

**ANNEX 11.6**

**SCHEDULE OF SPECIFIC COMMITMENTS ON TRADE IN SERVICES**

**SECTION 1**

**CHILE'S SCHEDULE**

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>i. Payments and transfers</p> <p>1), 2), 3) and 4). Unbound, with respect to the measures adopted or to be adopted by the Central Bank of Chile in conformity with its Constitutional Organic Law, Law 18.840 (“<i>Ley Orgánica Constitucional del Banco Central de Chile, Ley 18.840</i>”) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, <i>inter alia</i>, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (“<i>encaje</i>”).</p> <p>ii. Original ethnic groups</p> <p>Nothing in this Schedule may be understood as limiting the right to adopt measures establishing rights or preferences to original ethnic groups.</p>		

<sup>1</sup> For illustrative purposes, CPC references means Central Product Classification established by the United Nations Statistics Division (CPC), Series M, N°77, Provisional Central Product Classification, 1991.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>iii. Commercial Presence (Mode 3)</p> <p>This Schedule applies only to the following types of commercial presence for foreign investors: public corporations open or closed (“<i>sociedades anónimas abiertas y cerradas</i>”), private-limited companies (“<i>sociedades de responsabilidad limitada</i>”), and subsidiaries (“<i>agencias de sociedades extranjeras</i>”).</p> <p>Real estate acquisitions and the performance of other legal acts in border areas must comply with the provisions of the relevant legislation, which is unbound for the purposes of this Schedule. The border area is defined as land situated within a distance of 10 km from the border and up to 5 km from the coast and the province of Arica.</p> <p>iv. Movement of natural persons (Mode 4)</p> <p>Unbound, except for transfers of natural persons within a foreign enterprise established in Chile, in accordance to commercial presence, of senior and specialised personnel who have been employed by the organisation for a period of at least two years immediately preceding the date of their application for admission, performing the same type of duties in the parent company of their country of origin. In any case, foreign natural persons may not represent more than 15% of the total staff employed in Chile, when the employer hires more than 25 persons.</p> <p>Senior personnel are those executives who come under the direct supervision of the board of directors of the enterprise established in Chile and who, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>- conduct the management of the organisation or one of its departments or subdivisions;</li> <li>- supervise and control the work of other supervisory, professional or managerial employees;</li> <li>- are personally authorised to hire and fire or recommend hiring or firing or any other measure related to personnel.</li> </ul> <p>Specialised personnel are those highly qualified persons who are indispensable to the supply of the service because of their professional knowledge or:</p>		

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	<ul style="list-style-type: none"> <li>- possession of qualifications for a particular type of work or activity requiring specialised technical expertise;</li> <li>- essential knowledge for the supply of the service, research equipment, techniques or management; and</li> <li>- the non-availability of such specialised personnel in Chile.</li> </ul> <p>The category of senior and specialised personnel does not include the members of the board of directors of a company established in Chile.</p> <p>For all legal purposes, senior and specialised personnel must establish domicile or residence in Chile. Providers of services are admitted temporarily, for a period of two years, extendable to two more years. Personnel admitted under these conditions will be subject to the provisions of the labour and social security legislation in force.</p> <p>The temporary presence of natural persons includes also the following categories:</p> <p>a) A natural person seeking temporary entry, for the purpose of participating in business meetings, performing market or investment studies, generating business contacts or participating in negotiations related to the supply of services in the future, including the setting up of a business or enterprise in the Area of Chile. Temporary entry shall be granted when the business visitor: i) does not perceive remuneration in Chile; ii) is not involved in making direct sales to the public; iii) does not personally supply a service.</p> <p>b) Persons working in a senior position, as defined above, within a legal person, who are responsible for setting up in Chile a commercial presence of a service provider of Hong Kong, China when:</p> <ul style="list-style-type: none"> <li>- the representatives are not engaged in making direct sale or supplying services; and</li> <li>- the service provider has its principal place of business in the Area of Hong Kong, China and has no other representative, office, branch or subsidiary in Hong Kong, China.</li> </ul> <p>v. Chile reserves the right to adopt or maintain any measure according rights and preferences to socially or economically disadvantaged minorities.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES			
<u>A. Professional services</u>	Without prejudice to what is established in Part I (Horizontal Commitments), suppliers of the professional services included in this Schedule may be subject to assessment by the competent authorities in connection with which they must show that they fulfil the requirements designed to ensure that they perform competently in the sector.		
a. Legal services			
International legal services <sup>2</sup>	(1) None (2) None	(1) None (2) None	
i. Advisory services on matters of international law and foreign law (part of CPC 86190)	(3) None (4) Unbound, except as indicated in the horizontal section.	(3) None (4) Unbound, except as indicated in the horizontal section.	
ii. Arbitration and mediation/conciliation services (CPC 86602)	(1) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators. (2) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators.	(1) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators. (2) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators.	

