

SECTION C

PERU

1. The List of Commitments below indicates the economic activities committed by Peru pursuant to Article 114 of this Agreement, and, by means of reservations, the market access and national treatment limitations that apply to establishments and investors from 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 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 subsector (remains "unbound"), this does not invalidate the NT commitment.

The sectors or sub-sectors which are not included in the following list are not committed.

2. In identifying individual sectors and sub-sectors:
 - (a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 4, ISIC REV 3.1, 2002; and
 - (b) 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 112 and 113 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, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the other Party.

4. 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.
5. In accordance with Article 112 of this Agreement non-discriminatory requirements as regards the types of legal form of an establishment are not included in the list below.
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>MA, NT: 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 reservation: "ethnic groups" means indigenous, native and peasant communities¹.</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 childcare².</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 112 of this Agreement)³.</p> <p>Subsidies NT: Unbound</p> <p>Land or water property NT: No foreign national, enterprise constituted under foreign law or enterprise constituted under Peruvian law, and owned in whole or part, directly or indirectly, by foreign nationals may acquire or own, directly or indirectly, by any title, land or water (including mines, forest or energy sources) located within 50 kilometers of the Peruvian border. Exceptions may be authorised by Supreme Decree approved by the Council of Ministers in conformity with law in cases of expressly declared public necessity.</p> |

¹ 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.

² Idem, footnote 1.

³ Idem, footnote 1.

| Sector or Sub-Sector | Description of Reservations |
|----------------------|--|
| | <p>Hiring of foreign workers MA, NT: All employers in Peru, independently of their activity or nationality, shall give preferential treatment to nationals when hiring its employees.</p> <p>Foreign natural persons who are service providers and who are employed in Peru may provide services in Peru under a written and time-limited employment contract, which may not exceed three years. The contract may be subsequently extended for like periods of time. Service-providing enterprises must show proof of the company's commitment to train national personnel in the same occupation.</p> <p>Foreign natural persons may not represent more than 20 per cent of the total number of employees of an enterprise, and their pay may not exceed 30 per cent of the total payroll for wages and salaries. These percentages will not apply in the following cases:</p> <ul style="list-style-type: none"> – when the foreign national providing the service is the spouse, parent, child or sibling of a Peruvian national; – when the personnel is working for a foreign enterprise providing international land, air and water transport services under a foreign flag and registration; – when the foreign personnel works in a multinational bank or an enterprise that provides multinational services, subject to the laws governing specific cases; – for a foreign investor, provided that its investment permanently maintains in Peru at least five Tributary Tax Units "UITs - Unidad Impositiva Tributaria" during the life of its contract⁴; – for artists, athletes or other service-providers engaged in public performances in Peruvian territory, for a maximum of three months a year; – when a foreign national has an immigrant visa; – for a foreign national whose country of origin has a labour reciprocity or dual nationality agreement with Peru; and – when foreign personnel provides services in Peru under a bilateral or multilateral agreement concluded by the Peruvian Government. |

⁴ The Tributary Tax Unit is an amount used as a reference in taxation rules in order to maintain in constant values the tax basis, deductions, affectation limits and other aspects of the tax that the legislator considers convenient.

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| | <p>Employers may request waivers for the percentages related to the number of foreign employees and their share of the company's payroll in those cases involving:</p> <ul style="list-style-type: none"> – specialised professional or technical personnel; – directors or management personnel for new a business activity or reconverted business activity; – teachers hired for post secondary education, or for foreign private elementary and high schools; or for language teaching in local private schools; or for specialized language centers; – personnel working for public or private enterprises with contractual agreements with public organizations, institutions or enterprises; and – in any other case determined by Supreme Decree pursuant to specialization, qualification or experience criteria. <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> |
| <p>A. AGRICULTURE, HUNTING AND FORESTRY Except the activities of supply of services, such as advisory and consultancy</p> | |
| <p>01. Agriculture, hunting (ISIC rev 3.1: 011, 012, 013, 014, 015)</p> | <p>MA, NT: None</p> |

| Sector or Sub-Sector | Description of Reservations |
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| 02. Forestry, logging (ISIC rev 3.1: 020) | MA, NT: None |
| B. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) Except the activities of supply of services, such as advisory and consultancy | MA: Unbound NT: Peru reserves the right to adopt or maintain any measure relating to artisanal fishing. For greater certainty, Peru may maintain provisions or measures for foreign-flagged vessels different from those established for Peruvian-flagged vessels, and this shall not be interpreted as a violation of National Treatment. |
| C. MINING AND QUARRYING Except the activities of supply of services, such as advisory and consultancy | |
| 10. Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10) | MA: Unbound NT: None |
| 11. Extraction of crude petroleum and natural gas ⁵ (ISIC rev 3.1: 1110) | MA: Unbound NT: None |
| 12. Mining of uranium and thorium ores (ISIC rev 3.1: 12) | MA: Unbound NT: None |
| 13. Mining of metal ores (ISIC rev 3.1: 13) | MA: Unbound NT: None |

