

CHAPTER TWELVE

TEMPORARY ENTRY FOR BUSINESS PERSONS

Article 1201: General Principles

Further to Article 1202, this Chapter reflects the preferential trading relationship between the Parties, the mutual objective to facilitate temporary entry for business persons on a reciprocal basis and in accordance with Annex 1203, the need to establish transparent criteria and procedures for temporary entry and the need to ensure border security and to protect the domestic labour force and permanent employment in their respective territories.

Article 1202: General Obligations

- Each Party shall apply its measures relating to the provisions of this Chapter in accordance with Article 1201 and, in particular, shall expeditiously apply those measures so as to avoid unduly impairing or delaying trade in goods or services or conduct of investment activities under this Agreement.
- Nothing in this Chapter shall be construed to prevent a Party from applying measures to regulate the entry of natural persons into, or their temporary stay in, its territory, including those measures necessary to protect the integrity of, and to ensure the orderly movement of natural persons across, its borders, provided that such measures are not applied in such a manner as to unduly impair or delay trade in goods or services or conduct of investment activities under this Agreement.

第十二章

商务人士临时入境

第1201条：一般原则

在第1202条的基础上，本章体现了缔约方之间的优惠贸易关系、在互惠基础上并根据附件1203促进商务人士临时入境的共同目标、为临时入境建立透明标准和程序的需要，以及确保边境安全和保护各自领土内国内劳动力及永久就业的需要。

第1202条：一般义务

- 每一方应根据第1201条实施本章条款的相关措施，并应迅速实施这些措施，以避免不当损害或延迟本协定下的货物或服务贸易或投资活动的进行。
- 本章节任何规定不得解释为阻止一方采取监管自然人入境或其领土内临时停留的措施，包括为保护领土完整及确保自然人有序跨境流动所必需的措施，前提是此类措施的适用方式不得过度损害或延迟本协定下的货物或服务贸易或投资活动的进行。

Article 1203: Grant of Temporary Entry

1. Each Party shall grant temporary entry to business persons who comply with existing immigration measures applicable to temporary entry such as those relating to public health and safety and national security, in accordance with this Chapter, including the provisions of Annex 1203.
2. Subject to each Party’s labour legislation, a Party may refuse to issue a work permit or authorization to a business person where the temporary entry of that person might adversely affect:
- (a) the settlement of any labour dispute that is in progress at the place or intended place of employment; or
 - (b) the employment of any person who is involved in such dispute.
3. Each Party shall limit any fees for processing applications for temporary entry of business persons so as to not unduly impair or delay trade in goods or services or the conduct of investment activities under this Agreement.

第1203条：临时入境许可

1. 每一方应根据本章节规定（包括附件1203的条款），准予符合现行适用于临时入境的移民措施（如涉及公共卫生与安全及国家安全的措施）的商务人士临时入境。
2. 在遵守每一方劳动法规的前提下，一方可拒绝向商务人士签发工作许可或授权，若该人士的临时入境可能对以下方面产生不利影响：
- (a) 正在工作地点或预期工作地点进行的劳资纠纷的解决；或 (b) 参与此类纠纷人士的雇佣。
3. 每一方应限制处理商务人士临时入境申请的费用，以免不当损害或延迟本协定下的货物或服务贸易或投资活动的进行。

Article 1204: Provision of Information

1. Further to Article 1901 (Transparency - Publication), and recognizing the importance to the Parties of transparency of temporary entry information, each Party shall:
- (a) provide to the other Party relevant materials that will enable it to become acquainted with its measures relating to this Chapter; and
 - (b) no later than six months after the date of entry into force of this Agreement, make available explanatory material regarding the requirements for temporary entry under this Chapter in such a manner that will enable business persons of the other Party to become acquainted with them.
- 2.# Each Party shall collect and maintain, and, on request, make available to the other Party in accordance with its domestic law, data respecting the granting of temporary entry under this Chapter to business persons of the other Party who have been issued immigration documentation.

第1204条：信息提供

1. 根据第1901条（透明度-公布），并认识到临时入境信息透明度对缔约方的重要性，每一方应：
- (a) 向另一方提供相关材料，使其能够了解本章节相关的措施；以及 (b) 在本协定生效日期后不超过六个月内，

以便另一方商务人士能够了解本章节下临时入境要求的解释性材料。
2. 每一方应根据其国内法收集并保存数据，并在另一方请求时向其提供有关依据本章向已获发移民文件的另一方商务人士授予临时入境的数据。

Article 1205: Contact Points

1. The Parties hereby establish Contact Points:

- (a) in the case of Canada, the Contact Point is:
Director
Temporary Resident Policy
Immigration Branch
Citizenship and Immigration Canada

- (b) in the case of Peru, the Contact Point is:
Director
Directorate of Immigrations
General Directorate of Immigration and Naturalization
Ministry of Interior,

or the occupant of any successor position.