<sup>2</sup> Refers solely and exclusively to matters relating to international and foreign law. If an advisory service involves an appearance before a Chilean court of justice or administrative body, then this must be conducted by a lawyer authorised to practise in Chile who fulfils the requirement of being a Chilean national. The same requirement must be fulfilled whenever there is a need for a written instrument to be submitted or a formal procedure carried out before the above-mentioned court or administrative body. The provision of advisory services does not confer the right to use the title of Attorney and therefore does not include representation or advisory services in contentious or non-contentious matters.

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	(3) None (4) Unbound, except as indicated in the horizontal section.	(3) None (4) Unbound, except as indicated in the horizontal section.	
b. Accounting, auditing and bookkeeping services <sup>3</sup> : i. Financial auditing services (CPC 86211)	(1), (3) None, except: External auditors of financial institutions must be inscribed in the registers for external auditors of the Financial Market Commission (“ <i>Comisión para el Mercado Financiero</i> ”). Only legal persons legally incorporated in Chile as partnership (“ <i>sociedades de personas</i> ”) or associations, and whose main line of business is auditing services, may be registered. (2) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
ii. Accounting review services (CPC 86212)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Taxation services (CPC 863)	(1) None (2) None	(1) None (2) None	

<sup>3</sup> Financial statements must be endorsed by a professional legally authorised to practise in Chile.

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	(3) None (4) Unbound, except as indicated in the horizontal section.	(3) None (4) Unbound, except as indicated in the horizontal section.	
d. Architectural services (CPC 8671)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
e. Engineering services (CPC 8672)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
f. Integrated Engineering Services: Integrated engineering services for energy services (CPC 86733)	(1) None (2) None (3) None  (4) Unbound, except as indicated in the horizontal section	(1), (2) and (3) Unbound for anthropological, archaeological and palaeontological studies, research or any other activity conducted in the 200-nautical-mile maritime zone under national jurisdiction and studies in border areas.  (4) Unbound, except as indicated in the horizontal section, in which case the restrictions for Modes 1, 2 and 3 apply.	
g. Urban planning and landscape architectural services	(1) None (2) None (3) None	(1) None (2) None (3) None	

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
(CPC 8674)	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except as indicated in the horizontal section	
i. Veterinary services (CPC 932)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
j. Services provided by midwives, nurses, physiotherapists and para- medical personnel (CPC 93191)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
<u>B. Computer and related services</u>			
a. Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None	(1) None (2) None (3) None	
b. Software implementation services (CPC 842)	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except as indicated in the horizontal section	

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
c. Data processing services (CPC 843)			
d. Database services (CPC 844)			
e. Maintenance and repair services of office machinery and equipment including computers (CPC 845)			



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<u>C. Research and development services</u>			
a. Research and development services on natural sciences (part of CPC 851) (part of CPC 853) (part of CPC 86751)	<p>(1) and (3) None, except:</p> <p>The Directorate of Borders and Frontiers (“<i>Dirección de Fronteras y Límites del Estado</i>”) may stipulate that an expedition include one or more representatives of relevant Chilean activities. These representatives would participate in and learn about the studies and their scope.</p> <p>The Directorate of Borders and Frontiers may authorise or refuse geographical explorations in Chile of any kind planned by foreign legal or natural persons.</p> <p>(2) None (4) Unbound, except as indicated in the horizontal section</p>	<p>(1) and (3) None, except:</p> <p>Foreign natural or legal persons intending to conduct research in the 200-mile maritime zone under national jurisdiction must obtain an authorisation from the Hydrographic Institute of the Chilean Army (“<i>Instituto Hidrográfico de la Armada de Chile</i>”), in accordance with the relevant regulation. For this purpose, they must submit a request at least six months in advance of the date on which the research is intended to start.</p> <p>The Directorate of Borders and Frontiers may authorise or refuse geographical explorations in Chile of any kind planned by foreign legal or natural persons.</p> <p>(2) None (4) Unbound, except as indicated in the horizontal section</p>	

