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Chile

**Trade in Services Agreement
Financial Services**

**First Revised Offer
November~~September~~ 2016**

This offer is based on Chile's position regarding the current TISA text. In addition, given that the framework for making commitments on financial services is not finalized, and links to other horizontal provisions have yet to be confirmed, Chile reserves the right to add to or modify its offer on Financial Services

Chile undertakes commitments on Financial Services in accordance with the provisions of Annex [...] (Financial Services) of this Agreement. While financial services are subject to the general conditions and limitations applicable to all sectors in this schedule, the scheduling framework established in Annex [...] (Financial Services) of this Agreement and Chile's headnotes for financial services, as specified below, are applicable to all conditions and limitations as they apply to financial services.

Chile reserves the right to withdraw, modify, or reduce this offer in whole or part, and to correct any errors, omissions or inaccuracies.

Chile's offer may change depending on the outcome of the negotiations.

This offer is subject to ongoing internal consultation.

Chile's offer does not currently include any commitments or exemptions on Most-Favoured-Nation (MFN) treatment, as the related provision in the core text is currently under negotiation.

CPC references mean Central Product Classification established by the United Nations Statistics Division (CPC), Series M, N°77, *Provisional Central Product Classification*, 1991.

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Modes of supply: (1) Cross border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons		
I. HORIZONTAL COMMITMENTS – SECTION A		
RESERVATIONS pursuant to Article II-2:4. [Core Text – SCHEDULING COMMITMENTS],		
Chile reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
Sector or subsector	Limitations on national treatment Limitations on Local Content and Other Performance Requirements Limitation on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
All Sectors	The purchase of financial services, by persons located in the territory of Chile and its nationals wherever located, from financial services suppliers of another Party shall be subject to the exchange rate regulations adopted or maintained by the <i>Banco Central de Chile</i> in accordance with its Organic Law (<i>Ley 18.840</i>).	
Financial Services	Chile may grant advantages or exclusive rights to <i>Banco del Estado de Chile</i> , a Chilean state owned bank, including but not limited to the following: the management of the Chilean government financial resources is made only through deposits in the <i>Cuenta Única Fiscal</i> and in its subsidiary accounts, all of which must be kept at <i>Banco del Estado de Chile</i> .	
Financial Services	All types of insurance that Chilean law makes or may make compulsory, and all insurance related to social security, cannot be contracted outside Chile.	
Financial 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.	
Financial Services <u>All financial services referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]</u>	a- Except as otherwise provided for in this schedule, Chile reserves the right to adopt or maintain: <u>Mode 1: A any measures with respect to all financial services as referred to in [Article X.2 of Annex [...]] (Financial Services) of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement; and</u> <u>Mode 2: Any measures with respect to all financial services other than the financial services referred to in subparagraphs 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement;</u>	

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	b. Paragraph 3 of Article II 2 of the Agreement shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [...] (Financial Services) of the Agreement.		
<u>Financial Services</u> <u>All financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list]</u>	For Modes 1 and 2, Chile reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.		
Sector or subsector	Limitations on Market access	Limitations on national treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
I. HORIZONTAL COMMITMENTS – SECTION B			
	<u>Limitations on Market Access pursuant to Article II-1</u> Chile maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:	<u>Reservations pursuant to Articles II-2:2 and II-2:3</u> Chile maintains the following conditions and qualifications on national treatment, local content and other performance requirements, local management and boards of directors, and local presence in all sectors.	
Financial Services	The directors, administrators, managers or legal representatives of legal entities or natural persons performing the activities of stockbroker and securities agent, must be Chileans or foreigners with a permanent residence permit.	The directors, administrators, managers or legal representatives of legal entities or natural persons performing the activities of stockbroker and securities agent, must be Chileans or foreigners with a permanent residence permit.	

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Financial Services	The capital of a foreign capital investment fund (FICE) may not be remitted abroad until five years from the date in which the contribution was made, or three years in the specific case of venture capital foreign investment funds.	The capital of a foreign capital investment fund (FICE) may not be remitted abroad until five years from the date in which the contribution was made, or three years in the specific case of venture capital foreign investment funds	
Financial Services	Reinsurance brokerage can be performed by foreign reinsurance brokers. These brokers shall be juridical persons, demonstrate that the entity is legally organised in its country of origin and authorized to intermediate risks ceded from abroad, and provide the date that such authorization was granted. Such entities shall designate a representative in Chile to represent them with broad powers. The representative may be subject to summons and must have residence in Chile.	Reinsurance brokerage can be performed by foreign reinsurance brokers. These brokers shall be juridical persons, demonstrate that the entity is legally organised in its country of origin and authorized to intermediate risks ceded from abroad, and provide the date that such authorization was granted. Such entities shall designate a representative in Chile to represent them with broad powers. The representative may be subject to summons and must have residence in Chile.	
Financial Services	Administrators and legal representatives of legal entities and natural persons performing the activity of claim settlement and insurance brokerage must be Chileans or foreigners with a permanent residence permit.	Administrators and legal representatives of legal entities and natural persons performing the activity of claim settlement and insurance brokerage must be Chileans or foreigners with a permanent residence permit.	
Financial Services	In the case of the types of insurance covered in <i>Decreto Ley 3.500</i> , involving the cession of reinsurance to foreign reinsurers, the deduction for reinsurance cannot exceed 40 percent of the total of the technical reserves associated with those types of insurance or a higher percentage if set by the <i>Superintendencia de Valores y Seguros</i> .	In the case of the types of insurance covered in <i>Decreto Ley 3.500</i> , involving the cession of reinsurance to foreign reinsurers, the deduction for reinsurance cannot exceed 40 percent of the total of the technical reserves associated with those types of insurance or a higher percentage if set by the <i>Superintendencia de Valores y Seguros</i> .	
Financial Services	The reinsurance activity may be provided by foreign entities classified, according to risk rating agencies of international well-known reputation as indicated by the Securities and Insurance Commission (<i>Superintendencia de Valores y Seguros</i>), at least in the risk category BBB or other equivalent to it. These entities shall have a representative in Chile who will represent them with broad powers. The representative may be subject to summons. Notwithstanding the aforementioned, it will not be necessary the designation of a representative if a reinsurer broker, registered on the records of the Superintendency, carries out the reinsurance operation. For all purposes, especially for those relating to the	The reinsurance activity may be provided by foreign entities classified, according to risk rating agencies of international well-known reputation as indicated by the Securities and Insurance Commission (<i>Superintendencia de Valores y Seguros</i>), at least in the risk category BBB or other equivalent to it. These entities shall have a representative in Chile who will represent them with broad powers. The representative may be subject to summons. Notwithstanding the aforementioned, it will not be necessary the designation of a representative if a reinsurer broker, registered on the records of the Superintendency, carries out the reinsurance operation. For all purposes, especially for those relating to the	