2. The Contact Points shall exchange information as described in Article 1204 and shall meet as required to consider matters pertaining to this Chapter, such as:

- (a) the implementation and administration of the Chapter;

- (b) the development and adoption of common criteria and interpretations for the implementation of the Chapter;

- (c) the development of measures to further facilitate temporary entry of business persons on a reciprocal basis;

第1205条：联络点

1. 缔约方特此设立联络点：

- (a) 在加拿大，联络点为：加拿大公民及移民部临时居民政策移民分局局长；(b) 在秘鲁，联络点为：内政部移民与归化总局移民司司长，或其任何继任职位担任者。

2. 联络点应按照第1204条规定交换信息，并应根据需要会面以商讨涉及本章节的相关事宜，例如：

- (a) 该章节的实施和管理；(b) 制定和采用实施该章节的共同标准和解释；(c) 制定措施以在互惠基础上进一步便利商务人士的临时入境；

- (d) proposed modifications to the Chapter; and
- (e) measures that affect the temporary entry of business persons under this Chapter.

Article 1206: Dispute Settlement

1. A Party may not initiate proceedings under the general dispute settlement provisions of this Agreement regarding a refusal to grant temporary entry under this Chapter unless:

- (a) the matter involves a pattern of practice; and
- (b) the business person has exhausted the available administrative remedies regarding the particular matter.

2. The remedies referred to in subparagraph 1(b) shall be deemed to be exhausted if a final determination in the matter has not been issued by the competent authority within one year of the institution of an administrative proceeding, and the failure to issue a determination is not attributable to delay caused by the business person.

Article 1207: Relation to Other Chapters

- 1. No provision of this Agreement shall be interpreted to impose any obligation on a Party regarding its immigration measures, except as specifically identified in this Chapter and Chapters One and Nineteen to Twenty-Three (Initial Provisions and General Definitions, Transparency, Administration of the Agreement, Dispute Settlement, Exceptions and Final Provisions).
- 2. Nothing in this Chapter shall be construed to impose obligations or commitments with respect to other Chapters of this Agreement.

(d) 对该章节的拟议修改；以及(e) 影响本章节下商务人士临时入境的措施。

第1206条：争端解决

1. 缔约方不得依据本协定的一般争端解决条款就本章项下拒绝授予临时入境的行为启动程序，除非：

(a) 该事项涉及惯例模式；且 (b) 商务人士已就该特定事项穷尽可用的行政救济。

2. 若主管当局未在行政程序启动后一年内就相关事项作出最终裁定，且未作出裁定的情形不可归咎于商务人士造成的延迟，则第1款(b)项所述的救济应视为已穷尽。

第1207条：与其他章节的关系

- 1. 本协定任何条款均不得解释为对缔约方移民措施施加义务，本章及第一章及第十九至二十三章（初始条款和一般定义、透明度、协议管理、争端解决、例外和最终条款）特别列明的情形除外。
- 2. 本章节任何内容不得解释为对本协定其他章节施加义务或承诺。

Article 1208: Transparency in Processing of Applications

1. Further to Chapter Nineteen (Transparency), each Party shall establish or maintain appropriate mechanisms to respond to inquiries from interested persons regarding applications and procedures relating to the temporary entry of business persons.
2. Each Party shall endeavour to, within a reasonable period that should not exceed 45 days after an application requesting temporary entry is considered complete under its domestic laws and regulations, inform the applicant of the decision concerning the application. At the request of the applicant, the Party shall endeavour to provide, without undue delay, information concerning the status of the application.

Article 1209: Definitions

For purposes of this Chapter:

business person means a national of a Party who is engaged in trade in goods, the supply of services or the conduct of investment activities;

contract service supplier means an employee who is a professional or technician of a foreign based company, partnership, or firm who enters the territory of the other Party temporarily in order to perform a service pursuant to a contract between his/her employer and a service consumer in the territory of the other Party, when the employer:

- (a) has no commercial presence in the territory of the other Party;
- (b) is a juridical person that has obtained a contract for the provision of a service in the territory of the other Party that does not consist exclusively in the supply of personnel; and
- (c) provides the employee’s remuneration;