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b. Research and development services on social sciences and humanities (CPC 852) (CPC 853)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) and (3), None, except: Foreign natural or legal persons intending to carry out excavations, surveys, probings and/or collect anthropological, archaeological and palaeontological material, must apply for a permit from the Council of National Monuments (“ <i>Consejo de Monumentos Nacionales</i> ”). As a precondition for granting such permit the person in charge of the research must belong to a reliable foreign scientific institution and be working in collaboration with a Chilean state-owned scientific institution or a Chilean university.  Such permits may be granted to Chilean researchers having the appropriate scientific background in archaeology, anthropology or palaeontology, duly certified and who have a research project and appropriate institutional sponsorship; and to foreign researchers, provided that they belong to a reliable scientific institution and work in collaboration with Chilean state-owned scientific institution or Chilean university. The curators and directors of museums acknowledged by the Council of National Monuments, professional archaeologists, anthropologists or palaeontologists, as appropriate, and members of the Chilean Archaeological Society (“ <i>Sociedad Arqueológica de Chile</i> ”) shall be authorised to perform salvage-related work. Salvage involves the urgent recovery of archaeological, anthropological or palaeontological data or species threatened by imminent loss.  (2) None (4) Unbound, except as indicated in the horizontal section	

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D. <u>Real-estate services</u>			
a. Real-estate services involving own or leased property (CPC 821)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Real-estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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E. Leasing services (without operator)			
a. Relating to ships (CPC 83103)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Leasing or rental services concerning aircraft (without operator) (CPC 83104)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Relating to other transport equipment (CPC 83101) (CPC 83102) (CPC 83105)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
d. Relating to other machinery and equipment (CPC 83106) (CPC 83107) (CPC 83108)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
(CPC 83109)			
<u>F. Other Business Services</u>			
a. Advertising services (CPC 871)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Market research and public opinion polling services (CPC 864)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Management consulting services (CPC 865)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
d. Services related to management consulting services (CPC 866, except 86602)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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e. Technical testing and analysis services (CPC 8676)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
f. Services incidental to agriculture, hunting and forestry (CPC 881)	(1), (3) None, except: Persons owning weapons, explosives or similar substances must apply for registration to the appropriate supervisory authority (“ <i>autoridad fiscalizadora</i> ”) for their place of domicile, which will carry out a check. For this purpose, a request must be submitted to the Directorate-General of National Mobilisation of the Defence Ministry (“ <i>Dirección General de Movilización Nacional del Ministerio de Defensa</i> ”). (2) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
h. Services incidental to mining (CPC 883)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
i. Services incidental to the manufacture	(1) None (2) None	(1) None (2) None	

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Services incidental to the manufacture of metal products, machinery and equipment (CPC 885)</p> <p>Except Manufacture of electrical machinery and apparatus n.e.c., on a fee or contract basis (CPC 8855) and Manufacture of medical precision and optical instruments, watches and clocks, on a fee or contract basis (CPC 8857)</p>	<p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
<p>Manufacture of textiles, wearing apparel and leather products on a fee or contract basis (CPC 8842)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
<p>Manufacture of other non-metallic mineral products, on a fee or contract basis (CPC 8848)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	

Modes of supply:		1)	Cross-border supply	2)	Consumption abroad	3)	Commercial presence	4)	Presence of natural persons
Sector or subsector <sup>1</sup>	Limitations on market access				Limitations on national treatment				Additional commitments
k. Placement and supply services of personnel (CPC 87201) (CPC 87202) (CPC 87203)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.				(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.				
l. Investigation and security services (CPC 87302) (CPC 87303) (CPC 87304) (CPC 87305)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.				(1) None (2) None (3) None, except: Only Chileans and permanent residents can provide services as private armed guards. (4) Unbound, except as indicated in the horizontal section.				
m. Related scientific and technical consulting services (CPC 8675)	(1), (3) None, except: Representatives of legal or natural persons domiciled abroad who intend to carry out exploration for work of a scientific or technical nature or related to mountain climbing (“ <i>andinismo</i> ”) in the border areas must request the appropriate authorisation through a Chilean Consul in the country concerned, who shall send such request immediately and directly to the Directorate of National Borders (“ <i>Dirección de Fronteras y Límites del Estado</i> ”) of the Ministry of Foreign Affairs. The Directorate of National Borders may require that one or more representatives of the relevant Chilean activities join the expedition in order to take part in and become acquainted with the studies and their scope.				(1), (3) None, except: Foreign natural or legal persons intending to conduct research in the 200-mile maritime zone under national jurisdiction must obtain an authorisation from the Chilean Army Hydrographic Institute (“ <i>Instituto Hidrográfico de la Armada de Chile</i> ”). (2) None (4) Unbound, except as indicated in the horizontal section.				



