

ANNEX II

SCHEDULE OF CANADA

Reservation II-C-1

Sector:	Aboriginal Affairs
Sub-sector:	
Obligations Concerned:	National Treatment (Articles 14.4 and 15.3) Most-Favored-Nation Treatment (Articles 14.5 and 15.4) Performance Requirements (Article 14.10) Senior Management and Boards of Directors (Article 14.11) Local Presence (Article 15.6)
Description:	<u>Investment and Cross-Border Trade in Services</u> Canada reserves the right to adopt or maintain measures conferring rights or preferences to aboriginal peoples. For greater certainty, Canada reserves the right to adopt and maintain measures related to the rights recognized and affirmed by section 35 of the <i>Constitution Act, 1982</i> or those set out in self-government agreements between a central or regional level of government and indigenous peoples.
Existing Measures:	<i>Constitution Act, 1982</i> , being Schedule B of the <i>Canada Act 1982</i> (U.K.), 1982, c. 11 as well as land claims agreements and self-government agreements that have been implemented by statute.

Reservation II-C-2

Sector: All Sectors

Sub-sector:

Obligations Concerned: National Treatment (Article 14.4)

Description: Investment

Canada reserves the right to adopt or maintain a measure relating to residency requirements for the ownership of oceanfront land by an investor of a Party or its investments.

Existing Measures:

Reservation II-C-3

Sector:	Fisheries
Sub-Sector:	Fishing and Services Incidental to Fishing
Obligations Concerned:	National Treatment (Articles 14.4 and 15.3) Most-Favored Nation Treatment (Articles 14.5 and 15.4)
Description:	<u>Investment and Cross-Border Trade in Services</u> Canada reserves the right to adopt or maintain any measure with respect to licensing fishing or fishing related activities, including entry of foreign fishing vessels to Canada's exclusive economic zone, territorial sea, internal waters or ports, and use of any services therein.
Existing Measures:	<i>Fisheries Act</i> , R.S.C. 1985, c. F14 <i>Coastal Fisheries Protection Act</i> , R.S.C. 1985, c.33 <i>Coastal Fisheries Protection Regulations</i> , C.R.C. 1978, c. 413 <i>Commercial Fisheries Licensing Policy</i> <i>Policy on Foreign Investment in the Canadian Fisheries Sector</i> , 1985

Reservation II-C-4

Sector: Government Finance

Sub-sector: Securities

Obligations Concerned: National Treatment (Article 14.4)

Description: Investment

Canada reserves the right to adopt or maintain a measure relating to the acquisition, sale or other disposition by a national of a Party of bonds, treasury bills, or other kinds of debt securities issued by the Government of Canada or a Canadian sub-national government.

Existing Measures: *Financial Administration Act*, R.S.C. 1985, c. F-11

Reservation II-C-5

Sector: Minority Affairs

Sub-sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

Canada reserves the right to adopt or maintain a measure conferring rights or privileges to a socially or economically disadvantaged minority.

Existing Measures:

Reservation II-C-6

Sector: Social Services

Sub-sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Most-Favored-Nation Treatment (Articles 14.5 and 15.4)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

Canada reserves the right to adopt or maintain a measure with respect to the supply of public law enforcement and correctional services, as well as the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.

Existing Measures:

Reservation II-C-7

Sector:	Transportation
Sub-sector:	Water Transportation
Obligations Concerned:	National Treatment (Articles 14.4 and 15.3) Most-Favored-Nation Treatment (Articles 14.5 and 15.4) Performance Requirements (Article 14.10) Senior Management and Boards of Directors (Article 14.11) Local Presence (Article 15.6)
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <ol style="list-style-type: none">1. Canada reserves the right to adopt or maintain a measure affecting the investment in or supply of marine cabotage services, including:<ol style="list-style-type: none">(a) the transportation of goods or passengers by vessel between points in the territory of Canada or above the continental shelf of Canada, directly or by way of a place outside Canada; but with respect to waters above the continental shelf of Canada, the transportation of goods or passengers only in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada; and(b) the engaging by vessel in any other marine activity of a commercial nature in the territory of Canada and, with respect to waters above the continental shelf, in such other marine activities of a commercial nature that are in relation to the exploration, exploitation or transportation of the mineral or non-living natural resources of the continental shelf of Canada.2. This reservation relates to, among other things, limitations and conditions for services suppliers entitled to participate in these activities, to criteria for the issuance of a temporary cabotage license to foreign vessels, and to limits on the number of cabotage licenses issued to foreign vessels.3. For greater certainty, this reservation applies, among other things, to marine activities of a commercial nature

undertaken by or from a vessel, including feeder services and repositioning of empty containers.

Existing Measures:

Coasting Trade Act, S.C. 1992, c. 31

Canada Shipping Act, S.C. 2001, c.26

Customs Act, R.S.C. 1985, c.1 (2nd Supp.)

Customs and Excise Offshore Application Act, R.S.C. 1985, c. C-53

Reservation II-C-8

Sector:	Transportation
Sub-Sector:	Water Transportation
Obligations Concerned:	Most-Favored-Nation Treatment (Article 15.4)
Description:	<u>Cross-Border Trade in Services</u>

Canada reserves the right to adopt or maintain a measure relating to the implementation of an agreement, arrangement, or other formal or informal undertaking with other countries with respect to maritime activities in waters of mutual interest in areas such as pollution control (including double hull requirements for oil tankers), safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control, or maritime communications.

Existing Measures:

Reservation II-C-9

Sector: Transportation

Sub-Sector: Water Transportation

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Most-Favored-Nation Treatment (Articles 14.5 and 15.4)
Performance Requirements (Article 14.10)
Senior Management Board of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

Canada reserves the right to adopt or maintain a measure denying a service provider or investor of the United States, or its investments, the benefits accorded to a service provider or investor of Mexico or any other country, or its investments, in sectors or activities equivalent to those subject to Schedule of the United States, Annex II, page ANNEX II – UNITED STATES – 5.

Existing Measures:

Reservation II-C-10

Sector:	Water Transportation
Sub-sector:	Technical Testing and Analysis Services
Obligations Concerned:	Most-Favored-Nation Treatment (Article 14.5) Local Presence (Article 15.6)
Description:	<u>Investment and Cross-Border Trade in Services</u> <ol style="list-style-type: none">1. Canada reserves the right to adopt or maintain a measure affecting the statutory inspection and certification of a vessel on behalf of Canada.2. For greater certainty, only a person, classification society or other organization authorized by Canada may carry out statutory inspections and issue Canadian Maritime Documents to Canadian registered vessels and their equipment on behalf of Canada.
Existing Measures:	

Reservation II-C-11

Sector: All Sectors

Sub-sector:

Obligations Concerned: Most-Favored-Nation Treatment (Articles 14.5 and 15.4)

Description: Investment and Cross-Border Trade in Services

1. Canada reserves the right to adopt or maintain a measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.
2. Canada reserves the right to adopt or maintain a measure that accords differential treatment to countries under any bilateral or multilateral agreement in force or signed after the date of entry into force of this Agreement involving:
 - (a) aviation;
 - (b) fisheries; or
 - (c) maritime matters, including salvage.

Existing Measures:

Reservation II-C-12

Sector: All

Sub-sector:

Obligations Concerned: Market Access (Articles 15.5)

Description: Cross-Border Trade in Services

Canada reserves the right to adopt or maintain a measure that is not inconsistent with:

- (a) Canada's obligations under Article XVI of GATS;¹ and
- (b) Canada's Schedule of Specific Commitments under the GATS (GATS/SC/16, GATS/SC/16/Suppl.1, GATS/SC/16/Suppl.1/Rev.1, GATS/SC/16/Suppl.2, GATS/SC/16/Suppl.2/Rev.1, GATS/SC/16/ Suppl.3, GATS/SC/16/Suppl.4 and GATS/SC/16/Suppl.4/Rev.1).