⁵ This Sector does not include the minerals smelting on a fee or contract basis in oil or gas fields, which are covered in Energy Services.

| Sector or Sub-Sector | Description of Reservations |
|---|-----------------------------|
| 14. Other mining and quarrying (ISIC rev 3.1: 14) | MA: Unbound NT: None |
| D. MANUFACTURING⁶ | |
| 15. Manufacture of food products and beverages (ISIC rev 3.1: 15) | MA, NT: None |
| 16. Manufacture of tobacco products (ISIC rev 3.1: 16) | MA, NT: None |
| 17. Manufacture of textiles (ISIC rev 3.1: 17) | MA, NT: None |
| 18. Manufacture of wearing apparel; dressing and dyeing of fur (ISIC rev 3.1: 18) | MA, NT: None |
| 19. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear (ISIC rev 3.1: 19) | MA, NT: None |
| 20. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials (ISIC rev 3.1: 20) | MA, NT: None |
| 21. Manufacture of paper and paper products (ISIC rev 3.1: 21) | MA, NT: None |

⁶ This Sector does not include advisory services related to the manufacturing industry, which are covered in Business Services.

| Sector or Sub-Sector | Description of Reservations |
|---|-----------------------------|
| 22. Publishing, printing and reproduction of recorded media (ISIC rev 3.1: 22) excluding publishing and printing on a fee or contract basis ⁷ | MA, NT: None |
| 23. Manufacture of coke, refined petroleum products and nuclear fuel (ISIC rev 3.1: 23) | MA, NT: None |
| 24. Manufacture of chemicals and chemical products except explosives (ISIC rev 3.1: 24 excluding explosives manufacturing) | MA, NT: None |
| 25. Manufacture of rubber and plastics products (ISIC rev 3.1: 25) | MA, NT: None |
| 26. Manufacture of other non-metallic mineral products (ISIC rev 3.1: 26) | MA, NT: None |
| 27. Manufacture of basic metals (ISIC rev 3.1: 27) | MA, NT: None |
| 28. Manufacture of fabricated metal products, except machinery and equipment (ISIC rev 3.1: 28) | MA, NT: None |

⁷ Printing of packaging materials is covered in Business Services.

| Sector or Sub-Sector | Description of Reservations |
|--|-----------------------------|
| 29. Manufacture of machinery and equipment n.e.c. except the manufacturing of arms and munitions (ISIC rev 3.1: 291, 2921, 2922, 2923, 2924, 2925, 2926, 2929, 293) | MA, NT: None |
| 30. Manufacture of office, accounting and computing machinery (ISIC rev 3.1: 30) | MA, NT: None |
| 31. Manufacture of electrical machinery and apparatus n.e.c. (ISIC rev 3.1: 31) | MA, NT: None |
| 32. Manufacture of radio, television and communication equipment and apparatus (ISIC rev 3.1: 32) | MA, NT: None |
| 33. Manufacture of medical, precision and optical instruments, watches and clocks (ISIC rev 3.1: 33) | MA, NT: None |
| 34. Manufacture of motor vehicles, trailers and semi-trailers (ISIC rev 3.1: 34) | MA, NT: None |
| 35. Manufacture of other transport equipment (non-military) ⁸ (ISIC rev 3.1: 35 excluding manufacturing of warships, warplanes and other military transport equipment) | MA, NT: None |

⁸ This Sub-sector does not include the maintenance, repair and modification of ships and ship engines services.

| Sector or Sub-Sector | Description of Reservations |
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| 36. Manufacture of furniture; manufacturing n.e.c. (ISIC rev 3.1: 36) | MA, NT: None |
| 37. Recycling (ISIC rev 3.1: 37) | MA, NT: None |
| E. ELECTRICITY, GAS AND WATER SUPPLY ⁹ (part of ISIC rev 3.1: 4010, 4020 and 4030) | MA: Unbound NT: None, except that Peru reserves the right to adopt or maintain any measure in relation to the public supply of potable water. |
| 1. BUSINESS SERVICES | |
| A. PROFESSIONAL SERVICES | In order to provide professional services in Peru, diplomas which have been obtained abroad must be recognised 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) | 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. |
| b) Accounting, auditing and book-keeping services (CPC 862) | 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 (" <i>Colegio de Contadores Públicos de Lima</i> "). No partner may be a member of another auditory society in Peru. |
| c) Taxation services (CPC 863) | MA, NT: None |

