

Annex 7

APPENDIX 7 TO ANNEX XV

GUATEMALA – SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 4.18

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
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| <p>Explanatory Notes:</p> <ol style="list-style-type: none">1. For the purpose of this Schedule, the term “none” indicates a services sector or sub-sector where there are no terms, limitations and conditions on market access or conditions and qualifications on national treatment. The term “unbound” indicates that no market access or national treatment commitments have been made.2. The absence of specific terms, limitations, conditions or qualifications in a given services sector or sub-sector is without prejudice to the horizontal reservations that apply.3. The level of commitments in a particular services sector shall not supersede the level of commitments undertaken with respect to any other services sector to which such service is an input for the particular service or to which it is otherwise related.4. CPC numbers indicated in parenthesis are references to the United Nations Provisional Central Product Classification (Statistical Papers, Series M, N° 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).5. Attachment I to this schedule forms an integral part thereof. | | | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
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| PART I. HORIZONTAL COMMITMENTS | | | |
| This Part sets out those commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Those commitments that apply to trade in specific services sectors are listed in Part II. | | | |
| The commitments undertaken by Guatemala under the GATS are made part of Guatemala's obligations under this Schedule and shall apply to the other Parties without being reduced by any aspects of this Schedule. | | | |
| ALL SECTORS AND SUBSECTORS INCLUDED IN THIS SCHEDULE | | | |
| | | 1) 2) 3) 4) Unbound for subsidies, tax incentives and tax credits. | |
| | 1) 2) 3) 4) Guatemala reserves the right to adopt or maintain any measure that guarantees rights or preferences for Minorities and Indigenous Populations, socially and economically disadvantaged. | 1) 2) 3) 4) Guatemala reserves the right to adopt or maintain any measure that guarantees rights or preferences for Minorities and Indigenous Populations, socially and economically disadvantaged. | |
| | | 3) A company constituted under foreign laws, can be established in Guatemala in any form, but shall constitute a capital allocated to its operations in Guatemala, and a bond in favour of a third party for an amount not less than the equivalent in quetzales of US\$ 50,000 which shall remain in force for as long as that company is operating in Guatemala. | |

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| | | <p>The exact amount of the bond will be determined by the Register of Companies based <i>inter alia</i> on the amount of the investment.</p> <p>For greater certainty, the requirement of a bond should not to be viewed as an impediment to a company organised under the laws of a foreign country, to settle in Guatemala.</p> | |
| | | <p>1) 2) 3) 4) Foreign nationals require an authorisation from the Oficina de Control de Areas de Reserva del Estado to acquire ownership of the following state-owned land:</p> <p>(a) real estate located in urban zones; and</p> <p>(b) real estate for which rights were registered in the General Property Registry before 1st March 1956 in the following locations:</p> <p>(i) three-kilometre-long strip of land along the ocean;</p> <p>(ii) 200 metres around the lakeshores;</p> | |

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| | | <p>(iii) 100 metres on either side of the navigable rivers; and</p> <p>(iv) 50 metres around any spring that serves as a source of water for the population.</p> <p>Only the Government may rent state-owned land described above to enterprises organised under Guatemalan law.</p> | |
| | | <p>1) 2) 3) 4) Only Guatemalans by birth and companies owned 100 percent by Guatemalans by birth can be owners or possess national lands located within 15 kilometres from the border. Foreigners may, however, own or possess urban property or property rights of the State, registered with the Registrar General of the Property, prior to 1st March 1956 within 15 kilometres of the border.</p> | |
| | <p>1) 2) 3) 4) Economic activities considered as public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private.</p> | <p>1) 2) 3) 4) Economic activities considered as public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private.</p> | |