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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>The Operations Department of the Directorate of National Borders (“<i>Departamento de Operaciones de la Dirección de Fronteras y Límites del Estado</i>”) shall advise the Directorate of National Borders whether the geographic or scientific exploration that foreign persons or organisations intend to carry out in Chile should be authorised or refused. The Directorate of National Borders must authorise and supervise any exploration of a scientific or technical nature or related to mountain climbing that legal or natural persons domiciled abroad intend to carry out in border areas.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>		
n. Maintenance and repair of equipment (not including maritime vessels, aircraft, or other transport equipment) (CPC 633)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
o. Building-cleaning services (CPC 874)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
p. Photographic services (CPC 875)	<p>(1) None</p> <p>(2) None</p>	<p>(1) None</p> <p>(2) None</p>	

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Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	(3) None (4) Unbound, except as indicated in the horizontal section.	(3) None (4) Unbound, except as indicated in the horizontal section.	
q. Packaging services (CPC 876)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
r. Printing, publishing services (CPC 88442)	(1) None (2) None (3) None, except: Any newspaper, magazine, or periodical with editorial direction in Chile must have a responsible director and a person to replace him, who must be both Chilean nationals with domicile and residence in Chile. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None, except: The owner of any newspaper, magazine or periodical with an address in Chile, or national news agency, must be Chilean with domicile and residence in Chile. An owner who is a legal person or a joint ownership (“ <i>comunidad</i> ”) shall be considered Chilean if 85 percent of the equity capital or rights in the joint ownership belong to Chilean natural or legal persons. For these purposes, a Chilean legal person is an organisation with 85 percent of its capital in Chilean property. (4) Unbound, except as indicated in the horizontal section.	
s. Convention services (CPC 87909)	(1) None (2) None (3) None	(1) None (2) None (3) None	

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	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<p>2. COMMUNICATION SERVICES</p> <p>B. Courier services</p> <p>Services relating to the handling<sup>4</sup> of postal items<sup>5</sup> according to the following list of sub-sectors, whether for domestic or foreign destinations:</p> <p>(i) Handling of addressed written communications on any kind of physical medium<sup>6</sup>, including</p> <ul style="list-style-type: none"> <li>- Hybrid mail service</li> <li>- Direct mail</li> </ul> <p>(ii) Handling of addressed parcels and packages<sup>7</sup></p>	<p>(1), (2), (3) None, except:</p> <p>That under Supreme Decree N°5037 (“<i>Decreto Supremo N° 5037</i>”) of 4 November 1960 of the Ministry of Internal Affairs (“<i>Ministerio del Interior</i>”) and Decree with the Force of Law N°10 (“<i>Decreto con Fuerza de Ley N°10</i>”) of 30 January 1982 of the Ministry of Transports and Telecommunications (“<i>Ministerio de Transporte y Telecomunicaciones</i>”) or its successors, the State of Chile may exercise, through the <i>Empresa de Correos de Chile</i>, a monopoly on the admission, transport and delivery of postal items (“<i>objetos de correspondencia</i>”). Postal items shall mean: letters, simple and postage-paid postcards, business papers, newsletters and printed matters of all kinds, including printed matter in Braille, merchandise samples, small packages up to one kilogram and special postal service consisting in the recording and delivery of sound messages (“<i>fonos postales</i>”).</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	

<sup>4</sup> The term “handling” should be taken to include admission (“*admisión*”), transport (“*transporte*”) and delivery (“*entrega*”).

<sup>5</sup> “Postal item” refers to items handled by any type of commercial operator, whether public or private.

<sup>6</sup> E.g. letter, postcards.

<sup>7</sup> Books, catalogues are included hereunder.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
(iii) Handling of addressed press products <sup>8</sup> (iv) Handling of items referred to in (i) to (iii) above as registered or insured mail (v) Express delivery services <sup>9</sup> for items referred to in (i) to (iii) above (vi) Handling of non-addressed items (vii) Other services not elsewhere specified			

<sup>8</sup> Journals, newspapers, periodicals.