⁹ This Sector does not include the transmission and distribution services.

| Sector or Sub-Sector | Description of Reservations |
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| d) Architectural services (CPC 8671) | <p>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.</p> <p>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:</p> <p>(a) US\$250 for a Peruvian national with a degree from a Peruvian university;</p> <p>(b) US\$400 for a Peruvian national with a degree from a foreign university; or</p> <p>(c) US\$3 000 for a foreign national with a degree from a foreign university.</p> <p>Also, to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.</p> |
| e) Engineering services (CPC 8672) | MA, NT: None |
| f) Integrated engineering services (CPC 8673) | MA, NT: None |
| g) Urban planning and landscape architectural services (CPC 8674) | <p>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.</p> <p>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:</p> <p>(a) US\$250 for a Peruvian national with a degree from a Peruvian university;</p> <p>(b) US\$400 for a Peruvian national with a degree from a foreign university; or</p> <p>(c) US\$3 000 for a foreign national with a degree from a foreign university.</p> <p>Also, to obtain temporary registration, non-resident foreign architects must have a contract of association with a Peruvian architect residing in Peru.</p> |
| i) Veterinary services (CPC 932) | MA, NT: None |
| j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191) | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| k) Other Solely: Management consulting services for advice, guidance and operational assistance related to tourism development (CPC 86509) | MA, NT: None |
| B. COMPUTER AND RELATED SERVICES (CPC 84) | MA, NT: None |
| C. RESEARCH AND DEVELOPMENT SERVICES (CPC 85) | <p>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> |
| D. REAL ESTATE SERVICES (CPC 821 + 822) | MA, NT: None |
| E. RENTAL/LEASING SERVICES WITHOUT OPERATORS | |
| a) Relating to ships (CPC 83103) | <p>MA, NT: None, except that:</p> <p>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 cabotage¹⁰ 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> |

¹⁰ For greater certainty, water transportation includes transport by lakes and rivers.

| Sector or Sub-Sector | Description of Reservations |
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| b) Relating to aircraft (CPC 83104) | MA, NT: None |
| c) Relating to other transport equipment (CPC 83101, 83102, 83105) d) Relating to other machinery and equipment (CPC 83106-83109) e) Other (CPC 832) | MA, NT: None |
| F. OTHER BUSINESS SERVICES | |
| a) Advertising services (CPC 871) | 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. |
| b) Market research and public opinion polling services (CPC 864) c) Management consulting service (CPC 865) d) Services related to management consulting (CPC 866) e) Technical testing and analysis services (CPC 8676) | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| f) Services incidental to agriculture, hunting and forestry (CPC 881) | |
| g) Services incidental to fishing (CPC 882) | <p>MA: Unbound, except "none" for advisory and consulting services relating to fishing.</p> <p>NT: None, except that:</p> <p>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 calendar 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Peru reserves the right to adopt or maintain any measure relating to artisanal fishing.</p> |
| h) Services incidental to mining (CPC 883+5115) | MA, NT: None |
| i) Services incidental to manufacturing (CPC 884+885) | MA, NT: None |
| Except those included in CPC 88442 and the jewelry design services | |

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| k) Placement and supply services of personnel (CPC 872) | MA, NT: None |
| l) Investigation and security (CPC 873) | 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. |
| m) Related scientific and technical consulting services (CPC 8675) | 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) o) Building-cleaning services (CPC 874) p) Photographic services (CPC 875) q) Packaging services (CPC 876) | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|---|-----------------------------|
| r) Printing of packaging materials (CPC 88442**) | |
| s) Convention services (CPC 87909**) | |
| <ul style="list-style-type: none"> - Maintenance and repair of maritime vessels (CPC 8868**) - Maintenance and repair of aircraft (CPC 8868**) - Maintenance and repair of railway transport equipment (CPC 8868**) - Maintenance and repair of vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 6122 and CPC 8867**) | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|--|-----------------------------|
| t) Other (CPC 8790), except: <ul style="list-style-type: none"> – 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) | 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) | MA, NT: None |

| 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 authorization.</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 |
|---|---|
| POSTAL AND COURIER SERVICES | |
| <p>Services relating to the handling¹¹ of postal items¹² 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 medium¹³, including hybrid mail service and direct mail, (ii) handling of addressed parcels and packages¹⁴, (iii) handling of addressed press products¹⁵, (iv) handling of items referred to in (i) to (iii) above as registered or insured mail, (v) express delivery services¹⁶ for items referred to in (i) to (iii) above, (vi) handling of non-addressed items, (vii) document exchange¹⁷</p> | <p>MA, NT: None, except as indicated in the Horizontal Note of this Sector.</p> |

¹¹ The term "handling" should be taken to include clearance, sorting, transport and delivery.