第1208条： 申请处理的透明度

1. 作为对第十九章（透明度）的补充，每一缔约方应建立或维持适当机制，以回应利害关系人关于商务人士临时入境申请及程序的询问。
2. 每一方应努力在其国内法律法规认定临时入境申请材料完整后的合理期限内（原则上不超过45天）， 将申请决定通知申请人。应申请人要求， 该缔约方应努力及时提供有关申请状态的信息。

第1209条： 定义

就本章节而言：

商务人士指从事货物贸易、服务提供或投资活动的一方的国民；

合同服务提供者指作为外国公司、合伙企业或公司的专业人员或技术员的员工，为履行其雇主与另一方领土内服务消费者之间的合同而临时进入另一方领土提供服务， 且该雇主满足以下条件：

- (a) 在另一方领土内没有商业存在； (b) 是已获得服务提供合同的法人，该合同不
- 完全由人员供应组成； 且
- (c) 提供员工的报酬；

executive means a business person within an organisation who primarily directs the management of the organisation, exercises wide latitude in decision-making, and receives only general supervision or direction from higher level executives, the board of directors, and/or stockholders of the business;

independent professional or technician means a professional or technician who enters the territory of the other Party temporarily in order to perform a service pursuant to a contract with a service consumer located in the territory of the other Party when:

- (a) the professional or technician supplies the service as a self-employed person;
- (b) the professional or technician has obtained a service contract in the territory of the Party where the service is to be supplied; and
- (c) the remuneration for the contract is to be paid solely to the professional or technician in the territory of the Party where the service is to be supplied;

labour dispute means a strike between a union and employer relating to terms and conditions of employment;

management trainee on professional development means an employee with a post-secondary degree who is on a temporary work assignment intended to broaden that employee’s knowledge of and experience in a company in preparation for a senior leadership position within the company;

高管是指组织内主要指导组织管理、在决策中行使广泛自由裁量权，且仅接受高层管理人员、董事会和/或企业股东一般监督或指导的商务人士；

独立专业人士或技术人员 指为履行与位于另一方领土内的服务消费者所签订的服务合同，临时进入另一方领土的专业人员或技术员，且须满足以下条件：

- (a) 该专业人员或技术员以自雇人士身份提供服务；(b) 该专业人员或技术员已在服务提供方缔约方领土内获得服务合同；且(c) 合同报酬应全额支付给服务提供方缔约方领土内的该专业人员或技术员；

劳资纠纷 指工会与雇主之间就雇佣条款和条件发生的罢工；

职业发展管理培训生指拥有大专以上学历的员工，通过临时工作安排旨在拓宽该员工对公司知识和经验的了解，为公司内的高级领导职位做准备；

manager means a business person within an organisation who primarily directs the organisation or a department or sub-division of the organisation, supervises and controls the work of other supervisory, professional or managerial employees, has the authority to hire and fire or take other personnel actions (such as promotion or leave authorisation), and exercises discretionary authority over day-to-day operations;

professional means a national of a Party who is engaged in a specialty occupation¹ requiring:

- (a) theoretical and practical application of a body of specialized knowledge, and who is eligible to obtain the certification or license to practice, if required; and
- (b) attainment of a post-secondary degree in the specialty requiring four, or more years of study as a minimum for entry into the occupation²;

professional or technician in a subordinate relationship means a professional or technician who enters the territory of the other Party temporarily in order to perform a service under the direction of an employer in the other Party, who has the authority to regulate, direct and sanction the activities of the employee;

specialist means an employee who possesses specialized knowledge of the company’s products or services and its application in international markets, or an advanced level of expertise or knowledge of the company’s processes and procedures. A specialist may include, but is not limited to, professionals and technicians;

¹ With respect to Canada, a professional specialty occupation shall mean an occupation which falls within the National Occupation Classification (NOC) levels O and A.

² With respect to Canada, these requirements shall be those defined in the NOC. With respect to Peru, requirements for regulated professions shall be provided in accordance with Article 1204.

经理指组织内主要指导组织或其部门或分部的商务人士，监督和控制其他监督的、专业人员或管理人员的工作，拥有雇佣和解雇或采取其他人事行动（如晋升或休假授权）的权力，并对日常运营行使自由裁量权；

专业人员指一方国民，其从事的专业职业¹ 要求：

- (a) 具备专业知识的理论和实际应用能力，且在需要时有资格获得执业认证或执照；以及
- (b) 取得该专业的大专以上学历，且作为进入职业²的最低要求需完成四年或更长时间的学习；