For greater certainty, this entry applies to measures adopted or maintained that affect the supply of a service by a covered investment pursuant to Article 15.5 (Market Access). For purposes of this entry only, Canada's Schedule of Specific Commitments is modified as indicated in Appendix I.

Existing Measures:

¹ For greater certainty, this includes obligations resulting from future amendments to Canada's Schedule to Article XVI of GATS.

Appendix I

For the following Sectors, Canada's obligations under Article XVI of GATS are improved as described.

Sector/Sub-sector	Market Access Improvements
Accounting, Auditing, and Book-keeping services	<p>Under Mode 1 remove:</p> <p><u>Auditing</u></p> <ul style="list-style-type: none"> - Commercial presence requirement: Nova Scotia. - Citizenship requirement for accreditation: Manitoba and Quebec. - Permanent residence requirement for accreditation: Ontario. <p>Under Mode 2 remove:</p> <p><u>Auditing</u></p> <ul style="list-style-type: none"> - Commercial presence requirement: Nova Scotia. - Citizenship requirement for accreditation: Manitoba and Quebec. - Permanent residence requirement for accreditation: Ontario.
Architectural services	<p>Under Mode 1 remove:</p> <p><u>Architects</u></p> <ul style="list-style-type: none"> - Citizenship requirement for accreditation: Quebec.
Engineering services	<p>Under Mode 1 remove:</p> <p><u>Consulting Engineers</u></p> <ul style="list-style-type: none"> - Commercial presence requirement for accreditation: Manitoba. <p><u>Engineers</u></p> <ul style="list-style-type: none"> - Permanent residence requirement for accreditation: Newfoundland and Labrador, Nova Scotia. - Citizenship requirement for accreditation: Quebec. <p>Under Mode 2 remove:</p> <p><u>Consulting Engineers</u></p> <ul style="list-style-type: none"> - Commercial presence requirement for accreditation:

	<p>Manitoba.</p> <p><u>Engineers</u></p> <ul style="list-style-type: none"> - Permanent residence requirement for accreditation: Newfoundland and Labrador, Nova Scotia. - Citizenship requirement for accreditation: Quebec.
Integrated engineering services	<p>Under Mode 1 remove:</p> <p><u>Consulting Engineers</u></p> <ul style="list-style-type: none"> - Commercial presence requirement for accreditation: Manitoba. <p><u>Engineers</u></p> <ul style="list-style-type: none"> - Permanent residence requirement for accreditation: Newfoundland and Labrador, Nova Scotia. - Citizenship requirement for accreditation: Quebec. <p>Under Mode 2 remove:</p> <p><u>Consulting Engineers</u></p> <ul style="list-style-type: none"> - Commercial presence requirement for accreditation: Manitoba. <p><u>Engineers</u></p> <ul style="list-style-type: none"> - Permanent residence requirement for accreditation: Newfoundland and Labrador, Nova Scotia. - Citizenship requirement for accreditation: Quebec.
Urban planning and landscape architectural services	<p>Under Mode 1 remove:</p> <p><u>Community/ Urban Planning</u></p> <ul style="list-style-type: none"> - Citizenship requirement for use of title: Quebec.
Real estate services	<p>Under Mode 1 remove:</p> <p><u>Chartered Appraisers</u></p> <ul style="list-style-type: none"> - Citizenship requirement for use of title: Quebec.
Management consulting services	<p>Under Mode 1 remove:</p> <p><u>Agrologists</u></p> <ul style="list-style-type: none"> - Citizenship requirement for accreditation: Quebec. <p><u>Professional Administrators and Certified Management Consultants</u></p>

	<p>- Citizenship requirement for use of title: Quebec Professional Corporation of Administrators.</p> <p><u>Industrial Relations Counsellors</u></p> <p>- Citizenship requirement for use of title: Quebec.</p> <p>Under Mode 2 remove:</p> <p><u>Agrologists</u></p> <p>- Citizenship requirement for accreditation: Quebec.</p>
Investigation and security services	<p>Under Mode 3 remove:</p> <p><u>Business and Personnel Information Investigations</u></p> <p>- Foreign ownership restriction to 25 percent in total and 10 percent by any individual holding shares: Ontario.</p>
Related scientific and technical consulting services	<p>Under Mode 1 remove:</p> <p><u>Land Surveyors</u></p> <p>- Citizenship requirement for accreditation: Nova Scotia and Quebec.</p> <p><u>Subsurface Surveying Services</u></p> <p>- Citizenship requirement for accreditation: Quebec.</p> <p><u>Professional Technologist</u></p> <p>- Citizenship requirement for accreditation: Quebec.</p> <p><u>Chemists</u></p> <p>- Citizenship requirement for accreditation: Quebec.</p> <p>Under Mode 2 remove:</p> <p><u>Land Surveyors</u></p> <p>- Citizenship requirement for accreditation: Nova Scotia and Quebec.</p> <p><u>Subsurface Surveying Services</u></p> <p>- Citizenship requirement for accreditation: Quebec.</p>
Other business services	<p>Under Mode 1 remove:</p> <p><u>Certified Translators and Interpreters</u></p> <p>- Citizenship requirement for use of title: Quebec.</p>

	<p>Under Mode 2 remove:</p> <p><u>Certified Translators and Interpreters</u></p> <p>- Citizenship requirement for use of title: Quebec.</p> <p>Under Mode 3 remove:</p> <p><u>Collection Agencies</u></p> <p>- Foreign Ownership restriction to 25 percent in total and 10 percent by any individual: Ontario.</p>
Courier services	<p>Under Mode 3 remove:</p> <p>- Economic needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to supply proper service.): Nova Scotia and Manitoba.</p>
General construction work for civil engineering	<p>Under Mode 3 remove:</p> <p><u>Construction</u></p> <p>- An applicant and holder of a water power site development permit must be incorporated in Ontario.</p>
Wholesale trade services	<p>Under Mode 1 remove:</p> <p>Marketing of Fish Products (Nova Scotia): Nova Scotia residents require ministerial approval to enter into agreements with non-residents.</p>
Railway passenger and freight transport	<p>Under Mode 1 remove:</p> <p>- cabotage limitation</p>
Road Passenger Transportation	<p>Under Mode 3 remove:</p> <p><u>Interurban bus transport and scheduled services:</u></p> <p>- Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to supply proper service.): Prince Edward Island.</p>

Road Freight transportation	<p>Under Mode 3 remove:</p> <p><u>Highway freight transportation</u></p> <p>- Public convenience and needs test (Criteria related to approval include: examination of the adequacy of current levels of service; market conditions establishing the requirement for expanded service; the effect of new entrants on public convenience, including the continuity and quality of service, and the fitness, willingness and ability of the applicant to supply proper service.): British Columbia, Manitoba, Ontario, Prince Edward Island, Nova Scotia.</p>
Telecommunications	<p>Under Mode 3 remove:</p> <p>Nova Scotia: no person may vote more than 1,000 shares of Maritime Telegraph and Telephone Ltd.</p>

EXPLANATORY NOTE

ANNEX II

1. The Schedule of a Party to this Annex sets out, pursuant to Articles 14.12 (Non-Conforming Measures) and 15.7 (Non-Conforming Measures), the specific sectors, subsectors, or activities for which that Party may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

- (a) Article 14.4 (National Treatment) or 15.3 (National Treatment);
- (b) Article 14.5 (Most-Favored-Nation Treatment) or 15.4 (Most-Favored-Nation Treatment);
- (c) Article 14.10 (Performance Requirements);
- (d) Article 14.11 (Senior Management and Boards of Directors);
- (e) Article 15.5 (Market Access); or
- (f) Article 15.6 (Local Presence).