¹² "Postal item" refers to items handled by any type of commercial operator, whether public or private.

¹³ E.g. letter, postcards.

¹⁴ Books, catalogues are included hereunder.

¹⁵ Journals, newspapers, periodicals.

¹⁶ 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.

¹⁷ 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 grams¹⁸, plus the registered mail service used in the course of judicial or administrative procedures. (CPC 751**, 71235**¹⁹ and 73210**²⁰)</p> | |

¹⁸ "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.

¹⁹ Transportation of mail on own account by any land mode.

²⁰ Transportation of mail on own account by air.

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| C. TELECOMMUNICATION SERVICES | |
| <p>All services consisting of the transmission and reception of signals by any electromagnetic means²¹, excluding broadcasting²²</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>MA: None, except:</p> <ul style="list-style-type: none"> (a) as indicated in the horizontal Note of this Sector. The juridical persons constituted under Peruvian law can be eligible for a concession; (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; (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 (d) the interconnection among private services is prohibited. <p>NT: None, except:</p> <ul style="list-style-type: none"> (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. |

²¹ 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).

²² 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 |
|---|---|
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | |
| <p>A. GENERAL CONSTRUCTION WORK FOR BUILDINGS (CPC 512)</p> <p>B. GENERAL CONSTRUCTION WORK FOR CIVIL ENGINEERING (CPC 513)</p> <p>C. INSTALLATION AND ASSEMBLY WORK (CPC 514+516)</p> <p>D. BUILDING COMPLETION AND FINISHING WORK (CPC 517)</p> <p>E. OTHER (CPC 511+515+518)</p> | MA, NT: None |
| 4. DISTRIBUTION SERVICES | |
| A. COMMISSION AGENTS' SERVICES (CPC 621) | MA: None, except "unbound" for hydrocarbons NT: None |

| Sector or Sub-Sector | Description of Reservations |
|--|---|
| B. WHOLESALE TRADE SERVICES (CPC 622), except for products that are identified as handicrafts of Peru | MA: None, except "unbound" for hydrocarbons NT: None |
| C. RETAILING SERVICES | |
| <ul style="list-style-type: none"> - Retailing services of food (CPC 631), except for alcohol and tobacco - Retailing services of non-edible products (CPC 632) except for products that are identified as handicrafts of Peru | MA, NT: None |
| <ul style="list-style-type: none"> - Sales services of motor vehicles (CPC 6111) For greater certainty, this commitment includes the commission agents' and the wholesale trade services of motor vehicles - 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 | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|--|-----------------------------|
| <ul style="list-style-type: none"> <li data-bbox="168 225 638 343">– Sales services of motorcycles and snowmobiles and related parts and accessories (CPC 6121) <li data-bbox="168 343 638 502">For greater certainty, this commitment includes the commission agents' and the wholesale trade services of motorcycles and snowmobiles and related parts and accessories <li data-bbox="168 502 638 598">– Wholesale trade and retail services of telecommunications equipment (CPC 7542) | |

| Sector or Sub-Sector | Description of Reservations |
|--|--|
| <p>D. FRANCHISING (CPC 8929)</p> <p>Solely franchises and no other rights for other exclusive uses</p> | <p>MA, NT: None</p> |
| <p>5. EDUCATIONAL SERVICES</p> | <p>The commitments under this section do not apply to the public education services and the public training.</p> |
| <p>A. PRIMARY EDUCATION SERVICES (CPC 921)</p> <p>B. SECONDARY EDUCATION SERVICES (CPC 922)</p> <p>C. HIGHER EDUCATION SERVICES (CPC 923)</p> <p>D. ADULT EDUCATION (CPC 924)</p> <p>E. OTHER EDUCATION SERVICES (CPC 929)</p> <p>Solely:</p> <ul style="list-style-type: none"> - Centres for culinary studies - Language centers | <p>MA: Unbound NT: None</p> |

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| 6. ENVIRONMENTAL SERVICES | |
| A. SEWAGE SERVICES (CPC 9401) | MA, NT: None, except "Unbound" for public sewage services. |
| B. REFUSE DISPOSAL SERVICES (CPC 9402) | |
| 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 (CPC 94060**) | |
| Except ²³ : Bioprospecting or biological prospecting services | |