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| | <p>Mode 4:</p> <p>A. Employment in Guatemala: Every employer is prohibited to employ less than 90 percent of Guatemalan workers and pay them less than 85 percent of the total wages earned in their respective business, unless otherwise provided under special laws.</p> <p>Both proportions may change:</p> <p>a) if so require obvious reasons of protecting and promoting the national economy, or lack of Guatemalan technicians in a particular activity or defending national workers to demonstrate their abilities. In all these circumstances, the Executive Branch, through agreement reasoned issued through the Ministry of Labour and Social Security, both ratios may decrease by up to 10 percent each and for a period of five years for each company, or increase them to eliminate the participation of foreign workers.</p> <p>In the case the Ministry authorises the reduction of rates expressed before, it should require companies to prepare Guatemalan technicians in the branch of their activities within that purpose was granted; and</p> <p>b) when authorised and controlled immigration occur by the Executive Branch or contracted by the same, and entering or have entered the country to work in the establishment or development of settled agriculture or livestock, welfare institutions or cultural character; or in the case of Central American origin. In all these circumstances, the scope of the respective modification should be given the discretion of the Executive Branch, but the agreement that was handed down through the Ministry of Labour and Social Security must clearly state the reasons, limit and duration of the change is made.</p> <p>For the computation of what is provided in the first paragraph, fractions should not be taken into account, and when the total number of employees does not exceed five, four of them shall be Guatemalan.</p> <p>The provision of this measure does not apply to managers, administrators, supervisors and general managers of companies.</p> | |
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| | <p>For greater certainty this clause applies to foreign workers under an employment relationship in Guatemala.</p> <p>B. After-Sales Services: The visitors technicians responsible for the installation, repair, maintenance and supervising personnel, that have specialised technical knowledge essential to a seller's contractual obligation, and that supply services or train workers to perform those services pursuant to a warranty or other service contract incidental to the sale of commercial or industrial equipment or machinery, including computer software, purchased from an enterprise located outside of Guatemala, during the warranty period or service agreement.</p> <p>C. Business Visitors:</p> <ol style="list-style-type: none"> 1. Research and Design: <ul style="list-style-type: none"> - Technical, scientific and statistical researchers conducting (a) independent research or (b) research for an enterprise located in an EFTA State. 2. Manufacture and Production: <ul style="list-style-type: none"> - Purchasing and production management personnel conducting commercial transactions for an enterprise located in an EFTA State. 3. Marketing: <ul style="list-style-type: none"> - Market researchers and analysts conducting (a) independent research or analysis or (b) research or analysis for an enterprise located in an EFTA State. - Trade-fair and promotional personnel attending a trade convention. 4. Sales: <ul style="list-style-type: none"> - Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in an EFTA State, but not delivering goods or supplying services. | | |

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| | <p>- Buyers purchasing for an enterprise located in an EFTA State.</p> <p>5. Distribution: - Customs brokers that supply advisory services in order to facilitate the import or export of goods.</p> <p>D. General Services:</p> <ol style="list-style-type: none"> 1. Consultants engaged in business activities regarding cross-border services supplies, different from the financial services consultants. 2. Managing and supervision personnel engaging in business operations for an enterprise located in an EFTA State. 3. Public relations and advertising personnel that supply consulting services to clients or participating in conventions. 4. Translators or interpreters that supply services as personnel of an enterprise located in an EFTA State. <p>E. Intra-Corporate Transferees: Employees of an enterprise located in an EFTA State who are transferred to perform as an executive, manager or specialist in that enterprise's parent entity or branch located in Guatemala. Guatemala may require the employee to have been employed continuously by the enterprise for one year within the three-year period immediately preceding the date of the application for admission. Other existing immigration measures regulating temporary entry remain applicable. For that category, the period of stay is limited to two year with the option to extend up to two additional years.</p> <p>The entry and temporary stay for categories B, C and D shall not exceed 90 days, with the possibility of extension for up to 90 additional days.</p> | | |

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| PART II. SECTOR-SPECIFIC COMMITMENTS | | | |
| 1. BUSINESS SERVICES | | | |
| A. Professional Services An authorisation of entry and temporary stay under this list shall not supersede the non-discriminatory requirements demanded to the exercise of a profession or activity according to the specific regulatory framework in force. | | | |
| a) Legal services (CPC 861) ¹ , excluding legal advisory and legal documentation and certification services supplied by legal professionals entrusted with public functions, such as notaries | (1) Full admission to the Bar is subject to nationality condition. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national lawyers. (4) Unbound, except as indicated in the horizontal section. | |
| b) 1. Accounting and bookkeeping services (CPC 86212 other than auditing services, CPC 86213, CPC 86219 and CPC 86220) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | |

¹ Includes legal advisory, legal representational, legal arbitration and conciliation/mediation, and legal documentation and certification services. The supply of legal services is only authorised in respect of public international law, Guatemala law and the law of any jurisdiction where the service supplier or its personnel is qualified to practice as lawyer, and is subject to licensing requirements applicable in Guatemala. Legal services in respect of Guatemalan law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in Guatemala acting personally. Full admission to the Bar in Guatemala is necessary for representation before the Courts and other competent authorities in Guatemala since it involves practice of Guatemalan procedural law.