2. Each Schedule entry sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Sub-Sector**, where referenced, refers to the specific subsector for which the entry is made;
- (c) **Obligations Concerned** specifies the obligation(s) referred to in paragraph 1 that, pursuant to Articles 14.12.1(a) (Non-Conforming Measures) and 15.7.1(a) (Non-Conforming Measures), do not apply to the sectors, subsectors, or activities listed in the entry;
- (d) **Description** sets out the scope or nature of the sectors, subsectors, or activities covered by the entry to which the reservation applies; and
- (e) **Existing Measures** identifies, for transparency purposes, a non-exhaustive list of existing measures that apply to the sectors, subsectors, or activities covered by the entry

3. For greater certainty, in the interpretation of an entry, all elements of the entry shall be considered, and the Description element prevails over all other elements.

4. In accordance with Articles 14.12.2 (Non-Conforming Measures) and 15.7.2 (Non-Conforming Measures), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the sectors, subsectors, and activities identified in the **Description** element of that entry.

ANNEX II

SCHEDULE OF MEXICO

Sector: All

Sub-Sector:

Industry Classification:

Obligations Concerned: National Treatment (Article 15.3)

Level of Government: Central

Description: Cross-Border Trade in Services

Mexico reserves the right to adopt or maintain any measure restricting the acquisition, sale, or other disposition of bonds, treasury bills, or any other kind of debt security issued by the federal, state, or local governments.

Existing Measures:

Sector:	Entertainment Services
Sub-Sector:	Recreational and leisure services
Industry Classification:	CMAP 949104 Other Private Recreational and Leisure Services (limited to gambling and betting services)
Obligations Concerned:	National Treatment (Article 14.4 and Article 15.3) Most-Favored-Nation Treatment (Article 14.5 and Article 15.4) Senior Management and Boards of Directors (Article 14.11) Local Presence (Article 15.6)
Level of Government:	Central
Description:	<u>Investment and Cross-Border Trade in Services</u> Mexico reserves the right to adopt or maintain any measure relating to investment in, or the supply of, gambling and betting services.

Existing Measures:

Sector:	Minority Affairs
Sub-Sector:	
Industry Classification:	
Obligations Concerned:	National Treatment (Article 15.3) Local Presence (Article 15.6)
Level of Government:	Central
Description:	<u>Cross-Border Trade in Services</u> Mexico reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged groups.
Existing Measures:	Political Constitution of the United Mexican States (<i>Constitución Política de los Estados Unidos Mexicanos</i>), Article 4.

Sector:	Social Services
Sub-Sector:	
Industry Classification:	
Obligations Concerned:	<p>National Treatment (Article 14.4 and Article 15.3)</p> <p>Most-Favored-Nation Treatment (Article 14.5 and Article 15.4)</p> <p>Performance Requirements (Article 14.10)</p> <p>Senior Management and Boards of Directors (Article 14.11)</p> <p>Local Presence (Article 15.6)</p>
Level of Government:	Central
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>Mexico reserves the right to adopt or maintain any measure with respect to the supply of public law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health and child care.</p>
Existing Measures:	<p>Political Constitution of the United Mexican States <i>(Constitución Política de los Estados Unidos Mexicanos)</i>, Articles 4, 17, 18, 25, 26, 28 and 123.</p>

Sector:	Transportation
Sub-Sector:	Specialized personnel
Industry Classification:	CMAP 951023 Other Professional, Technical and Specialized Services (limited to ship captains; aircraft pilots; ship masters; ship machinists; ship mechanics; airport administrators (comandantes de aeródromos); harbor masters; harbor pilots; crew on Mexican flagged vessels or aircrafts)
Obligations Concerned:	National Treatment (Article 15.3) Most-Favored-Nation Treatment (Article 15.4) Local Presence (Article 15.6)
Level of Government:	Central
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Mexico reserves the right to adopt or maintain any measure with respect to specialized personnel. Only Mexican nationals by birth may serve as:</p> <ul style="list-style-type: none"> (a) captains, pilots, ship masters, machinists, mechanics, and crew members manning vessels or aircraft under the Mexican flag; and (b) harbor pilots, harbor masters, and airport administrators.
Existing Measures:	Political Constitution of the United Mexican States (<i>Constitución Política de los Estados Unidos Mexicanos</i>), Article 32

Sector:	All
Sub-Sector:	Telegraph, radiotelegraph and postal services Issuance of bills (currency) and minting of coinage Control, inspection and surveillance of maritime and inland ports Control, inspection and surveillance of airports and heliports
Industry Classification:	
Obligations Concerned:	National Treatment (Article 14.4) Most-Favored-Nation Treatment (Article 14.5) Performance Requirements (Article 14.10) Senior Management and Boards of Directors (Article 14.11)
Level of Government:	Central
Description:	<p><u>Investment</u></p> <p>The activities set out in this list are reserved to the Mexican State, and private equity investment is prohibited under Mexican Law. If Mexico allows private investment to participate in such activities through service contracts, concessions, lending arrangements, or any other type of contractual arrangement, this participation shall not be construed to affect the State's reservation of those activities.</p> <p>If Mexican law is amended to allow private equity investment in an activity set out in this list, Mexico may impose restrictions on foreign investment participation and those restrictions shall be deemed existing Annex I non-conforming measures and subject to paragraph 1 of Article 14.12 (Non-Conforming Measures). Mexico may also impose restrictions on foreign equity investment participation when selling an asset or ownership interest in an enterprise engaged in activities set out in this list, and those restrictions shall be deemed existing Annex I non-conforming measures and subject to paragraph 1 of Article 14.12 (Non-Conforming Measures).</p> <ul style="list-style-type: none"> (a) Telegraph, radiotelegraph and postal services; (b) Issuance of bills (currency) and minting of coinage; (c) Control, inspection and surveillance of maritime and inland ports; (d) Control, inspection and surveillance of airports and heliports; and

(e) Nuclear power.

For greater certainty, nuclear power includes radioactive minerals.

Existing Measures:

Political Constitution of the United Mexican States (*Constitución Política de los Estados Unidos Mexicanos*) Articles 25 and 28.

Law of the Bank of Mexico (*Ley del Banco de México*).

Law of the House of Currency of Mexico (*Ley de la Casa de Moneda de México*).

United Mexican States Monetary Law (*Ley Monetaria de los Estados Unidos Mexicanos*).

Navigation and Maritime Commerce Law (*Ley de Navegación y Comercio Marítimos*).

Ports Law (*Ley de Puertos*).

Airports Law (*Ley de Aeropuertos*).

Federal Telecommunication and Broadcasting Law (*Ley Federal de Telecomunicaciones y Radiodifusión*).

Decree that establish the decentralized agency of Navigation Services in the Mexican Airspace, SENEAM (by its acronym in Spanish) (*Decreto que crea el Organismo Desconcentrado de Servicios a la Navegación en el Espacio Aéreo Mexicano, SENEAM*).

General Means of Communication Law (*Ley de Vías Generales de Comunicación*).

Mexican Postal Service Law (*Ley del Servicio Postal Mexicano*), Title I, Chapter III.

Foreign Investment Law (*Ley de Inversión Extranjera*).

Sector: All

Sub-Sector:

Industry Classification:

Obligations Concerned: Most-Favored-Nation Treatment (Article 14.5)

Level of Government: Central

Description: Investment

Mexico reserves the right to adopt or maintain any measure granting different treatment to countries accorded under all bilateral or multilateral international agreements in force prior to the date of the entry into force of this Agreement.

Mexico reserves the right to adopt or maintain any measure granting different treatment to countries accorded under all international agreements in force or signed after the date of entry into force of this Agreement involving:

- (a) aviation;
- (b) fisheries; or
- (c) maritime matters, including salvage.

