

Annex II

Schedule of Chile

Sector: All Sectors

Obligations Concerned: National Treatment (Article 10.2)
Most-Favored-Nation Treatment (Article 10.3)

Description: Investment

Chile reserves the right to adopt or maintain any measure relating to the ownership or control of land within five kilometers of the coastline that is used for agricultural activities. Such measures could include a requirement that the majority of each class of stock of a Chilean juridical person that seeks to own or control such land be held by Chilean persons or by persons residing in Chile for 183 days or more per year.

Sector:	All Sectors
Obligations Concerned:	National Treatment (Article 10.2) Senior Management and Boards of Directors (Article 10.6)
Description:	<u>Investment</u> In the transfer or disposal of any interest in stock or asset held in an existing state enterprise or governmental entity, Chile reserves the right to prohibit or impose limitations on the ownership of said interest or asset and on the right of foreign investors or their investments to control any State company created thereby or investments made by the same. In connection with any such transfer or disposal, Chile may adopt or maintain any measure related to the nationality of senior management and members of the Board of Directors. A “State company” shall mean any company owned or controlled by Chile by means of an interest share in the ownership thereof, and it shall include any company created after the effective date of this Agreement for the sole purpose of selling or disposing of its interest share in the capital or assets of an existing state enterprise or governmental entity.

Sector:	All Sectors
Obligations Concerned:	Most-Favored-Nation Treatment (Articles 10.3, 11.3)
Description:	<u>Investment and Cross-Border Services</u> Chile 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. Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any 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.

Sector:	Communications One-way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services, or direct audio broadcasting, and supplementary telecommunication services.
Obligations Concerned:	National Treatment (Article 11.2) Most-Favored-Nation Treatment (Article 11.3) Local Presence (Article 11.5)
Description:	<u>Cross-Border Services</u> Chile reserves the right to adopt or maintain any measure related to cross-border trade in one-way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services, or direct audio broadcasting, and supplementary telecommunication services.
Existing Measure:	<i>Ley 18.168</i>, Diario Oficial, octubre 2, 1982, <i>Ley General de Telecomunicaciones</i>

Sector:	Communications One-way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services, or direct audio broadcasting, and supplementary telecommunication services.
Obligations Concerned:	National Treatment (Article 10.2) Most-Favored-Nation Treatment (Article 10.3) Performance Requirements (Article 10.5) Senior Management and Boards of Directors (Article 10.6)
Description:	<u>Investment</u> Chile reserves the right to adopt or maintain any measure related to the investors or to the investments of investors of the United States in one-way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services, or direct audio broadcasting, and supplementary telecommunication services.
Existing Measure:	<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones</i>

Sector:	Issues Involving Minorities
Obligations Concerned:	National Treatment (Articles 10.2, 11.2) Most-Favored-Nation Treatment (Articles 10.3, 11.3) Local Presence (Article 11.5) Performance Requirements (Article 10.5) Senior Management and Boards of Directors (Article 10.6)
Description:	<u>Cross-Border Services and Investment</u> Chile reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.

Sector:	Issues Involving Indigenous Peoples
Obligations Concerned:	National Treatment (Articles 10.2, 10.3) Most-Favored-Nation Treatment (Articles 10.3, 11.3) Local Presence (Article 11.5) Performance Requirements (Article 10.5) Senior Management and Boards of Directors (Article 10.5)
Description:	<u>Investment and Cross-Border Services</u> Chile reserves the right to adopt or maintain any measure denying investors of the United States and their investments or service providers of the United States any rights or preferences provided to indigenous peoples.

Sector: Education

Obligations Concerned: National Treatment (Article 11.2)
Most-Favored-Nation Treatment (Article 11.3)
Local Presence (Article 11.5)

Description: Cross-Border Services

Chile reserves the right to adopt or maintain any measure relating to natural persons who render educational services, including teachers and auxiliary personnel rendering educational services in elementary education, kindergarten, pre-school, special education, primary and high school education, professional, technical, and university education, including educational establishments of any kind as well as sponsors of educational establishments, schools, lyceums, academies, training centers, professional and technical institutes, and/or universities.

This reservation does not apply to the provision of services related to second-language training, corporate, business, and industrial training and skill upgrading, which includes consulting services relating to technical support, advice, curriculum, and program development in education.

Sector: Government finances

Obligations Concerned: National Treatment (Article 10.2)

Description: Investment

Chile reserves the right to adopt or maintain any measure related to the acquisition, sale, or disposal by United States nationals of bonds, treasury securities, or any other type of debt instruments issued by the Central Bank or the Government of Chile. This non-conforming measure is not intended to affect the rights of U.S. financial institutions (banks) established in Chile to acquire, sell, or dispose of such instruments when required for purposes of regulatory capital.