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| | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| b) 2. Auditing services (CPC 86211 and CPC 86212 other than accounting services) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| c) Taxation services (CPC 863) ² | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| d) Architectural services (CPC 8671) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | |

² Does not include legal advisory and legal representational services on tax matters, which are to be found under I.A.a).

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| | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| e) Engineering services (CPC 8672) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| f) Integrated engineering services (CPC 8673) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| g) Urban planning and landscape architectural services (CPC 8674) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |

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| h) Medical (including psychologists) and dental services (CPC 9312 and part of CPC 85201) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| i) Veterinary services (CPC 932) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. (4) Unbound, except as indicated in the horizontal section. | |
| j) 1. Services provided by midwives (part of CPC 93191) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| j) 2. Services provided by nurses, physiotherapists and paramedical personnel (part of CPC 93191) | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | (1) (2) None. (3) Foreign persons can supply services only in partnership or in association with national service suppliers. | |

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| | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211) and other services supplied by pharmacists | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| B. Computer and Related Services | | | |
| (CPC 841, CPC 842, CPC 843, CPC 844, CPC 845 and CPC 849) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| C. Research and Development Services (R&D)³ | | | |
| a) R&D services on natural sciences (CPC 851) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

³ For all these sectors, Guatemala will administer these concessions in conformity with the national biodiversity protection plans, knowledge and natural resources. Additionally, Guatemala reserves the right to participate and acquaint with the studies and reaches derived from the supply of these services.

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| b) R&D services on social sciences and humanities, excluding psychologists services ⁴ (part of CPC 852) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Interdisciplinary R&D services (CPC 853) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| D. Real Estate Services⁵ | | | |
| a) Involving own or leased property (CPC 821) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) On a fee or contract basis (CPC 822) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| E. Rental/Leasing Services without Operators | | | |
| a) Relating to ships | (1) (2) (3) None. | (1) (2) (3) None. | |

⁴ Part of CPC 85201 which is to be found under I.A.h).

⁵ The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

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| (CPC 83103) | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| b) Relating to aircraft (CPC 83104) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Relating to other transport equipment (CPC 83101, CPC 83102 and CPC 83105) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| d) Relating to other machinery and equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| e) Relating to personal and household goods (CPC 832) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| f) Telecommunications equipment rental (CPC 7541) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

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| F. Other Business Services | | | |
| a) Advertising services (CPC 871) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Market research and opinion polling services (CPC 864) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Management consulting services (CPC 865) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| d) Services related to management consulting (CPC 866) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| e) Technical testing and analysis services (CPC 8676) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

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| f) Advisory and consulting services incidental to agriculture, hunting and forestry (part of CPC 881) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| g) Advisory and consulting services incidental to fishing (part of CPC 882) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| i) Services incidental to manufacturing (CPC 884 and CPC 885 except for CPC 88442) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| k) Placement and supply services of personnel k) 1. Executive search services (CPC 87201) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| k) 2. Placement services of office support personnel and other workers (CPC 87202) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| k) 3. Supply services of office support personnel | (1) Unbound. | (1) Unbound. | |

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| (CPC 87203) | (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| k) 4. Model agency services (part of CPC 87209) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| l) 1. Investigation services (CPC 87301) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| l) 2. Security services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| m) Related scientific and technical consulting services ⁶ (CPC 8675) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

⁶ The horizontal limitation on public utilities applies to certain activities related to mining (minerals, oil, gas, etc.).

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| n) Maintenance and repair of metal products, (non office) machinery, (non transport and non office) equipment and personal and household goods ⁷ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| o) Building-cleaning services (CPC 874) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| p) Photographic services (CPC 875) | (1) None, except the supply of aerial photographic services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) None, except the supply of aerial photographic services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| q) Packaging services (CPC 876) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

⁷ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 11.A.d), 11.B.d), 11.C.d), 11.E.d) and 11.F.d)
Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 1.B.