Existing Measures:

Sector: All

Sub-Sector:

Industry Classification:

Obligations Concerned: Market Access (Article 15.5)

Level of Government: Central and Regional

Description: Cross-Border Trade in Services

Mexico reserves the right to adopt or maintain any measure related to Article 15.5 (Market Access), except for the following sectors and sub-sectors subject to the limitations and conditions listed below.

For the purpose of this entry:

- (a) "1)" refers to the supply of a service from the territory of one Party into the territory of any other Party;
- (b) "2)" refers to the supply of a service in the territory of one Party by a person of that Party to a person of the other Party;
- (c) "3)" refers to the supply of a service in the territory of one Party by an investor of the other Party or a covered investment; and
- (d) "4)" refers to the supply of a service by a national of one Party, in the territory of any other Party.

This entry:

- (a) applies to the central level of government;
- (b) applies to the regional level of government in accordance with specific commitments of Mexico under the Article XVI of GATS which exist at the date of entry into force of this Agreement; and
- (c) does not apply to municipal or local level.

This entry does not apply to entries listed in Annex I with respect to Article 15.5 (Market Access). Mexico's limitations on market access in this entry are only those limitations which are not

discriminatory.

Sector or subsector	Limitations on market access
1.BUSINESS SERVICES	
1. A. Professional services ¹	
a) Legal services (CPC 861)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
b) Accounting, auditing and bookkeeping services (CPC 862)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
d) Consultancy and technical studies for architecture (CPC 8671)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e) Consultancy and technical services for engineering (CPC 8672)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
f) Integrated engineering services (CPC 8673)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
g) Urban planning and landscape architectural services (CPC 8674)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
h) Related scientific and technical consulting services (CPC 8675)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
i) Medical and dental services (CPC 9312)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).

¹ In order to practice a profession in Mexico, it is necessary to have a degree that has been recognized or confirmed by the Ministry of Public Education (*Secretaría de Educación Pública*) and also to obtain a professional license. There are special requirements to be met by engineers, architects, and doctors.

Sector or subsector	Limitations on market access
k) Other services	1), 2) and 3) None
- Religious services (CPC 95910)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
1. B. Computer and Related Services	
a) Consultancy services related to the installation of computer hardware (CPC 841)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
b) Software implementation services (CPC 842)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
c) Data processing services (CPC 843)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
d) Data base services (CPC 844)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e) Other (CPC 845+849)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
1. C. Research and Development Services (CPC 85) (other than research and technological development centres)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Research and experimental development services on engineering and technology (CPC 85103)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Research and development services on social sciences and humanities (CPC 852)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).

Sector or subsector	Limitations on market access
1. D. Real estate services	
a) Real estate services involving own or leased property (CPC 821) Other than: Real estate services involving own property	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
b) Real estate services on a fee or contract basis (CPC 822)	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
1. E. Rental/Leasing Services without Operators	
a) Leasing or rental services concerning vessels without operator (CPC 83103)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
b) Leasing or rental services concerning aircraft without operator (CPC 83104)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
c) Leasing or rental services concerning other means of transport without operator (limited to private cars without operator CPC 83101)	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Leasing or rental services concerning means of maritime transport without operator	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
d) Leasing or rental services concerning other machinery and equipment without operator:	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental services concerning agricultural and fishery machinery and equipment (CPC 83106)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons)..
- Rental services concerning machinery	1), 2) and 3) None

Sector or subsector	Limitations on market access
and equipment for industry (CPC 83109)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e) Other	1), 2) and 3) None
- Rental services concerning electronic equipment for data processing (CPC 83108)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Leasing or rental services concerning other personal or household goods (CPC 83209)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental services concerning office equipment and furniture (CPC 83108)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental services concerning televisions, sound equipment, video- cassette recorders and musical instruments (CPC 83201)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental services concerning professional photographic equipment and projectors (CPC 83209)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental services concerning other machinery, equipment and furniture not mentioned above (CPC 83109)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
1. F. Other Business Services	
a) Advertising and related activities (excluding broadcasting as well as restricted radio and television services) (CPC 871)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
b) Market research services (CPC 8640)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
c) Management consulting services	1), 2) and 3) None

Sector or subsector	Limitations on market access
(CPC 8650)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
d) Administrative formalities and collection services (CPC 8660)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e) Technical testing and analysis services (CPC 8676)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
f) Services incidental to agriculture, hunting and forestry -Services incidental to agriculture (CPC 8811 limited to professional services incidental to agriculture)	1) and 2) None 3) None except as indicated in 1.A Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Services incidental to animal husbandry (CPC 8812 limited to professional services incidental to animal husbandry)	1) and 2) None 3) None except as indicated in 1.A 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Services incidental to forestry and logging (CPC 88104)	1) and 2) None 3) None except as indicated in 1.A 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
g) Services incidental to fishing (CPC 882)	1), 2) and 3) None 4) Unbound except as indicated in Temporary Entry for Business Persons Chapter.
k) Placement and supply of services of personnel (CPC 8720)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).

Sector or subsector	Limitations on market access
l) Protection and guard services (CPC 8730)	<p>1) Unbound</p> <p>2) None.</p> <p>3) None, except that the requirements laid down for each specific means of transport must be fulfilled.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
n) Maintenance and repair of equipment except maritime vessels, aircraft and other transport equipment:	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Repair and maintenance of industrial machinery and equipment (CPC 8862)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Repair and maintenance of professional technical equipment and instruments (CPC 8866)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Repair services incidental to metal products, machinery and equipment. (CPC886)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Repair and maintenance of machinery and equipment for general use, not assignable to any specific activity (CPC 886)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
o) Building-cleaning services (CPC 8740)	<p>1) None</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
p) Photographic services	<p>1) None</p>
- Photography and motion-picture	<p>2) Unbound*</p>

Sector or subsector	Limitations on market access
processing services (CPC 87505 and 87506)	<p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
<p>r) Printing, publishing (CPC 88442) Only includes:</p> <ul style="list-style-type: none"> - Publishing of books and similars - Printing and binding (except newsprint for circulation exclusively in the Mexican territory) Auxiliary and related industries with editing and printing (excludes manufacturing for printing types which are classified into 3811 branch, “casting and moulding of ferrous and nonferrous metal parts”). 	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
s) Convention services (CPC 87909***)	<p>1)Unbound*</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
t) Other	
- Credit reporting services (CPC 87901)	<p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Speciality design services (CPC 87907)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Industrial design services (CPC 86725)	<p>1), 2) and 3) None</p>

Sector or subsector	Limitations on market access
	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Photocopying and similar services (CPC 87904)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Translation and interpretation services (CPC 87905)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Laundry collection services (CPC 97011)	1)Unbound* 2)None 3)None 4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
2.COMMUNICATION SERVICES	
B. Courier services -Courier services (CPC 7512)	1) Unbound 2) None 3) None, except that the requirements laid down for each specific means of transport must be fulfilled. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
C. Telecommunication Services Telecommunications services supplied by facilities based public telecommunications network (wire-based and radioelectric) through any technological medium, included in subparagraphs (a), (b), (c), (f), (g) and (o)	1) The international traffic only may be routed through international ports of a natural person or juridical person with a concession granted by the regulatory agency to install, operate or use a public telecommunication network in the Mexican territory authorized to provide long distance service. 2) None 3) The Federal Telecommunications Institute (<i>Instituto Federal de telecomunicaciones, IFT</i>),