<sup>9</sup> Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
<p>C. <u>Telecommunication services</u></p> <p>BASIC TELECOMMUNICATION SERVICES</p> <p>Telecommunications services consist of the transport of electromagnetic signals (sound, data, image and any combination thereof), regardless of the type of technology used.</p> <p>This definition does not cover the economic activity consisting of the provision of a service the content of which requires the use of telecommunications services for its transport. The provision of a service the content of which is transported via telecommunications services is subject to the terms and</p>	<p>In the case of private services, the purpose of which is to meet the specific telecommunications needs of particular enterprises, entities or persons by prior agreement, the supply of these services does not give access to traffic from or to public telecommunications network users.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
conditions established for that sector, subsector or activity in Chile's Schedule of Specific Commitments.			
Chile's Schedule of Commitments excludes basic local telecommunications services, one-way satellite transmissions of Direct-to-Home and Direct-Broadcast-Satellite television services and digital audio services. It also excludes free reception broadcasting services.			
It includes only international and domestic long-distance basic telecommunications services:			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
(a) Voice telephone services (CPC 7521) (b) Packet-switched data transmission services (CPC 7523**) (c) Circuit-switched data transmission services (CPC 7523**) (d) Telex services (CPC 7523**) (e) Telegraph services (CPC 7522) (f) Facsimile services (CPC 7521** + 7529**) (g) Private leased circuit services (CPC 7522** + 7523**) Other: Domestic and international satellite services and satellite links/capacity. Mobile/cellular services: personal communications services, paging services, mobile data transmission services.	(1) None (2) None (3) Subject to a concession, licence or permit from the Undersecretariat for Telecommunications (“ <i>Subsecretaría de Telecomunicaciones</i> ”). A supplier providing a (domestic and international) long-distance telephone service must be an open corporation. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
** The (**) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance (e.g voice mail is only a component of CPC item 7523).			
<i>Value-added services</i>  On-line information retrieval Electronic mail Facsimile Data processing Voice mail Electronic data interchange Code and protocol conversion. n. a.	(1) None, except: Subject to a correspondent agreement with an international services concessionaire. (2) Unbound (3) None, except: Subject to obtaining a permit. Contract with a public service concessionaire. Complementary service authorisation from the Undersecretariat for Telecommunications. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) Unbound (3) None  (4) Unbound, except as indicated in the horizontal section.	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
<i>Private leased circuits</i> Voice telephone service Data transmission Electronic mail	(1) Unbound * (2) Unbound (3) Subject to the granting of limited service. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound * (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
<u>D. Audiovisual services</u> Promotion or advertising services (CPC 96111) Motion picture or video tape distribution services (CPC 96113)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511 to 518)	(1), (3) Unbound, except that the criteria in Article 11.4 (Market Access) shall be applied on the basis of national treatment. (2) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

\* Unbound because not technically feasible.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
4. DISTRIBUTION SERVICES			
A. <u>Commission agents' services</u> (CPC 621)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
B. <u>Wholesale trade services</u> (CPC 622) (CPC 61111) (CPC 6113) (CPC 6121)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
C. <u>Retailing services</u> (CPC 632) (CPC 61111) (CPC 6113) (CPC 6121)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
D. <u>Franchising</u> (CPC 8929)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
5. EDUCATIONAL SERVICES			
D. Adult Education (CPC 924)	(1) None (2) None (3) None, except that a specific legal entity may be required. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
6. ENVIRONMENTAL SERVICES (CPC 940)	(1), (3) Unbound, except that the criteria in Article 11.4 shall be applied on the basis of national treatment. (2) None  (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
Consultancy on environmental services	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
<b>A. <u>Hotels and Restaurants (including catering)</u></b> (CPC 641) (CPC 642) (CPC 643)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
<b>B. <u>Travel agency and tour operator services</u></b> <b><u>Travel agencies and tour operators</u></b> (CPC 74710)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
C. <u>Tourist guide services</u> (CPC 74720)	(1) Unbound * (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound * (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
10.RECREATIONAL, CULTURAL AND SPORTING SERVICES A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
C. Libraries, archives, museums and other cultural services (CPC 963)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
D. Sporting and other Recreational Services (CPC 9641)	1) 2) and 3) None, except that a specific type of legal entity may be required for sporting organisations that develop professional activities. In addition, on a National Treatment basis: i) it is not permitted to participate with more than one team in the same category of a sport competition, ii) specific regulations may be established on equity ownership in sporting companies; iii) minimal capital requirement may be imposed.	(1) None (2) None (3) None	