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| r) Printing, publishing (CPC 88442) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| s) Convention services (part of CPC 87909) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| t) 1. Translation and interpretation services (CPC 87905) | (1) None, except for the official translation and interpretation. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) None, except for the official translation and interpretation. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| t) 2. Interior design and other specialty design services (CPC 87907) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| t) 3. Credit reporting services (CPC 87901) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

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| t) 4. Duplicating services (CPC 87904) ⁸ | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| t) 5. Telephone answering services (CPC 87903) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| 2. COMMUNICATION SERVICES | | | |
| C. Telecommunications Services | | | |
| a) All services consisting of the transmission and reception of signals by any electromagnetic means ⁹ , excluding broadcasting ¹⁰ | (1) None, except that international traffic must be routed through the facilities of an enterprise with telecommunications registration certificate. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) None, except that international traffic must be routed through the facilities of an enterprise with telecommunications registration certificate. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | Guatemala undertakes additional commitments as set out in Attachment I. |

⁸ Does not include printing services, which fall under CPC 88442 and are to be found under 1.F.r).

⁹ 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.

¹⁰ 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.

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| b) Satellite broadcast transmission services ¹¹ | (1) (2) (3) None, except that: - the commitments are subject to reciprocity. - service suppliers in this sector may be subject to obligations to safeguard general interest objectives related to the conveyance of content through their network in line with the Republic of Guatemala regulatory framework for electronic communications. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None, except that: - the commitments are subject to reciprocity. - service suppliers in this sector may be subject to obligations to safeguard general interest objectives related to the conveyance of content through their network in line with the Republic of Guatemala regulatory framework for electronic communications. (4) Unbound, except as indicated in the horizontal section. | |
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | |
| (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| 4. DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material) | | | |
| A. Commission Agents' Services | | | |

¹¹ These services cover the telecommunications services consisting of the transmission and reception of radio and television broadcast by satellite (the uninterrupted chain of transmission via satellite required for the distribution of TV and radio programme signals to the general public). This covers selling use of satellite services, but does not include the selling of television programme packages to households.

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| a) Commission agents' services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Other commission agents' services (CPC 621) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| B. Wholesale Trade Services | | | |
| a) Wholesale trade services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Wholesale trade services of telecommunications terminal equipment (part of CPC 7542) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Other wholesale trade services, (part of CPC 622) excluding wholesale trade services of energy products ¹² | (1) Unbound. (2) (3) None. | (1) Unbound. (2) (3) None. | |

¹² These services, which include CPC 62271, are to be found in ENERGY SERVICES under 13.D.

| Sector or Sub-sector | 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. | |
| C. Retailing Services¹³ | | | |
| a) Retailing services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (CPC 61112, part of CPC 6113 and part of CPC 6121) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Retailing services of telecommunications terminal equipment (part of CPC 7542) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Food retailing services (CPC 631) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| d) Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods ¹⁴ (CPC 632, excluding CPC 63211 and CPC 63297) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

¹³ Does not include maintenance and repair services, which are to be found under 1.B., 1.F.n), 11.A.d), 11.B.d), 11.C.d), 11.E.d) and 11.F.

Does not include retailing services of energy products which are to be found under 13.E and 13.F.

¹⁴ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under 1.A.k).

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| D. Franchising (CPC 8929) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| 6. ENVIRONMENTAL SERVICES | | | |
| A. Waste water services (CPC 9401) ¹⁵ | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste a) Refuse disposal services (part of CPC 9402) b) Sanitation and similar services (part of CPC 9403) | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| C. Protection of ambient air and climate | (1) Unbound, except for consulting services. (2) (3) None. | (1) Unbound, except for consulting services. (2) (3) None. | |

¹⁵ Corresponds to sewage services.

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| (CPC 9404) ¹⁶ | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| D. Remediation and clean up of soil and waters treatment, remediation of contaminated/polluted soil and water (part of CPC 9406) ¹⁷ | (1) Unbound, except for consulting services. (2) (3) None*. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| E. Noise and vibration abatement (CPC 9405) | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| F. Nature and landscape protection services (CPC 9406) | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound, except for consulting services. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

¹⁶ Corresponds to cleaning services of exhaust gases.