处于从属关系的专业人员或技术员指为在另一方雇主指导下提供服务而临时进入另一方领土的专业人员或技术员，该雇主有权监管、指导和制裁员工的活动；

专家是指具备公司产品或服务及其在国际市场中应用的专业知识的员工，或对公司流程和程序拥有高级专业知识或知识的员工。专家可能包括但不限于专业和技术人员；

¹ 对于加拿大，专业职业应指属于国家职业分类（NOC）O和A级别的职业。² 对于加拿大，这些要求应为国家职业分类中定义的要求。对于秘鲁，受监管的职业的要求应根据第1204条提供。

technician means a national of a Party who is engaged in a specialty occupation³ requiring:

- (a) theoretical and practical application of a body of specialized knowledge, and who is eligible to obtain the certification/license to practice, if required; and
- (b) attainment of a post-secondary or technical degree requiring one, or more years of study, or the equivalent of such a degree, as a minimum for entry into the occupation;⁴ and

temporary entry means entry into the territory of a Party by a business person of the other Party without the intent to establish permanent residence.

³ With respect to Canada, a technical specialty occupation shall mean an occupation which falls within the NOC level B.

⁴ With respect to Canada, these requirements shall be those defined in the NOC. With respect to Peru, requirements for regulated technician occupations shall be provided in accordance with Article 1204.

技术员是指一方国民，从事需要³的专业职业：

- (a) 专业知识的理论和实际应用
并且有资格在需要时获得执业认证/许可证； 以及
- (b) 获得需要一年或更长时间学习的大专或技术学位，或同等学历，作为进入职业的最低要求；
更多年的学习，或相当于此类学位，作为进入职业的最低要求； ⁴ 且

临时入境指另一方的商务人士进入一方领土且无意建立永久居留的行为。

³ 对于加拿大，技术专业职业指属于国家职业分类B类的职业。⁴ 对于加拿大，这些要求应以国家职业分类中的定义为准。对于秘鲁，受监管技术员职业的要求应按照第1204条提供。

ANNEX 1203

附件1203

TEMPORARY ENTRY FOR BUSINESS PERSONS

商务人士临时入境

Section A - Business Visitors

A部分 - 商务访客

1. Each Party shall grant temporary entry to a business person seeking to engage in a business activity set out in Appendix 1203.A.1, without requiring that person to obtain a work permit or an employment authorization, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry, on presentation of:

1. 每一方应准予寻求从事附录1203.A.1所列商务活动的商务人士临时入境, 而无需该人士获得工作许可或就业授权, 前提是该商务人士在出示以下文件时遵守适用于临时入境的现行移民措施:

- (a) proof of nationality, citizenship or permanent residency status of a Party;
- (b) documentation demonstrating that the business person will be engaged in a business activity set out in Appendix 1203.A.1 and describing the purpose of entry; and
- (c) evidence demonstrating that the proposed business activity is international in scope and the business person is not seeking to enter the local labour market.

(a) 一方国籍、公民身份或永久居留身份证明; (b) 证明该商务人士将从事附录1203.A.1所列商务活动并说明入境目的的文件; 及(c) 证明拟议商务活动

国际范围且该商务人士并非试图进入当地劳动力市场。

2. Each Party shall provide that a business person may satisfy the requirements of subparagraph 1(c) by demonstrating that:

- (a) the primary source of remuneration for the proposed business activity is outside the territory of the Party granting temporary entry; and
- (b) the business person's principal place of business and the actual place of accrual of profits, at least predominantly, remain outside the territory of the Party granting temporary entry.

A Party shall normally accept an oral declaration as to the principal place of business and the actual place of accrual of profits. Where the Party requires further proof, it shall normally consider a letter from the employer or the representing organization attesting to these matters as sufficient proof.

3. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require prior approval procedures, labour certification tests or other procedures of similar effect; or
- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

4. Notwithstanding paragraph 3, a Party may require a business person seeking temporary entry under this Section to obtain a visa or an equivalent requirement prior to entry. Before imposing a visa or an equivalent requirement, the Party shall consult with the other Party whose business persons would be affected with a view to avoiding the imposition of the requirement.

2. 每一方应规定，商务人士可通过证明以下内容来满足第1(c)项的要求：

- (a) 拟议商务活动的主要报酬来源位于准予临时入境方的领土之外；且 (b) 该商务人士的主要营业地点及实际利润产生地至少主要位于准予临时入境方的领土之外。

一方通常应接受关于主要营业地点和实际利润产生地的口头声明。若该方要求进一步证明，通常应将雇主或代表组织证实这些事项的信函视为充分证明。

3. 缔约方均不得：

- (a) 作为第1款下临时入境的条件，要求预先批准程序、劳工认证测试或其他类似效力的程序；或 (b) 实施或维持与第1款下临时入境相关的任何数量限制。

4. 尽管有第3款的规定，一方可要求根据本节寻求临时入境的商务人士在入境前获得签证或等效要求。在实施签证或等效要求前，该缔约方应与可能受影响的另一方商务人士所属的缔约方协商，以期避免实施该要求。