Sector:	Fisheries Fishing-Related Activities
Obligations Concerned:	National Treatment (Articles 10.2, 11.2) Most-Favored-Nation Treatment (Articles 10.3, 11.3)
Description:	<u>Investment and Cross-Border Services</u> Chile retains the right to control the activities of foreign fishing, including fish landing, first landing of fish processed at sea, and access to Chilean ports (port privileges). Chile reserves the right to control the use of beaches, land adjacent to beaches (<i>terrenos de playas</i>), water-columns (<i>porciones de agua</i>), and sea-bed lots (<i>fondos marinos</i>) for the issuance of maritime concessions. For greater certainty, “maritime concessions” does not include aquaculture.
Existing Measures:	<i>Decreto Ley 2.222</i>, Diario Oficial, mayo 31, 1978, <i>Ley de Navegación</i> <i>Decreto con Fuerza de Ley 340</i>, Diario Oficial, abril 6, 1960, sobre <i>Concesiones Marítimas</i> <i>Decreto Supremo 660</i>, Diario Oficial, noviembre 28, 1988, <i>Reglamento de Concesiones Marítimas</i>

Sector: Cultural Industries

Obligations Concerned: Most-Favored-Nation Treatment (Articles 10.3, 11.3)

Description: Investment and Cross-Border Services

Chile reserves the right to adopt or maintain any measure that accords differential treatment to countries under any existing or future bilateral or multilateral international agreement with respect to cultural industries, such as audiovisual cooperation agreements. For greater certainty, government supported subsidy programs for the promotion of cultural activities are not subject to the limitations or obligations of this Agreement.

Cultural industries means persons engaged in any of the following activities:

- (a) Publication, distribution, or sale of books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing;
- (b) Production, distribution, sale, or display of recordings of movies or videos;
- (c) Production, distribution, sale, or display of music recordings in audio or video format;
- (d) Production, distribution, or sale of printed music scores or scores readable by machines; or
- (e) Radiobroadcasts aimed at the public in general, as well as all radio, television and cable television-related activities, satellite programming services, and broadcasting networks.

Sector: Social Services

Obligations Concerned: National Treatment (Articles 10.2, 11.2)
Most-Favored-Nation Treatment (Articles 10.3, 11.3)
Local Presence (Article 11.5)
Performance Requirements (Article 10.5)
Senior Management and Boards of Directors (Article 10.6)

Description: Investment and Cross-Border Services

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

Sector: Environmental Services

Obligations Concerned: National Treatment (Article 11.2)
Most-Favored-Nation Treatment (Article 11.3)
Local Presence (Article 11.5)

Description: Cross-Border Services

Chile reserves the right to adopt or maintain any measure imposing the requirement that the production and distribution of drinking water, the collection and disposal of waste water, and sanitation services, such as sewage systems, waste disposal, and waste water treatment may only be provided by juridical persons incorporated under Chilean law or created in accordance with the requirements established by Chilean law.

This reservation shall not apply to consultancy services retained by said juridical persons.

Sector: Construction Services

Obligations Concerned: National Treatment (Article 11.2)
Local Presence (Article 11.5)

Description: Cross-Border Services

Chile reserves the right to adopt or maintain any measure with respect to the provision of construction services rendered by foreign juridical persons or legal entities imposing requirements of residence, registration, and/or any other form of local presence, or imposing the obligation of giving financial security for work as a condition for the provision of construction services.

Sector	All Sectors
Obligations Concerned	Market Access (Article 11.4)
Description	<u>Investment and Cross-Border Services</u> Chile reserves the right to adopt or maintain any measure relating to Article 11.4, except for the following sectors and sub-sectors subject to the limitations and conditions listed below: <i>Legal services:</i> For (a) and (c): None, except in the case of receivers in bankruptcy (<i>síndicos de quiebra</i>) who must be duly authorized by the Minister of Justice, and they can only work in the place where they reside. For (b): None. For (d): No commitments, except as indicated in Labor Code restriction; <i>Accounting, auditing, and bookkeeping services:</i> For (a) and (c): None, except the external auditors of financial institutions must be inscribed in the Register of External Auditors of the <i>Superintendencia de Bancos e Instituciones Financieras</i> and in the <i>Superintendencia de Valores y Seguros</i>. Only firms legally incorporated in Chile as partnerships (<i>sociedades de personas</i>) or associations (<i>asociaciones</i>), and whose main line of business is auditing services, may be inscribed in the Register. For (b): None. For (d): No commitments, except as indicated in Labor Code restriction; <i>Taxation Services:</i> For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction; <i>Architectural Services:</i> For (c): None. For (d): No commitments, except as indicated in Labor Code restriction; <i>Engineering Services:</i> For (c): None. For (d): No commitments, except as indicated in Labor Code restriction. <i>Veterinary Services:</i> For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction. <i>Services provided by midwives, nurses, physiotherapists, and paramedical personnel:</i> For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction. <i>Computer and Related Services:</i> For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Real Estate Services: Involving owned or leased property or on a fee or contract basis: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Rental/leasing services without crew/operators, related to vessels, aircraft, any other transport equipment, and other machinery and equipment: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Advertising services, market research and public opinion polling services, management consulting services, services related to management consulting, technical testing, and analysis services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Services related to agriculture, hunting, and forestry: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction

Services related to mining, placement and supply services of personnel, investigation, and security services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Maintenance and repair of equipment (not including vessels, aircraft, or other transport equipment), building-cleaning services, photographic services, packing services, and convention services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Printing and publishing services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

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

Local basic telecommunication services and networks, intermediate telecommunications services, supplementary telecommunications services, and limited telecommunications services: For (a), (b), and (c): a concession granted by means of a *Decreto Supremo* issued by the *Ministerio de Transportes y Telecomunicaciones* shall be required for the installation,

operation, and exploitation of public and intermediary telecommunications services in Chilean territory. Only juridical persons organized under the Chilean law shall be eligible for such concessions.

An official decision issued by the *Subsecretaría de Telecomunicaciones* shall be required to render Supplementary Telecommunications Services, consisting of additional services provided by hooking up equipment to public networks. Said decision refers to compliance with the technical standards established by the *Subsecretaría de Telecomunicaciones* and non-alteration of the essential technical features of networks or of the permissible technological or basic service modalities provided through them.

A permit issued by the *Subsecretaría de Telecomunicaciones* shall be required for the installation, operation, and development of limited telecommunications services.

International traffic shall be routed through the installations of a company holding a concession granted by the *Ministerio de Transporte y Telecomunicaciones*.

For (d): No commitments, except as indicated in Labor Code restriction.

Commission agents services, wholesale trade services, retailing services, franchising, and other distribution: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Hotels and restaurants (including catering), travel agencies and tour operators services, and tourist guide services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Entertainment services (including theater, live bands, and circuit services), news agencies services, libraries, archives, museums, and other cultural services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Sporting and other recreational services: For (a), (b), and (c): None, except that a specific type of legal entity may be required for sporting organizations that develop professional activities. In addition, (1) it is not permitted to participate with more than one team in the same category of a sport competition; (2) specific

regulations may be established on equity ownership in sporting companies; and (3) minimal capital requirements may be imposed. For (d): No commitments, except as indicated in Labor Code restriction.

Road Transport: Freight transportation, rental of commercial vehicles with operator; maintenance and repair of road transport equipment; supporting services for road transport services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Services auxiliary to all transport: cargo handling services; storage and warehouse services; freight transport agency services: For (a), (b), and (c): None. For (d): No commitments, except as indicated in Labor Code restriction.

Pipeline Transport: Transportation of fuels and other goods: For (a), (b), and (c): None, except that the service has to be supplied by juridical persons established under Chilean law and the supply of the service may be subject to a concession on a national treatment basis. For (d): No commitments, except as indicated in Labor Code restriction.

Aircraft repair and maintenance services: For (a): No commitments. For (b) and (c): None. For (d): No commitments, except as indicated in Labor Code restriction;

Chile will set out in this Annex, within one year of the date of entry into force of this Agreement, any existing non-conforming measure that it maintains with respect to energy-related services (services incidental to energy distribution, exploration and development, and energy marketing services) and adult education (educational services related to second-language training, corporate, business, and industrial training and skill upgrading, which includes consulting services relating to technical support, advice, curriculum, and program development in education).

Consultation Clause: Either Party shall have the right to raise issues regarding coverage of Annex II on Article 11.4.

For purpose of this non-conforming measure:

1. (a) refers to the supply of a service from the territory of one Party into the territory of the other Party;
2. (b) refers to the supply of a service in the territory of a Party by

one person of that Party to a person of the other Party;

3. (c) refers to the supply of a service in the territory of a Party by an investor of the other Party or by a covered investment; and

4. (d) refers to the supply of a service by a national of a Party in the territory of the other Party.