* The provision of these services must be consistent with national policies for the operation and maintenance of natural resources and biodiversity.

¹⁷ Corresponds to parts of nature and landscape protection services.

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| G. Other environmental and ancillary services (CPC 9409) | (1) (3) Unbound. (2) None. (4) Unbound, except as indicated in the horizontal section. | (1) (3) Unbound. (2) None. (4) Unbound, except as indicated in the horizontal section. | |
| 7. FINANCIAL SERVICES Guatemala reserves the right to adopt or maintain measures requiring the incorporation in Guatemala of foreign financial service suppliers in Guatemala, other than those seeking to operate as banks or insurance companies within Guatemala. | | | |
| Insurance and Insurance-related Services¹⁸ | | | |
| (i) Direct insurance (including co-insurance): (A) life (B) non-life | (1) (2) Unbound for direct insurance, except for the insurance of risks relating to: (i) maritime shipping, commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following; the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. (3) None. | (1) (2) Unbound for direct insurance, except for the insurance of risks relating to: (i) maritime shipping, commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following; the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. (3) None. | |

¹⁸ It is understood, only individuals and enterprises authorised by law may solicit, promote, or sell insurance, or perform any other insurance activity within the territory of Guatemala.

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| | (4) Unbound. | (4) Unbound. | |
| (ii) Reinsurance and retrocession | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| (iii) Insurance intermediation, such as brokerage and agency | (1) (2) None for insurance of risk indicated in (i) and (ii) above and for reinsurance and retrocession. (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| (iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| Banking and other Financial Services (excluding insurance) | | | |
| (v) Acceptance of deposits and other repayable funds from the public | (1) (2) Unbound. (3) None. (4) Unbound. | (1) (2) Unbound. (3) None. (4) Unbound. | |
| (vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of the commercial transaction | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| (vii) Financial leasing | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| (viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| (ix) Guarantees and commitments | (1) (2) (3) None. (4) Unbound. | (1) (2) (3) None. (4) Unbound. | |
| (xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services | (1) (2) None for investment advice and portfolio management services, excluding (a) custodial services, (b) trustee services, and (c) execution services not related to managing a collective investment scheme, to a collective investment scheme located in the territory of Guatemala. (3) None. (4) Unbound. | (1) (2) None for investment advice and portfolio management services, excluding (a) custodial services, (b) trustee services, and (c) execution services not related to managing a collective investment scheme, to a collective investment scheme located in the territory of Guatemala. (3) None. (4) Unbound. | |
| (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services | (1) (2) None. (3) Only allows foreign institutions in the country legally established. (4) Unbound. | (1) (2) None. (3) Only allows foreign institutions in the country legally established. (4) Unbound. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| (xvi) Advisory and other auxiliary financial services, excluding intermediation, on all services listed above in (v) to (ix), (xiii) and (xv) | (1) (2) None. (3) Only allows foreign institutions in the country legally established. (4) Unbound. | (1) (2) None. (3) Only allows foreign institutions in the country legally established. (4) Unbound. | |
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | |
| A. Hotels and restaurants (including catering), excluding catering in air transport services ¹⁹ (CPC 641, part of CPC 642 and CPC 643) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| B. Travel agencies and tour operators services (including tour managers) (CPC 7471) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| C. Tourist guides services (CPC 7472) | (1) (2) (3) (4) None, except that only Guatemalans or nationals of a foreign country that are residents in Guatemala may supply tour guide services. | (1) (2) (3) (4) None, except that only Guatemalans or nationals of a foreign country that are residents in Guatemala may supply tour guide services. | |
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services) (only privately funded services) | | | |
| B. News agency services | (1) (2) (3) None. | (1) (2) (3) None. | |

¹⁹ Catering in air transport services is to be found under 11 H.a).