Section B - Traders and Investors

1. Each Party shall grant temporary entry and provide a work permit or other authorization to a business person seeking to:

- (a) carry on substantial trade in goods or services principally between the territory of the Party of which the business person is a national and the territory of the other Party into which entry is sought; or
- (b) establish, develop or administer an investment to which the business person or the business person's enterprise has committed, or is in the process of committing, a substantial amount of capital,

in a capacity that is supervisory, executive or involves essential skills, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry.

2. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require labour certification tests or other procedures of similar effect; or
- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

3. Notwithstanding paragraph 2, a Party may require a business person seeking temporary entry under this Section to obtain a visa or an equivalent requirement prior to entry. Before imposing a visa or an equivalent requirement, the Party shall consult with the other Party whose business persons would be affected with a view to avoiding the imposition of the requirement.

B部分 - 贸易商和投资者

1. 每一方应准予临时入境并向寻求以下目的的商务人士提供工作许可或其他授权:

- (a) 主要从事该商务人士所属缔约方领土与寻求临时入境的另一方领土之间的货物或服务实质性贸易; 或
- (b) 以监督的、高管的或需要基本技能的职位身份, 建立、发展或管理该商务人士或其企业已投入或正在投入大量资本的投资,

前提是该商务人士在其他方面遵守适用于临时入境的现行移民措施。

2. 任一缔约方均不得:

- (a) 作为第1款下临时入境的条件, 要求进行劳工认证测试或具有类似效果的其他程序; 或 (b) 实施或维持与第1款下临时入境相关的任何数量限制。

3. 尽管有第2款的规定, 一方可要求根据本节寻求临时入境的商务人士在入境前获得签证或等效要求。在实施签证或等效要求前, 该缔约方应与可能受影响的另一方的商务人士协商, 以期避免实施该要求。

Section C - Intra-Company Transferees

1. Each Party shall grant temporary entry and provide a work permit or other authorization to a business person employed by an enterprise who seeks to render services to that enterprise or a subsidiary or affiliate thereof as a executive or manager, a specialist, or a management trainee on professional development, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry. A Party may require the business person to have been employed continuously by the enterprise for six months within the three-year period immediately preceding the date of the application for admission.
2. Neither Party may:
- (a) as a condition for temporary entry under paragraph 1, require labour certification tests or other procedures of similar effect; or
 - (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.
3. Notwithstanding paragraph 2, a Party may require a business person seeking temporary entry under this Section to obtain a visa or an equivalent requirement prior to entry. Before imposing a visa or an equivalent requirement, the Party shall consult with the other Party whose business persons would be affected with a view to avoiding the imposition of the requirement.

C部分 - 公司内部调动人员

1. 每一方应准予临时入境并向受雇于企业、寻求为企业或其子公司或附属公司提供服务的高管或经理、专家或职业发展管理培训生的商务人士提供工作许可或其他授权，前提是该商务人士在其他方面遵守适用于临时入境的现行移民措施。一方可要求该商务人士在申请入境之日前三年内连续受雇于该企业六个月。
2. 缔约方不得：
- (a) 作为根据第1款临时入境的条件，要求进行劳工认证测试或具有类似效果的其他程序；或 (b) 实施或维持与根据第1款临时入境有关的任何数量限制。
3. 尽管有第2款的规定，一方可要求根据本节寻求临时入境的商务人士在入境前获得签证或等效要求。在实施签证或等效要求前，该缔约方应与可能受影响的另一方商务人士所属的缔约方协商，以期避免实施该要求。

Section D – Professionals and Technicians

1. Each Party shall grant temporary entry and provide a work permit or other authorization to a business person seeking to engage in a business activity at a professional or technical level in accordance with Appendix 1203.D.1, either as an independent professional and technician, as a professional and technician in a subordinate relationship, or as a contract service supplier, including training activities related to a particular profession, if the business person otherwise complies with existing immigration measures applicable to temporary entry, on presentation of:

- (a) proof of nationality, citizenship or permanent residency status of a Party; and
- (b) documentation demonstrating that the business person is seeking to enter the territory of the other Party to provide pre-arranged professional services in the field for which he/she has the appropriate qualifications.

2. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require prior approval procedures, labour certification tests or other procedures of similar effect; or
- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

D部分 - 专业人员和技术人员

1. 每一方应按照附录1203.D.1，向寻求在专业或技术级别从事商务活动的商务人士授予临时入境并提供工作许可或其他授权，无论其作为独立专业人员和技术人员、处于从属关系的专业人员和技术人员，还是作为合同服务提供者（包括与特定职业相关的培训活动），前提是该商务人士符合适用于临时入境的现行移民措施，并在出示以下材料时：

- (a) 一方国籍、公民身份或永久居留身份证明；以及 (b) 证明该商务人士寻求进入另一方领土以提供其具备适当资格的领域内预先安排的专业服务的文件。

2. 缔约方均不得：

- (a) 作为根据第1款临时入境的条件，要求预先批准程序、劳工认证测试或其他具有类似效果的程序；或 (b) 实施或维持与根据第1款临时入境有关的任何数量限制。

3. Notwithstanding paragraph 2, a Party may require a business person seeking temporary entry under this Section to obtain a visa or an equivalent requirement prior to entry. Before imposing a visa or an equivalent requirement, the Party shall consult with the other Party whose business persons would be affected with a view to avoiding the imposition of the requirement.

3. 尽管有第2款的规定，一方可要求根据本节寻求临时入境的商务人士在入境前获得签证或等效要求。在实施签证或等效要求前，该方应与另一方协商，其商务人士将受到影响，以期避免实施该要求。

APPENDIX 1203.A.1

附录1203.A.1

BUSINESS VISITORS

商务访客

Meetings and Consultations

会议与咨询

Business persons attending meetings, seminars, or conferences; or engaged in consultations with business associates.

商务人士参加会议、研讨会或大会；或与业务伙伴进行咨询。

Research and Design

研究与设计

Technical, scientific and statistical researchers conducting independent research or research for an enterprise located in the territory of the other Party.

技术、科学及统计研究人员为位于另一方领土的企业进行独立研究或研究。

Growth, Manufacture and Production

增长、制造与生产

Purchasing and production management personnel, conducting commercial transactions for an enterprise located in the territory of the other Party.

采购与生产管理人员，为位于另一方领土内的企业进行商业交易。

Harvester owner supervising a harvesting crew.

收割机所有者监督收割团队。

Marketing

市场营销

Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise located in the territory of the other Party.

市场研究人员和分析师为位于另一方领土内的企业进行独立研究或分析或研究或分析。

Trade-fair and promotional personnel attending a trade convention.

参加贸易大会的交易会及促销人员。

Sales

Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise located in the territory of the other Party but not delivering goods or providing services.

Buyers purchasing for an enterprise located in the territory of the other Party.

Distribution

Transportation operators transporting goods or passengers to the territory of a Party from the territory of the other Party or loading and transporting goods or passengers from the territory of a Party, with no unloading in that territory, to the territory of the other Party.

Customs brokers providing consulting services regarding the facilitation of the import or export of goods.

After-Sales or After-Lease Service

Installers, repair and maintenance personnel, and supervisors, possessing specialized knowledge essential to a seller's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located outside the territory of the Party into which temporary entry is sought, during the life of the warranty or service agreement.

销售

销售代表和代理商为位于另一方领土的企业接收货物或服务的订单或谈判合同，但不交付货物或提供服务。

买方为位于另一方领土内的企业进行采购。

分销

运输运营商将货物或乘客从一方领土运输至另一方领土，或从一方领土装载并运输货物或乘客（不在该领土卸货）至另一方领土。

报关行提供关于促进货物进出口的咨询服务。

售后或租赁后服务

安装人员、维修和维护人员以及监督人员，拥有对卖方合同义务至关重要的专业知识，根据保修或其他服务合同提供服务或培训工人提供服务，这些合同附属于销售或租赁商业或工业设备或机械（包括计算机软件）的交易，这些设备或机械是从寻求临时入境的缔约方领土以外的企业购买或租赁的，在保修或服务协议有效期内。

General Service

Professionals and technicians engaging in a business activity at a professional or technical level as set out in Appendix 1203.D.1.

Management and supervisory personnel engaging in a commercial transaction for an enterprise located in the territory of the other Party.

Financial services personnel of an enterprise located in the territory of the other Party, engaging in the area of financial services, where the provision of such financial services does not require the authorization of the competent authority of the Party or where such financial services are listed in Annex 1105.

Public relations and advertising personnel consulting with business associates, or attending or participating in conventions.

Tourism personnel (tour and travel agents, tour guides or tour operators) attending or participating in conventions or conducting a tour that has begun in the territory of the other Party.

Cook personnel (cookers and assistants) attending or participating in gastronomic events or exhibitions, or consulting with business associates.