Sector or subsector	Limitations on market access
	<p>shall reserve for community indigenous FM radio stations ten per cent of broadcasting band of FM that goes from 88 to 108 MHz. Such percentage shall be granted as concession for the upper part of the referred band.</p> <p>The Institute shall directly assign 90 MHz of the 700 MHz band for the operation and exploitation of a wholesale shared network through a concession for commercial use.</p> <p>Resellers of telecommunications of long distance and international long distance may contract telecommunications services (exclusively) with authorized concessionaires.</p> <p>The economic agent who has been declared preponderant in the telecommunications sector or the concessionaires that are part of the economic group to which the declared preponderant agent belongs to may not participate directly or indirectly in any reseller.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
a) Telephony Services (CPC 75211, 75212)	<p>1) As indicated in 2.C.1).</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
b) Packet-switched data transmission services (CPC 7523**)	<p>1) As indicated in 2.C.1).</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
c) Circuit-switched data transmission services (CPC 7523**)	<p>1) As indicated in 2.C.1).</p>

Sector or subsector	Limitations on market access
	<p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
f) Facsimile services (CPC 7521**+7529**)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
g) Private leased circuit services (CPC 7522**+7523**)	<p>1) As indicated in 2.C.1). In Mexico it is not allowed allow the resale of private leased circuits to private networks.</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
o) Others	
- Paging services (CPC 75291)	<p>1) As indicated in 2.C.1).</p> <p>2) None</p> <p>3) As indicated in 2.C.3)</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Cellular telephony (75213**)	<p>1) As indicated in 2.C.1).</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Resellers ²	<p>1) As indicated in 2.C.1).</p>

² Companies which, without owning transmission means, provide third parties with telecommunications services by using capacity leased from a public network concessionaire.

Sector or subsector	Limitations on market access
	<p>2) None</p> <p>3) None, except that the establishment and operation of resellers is invariably subject to the relevant regulations. The Federal Telecommunications Institute (<i>Instituto Federal de Telecomunicaciones, IFT</i>) will not issue permits for the establishment of a reseller until the corresponding regulations are issued.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
<p>- Other telecommunication services. Value-added services (Services that use public telecommunication network and have effect on the format, content, code, protocol, storage or similar aspects of the information transmitted by a user and which market users with additional information, different and restructured, or involve interaction user with information stored).³</p>	<p>1) Registration before the Federal Telecommunications Institute (<i>Instituto Federal de Telecomunicaciones, IFT</i>) is required to provide Value Added Services. The Value Added Services originated overseas destined to the Mexican territory may only be taken and delivered in Mexico through infrastructure or facilities of a public telecommunications network concessioner.</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
2.D. Audiovisual services	
<p>a) Private production of cinematographic films (CPC 96112)</p>	<p>1), 2) and 3) None, except that film screening requires a permit issued by the Ministry of the Interior (<i>Secretaría de Gobernación</i>).</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>

³ Value Added Services are not those services for which its establishment, operation or exploitation make use of transmission infrastructure owned by the service provider, unless the service provider has the appropriate license or permit to establish, operate or exploit a public telecommunications network. It does not include those value-added services, the provision requiring the obtaining of licenses and permits including, without limitation, the following services: voice telephony, regardless of the technology used (VoIP) in its modalities of local service; long distance telephony; simple resale of leased private circuits, mobile telephony, mobile or fixed radio telephony, cable television, paid television using microwaves and satellite; paging services, trucking services; private or maritime radio-communication; restricted radio; data transmission; videoconferencing and vehicle radiolocation.

Sector or subsector	Limitations on market access
b) Private film-screening services (CPC 96121)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
<p>c) Radio and Television Services (CPC9613)</p> <p>- broadcasting (radio and free to air television)</p>	<p>1) None</p> <p>2) None</p> <p>3) The Federal Institute of Telecommunications (<i>Instituto Federal de Telecomunicaciones, IFT</i>) shall grant upon request authorizations to access the multiprogramming. In the case of concessionaires belonging to an agent declared preponderant the IFT will not authorize the transmission of a number of channels greater than 50 per cent of the total amount of broadcasted television channels, including the multiprogramming ones, authorized for other concessionaires that are broadcasting in the region covered.</p> <p>Concessionaires of commercial, public and social use providing broadcasting service shall have daily free transmission in each station and for each programming channel, of duration up to 30 minutes whether continuous or discontinuous, dedicated to disseminate educational, cultural and social interest topics.</p> <p>In addition to the time set for the State, all concessionaires of commercial, public and social use providing broadcasting services shall be required to broadcast simultaneously in radio stations and television channels in the country when it comes to transmitting information of concern to the nation, according to the Ministry of Interior (<i>Secretaría de Gobernación</i>).</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Restricted radio and television services	<p>1)None</p> <p>2)None</p>

Sector or subsector	Limitations on market access
	<p>3)Concessionaires providing restricted or audio services shall reserve at no charge channels for the distribution of federal public institutions' television signals as indicated by the executive through the Federal Executive branch as follows:</p> <p>I. A channel with the service consists of 31 to 37 channels;</p> <p>II. Two channels, when the service consists of 38 to 45 channels, and</p> <p>III. Three channels, when the service consists of 46 to 64 channels. Beyond this last number, a channel shall be added for every 32 transmission channels.</p> <p>When the service consists of up to 30 channels, The Ministry may require, that a specific canal dedicates up to six hours daily for transmission of programming as indicated by the Ministry of the Interior (<i>Secretaría de Gobernación</i>).</p> <p>Concessionaires providing broadcasting or restricted television and audio services, as well as programmers and signals operators shall maintain a balance between advertising and programming transmitted daily, and the following rules shall apply:</p> <p>I. concessionaires of commercial use broadcasting:</p> <p>a) in television stations, the time spent on commercial advertising shall not exceed 18 percent of the total transmission time per programming channel, and</p> <p>b) in radio stations, the time spent on commercial advertising shall not exceed 40 percent of the total transmission time per programming channel.</p> <p>The length of commercial advertising does not include transmissions of the station own advertising, nor does it include State time and other Executive Branch provisions or programmes offering products or services;</p>

Sector or subsector	Limitations on market access
	<p>II. concessionaires of restricted television, and audio may transmit, daily and per channel, up to six minutes of advertising for every hour of transmission.</p> <p>For purposes of corresponding calculation, advertising in the broadcast signals that are retransmitted and programming channels own advertising shall not be considered, and the channels exclusively dedicated to programmes of product offerings, shall be exempted from the limit stated in the previous paragraph.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
3.CONSTRUCTION AND RELATED ENGINEERING SERVICES	
<p>General construction work for buildings</p> <p>-Residential or housing building (CPC 5121 and 5122)</p>	<p>1)Unbound</p> <p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound</p>
<p>-Non-residential buildings (CPC 5124, 5127 and 5128)</p>	<p>1)Unbound</p> <p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound</p>
<p>General construction work for civil engineering</p> <p>-Construction of urban development works (CPC 5131 and 5135)</p>	<p>1)Unbound</p> <p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Construction of industrial buildings	1)Unbound

Sector or subsector	Limitations on market access
(excluding electric power stations and plants for the piping of oil and oil products (CPC 52121)	<p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Other construction (excluding construction of maritime and river works, highway and transport works and track construction) (CPC 52269)	<p>1)Unbound</p> <p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
D. Building completion and finishing work	
- Electrical, plumbing and drainage installations in buildings (excluding telecommunication installations and other special installations) (CPC 5161-5164)	<p>1)Unbound</p> <p>2)Unbound*</p> <p>3)None</p> <p>4)Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
E. Other	<p>1) Unbound</p> <p>2) Unbound*</p> <p>3) None, except that services relating to visual and electronic aids for runways are subject to authorization by the Ministry of Communication and Transports (<i>Secretaría de Comunicaciones y Transportes, SCT</i>).</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
4. DISTRIBUTION SERVICES	
4.A Trade intermediary services (CPC 621) (includes sales agents who are not considered within the paid staff of any establishment in particular).	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>