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| (CPC 962) | (4) Unbound, except as indicated in the horizontal section. | (4) Unbound, except as indicated in the horizontal section. | |
| D. Sporting and other recreational services (CPC 964) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| - E. Recreation park and beach services (CPC 96491) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| 11. TRANSPORT SERVICES | | | |
| A. Maritime Transport Services | | | |
| a) International passenger transportation (CPC 7211 less national cabotage transport). | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| b) International freight transportation (CPC 7212 less national cabotage transport) ²⁰ | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Rental of vessels with crew (CPC 7213) | (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. | |
| d) Maintenance and repair of vessels (part of CPC 8868) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| e) Pushing and towing services (CPC 7214) | (1) Unbound. (2) None. (3) Unbound. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) None. (3) Unbound. (4) Unbound, except as indicated in the horizontal section. | |
| f) Supporting services for maritime transport (part of CPC 745) | (1) Unbound. (2) None. | (1) Unbound. (2) None. | |

²⁰ Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

| Sector or Sub-sector | 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. | |
| Services Auxiliary to Maritime Transport a) Maritime cargo-handling services (part of CPC 741) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Storage and warehousing services (part of CPC 742) c) Customs clearance services (part of CPC 748) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|---|--|
| <p>d) Container station and depot services (part of CPC 742)</p> <p>e) Maritime agency services (part of CPC 748 and part of CPC 749)</p> <p>f) Maritime freight forwarding services (part of CPC 748 and part of CPC 749)</p> | <p>(1) Unbound.</p> <p>(2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> <p>(1) (2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> <p>(1) (2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> | <p>(1) Unbound.</p> <p>(2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> <p>(1) (2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> <p>(1) (2) (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p> | |
| <p>Auxiliary services as required by maritime transport operators:</p> | | | <p>Guatemala shall ensure that the following services provided at ports are offered on non-discriminatory terms and conditions: pilotage, towing and tug assistance, provisioning, fuelling and watering, garbage collecting and ballast waste disposal, port captain's services, navigation aids, shore-based</p> |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|--|
| | | | operational services essential to ship operations, including communications, water and electrical supplies, emergency repair facilities, anchorage, berth and berthing services. |
| B. Internal Waterways Transport | | | |
| a) Passenger transportation (CPC 7221) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Freight transportation (CPC 7222) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Rental of vessels with crew (CPC 7223) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| d) Maintenance and repair of vessels (part of CPC 8868) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| e) Pushing and towing services (CPC 7224) | (1) (3) Unbound. (2) None. (4) Unbound, except as indicated in the horizontal section. | (1) (3) Unbound. (2) None. (4) Unbound, except as indicated in the horizontal section. | |
| f) Supporting services for internal waterway transport (part of CPC 745) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| C. Air Transport Services | | | |
| c) Rental of aircraft with crew (CPC 734) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| d) Maintenance and repair of aircraft and parts thereof (part of CPC 8868) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| f) Sales and Marketing | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| g) Computer reservations system (CRS) services | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| h) Airport management services (part of CPC 7461) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| i) Groundhandling services, excluding catering ²¹ (part of CPC 741) | (1) Unbound (2) (3) None. (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| E. Rail Transport Services | | | |
| a) Passenger transportation (CPC 7111) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Freight transportation (CPC 7112) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Pushing and towing services (CPC 7113) | (1) Unbound (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

²¹ Catering in air transport services is to be found under 11 H.a).

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| d) Maintenance and repair of rail transport equipment (part of CPC 8868) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| e) Supporting services for rail transport services (CPC 743) | (1) None. (2) (3) None. (4) Unbound, except as indicated in the horizontal section | (1) None. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| F. Road Transport Services | | | |
| a) Passenger transportation (CPC 7121 and CPC 7122) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Freight transportation (CPC 7123) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Rental of commercial road vehicles with operator (CPC 7124) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| d) Maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| e) Supporting services for road transport services (CPC 744) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| H. Services auxiliary to all modes of transport | | | |
| a) Cargo-handling services, excluding pipelines (part of CPC 741) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| b) Storage and warehouse services of goods other than fuel transported by pipelines ²² (part of CPC 742) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| c) Freight transport agency services, excluding air transport and pipelines (part of CPC 748) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

²² Storage and warehouse auxiliary to pipeline transportation of fuels are to be found. under 13.C.