²³ 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>To clarify the commitment of Peru with respect to Article 112 of this Agreement (Market Access), financial service suppliers constituted under the laws of Peru are subject to non-discriminatory limitations on juridical form²⁴.</p> <p>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 represent²⁵.</p> <p>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.</p> <p>A juridical person in the financial system cannot be a shareholder of another juridical person of the same nature. The term "juridical person of the same nature" does not include other kinds of juridical person belonging to the financial system that are different in nature from the juridical person concerned. This does not apply if shares are purchased with a view to taking over and merging with the juridical person that issued the shares in question.</p> <p>Persons who are directly or indirectly majority shareholders of a juridical person belonging to the financial system may not hold, either directly or indirectly, more than 5 per cent of the shares in another juridical person of the same nature.</p> <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> <p>Peru reserves the right to adopt or maintain measures against the obligations of article 112 subparagraphs (2) (a) and (b) with regard to the supply of services described in subparagraph (b) of the definition of "services supplied in the exercise of governmental authority" referred to in Article 152 of this Agreement.</p> |

²⁴ For example, partnerships and sole proprietorships are generally not acceptable juridical forms for financial services suppliers in Peru. This note is not itself intended to affect, or otherwise limit, a choice by an investor of the other Party to establish branches or subsidiaries.

²⁵ 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 |
|--|--|
| A. ALL INSURANCE AND INSURANCE-RELATED SERVICES | <p>MA, NT: None, except that: Financial service suppliers of the other Party, that supply insurance services and that are established in Peru through a branch must assign to its branch certain capital, which must be located in Peru. The operations of the branch are limited by its capital located in Peru.</p> <p>Peru may require that the administrators of a financial services supplier must be residents in Peru, and that a minority of the board of directors be composed of nationals of Peru, personal residing in the territory of Peru, or a combination thereof.</p> |
| B. BANKING AND OTHER FINANCIAL SERVICES (EXCLUDING INSURANCE) | <p>MA, NT: None, except that: Financial service suppliers of the other Party, that supply banking services and that are established in Peru through a branch must assign to its branch certain capital, which must be located in Peru. The operations of the branch are limited by its capital located in Peru.</p> <p>The establishment of branches of pension funds managers is not permitted.</p> <p>Financial services suppliers established in Peru to supply financial services in the securities or commodities markets or financial services related to asset management, including by pension fund managers, must be constituted under the laws of Peru. Therefore, financial service suppliers of the other Party established in Peru to supply these financial services may not be established as branches or agencies.</p> <p>Peru may require that the administrators of a financial services supplier must be residents in Peru, and that a minority of the board of directors be composed of nationals of Peru, personal residing in the territory of Peru, or a combination thereof.</p> <p>Peru may grant advantages or exclusive rights, without limitation, to one or more of the following financial entities, so long as they are partially or fully owned by the State: Corporación Financiera de Desarrollo (COFIDE), Banco de la Nación, Banco Agropecuario, Fondo Mivivienda, Cajas Municipales de Ahorro y Crédito, and the Caja Municipal de Crédito Popular.</p> |

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| | <p>Examples of such advantages are the following²⁶:</p> <p>(a) The Banco de la Nación and Banco Agropecuario are not required to diversify their risk; and</p> <p>(b) The Cajas Municipales de Ahorro y Crédito may directly sell collateral they repossess in cases of loan default, in accordance with pre-established procedures.</p> <p>Financial service suppliers 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> |
| 9. TOURISM AND TRAVEL RELATED SERVICES | |
| A. HOTELS AND RESTAURANTS, including catering (CPC 641-643) | MA, NT: None |
| B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES (CPC 7471) | MA, NT: None |
| C. TOURIST GUIDES SERVICES (CPC 7472) | MA, NT: None |
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES | |

²⁶ For greater certainty, the advantages or exclusive right that Peru may grant to the specified entities are not limited only to the cited examples.