Translators or interpreters performing services as employees of an enterprise located in the territory of the other Party.

Information and communication technology service providers attending meetings, seminars or conferences, or engaged in consultations with business associates.

Franchise traders and developers which seek to offer their services in the territory of the other Party.

一般服务

专业和技术人员从事附录1203.D.1中规定的专业或技术级别的商务活动。

管理和监督人员为位于另一方领土内的企业从事商业交易。

位于另一方领土内的企业的金融服务人员，从事金融服务领域的工作，前提是该金融服务的提供无需获得该缔约方主管当局的授权，或该金融服务列于附件1105中。

公关和广告人员与业务伙伴进行咨询，或出席或参加会议。

旅游人员（旅游和旅行代理商、导游或旅游运营商）出席或参加会议，或进行已在另一方领土内开始的旅游活动。

厨师人员（厨师和助手）出席或参加美食活动或展览，或与业务伙伴进行咨询。

作为另一方领土内企业员工的翻译或口译人员提供服务。

信息和通信技术服务提供商参加会议、研讨会或大会，或与业务伙伴进行咨询。

寻求在另一方领土内提供服务的特许经营商和开发商。

APPENDIX 1203.D.1

PROFESSIONALS

The professionals listed below, as defined in Article 1209, are not covered under this Chapter:

- 1.# All Health, Education, and Social Services occupations and related occupations including:
- (a) Managers in Health/Education/Social & Community Services;

(b) Physicians/Dentists/Optometrists/Chiropractors/Other Health Professions;

(c) Pharmacists, Dietians & Nutritionists;

(d) Therapy & Assessment Professionals;

(e) Nurse Supervisors & Registered Nurses;

(f) Psychologists/Social Workers;

(g) University Professors & Assistants;

(h) College & Other Vocational Instructors; and

(i) Secondary/Elementary School Teachers & Counsellors.

附录1203.D.1

专业人员

以下专业人员（如第1209条所定义）不适用于本章节：

1. 所有健康、教育和社会服务职业及相关职业，包括：
- (a) 健康/教育/社会及社区服务经理；(b) 医生/牙医/验光师/脊椎按摩师/其他健康专业人员；(c) 药剂师、营养师和营养学家；(d) 治疗和评估专业人员；(e) 护士主管和注册护士；(f) 心理学家/社会工作者；(g) 大学教授和助理；(h) 学院及其他职业教师；以及(i) 中学/小学教师和辅导员。

2.# All professional occupations related to cultural industries as defined in Article 2207 (Exceptions - Definitions), including:

- (a) Managers in Libraries, Archives, Museums and Art Galleries;
- (b) Managers in Publishing, Motion Pictures, Broadcasting and Performing Arts; and
- (c) Creative & Performing Artists.

3.# Recreation, Sports and Fitness Program and Service Directors.

4.# Managers in Telecommunication Carriers.

5.# Managers in Postal and Courier Services.

6.# Managers in Manufacturing.

7.# Managers in Utilities.

8.# Managers in Construction and Transportation.

9.# Judges, Lawyers and Notaries except foreign legal consultants.

2. 所有与第2207条（例外 - 定义）中定义的文化产业相关的专业职业, 包括:

(a) 图书馆、档案馆、博物馆和美术馆管理人员; (b) 出版、电影、广播和表演艺术管理人员; 以及(c) 创意与表演艺术家。3. 娱乐、体育和健身项目与服务主管。4. 电信运营商管理人员。5. 邮政和快递服务管理人员。6. 制造业管理人员。7. 公用事业管理人员。8. 建筑和运输管理人员。9. 法官、律师和公证人（外国法律顾问除外）。

Technicians

The technicians listed below, as defined in Article 1209, are covered under this chapter:

- 1.# Civil Engineering Technologists and Technicians;
- 2.# Electrical and Electronics Engineering Technologists and Technicians;⁵
- 3.# Mechanical Engineering Technologists and Technicians;
- 4.# Industrial Engineering and Manufacturing Technologists and Technicians;
- 5.# Construction Inspectors and Estimators;
- 6.# Engineering Inspectors, Testers and Regulatory Officers;
- 7.# Supervisors in the following: Machinists and Related Occupations; Printing and Related Occupations; Mining and Quarrying; Oil and Gas Drilling and Service; Mineral and Metal Processing; Petroleum, Gas and Chemical Processing and Utilities; Food, Beverage and Tobacco Processing; Plastic and Rubber Products Manufacturing; Forest Products Processing; and Textile Processing;
- 8.# Contractors and Supervisors in the following: Electrical Trades and Telecommunications Occupations; Pipefitting Trades; Metal Forming, Shaping and Erecting Trades; Carpentry Trades; Mechanic Trades; Heavy Construction Equipment Crews; and Other Construction Trades, Installers, Repairers and Servicers;
- 9.# Electricians;⁶

⁵ This includes electronic service technicians.