\* Unbound because not technically feasible.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
Other recreational services n.e.c. (CPC 96499)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None, except: Persons owning weapons, explosives or similar substances must apply for registration to the appropriate supervisory authority (“ <i>autoridad fiscalizadora</i> ”) for their domicile, which will carry out an inspection. For this purpose, a request must be submitted to the Directorate-General of National Mobilisation (“ <i>Dirección General de Movilización Nacional</i> ”) of the Ministry of Defence. (4) Unbound, except as indicated in the horizontal section.	
11. TRANSPORT SERVICES	Only Chilean natural or legal persons may work in Chile as multimodal operator.	Only Chilean natural or legal persons may work in Chile as multimodal operator.	
A. Maritime transport services (CPC 721) a. Passenger transportation (CPC 7211) b. Freight transportation (CPC 7212) Cargo handling services (CPC 741)	(1) None (2) None (3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of Chile: unbound. (b) Other forms of commercial presence for the supply of	(1) None (2) None (3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of Chile: unbound. (b) Other forms of commercial presence for the supply of international maritime transport services (as defined below <sup>10</sup> ): None, except Special vessels owned by foreign natural or legal persons domiciled	

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment			Additional commitments
Storage and warehouse services (CPC 742) c. Rental of vessels with crew (CPC 7213) d. Maintenance and repair of vessels (CPC 8868) e. Pushing and towing services (CPC 72140) f. Supporting services for maritime transport (CPC 745)	international maritime transport services (as defined below <sup>10</sup> ): None, except: Only natural or legal persons may register a vessel in Chile. A legal person must have its principal domicile and real and effective seat in Chile, with its chairman, manager, and the majority of the directors or administrators being Chilean natural persons. In addition, more than 50 percent of its equity capital must be held by Chilean natural or legal persons. For these purposes, a legal person with ownership participation in another legal person that owns a vessel must comply with all the aforementioned requirements. A joint ownership (“ <i>comunidad</i> ”) may register a vessel if the majority of the joint owners are Chilean nationals with domicile and residence in Chile, the administrators are Chilean nationals and the majority of the rights in the joint ownership belongs to Chilean natural or legal persons. For these purposes, a legal person with	in Chile may, under certain conditions, be registered in Chile. For these purposes, a special vessel does not include a fishing vessel. The conditions required to register special vessels owned by foreigners are the following: the foreign natural or legal person must be domiciled in Chile and have its principal head office in Chile or be permanently engaged in a profession or commercial activity in Chile. The maritime authority may, for reasons of national security, impose special restrictions on the operations of these vessels. The foreign vessels must use pilotage, anchorage and port pilotage services when the maritime authorities so require. In tugging activities or other manoeuvres in Chilean ports only tugboats flying the Chilean flag may be used. Captains must be Chilean nationals and be acknowledged as such by the relevant authority. Officers on Chilean vessels must be Chilean nationals and registered in the Register of Officers (“ <i>Registro de</i>			

<sup>10</sup> “Other forms of commercial presence for the supply of international maritime transport services” means the ability of 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 not, however, be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

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 computerised information systems and electronic data interchange (subject to the provisions of this Agreement);
- (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;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