| Sector or Sub-Sector | Description of Reservations |
|--|--|
| <p>A. ENTERTAINMENT SERVICES (CPC 9619)</p> | <p>MA, NT: None, except that (a) any domestic artistic audiovisual production and (b) any domestic artistic live performances must be comprised at least of 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 artistic activities.</p> <p>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.</p> <p>The remaining 20 per cent may be performed by foreign artists provided that they certify a contract celebrated before its entrance, have an artist visa and the corresponding inter-syndical pass.</p> <p>The percentages related to domestic artistic live performance (as referred in (b)) shall not be applied in the case of performances given by foreign casts hired as such outside Peru provided that their performance constitute the entire work or entertainment and are properly qualified as cultural performance.</p> <p>At least one bullfighter of Peruvian nationality must participate in any bullfighting event. At least one apprentice bullfighter of Peruvian nationality must participate in fights involving young bulls.</p> |
| <p>B. NEWS AGENCY SERVICES (CPC 962)</p> | <p>MA, NT: None</p> |
| <p>C. LIBRARIES, ARCHIVES, MUSEUMS AND OTHER CULTURAL SERVICES (CPC 963), except CPC 96332</p> | <p>MA, NT: None</p> |

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| D. SPORTING AND OTHER RECREATIONAL SERVICES | |
| <ul style="list-style-type: none"> - Sporting services (CPC 9641) - Other recreational services (CPC 9649) Solely: Recreational parks services (part of the CPC 96491) | MA, NT: None |
| <ul style="list-style-type: none"> - Other recreational services (CPC 9649) Solely: Gambling and betting services (CPC 96492) | MA: None, except that: Only five- and four-star lodging establishments may establish gaming casinos on their premises. Gaming casinos may only be established in five-fork tourist restaurants and buildings declared historic monuments, subject to authorization from the National Institute of Culture. NT: None |
| 11. TRANSPORT SERVICES | |
| A. MARITIME TRANSPORT SERVICES | |
| International transport (freight and passengers) (CPC 7211 and 7212) Except cabotage (as defined in paragraph 1 of Note 1 of this Section) | MA: (a) Establishment of registered company for the purposes of operating a fleet as National shipowner or National Ship Enterprise in Peru: Unbound (b) Other forms of commercial presence for the supply of international maritime transport services (as defined –in paragraph 2 of Note 1 of this Section): none NT: (a) Establishment of registered company for the purpose of operating a fleet as National shipowner or National Ship Enterprise in Peru: Unbound (b) Other forms of commercial presence for the supply of international maritime transport services (as defined in paragraph 2 of Note 1 of this Section): none |

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| | <p>The following services at the port are made available to international maritime transport suppliers on reasonable and no discriminatory terms and conditions.</p> <ol style="list-style-type: none"> (1) Pilotage (2) Towing and tug assistance (3) Provisioning, fuelling and watering (4) Garbage collecting and ballast waste disposal (5) Port Captain's services (6) Navigation aids (7) Shore-based operational services essential to ship operations, including communications, water and electrical supplies (8) Emergency repair facilities (9) Anchorage, berth and berthing services |
| <p>B. INTERNAL WATERWAYS TRANSPORT (only international transport)</p> <ul style="list-style-type: none"> - Passenger transportation (CPC 7221) - Freight transportation (CPC 7222) <p>Except cabotage (as defined in paragraph 1 of Note 1 of this Section)</p> | <p>MA: Unbound 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 services in water transportation in national traffic²⁷ or cabotage 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. At least 51 per cent of the subscribed and paid-in capital stock must be owned by Peruvian citizens. The chairman of the board of directors, the majority of the directors, and the General Manager must be Peruvian nationals and residents in Peru. The captain and crew of Peruvian-flagged vessels must be entirely Peruvian nationals authorised by the "Dirección General de Capitanías y Guardacostas". In exceptional cases and after ascertaining that there is no Peruvian qualified personnel with experience in that type of vessel available, foreign nationals could be hired to a maximum of 15 per cent of the total crew, and for a limited period of time. The latter exception does not reach the captain of the vessel. Only a Peruvian national may be a licensed harbor pilot.</p> |
| <p>D. TRANSPORTATION VIA SPACE (CPC 733)</p> | <p>MA, NT: None</p> |

²⁷ For greater certainty, water transportation includes transport by lakes and rivers.

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| E. TRANSPORT SERVICES BY RAILWAY | |
| a) Passenger transportation (CPC 7111) b) Freight transportation (CPC 7112) | MA, NT: None |
| F. ROAD TRANSPORT SERVICES | |
| a) Passenger transportation (CPC 7121+7122) b) Freight transportation (CPC 7123) Except road cabotage transport | MA: Unbound NT: None, except that: Peru reserves the right to adopt or maintain any measure relating to the international land transportation of cargo or passengers in border areas. Additionally, Peru reserves the right to adopt or maintain the following limitations for the supply of international land transportation from Peru: (a) the service supplier must be a Peruvian natural or juridical person; (b) the service supplier must have a real and effective domicile in Peru; and (c) in the case of juridical persons, the service supplier must be legally constituted in Peru and more than 50 percent of its capital stock must be owned by Peruvian nationals and its effective control must be by Peruvian nationals. |
| G. PIPELINE TRANSPORT Solely: b) Transportation of other goods other than fuel (CPC 7139) | MA, NT: None |