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| d) Other auxiliary transport services (part of CPC 749) | (1) (2) (3) None (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None (4) Unbound, except as indicated in the horizontal section. | |
| 12. OTHER SERVICES NOT INCLUDED ELSEWHERE | | | |
| A. Washing, cleaning and dyeing services (CPC 9701) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| B. Hairdressing services (CPC 97021) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| C. Cosmetic treatment, manicuring and pedicuring services (CPC 97022) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| D. Other beauty treatment services n.e.c (CPC 97029) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| E. Spa services and non therapeutical massages, to the extent that they are supplied as relaxation physical well-being services and not for medical or rehabilitation purposes ²³ (CPC ver. 1.0 97230) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| F. Telecommunications connection services (CPC 7543) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| G. Domestic services (CPC 98) | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| 13. ENERGY SERVICES | | | |
| A. Services incidental to mining (CPC 883) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

²³ Therapeutical massages and thermal cure services are to be found under 1A.h) - Medical services, 1.A.j) 2 - Services provided by nurses, physiotherapists and para-medical personnel and health services (8.A and 8.C).

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| B. Pipeline transportation of fuels (CPC 7131) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section | |
| C. Storage and warehouse services of fuels transported through pipelines (part of CPC 742) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| D. Wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271) and wholesale trade services of electricity, steam and hot water | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| E. Retailing services of motor fuel (CPC 613) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |
| F. Retail sales of fuel oil, bottled gas, coal and wood (CPC 63297) and retailing services of electricity, (non bottled) gas, steam and hot water | (1) Unbound for retailing services of electricity, gas, steam and hot water. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) Unbound for retailing services of electricity, gas, steam and hot water. (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

| Sector or Sub-sector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| G. Services incidental to energy distribution ²⁴ (CPC 887) | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | (1) (2) (3) None. (4) Unbound, except as indicated in the horizontal section. | |

²⁴ Except for consulting services.

ATTACHMENT I

ADDITIONAL COMMITMENTS ON TELECOMMUNICATIONS

Article 1

Definitions

For interpretation and application effects of this Attachment, the technical terms on the subject of telecommunications will have the meanings recognised by the national law, or failing that by the provisions of the International Telecommunication Union and interpreted by the Superintendency of Telecommunications under the proper sense of the words within their overall context.

Article 2

Competitive safeguards

1. Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.
2. The anti-competitive practices referred to above shall include, in particular:
 - (a) engaging in anti-competitive cross-subsidisation;
 - (b) using information obtained from competitors with anti-competitive results;
and
 - (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to supply services.

Article 3

Interconnection

1. This article applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier.
2. With the limits to which market access is permitted, interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided:

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
 - (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and rates that are transparent, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be supplied; and
 - (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.
3. The procedures applicable for interconnection to a major supplier will be made publicly available.
4. The Party shall provide its telecommunications regulatory body the authority to require public telecommunications suppliers to file their interconnection contracts.
5. If, within a period of 40 (working) days, the parties have not reached agreement on access to essential resources, the “*Superintendencia de Telecomunicaciones*” shall issue a ruling under the procedure specified in the “*Ley General de Telecomunicaciones*” (General Telecommunications Law).
6. Only an appeal for review may be lodged against a decision by the Superintendency of Telecommunications, and it shall be settled by the Ministry of Communications, Transport and Public Works. An administrative appeal shall lie against any decision by the Ministry of Communications, Transport and Public Works resulting from an appeal for review.

Article 4

Universal service

Guatemala has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by Guatemala.

Article 5

Public availability of criteria for granting a usufruct’s title

1. Where a usufruct’s title is required, the following will be made publicly available:

- (a) all the criteria for granting a usufruct's title and the period of time normally required to reach a decision concerning an application for a usufruct's title; and
 - (b) the terms and conditions of usufruct's titles.
2. The reasons for the denial of a usufruct's title will be made known to the applicant upon request.

Article 6

Independent regulators

1. The regulatory body is separate from, and not accountable to, any supplier of public telecommunications services. The decisions of and the procedures used by the regulatory body shall be impartial with respect to all market participants.
2. Guatemala shall ensure that suppliers of an EFTA State affected by the decision of the regulatory body of Guatemala have recourse to an administrative body or a court independent of any supplier, in accordance with its laws and regulations.

Article 7

Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available.¹

¹ It is understood that this Article does not require to make publicly available detailed identification of frequencies allocated for specific government uses.