, the foreign circus will include a minimum of 30 per cent Peruvian nationals as artists and 15 per cent Peruvian nationals as technicians. The same percentages shall apply to the payroll of salaries and wages.

For (d): No commitments, except as indicated in the Law of the Artist and Performer (*Ley del Artista, Intérprete y Ejecutante*) and Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Exploitation of facilities for competitive and recreational sports:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Recreational parks services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Road transport: rental of commercial vehicles with operator, maintenance and repair of road transport equipment, and exploitation of roads, bridges and tunnels services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Services auxiliary to all transport: cargo handling services; storage and warehouse services; freight transport agency services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Aircraft repair and maintenance services:* For (a): No commitments. For (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

*Selling and marketing of air transport services, and computer reservation system services:* For (a), (b) and (c): None. For (d): No commitments, except as indicated in the Law for Foreign Workers Recruitment (*Ley para la Contratación de Trabajadores Extranjeros*).

For greater certainty, nothing in this entry shall be inconsistent with the commitments of Peru in accordance with Article XVI of GATS.

For the purposes of this entry:

1. “(a)” refers to the supply of a service from the Area of the other Party into the Area of Peru;
2. “(b)” refers to the supply of a service in the Area of the other Party by a person of that Party to a person of Peru;
3. “(c)” refers to the supply of a service through commercial presence in the Area of Peru by a service supplier of the other Party; and
4. “(d)” refers to the supply of a service by a natural person of the other Party in the Area of Peru.
5. “None” means no limitations or conditions on the application of Article 8.5 (Market Access) of Chapter 8 (Trade in Services).

### **Existing Measures**