Modes of supply:		1)	Cross-border supply	2)	Consumption abroad	3)	Commercial presence	4)	Presence of natural persons
Sector or subsector <sup>1</sup>	Limitations on market access				Limitations on national treatment				Additional commitments
<p>B. Internal waterways transport (CPC 722)</p> <p>a. Passenger transportation (CPC 7221)</p> <p>b. Freight transportation (CPC 7222)</p> <p>Cargo handling services (CPC 741)</p> <p>Storage and warehouse services (CPC 742)</p> <p>c. Rental of vessels with crew (CPC 7223)</p> <p>d. Maintenance and repair of vessels (CPC 8868)</p> <p>e. Pushing and towing services (CPC 72240)</p> <p>f. Supporting services for internal waterway transport (CPC 745)</p>	<p>ownership participation in a joint ownership that owns a vessel must comply with all the aforementioned requirements.</p> <p>In order to fly the national flag, the captain of the ship, its officers and crew must be Chilean nationals. However, the Directorate General of the Maritime Territory and Merchant Marine (“<i>Dirección General del Territorio Marítimo y de Marina Mercante</i>”), on the basis of a substantiated resolution, shall authorise on a temporary basis the hiring of foreign personnel, with the exception of the captain who, at all times, shall be required to be a Chilean national.</p> <p>Cabotage is reserved to Chilean vessels. For these purposes cabotage means: transportation of passengers and freight over sea, rivers and lakes between points within the national territory and between such points and naval artefacts installed in the territorial sea or in the Exclusive Economic Zone.</p> <p>Foreign merchant vessels (“<i>naves mercantes</i>”) may participate in cabotage with volumes of freight above 900 tonnes, subject to a prior public call for tender carried out by the user issued within the relevant time-limit. When it concerns volumes of freight of 900 tonnes or less and no vessel flying the Chilean flag is available, the Maritime Authority shall authorise the shipment of such freight in foreign merchant vessels.</p> <p>Foreign vessels may participate in the cabotage of passengers when their capacity is at least of 400 passengers, have the ability to stay overnight on board and have the function of transporting passengers for tourist purposes.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>				<p><i>Oficiales</i>”). Crew members of Chilean vessels must be Chilean nationals, have the permit granted by the Maritime Authority and be registered in the relevant Register. Professional qualifications and licences granted abroad shall be valid for service as an officer on national vessels if the Director General of the Maritime Territory and Merchant Marine (“<i>Director General del Territorio Marítimo y de Marina Mercante</i>”) so determines by a reasoned decision.</p> <p>Ship captains (“<i>patron de nave</i>”) must be Chilean nationals. “Ship captain” means a natural person who, by virtue of an appropriate qualification from the Director General of the Maritime Territory and Merchant Marine, is authorised to exercise command on smaller vessels and certain special larger vessels.</p> <p>Only Chilean nationals, or foreigners domiciled in Chile, may act as captains of fishing vessels (“<i>patrones de pesca</i>”), machinists (“<i>mecánicos-motoristas</i>”), machine operators (“<i>motoristas</i>”), seafaring fisherman (“<i>marineros pescadores</i>”), fisherman (“<i>pescadores</i>”), industrial or maritime trade technical employees or workers, and as industrial and general ship services crew on factory ships or fishing vessels when so requested by ship operators (“<i>armadores</i>”) as being essential for the initial organisation of such work.</p> <p>Shipping agents or representatives of the operators, owners or captains of the ship, whether they are natural or legal persons, must be Chilean nationals. Agents responsible for stowing and unstowing or docking companies who move some or all of the freight between the vessel and the port facilities or means of overland transport and vice versa must also comply with this requirement. Furthermore, persons that unload, tranship and transfer and, in general, make use</p>				



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
		of Chilean mainland or island ports, particularly with respect to fishing catches or fishing catches processed on board, must be Chilean legal or natural persons. (4) Unbound, except as indicated in the horizontal section.	
C. Air transport services a. Selling and marketing of air transport services	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Aircraft repair and maintenance services (CPC 8868)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Computer reservation system services (part of CPC 7523)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
F. Road transport services b. Freight Transportation (CPC 7123)	(1), (2), (3) None, except for the international road transportation, as established in the Agreement on International Road Transportation (" <i>Acuerdo sobre Transporte Internacional</i> ")	(1) None (2) None (3) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><i>Terrestre</i>”) adopted by Chile, Argentina, Bolivia, Brazil, Paraguay, Peru and Uruguay.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	(4) Unbound, except as indicated in the horizontal section.	
c. Rental of commercial vehicles with operator (CPC 71222 – Rental services of passenger cars with operator)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
d. Maintenance and repair of road transport equipment (CPC 6112 – Maintenance and repair services of motor vehicles)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
e. Supporting services for road transport services (CPC 7441 – Bus station services)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
H. Services auxiliary to all modes of transport a. Cargo handling services (CPC 741)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1), (2), (3) None, except that only nationals may act as customs agents or brokers</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or subsector <sup>1</sup>	Limitations on market access	Limitations on national treatment	Additional commitments
b. Storage and warehouse services (CPC 742)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Freight transport agency services (CPC 748)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	