Sector or subsector	Limitations on market access
4. B. Wholesale trade services -Wholesale trade of non-food products, including animal feed (excluding petroleum-based fuels, coal, firearms, cartridges and ammunition) (CPC 622)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Commission agents' services (CPC 62113 – 621118)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Wholesale trade of food, beverages and tobacco (CPC 6222)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Wholesale trade services (CPC 622)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
4. C. Retail trade services: -Retail sales of food, beverages and tobacco in specialized establishments (CPC 6310)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Retail sales of food products in supermarkets, self-service stores and shops (CPC 6310)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Retail sales of non-food products in department stores and shops (CPC 632)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Retail sales of motor vehicles, including tyres and spare parts (CPC 61112)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Retail sales of non-food products in specialised establishments (excluding retail sales of liquefied fuel gas,	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16

Sector or subsector	Limitations on market access
charcoal, coal and other non-petroleum-based fuels, paraffin, fuel, and tractor vaporising oil (TVO), gasoline and diesel, firearms, cartridges and ammunition) (CPC 6329)	(Temporary Entry for Business Persons).
4.D. Franchise services	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
5.PRIVATE EDUCATION SERVICES	
5. A. Primary education services (CPC 921)	1) and 2) None 3) None except that prior authorization is required from the Ministry of Public Education (<i>Secretaría de Educación Pública, SEP</i>) or the State authority. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
5. B. Secondary education services (CPC 922)	1) and 2) None 3) None except that prior authorization is required from the Ministry of Public Education (<i>Secretaría de Educación Pública, SEP</i>) or the State authority. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
5. C. Higher education services (CPC 923)	1) and 2) None 3) None except that prior authorization is required from the Ministry of Public Education (<i>Secretaría de Educación Pública, SEP</i>) or the State authority. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
5. E. Other education services: - Language education, special education and commercial training (CPC 9290)	1) and 2) None 3) None, except that prior authorization is required from the Ministry of Public Education

Sector or subsector	Limitations on market access
	<p>(<i>Secretaría de Educación Pública, SEP</i>) or the State authority.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
6. ENVIRONMENTAL SERVICES⁴	
6. A. Sewage services (CPC 9401)	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
6. B. Additional environmental services	1) Unbound
- Refuse disposal services (CPC 9402)	<p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Protection of ambient air and climate (CPC 9404)	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Noise abatement services (CPC 9405)	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
Nature and landscape protection services (CPC 9406)	1) Unbound

⁴ The level of disaggregation of each of this sector's subsectors is interpreted in accordance with Mexico's domestic legislative framework and may not correspond exactly to the stated CPC classification.

Sector or subsector	Limitations on market access
	2) None 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Limited to environmental impact assessments and Consultancy services for environmental protection services (CPC 9409)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
6. C. Sanitation services (CPC 94030)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
8. HEALTH RELATED AND SOCIAL SERVICES	
8. A. Private hospital services (CPC 9311)	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
8. B. Other human health services. - Private services of clinical laboratories auxiliary to medical diagnosis (CPC 93199)	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Other private services auxiliary to medical treatment (CPC 93191)	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16

Sector or subsector	Limitations on market access
	(Temporary Entry for Business Persons).
- Dental prosthesis laboratory services (CPC 93123)	1) Unbound 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
9.TOURISM AND TRAVEL RELATED SERVICES	
9. A. Hotel and restaurant services	
- Hotel services (CPC 6411)	1), 2) and 3) None, except for the requirement of holding a permit to engage in the activity from the competent authority (Central, Regional or Local). 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Motel services (CPC 6412)	1) Unbound* 2) None 3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Board and lodging in guest houses and furnished accommodation (CPC 64192 and 64193)	1) Unbound* 2) None 3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Youth hostels and temporary camping facilities (CPC 64194)	1) Unbound* 2) None

Sector or subsector	Limitations on market access
	<p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Camping facilities for mobile homes (trailer parks) (CPC 64195)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Restaurant services (CPC 642)	<p>1), 2) and 3) None, except for the requirement of holding a permit to engage in the activity from the competent authority (Central, Regional or Local).</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Cabarets and night clubs (CPC 6432)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
- Canteens, bars and taverns (CPC 6431)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>

Sector or subsector	Limitations on market access
B. Travel agencies and tour operators (CPC 7471)	<p>1) None</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
C. Tourist guide services (CPC 7472)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
9. D. Others	
<p>- Spa services (CPC 97029)</p> <p>Only includes: Private services in social centres, recreational and sports. Also, sports clubs services, gyms, spas, swimming pools, sports fields, billiards, bowling, horses and bicycles.</p> <p>Excludes boats rental.</p>	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
Catering services, providing meals to outside (CPC 6423) (other than service on aircraft and in airports)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>

Sector or subsector	Limitations on market access
Bar services with entertainment (only in hotels and other lodging places)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
Public house services without entertainment (CPC 6431) (except in hotels, other lodging places and other means of transport)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except a permit from the competent authority (Central, Regional or Local) is required to engage in the activity.</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
10.RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)	
10. A. Entertainment services (including theatre, live bands and circus) (CPC 9619)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
10. B. News agency services (CPC 962)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
10. C. Libraries, archives, museums and other cultural services (CPC 963)	<p>1), 2) and 3) None</p> <p>4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).</p>
10. D. Sporting and other recreational services (CPC 964)	
- Sports event organization services (CPC 96412)	<p>1) Unbound*</p> <p>2) and 3) None</p>

Sector or subsector	Limitations on market access
	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Sports facility operation services (CPC 96413)	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Other sporting services (only services provided by sport and game schools) (CPC 96419)	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Promotion of sports services (CPC 96411)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11.TRANSPORT SERVICES	
A. Maritime transport services International Transport (freight and passengers) (CPC 7211 and 7212, other than cabotage transport)	1) Scheduled, bulk, tramp and other international maritime transport, including passenger transport. Specific international high-sea transport may be reserved wholly or partly for shipping companies which are Mexican, or recognized as such, when the principles of free competition are not observed and the national economy is affected. 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Supporting services for water transport (CPC 745) (includes operation and maintenance of docks; loading and unloading of vessels at shore-side; marine cargo handling, operation and maintenance of piers; ship and boat cleaning; stevedoring; transfer of cargo between ships and trucks, trains, pipelines and wharves; waterfront	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).

Sector or subsector	Limitations on market access
terminal operations)	
-Supporting services for water transport (CPC 745) (limited to Maritime Port Administration, Lake and Rivers)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Maritime cargo handling services	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Storage and warehousing services, except general bonded warehouses (CPC 742)	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Container station and depot services	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Maritime agency services	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Maritime freight forwarding services	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Vessel maintenance and repair	1) Unbound* 2) and 3) None

Sector or subsector	Limitations on market access
	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11. C. Air transport services	
e) Supporting services for air transport -Airport and heliport administration services	1) Unbound 2) None 3) None, except that a concession from the Ministry of Communications and Transport (<i>Secretaría de Comunicaciones y Transportes, SCT</i>) is required to operate an airport. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11. E. Rail transport services	1) Unbound*
c. Pushing or towing services (CPC 7113)	2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e. Supporting services for railway transport (CPC 743)	1) Unbound* 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11. F. Road transport services	1), 2) and 3) None
d) Maintenance and repair of road transport equipment. -Motor vehicle maintenance and repair services (CPC 6112 and 8867)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
Other supporting services for road transport (CPC 74490) (limited to main bus and truck terminals and bus and truck stations)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
e) Supporting services for road transport services (CPC 744) limited to Management Services of Roads,	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16