Annex II

1. The Schedule of a Party sets out, pursuant to Articles 10.7 (Investment – Non-Conforming Measures) and 11.6 (Cross-Border Trade in Services – 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 10.2 or 11.2 (National Treatment);
 - (b) Article 10.3 or 11.3 (Most-Favored-Nation Treatment);
 - (c) Article 11.5 (Local Presence);
 - (d) Article 10.5 (Performance Requirements);
 - (e) Article 10.6 (Senior Management and Boards of Directors); or
 - (f) Article 11.4 (Market Access).
2. Each annex entry sets out the following elements:
 - (a) **Sector** refers to the sector for which the entry is made;
 - (b) **Obligations Concerned** specifies the obligation(s) referred to in paragraph 1 that, pursuant to Articles 10.7(2) and 11.6(2), do not apply to the sectors, subsectors, or activities listed in the entry;
 - (c) **Description** sets out the scope of the sectors, subsectors, or activities covered by the entry; and
 - (d) **Existing Measures** identifies, for transparency purposes, existing measures that apply to the sectors, subsectors, or activities covered by the entry.
3. In accordance with Article 10.7(2) and 11.6(2), 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.
4. For greater certainty, Article 11.4 refers to non-discriminatory measures.

Annex II
Schedule of United States

Sector: Communications

Obligations Concerned: Most-Favored-Nation Treatment (Articles 10.3, 11.3)

Description: Investment and Cross-Border Services

The United States reserves the right to 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.

Sector: Social Services

Obligations Concerned: National Treatment (Articles 10.2, 11.2)
Most-Favored-Nation Treatment (Articles 10.3, 11.3)
Local Presence (Article 11.5)
Performance Requirements (Article 10.5)
Senior Management and Boards of Directors (Article 10.6)

Description: Investment and Cross-Border 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.

Sector:	Minority Affairs
Obligations Concerned:	National Treatment (Articles 10.2, 11.2) Local Presence (Article 11.5) Performance Requirements (Article 10.5) Senior Management and Boards of Directors (Article 10.6)
Description:	<u>Investment and Cross-Border Services</u> 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 <i>Alaska Native Claims Settlement Act</i> .
Existing Measures:	<i>Alaska Native Claims Settlement Act</i> , 43 U.S.C. §§ 1601 <u>et seq.</u>

Sector: Transportation

Obligations Concerned: National Treatment (Articles 10.2, 11.2)
Most-Favored-Nation Treatment (Articles 10.3, 11.3)
Local Presence (Article 11.5)
Performance Requirements (Article 10.5)
Senior Management and Boards of Directors (Article 10.6)

Description: Investment and Cross-Border 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:

- (a) For investment and cross border services:
 - (i) vessel repair services; and
 - (ii) the following port-related activities: operation and maintenance of docks; operation and maintenance of piers; ship and 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.
- (b) For investment:
 - (i) loading and unloading of vessels directly to or from land;
 - (ii) marine cargo handling;
 - (iii) transfer of cargo between vessels and trucks, trains, pipelines, and wharves; and
 - (iv) waterfront terminal operations.

Existing Measures:

Merchant Marine Act of 1920, §§ 19 and 27, 46 App. U.S.C. § 876 and § 883 et seq.
Jones Act Waiver Statute, 64 Stat 1120, 46 U.S.C. App., note

preceding Section 1

Shipping Act of 1916, 46 U.S.C. App. §§ 802 and 808

Merchant Marine Act of 1936, 46 U.S.C. App. §§ 1151 et seq., 1160-61, 1171 et seq., 1241(b), 1241-1, 1244, and 1271 et seq.

Merchant Ship Sales Act of 1946, 50 U.S.C. App. § 1738

46 App. U.S.C. §§ 121, 292, and 316

46 U.S.C. §§ 12101 et seq. and 31301 et seq.

46 U.S.C. §§ 8904 and 31328(2)

Passenger Vessel Act, 46 App. U.S.C. § 289

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)

Shipping Act of 1984, 46 App. U.S.C. §§ 1708 and 1712

The Foreign Shipping Practices Act of 1988, 46 App. U.S.C. § 1710a

Merchant Marine Act, 1920, 46 App. U.S.C. §§ 861 et seq.

Shipping Act of 1984, 46 App. U.S.C. §§ 1701 et seq.

Alaska North Slope, 104 Pub. L. 58; 109 Stat. 557

Longshore restrictions and reciprocity, 8 U.S.C. §§ 1101 et seq.

Vessel escort provisions, Section 1119 of Pub. L. 106-554, as amended

Nicholson Act, 46 App. U.S.C. § 251

Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987,

46 U.S.C. § 2101 and 46 U.S.C. § 12108

43 U.S.C. § 1841

22 U.S.C. § 1980

Intercoastal Shipping Act, 46 U.S.C. App. § 843

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.

19 U.S.C. § 1466

North Pacific Anadromous Stocks Convention Act of 1972, P.L. 102-587; *Oceans Act of 1992*, Title VII

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. § 12102(c) and 46 U.S.C. § 31322(a)

Sector: All

Obligations Concerned: Market Access (Article 11.4)

Description: Investment and Cross-Border 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.

Sector: All

Obligations Concerned: Most-Favored-Nation Treatment (Articles 10.3, 11.3)

Description: Investment and Cross-Border 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 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.