| Sector or Sub-Sector | Description of Reservations |
|--|--|
| SERVICES AUXILIARY TO TRANSPORT | |
| A. SERVICES AUXILIARY TO MARITIME TRANSPORT | |
| <ul style="list-style-type: none"> - Maritime cargo handling services (as defined –in paragraph 4 of Note 1 of this Section) - Storage and warehouse services (CPC 742**) - Customs clearance services (as defined in paragraph 5 of Note 1 of this Section) - Container station and depot services (as defined –in paragraph 6 of Note 1 of this Section) | <p>MA: None²⁸</p> <p>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"> (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 <p>Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> <p>Only juridical persons established in Peru (no branches) can perform the customs clearance services. The corporate legal representative must be a Peruvian national. The legal representatives to customs for customs clearance service must be resident in Peru and have a customs agent degree issued by the competent authority.</p> <p>For greater certainty, the corporate legal representative is not necessarily the General Manager of the customs clearance enterprises.</p> |

²⁸ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| <ul style="list-style-type: none"> - Maritime agency services (as defined in paragraph 7 of Note 1 of this Section) - Freight forwarding services (as defined in paragraph 8 of Note 1 of this Section) | <p>MA, NT: None, except that only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |
| <p>Rental of Vessels with Crew (CPC 7213)</p> | <p>MA: Unbound NT: None, except that the limitations on the leasing to be considered National shipowner or National Ship Enterprise apply.</p> |
| <p>Pushing and towing services (CPC 7214)</p> | <p>MA, NT: None, except that the pushing, towing, 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: Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |

| Sector or Sub-Sector | Description of Reservations |
|---|--|
| Supporting services for maritime transport (part of CPC 745) | <p>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"> (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 <p>Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |

| Sector or Sub-Sector | Description of Reservations |
|--|---|
| B. SERVICES AUXILIARY TO INTERNAL WATERWAYS TRANSPORT | |
| <ul style="list-style-type: none"> - Cargo-handling services (part of CPC 741) - Storage and warehouse services (part of CPC 742) - Freight transport agency services (part of CPC 748) | <p>MA: Unbound 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"> (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 <p>Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |
| Rental of Vessels with Crew (CPC 7223) | <p>MA: Unbound NT: None, except that the limitations on the leasing to be considered National shipowner or National Ship Enterprise apply.</p> |

| Sector or Sub-Sector | Description of Reservations |
|--|--|
| Pushing and towing services (CPC 7224) | <p>MA, NT: None, except that the pushing, towing, 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>Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |
| Supporting services for internal waterway transport (part of CPC 745) | <p>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"> (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 <p>Only Peruvian citizens may register in the Registry of Port Workers. Port worker is a natural person who, subject to a port employer, performs specific services that conducts to tasks related to port work such as: stevedore, "tarjador", "winchero", "gruero", "portalonero", "levantador de costado de nave", among others that are established in each port according to the regulations of the current law.</p> |

| Sector or Sub-Sector | Description of Reservations |
|--|---|
| C. SERVICES AUXILIARY TO RAIL TRANSPORT | |
| <ul style="list-style-type: none"> – Cargo-handling services (CPC 741**) – Storage and warehouse services (CPC 742**) – Freight transport agency services (CPC 748**) | MA: None ²⁹ NT: None |
| <ul style="list-style-type: none"> – Pushing and towing services (CPC 7113) – Supporting services for rail transport services (CPC 743) | MA, NT: None |
| Customs clearance services (as defined in paragraph 5 of Note 1 of this Section) | <p>MA, NT: None, except that: Only juridical persons established in Peru (no branches) can perform the customs clearance services. The corporate legal representative must be a Peruvian national. The legal representatives to customs for customs clearance service must be resident in Peru and have a customs agent degree issued by the competent authority.</p> <p>For greater certainty, the corporate legal representative is not necessarily the General Manager of the customs clearance enterprises.</p> |