Sector or subsector	Limitations on market access
Bridges and Auxiliary Services	(Temporary Entry for Business Persons).
11. G. Pipeline transport.	1), 2) and 3) None
b) Transportation of other goods (CPC 7139) limited to Non-energy Pipelines)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11. H. Services auxiliary to all modes of transport	
- Weighbridge services for transport purposes (CPC 7490)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Supporting services for air transport	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
11.I. Other transport services	1) Unbound
- Tramway transport (CPC 71211)	2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Subway transport (CPC 71211)	1) Unbound except as indicated in the horizontal section 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Rental of commercial vehicles with operator (CPC 7124)	1) Unbound except as indicated in the horizontal section 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
12. OTHER SERVICES	
-Repair of footwear and other articles of leather and skins	1), 2) and 3) None

Sector or subsector	Limitations on market access
-Footwear and leather goods repair services (CPC 63301)	4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Repair of electronic appliances mainly for household use (CPC 63302) - Repair services of electrical household appliances (CPC 63302)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Repair of clocks, watches and jewelry (CPC 63303) - Watch, clock and jewelry repair services (CPC 63303)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Repair and cleaning of headgear (CPC 63304)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
-Repair of bicycles (CPC 63309) - Bicycle repair (CPC 63309)	1), 2) and 3) None 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).
- Locksmiths' trade (CPC 63309)	1) and 2) None 3) None, except that regional and local authorities are responsible for authorizing these services. 4) Unbound, except as indicated in Chapter 16 (Temporary Entry for Business Persons).

* Unbound due to technical unfeasibility.

** The specified service constitutes only a part of the total number of activities covered by the corresponding CPC code.

*** The specified service is an element of a bigger CPC code added in another place in the list.

ANNEX II

SCHEDULE OF THE UNITED STATES

Sector: Communications

Sub-Sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Most-Favored-Nation Treatment (Articles 14.5 and 15.4)

Description: Investment and Cross-Border Trade in Services

With respect to Canada, the United States reserves the right to:

- (a) adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services; and
- (b) prohibit a person of a Party from offering DTH or DBS television and digital audio services into the territory of the United States unless that person establishes that the Party of which it is a person:
 - (i) permits U.S. persons to obtain a license for such services in that Party in similar circumstances; and
 - (ii) treats the supply of audio or video content originating in the Party no more favorably than the supply of audio or video content originating in a non-Party or any other Party.

Existing Measures:

Sector: Communications - Cable Television

Sub-Sector:

Obligations Concerned: National Treatment (Article 14.4)
Senior Management and Boards of Directors (Article 14.11)

Description: Investment

The United States reserves the right to adopt or maintain any measure that prohibits a person of a Party from owning or operating a cable television system in the territory of the United States unless that person establishes that the Party:

- (a) permits U.S. persons to own or operate such systems in the territory of the Party under similar circumstances; and
- (b) treats the supply of video content originating in the Party no more favorably than the supply of content of any other Party or non-Party.

A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors, or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.

Existing Measures:

Sector: Social Services

Sub-Sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Most-Favored-Nation Treatment (Articles 14.5 and 15.4)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.

Existing Measures:

Sector: Minority Affairs

Sub-Sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the *Alaska Native Claims Settlement Act*.

Existing Measures: *Alaska Native Claims Settlement Act*, 43 U.S.C. §§ 1601 *et seq.*

Sector: Transportation

Sub-Sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Most-Favored-Nation Treatment (Articles 14.5 and 15.4)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:

- (a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways;
- (b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades;
- (c) requirements for investment in, ownership or control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone;
- (d) requirements related to documenting a vessel under the U.S. flag;
- (e) promotional programs, including tax benefits, available for shipowners, operators, and vessels meeting certain requirements;
- (f) certification, licensing, and citizenship requirements for crew members on U.S.-flagged vessels;
- (g) manning requirements for U.S.-flagged vessels;
- (h) all matters under the jurisdiction of the Federal Maritime Commission;

- (i) negotiation and implementation of bilateral and other international maritime agreements and understandings;
- (j) limitations on longshore work performed by crew members;
- (k) tonnage duties and light money assessments for entering U.S. waters; and
- (l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters.

The following activities are not included in this reservation. However, the treatment provided to a Party in (b) is conditional upon obtaining comparable market access in these sectors from that Party:

- (a) vessel construction and repair; and
- (b) landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.

Existing Measures:

Merchant Marine Act of 1920, §§ 19 and 27, 46 U.S.C. §§ 12101, 12118, 12120, 12132, 12139, 12151, 42101-42109, 55102, 55105-55110, 55115-55119, 58108
Waiver of the Navigation and Vessel-Inspection Laws, 46 U.S.C. § 501
Shipping Act of 1916, 46 U.S.C. §§ 50501, 56101, 57109, 50111
Merchant Marine Act of 1936, 46 U.S.C. §§ 109, 114, 50111, 50501, 53101 note, 53301-53312, 53501-53517, 53701-53718, 53721-53725, 53731-53735, 55304-55305, 57101-57104, 57301-57308
Merchant Ship Sales Act of 1946, 50 U.S.C. App. 1738
 46 U.S.C. §§ 55109, 55111, 55118, 60301-60302, 60304-60306, 60312, 80104
 46 U.S.C. §§ 12101 *et seq.*, 12112, 12121, and 31301 *et seq.*
 46 U.S.C. § 8904
Passenger Vessel Services Act, 46 U.S.C. § 55103
 42 U.S.C. §§ 9601 *et seq.*; 33 U.S.C. §§ 2701 *et seq.*; 33 U.S.C. §§ 1251 *et seq.*
 46 U.S.C. §§ 3301 *et seq.*, 3701 *et seq.*, 8103, and 12107(b)

The Foreign Shipping Practices Act of 1988, 46 U.S.C. §§ 306, 41108, 42101, 42301-42307
Merchant Marine Act, 1920, 46 U.S.C. §§ 50101, 50302, 53101 note, 57108
Shipping Act of 1984, 46 U.S.C. §§ 305-306, 40101 note, 40101-40104, 40301-40307, 40501-40503, 40701-40706, 40901-40904, 41101-41109, 41301-41309, 42101, 42301-42307
Exports of Alaskan North Slope Oil, 104 P. L. 58, Title II; 109 Stat. 557, 560-63; codified at 30 U.S.C. §§ 185(s), 185 note
 Limitations on performance of longshore work by alien crewmen, 8 U.S.C. § 1288
Maritime Transportation Security Act of 2002, P. L. 107-295, § 404; 116 Stat. 2064, 2114-15, codified at 46 U.S.C. § 55112
Nicholson Act, 46 U.S.C. § 55114
Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987, P. L. 100-239; 101 Stat. 1778, codified in part at 46 U.S.C. §§ 108, 2101, 2101 note, 12113
 43 U.S.C. § 1841
 22 U.S.C. § 1980
 46 U.S.C. § 9302, 46 U.S.C. § 8502; Agreement Governing the Operation of Pilotage on the Great Lakes, Exchange of Notes at Ottawa, August 23, 1978, and March 29, 1979, TIAS 9445
Magnuson Fishery Conservation and Management Act, 16 U.S.C. §§ 1801 *et seq.*
 Equipment and Repair of Vessels, 19 U.S.C. § 1466
North Pacific Anadromous Stocks Act of 1992, P. L. 102-567; *Oceans Act of 1992*, P. L. 102-587
Tuna Convention Act, 16 U.S.C. §§ 951 *et seq.*
South Pacific Tuna Act of 1988, 16 U.S.C. §§ 973 *et seq.*
Northern Pacific Halibut Act of 1982, 16 U.S.C. §§ 773 *et seq.*
Atlantic Tunas Convention Act, 16 U.S.C. §§ 971 *et seq.*
Antarctic Marine Living Resources Convention Act of 1984, 16 U.S.C. §§ 2431 *et seq.*
Pacific Salmon Treaty Act of 1985, 16 U.S.C. §§ 3631 *et seq.*
American Fisheries Act, 46 U.S.C. § 12113 and 46 U.S.C. § 31322

Sector: Land Transportation

Sub-Sector:

Obligations Concerned: National Treatment (Article 15.3)
Most-Favored-Nation Treatment (Article 15.4)
Local Presence (Article 15.6)

Description: Cross Border Trade in Services

Notwithstanding the entry at ANNEX I – UNITED STATES – 9, the United States reserves the right to adopt or maintain limitations on grants of authority for persons of Mexico to provide cross-border long-haul truck services in the territory of the United States outside the border commercial zones if the United States determines that limitations are required to address material harm or the threat of material harm to U.S. suppliers, operators, or drivers.¹ The United States may only adopt such limitations on existing grants of authority if it determines that a change in circumstances warrants the limitation² and if the limitation is required to address material harm.³ The Parties shall meet no later than five years after the entry into force of this agreement to exchange views on the operation of this entry.