⁶ This includes industrial electricians.

技术人员

根据第1209条定义， 以下技术人员适用于本章节：

- 1. 土木工程技术专家和技术人员；
- 2. 电气和电子工程技术专家和技术人员；⁵3. 机械工程技术专家和技术人员；4. 工业工程和制造技术专家和技术人员； 5. 建筑检查员和估算师； 6. 工程检查员、测试员和监管官员；
- 7. 以下领域的监督人员： 机械师及相关职业； 印刷及相关职业； 采矿和采石； 石油和天然气钻探与服务； 矿物和金属加工； 石油、天然气和化学加工及公用事业； 食品、饮料和烟草加工； 塑料和橡胶制品制造； 林产品加工； 以及纺织品加工；
- 8. 以下领域的承包商和监督人员： 电气行业和电信职业； 管道安装行业； 金属成型、塑造和安装行业； 木工行业； 机械行业； 重型建筑设备人员； 以及其他建筑行业、 安装工、 修理工和服务人员；
- 9. 电工；⁶

⁵ 这包括电子服务技术人员。⁶ 这包括工业电工。

- 10.# Plumbers;

11.# Industrial Instrument Technicians and Mechanics;

12.# Aircraft Instrument, Electrical and Avionics Mechanics, Technicians and Inspectors;

13.# Underground Production and Development Miners;

14.# Oil and Gas Well Drillers, Servicers and Testers;

15.# Graphic Designers and Illustrators;

16.# Interior Designers;

17.# Chefs;

18.# Computer and Information System Technicians; and

19.# International Selling and Purchasing Agents.
10. 水管工；11. 工业仪器技术员和机械师；12. 飞机仪表、电气和航空电子机械师、技术员和检查员；13. 地下生产和开发矿工；14. 石油和天然气钻井工、维修工和测试员；15. 平面设计师和插画师；16. 室内设计师；

17. 厨师；

18. 计算机和信息系统技术员；以及19. 国际销售和采购代理。

APPENDIX 1203

For Peru:

附录1203

对于秘鲁:

Category	Migratory Condition	Length of Stay	类别	移民条件	停留时间
Business Visitor	Negocios (business)	Up to 90 days, renewable for 30 days.	商务访客	商务	最长90天，可续签可续签30天。
Traders	Negocios (business)	Up to 90 days, renewable for 30 days.	贸易商	商务	最长90天，可续签可续签30天。
Investor (in the process of committing an investment)	Negocios (business)	Up to 90 days, renewable for 30 days.	投资者（在进行投资过程中）	商务（商业）	最长90天，可续签30天。
Investor	Independiente-inversionista (Investor)	Up to 1 year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained.	投资者	Independiente-inversionista (投资者)	最长1年，可续签for consecutive periods, the number of times that 请求，向在满足条件的情况下其动机授予的条件保持不变。
Intra-Company Transferees	Trabajador (Worker)	Up to 1 year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained.	公司内部调动人员	工人	最长1年，可续签连续期间，次数请求，程度条件这激发了它的授予行为得以维持。

Category	Migratory Condition	Length of Stay	类别	移民条件	停留时间
Professionals and Technicians (in a subordinate relationship)	Trabajador (Worker)	Up to 1 year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained.	专业人员和技术人员（从属关系）	工人	最长1年，可连续续期，续签次数根据请求而定，前提是授予该许可的条件保持不变。
Professionals and Technicians (Independent)	Independiente – Profesional (Independent – Professional)	Up to 1 year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained.	专业人员和技术人员（独立）	独立专业人员	最长1年，可连续续期，续签次数根据请求而定，前提是授予该许可的条件保持不变。
Professionals and Technicians (Contract service supplier)		Up to 6 months.	专业人员和技术人员（合同服务提供商）		最长6个月。

<u>For Canada:</u>		<u>对于加拿大:</u>	
Category	Length of Stay	类别	停留时间
Business Visitors	Up to six months, extensions are possible.	商务访客	最长六个月, 可申请延期。
Traders and Investors	Up to one year, extensions are possible.	贸易商和投资者	最长一年, 延期是可能的。
Intra-Company Transferees	Up to three years, extensions are possible.	公司内部调动人员	最长三年, 可申请延期。
Professionals and Technicians	Up to one year, extensions are possible.	专业和技术人员	最长一年, 可申请延期。