²⁹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

| Sector or Sub-Sector | Description of Reservations |
|--|--|
| D. SERVICES AUXILIARY TO ROAD TRANSPORT | |
| <ul style="list-style-type: none"> - Cargo-handling services (CPC 741**) <ul style="list-style-type: none"> - Storage and warehouse services (CPC 742**) <ul style="list-style-type: none"> - Freight transport agency services (CPC 748**) | MA: None ³⁰ NT: None |
| Supporting services for road transport services (CPC 744) | MA: Unbound NT: None |
| Customs clearance services (as defined in paragraph 5 of Note 1 of this Section) | MA: Unbound NT: None, except that: Only juridical persons established in Peru (no branches) can perform the customs clearance services. The corporate legal representative must be a Peruvian national. The legal representatives to customs for customs clearance service must be resident in Peru and have a customs agent degree issued by the competent authority. For greater certainty, the corporate legal representative is not necessarily the General Manager of the customs clearance enterprises. |
| E. SERVICES AUXILIARY TO AIR TRANSPORT SERVICES | |
| <ul style="list-style-type: none"> - Selling and marketing of air transport services - Computer reservation system ("CRS") services | MA: None NT: None |

³⁰ Public utility concession or licensing procedures may apply in case of occupation of the public domain

| Sector or Sub-Sector | Description of Reservations |
|---|---|
| Maintenance and repair of aircraft | MA: None, except that branches are not allowed. NT: None |
| Specialized Airport Services (Note 2 of this Section) | MA, NT: None |
| Cargo handling services | MA, NT: None |
| Airport management services | MA, NT: None ³¹ |
| Customs clearance services (as defined in paragraph 5 of Note 1 of this Section) | MA, NT: None, except that: Only juridical persons established in Peru (no branches) can perform the customs clearance services. The corporate legal representative must be a Peruvian national. The legal representatives to customs for customs clearance service must be resident in Peru and have a customs agent degree issued by the competent authority. For greater certainty, the corporate legal representative is not necessarily the General Manager of the customs clearance enterprises. |
| F. SERVICES AUXILIARY TO PIPELINE TRANSPORT OF GOODS OTHER THAN FUEL | |
| Storage and warehouse services of goods other than fuel (CPC 742**) | MA: Unbound NT: None |

³¹ Concessions requirement may be applied.

| Sector or Sub-Sector | Description of Reservations |
|--|-----------------------------|
| ENERGY SERVICES | |
| 6. SERVICES RELATED TO EXPLORATION AND PRODUCTION | |
| <ul style="list-style-type: none"> – Related scientific and technical consulting services (CPC 8675) – Services incidental to mining (CPC 883) – Maintenance and Repair services of fabricated metal products, machinery and equipment, and electrical machinery (part of CPC 8861-8866) – Engineering services (CPC 8672) | MA, NT: None |
| <ul style="list-style-type: none"> – Integrated engineering services (CPC 8673) – Management consulting services (CPC 865) – Services related to management consulting (CPC 866) – Technical testing and analysis services (CPC 8676) | |

| Sector or Sub-Sector | Description of Reservations |
|--|-----------------------------|
| B. SERVICES RELATED TO THE CONSTRUCTION OF ENERGY FACILITIES | |
| B.1 Construction of energy facilities <ul style="list-style-type: none"> – For long distance pipelines, communication and power lines (cables) (CPC 51340) – For local pipelines and cables; ancillary works (CPC 51350) – For constructions for mining and manufacturing (CPC 51360) – Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518) | MA: Unbound NT: None |
| D. STORAGE SERVICES | |
| Bulk storage services of liquids or gases (CPC 74220) | MA: Unbound NT: None |

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.

NOTE 2

SPECIALISED AIRPORT SERVICES

For the purposes of this Agreement, "specialised airport services" shall be understood as the services supplied inside and outside the platform, by national or foreign airport services operators related to services directly provided to aircrafts or for air transport purposes, when specialized equipment or facilities are used for its provision.

The commitments assumed by Peru in "specialised airport services" are limited to the following sub-sectors:

- (a) Fuel Supply Services: fueling services for aircraft of national and international air operators at the airports in Peru.

- (b) Water, Beverages and Foods Supply Services (catering): attention to the aircraft of national and international air operators at the airports in Peru, regarding the supplying of food, water and beverages.
- (c) Cargo Storage Services: reception, handling, storage and delivery of cargo and mail transported by air domestic and international export and import through the air operators.
- (d) Ground Equipment Support Services at Platform: platform services provided with ground support equipment to national or international air operators at the airports in Peru, for the attention of aircraft, passengers, cargo and personnel. These services include aircraft cleaning services.
- (e) Cargo Terminal Services of the Air Operator of the Carrier: the cargo terminal of the carrier or the responsible for this, for receiving and delivering the goods duly appropriated to the consignee or his agent. It should perform the activities necessary to deliver the goods to the consignee or his representative. This service covers the period since the load is removed from the building of the airfield goods until delivery to the storage terminals for cargo and mail.