Existing Measures:

¹ For purposes of this entry, “material harm” means a significant loss in the share of the U.S. market for long-haul truck services held by persons of the United States caused by or attributable to persons of Mexico.

² For greater certainty, a substantial increase in services supplied by the grantee may constitute a change in circumstances.

³ The Parties confirm their shared understanding that current operations under existing grants of authority as of the date of entry into force of this Agreement are not causing material harm.

Sector: Betting and Gambling

Sub-Sector:

Obligations Concerned: National Treatment (Articles 14.4 and 15.3)
Performance Requirements (Article 14.10)
Senior Management and Boards of Directors (Article 14.11)
Market Access (Article 15.5)
Local Presence (Article 15.6)

Description: Investment and Cross-Border Trade in Services

The United States reserves the right to adopt or maintain any measure relating to betting and gambling services.

Existing Measures:

Sector: All

Sub-Sector:

Obligations Concerned: Market Access (Article 15.5)

Description: Cross-Border Trade in Services

The United States reserves the right to adopt or maintain any measure that is not inconsistent with the United States' obligations under Article XVI of the General Agreement on Trade in Services as set out in the U.S. Schedule of Specific Commitments under the GATS (GATS/SC/90, GATS/SC/90/Suppl.1, GATS/SC/90/Suppl.2, and GATS/SC/90/Suppl.3).

For purposes of this entry only, the U.S. Schedule of Specific Commitments is modified as indicated in Appendix II-A.

Existing Measures:

Sector: All

Sub-Sector:

Obligations Concerned: Most-Favored-Nation Treatment (Articles 14.5 and 15.4)

Description: Investment and Cross-Border Trade in Services

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

The United States reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed after the date of entry into force of this Agreement involving:

- (a) aviation;
- (b) fisheries; or
- (c) maritime matters, including salvage.

Existing Measures:

Appendix II-A

For the following Sectors, U.S. obligations under Article XVI of the GATS as set out in the U.S. Schedule of Specific Commitments under the GATS (GATS/SC/90, GATS/SC/90/Suppl.1, GATS/SC/90/Suppl.2, and GATS/SC/90/Suppl.3) are improved as described.

Sector/Subsector	Market Access Improvements
Foreign Legal Consulting Services	<p>Insert new commitments for the following states:</p> <p>Louisiana, New Mexico: No limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.</p> <p>Arizona, Indiana, Massachusetts, North Carolina, Utah: No limitations modes 1-2; for mode 3 “in-state law office required”, and mode 4 “Unbound, except as indicated in the horizontal section. Additionally, an in-state law office required”.</p> <p>Missouri: No limitations modes 1-2; for mode 3 “Association with in-state law office required”, and mode 4 “Unbound, except as indicated in the horizontal section. Additionally, association with an in-state law office required”.</p>
Accounting, Auditing, and Bookkeeping Services	<p>Modify mode 3 limitation as follows: Sole proprietorships or partnerships are limited to persons licensed as accountants, except in Iowa where accounting firms must incorporate</p> <p>Modify mode 4 limitation as follows: In addition, an in-state office must be maintained for licensure in to receive a license to perform audits in:</p>
Engineering Services Integrated Engineering Services	Replace existing description of Mode 4 with “Unbound, except as indicated in the horizontal section”.
Research and development services: R&D services on natural sciences, social sciences and humanities, and interdisciplinary R&D services, excluding R&D financed in whole or in part by public funds	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Technical testing and analysis services, other	Insert new commitments with no limitations for

Sector/Subsector	Market Access Improvements
than government-mandated services or services financed in whole or in part by public funds	modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Other business services: Other	Insert new commitments for “Other” under “Other business services” with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Express Delivery Services	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Other Delivery Services	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Multi-channel video services over provider-owned cable systems	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Information services (the offering of a capability for generating, acquiring, storing transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing)	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Higher Education Services (except flying instruction) ⁴	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Motion Picture & Video Tape Home Video Entertainment Production and Distribution Promotion or advertising services Motion picture or video tape ⁵ production	Insert commitments according to this revised classification with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.

⁴ For transparency purposes, individual U.S. institutions maintain autonomy in admission policies, in setting tuition rates, and in the development of curricula or course content. Educational and training entities must comply with requirements of the jurisdiction in which the facility is established. In some jurisdictions, accreditation of institutions or programs may be required. Institutions maintain autonomy in selecting the jurisdiction in which they will operate, and institutions and programs maintain autonomy in choosing to meet standards set by accrediting organizations as well as to continue accredited status. Accrediting organizations maintain autonomy in setting accreditation standards. Tuition rates may vary for in-state and out-of-state residents. Additionally, admissions policies include considerations of equal opportunity for students (regardless of race, ethnicity, or gender), as permitted by domestic law, as well as recognition by regional, national, or specialty organizations; and required standards must be met to obtain and maintain accreditation. To participate in the U.S. student loan program, foreign institutions established in the United States are subject to the same requirements as U.S. institutions.

⁵ For purposes of clarity, this class refers to theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically.

Sector/Subsector	Market Access Improvements
<p>services</p> <p>Motion picture or video tape⁵ distribution services</p> <p>Other services in connection with motion pictures and video tape⁵ production and distribution</p> <p>Motion Picture Projection Services</p> <p>Radio and Television Services</p> <p>Radio and Television Distribution Services</p> <p>Other services in connection with motion pictures and video tape⁵ production and distribution⁶</p>	
<p>Environmental Services</p> <p>Wastewater Management, excluding Water for Human Use (Wastewater services (contracted by private industry))</p> <p>Solid/hazardous waste management (contracted by private industry)</p> <p>Refuse disposal services</p> <p>Sanitation and Similar Services</p> <p>Protection of ambient air and climate (Services to reduce exhaust gases and other emissions to improve air quality)</p> <p>Remediation and cleanup of soil and water (Treatment, remediation of contaminated/polluted soil and water)</p> <p>Noise and vibration abatement (Noise abatement</p>	<p>Insert commitments according to this revised classification with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.</p>

⁶ For greater clarity, distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use.

Sector/Subsector	Market Access Improvements
services) Protection of biodiversity and landscape (Nature and landscape protection services) Other environmental and ancillary services (Other services not classified elsewhere)	
Physical well-being services ^{7, 8}	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Road freight transport	Insert new commitments for domestic transportation with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.
Cargo-handling services, Storage and warehouse services, and Freight transport agency services, except maritime or air transport services	Insert new commitments with no limitations for modes 1-3 and mode 4 “Unbound, except as indicated in the horizontal section”.

⁷ For transparency purposes, this subsector includes physical well-being services such as delivered by, *inter alia*, fitness centers, spas, salons, massage (excluding therapeutic massage), and ayurvedics. This subsector does not include regulated medical services.

⁸ For greater certainty, nothing in this commitment authorizes the provision of unregulated substances or affects the ability of state authorities to regulate substances that may be affiliated with these services.