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	application and performance in the country of the reinsurance contract, this broker shall be considered the legal representative of the reinsurers.	application and performance in the country of the reinsurance contract, this broker shall be considered the legal representative of the reinsurers.	
II. SECTOR – SPECIFIC COMMITMENTS			
7. FINANCIAL SERVICES			
<p>1. The Chilean financial services sector is partially compartmentalized, that is to say the institutions, domestic and foreign, authorized to operate as banks may not participate directly in the insurance and securities business and vice versa. However, subject to authorization from the <i>Superintendencia de Bancos e Instituciones Financieras, SBIF</i> (Superintendency of Banks and Financial Institutions), domestic and foreign banks operating in Chile may set up subsidiaries, to supply other financial services in addition to their main line of business.</p> <p>2. Chile reserves the right to adopt or maintain any measure to regulate financial conglomerates, including the entities forming part of it.</p> <p>3. Juridical persons supplying financial services and constituted under the laws of Chile are subject to non-discriminatory limitations on juridical form. For example, partnerships (<i>sociedades de personas</i>) are generally not acceptable juridical forms for financial institutions in Chile.</p> <p>4. None of Chile's commitments applies to the social security system, including the Instituto de Normalización Previsional, INP (Institute for Pension Normalisation) under Law 18.689, the pension funds under Decree Law 3500, the Instituciones de Salud Previsional, ISAPRES (Social Security Health Institutions) under Law 18.933, the Fondo Nacional de Salud, FONASA (National Health Fund) under Law 18.469, the Cajas de Compensación (Non Profit Social Security Benefits Administrators) under Law 18.833, Law 16.744 on work accidents, unemployment insurance under Law 19.728, and amendments to those laws, and whether those services are provided by the institutions created by law for those purposes or other financial institutions through which financial services related to the social security system are provided or could be provided.</p> <p>5. For purposes of mode 3, Chile may restrict or prescribe on a non-discriminatory basis a specific type of legal entity, including subsidiaries, branches, representative offices or any other form of commercial presence that must be adopted by entities operating in the following subsectors: complementary banking services; insurance and reinsurance services; securities services; other financial services.</p> <p>6. The term “CPC” means the Provisional Central Product Classification (Statistical paper Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, (1991)).</p>			

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7. The commitments relating to mode 2 do not require Chile to permit financial services providers to do business or solicit in its territory. Chile may define "doing business" and "solicitation".
8. All types of insurance that Chilean law makes or may make compulsory, and all insurance related to social security, cannot be contracted outside Chile.
9. Without prejudice to other means of prudential regulation Chile may require the registration of financial service suppliers of any other Party and of financial instruments.

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Subsector	Limitations on market access Pursuant to Article X.3 (a) [Market Access Commitments], Chile maintains the following terms, conditions and limitations on market access with respect to:	Limitations on National Treatment Pursuant to Article II-2 [Scheduling of National Treatment], Chile maintains the following conditions and qualifications on national treatment:	Additional commitments
<u>Banking Services</u>			
a) Core banking services and bank operations: • Acceptance of deposits (includes only current bank accounts (<i>cuentas corrientes bancarias</i>), sight deposits, time deposits, savings accounts, financial instruments with repurchase agreements, and warranty deposits or surety bonds); • Credit granting (includes only ordinary loans, consumer credit, loans in letters of credit, mortgage loans, mortgage loans in letters of credit, purchase of financial instruments with resale agreements, credit for issue of bank surety bonds or other types of financing, issue and negotiation of letters of credit for imports and exports, issue and confirmation of stand-by letters of credit); • Purchase of publicly-offered	1) Unbound 2) None 3) Foreign banking institutions must be banking companies (<i>sociedades bancarias</i>) legally constituted in their country of origin and must put up the capital required by Chilean law. Foreign banking institutions may only operate: (i) through shareholdings in Chilean banks established as corporations in Chile; (ii) by becoming established as a corporation in Chile; (iii) as branches of foreign corporations, in which case the legal personality in the country of origin is recognised. For the purposes of foreign bank branch operations in Chile, the capital effectively invested in Chile is considered, and not that of the main office. The increases of capital or reserves that do not come from capitalisation of other reserves, will have the same treatment as the initial capital and reserves. In the transactions between a branch and its main office abroad, both will be considered as independent entities. No national or foreign, natural or legal, person may acquire directly or through third parties shares in a bank which, alone or		<i>Limited</i>

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<p>securities (includes only purchase of bonds, purchase of letters of credit, subscription and placement as agents of shares, bonds and letters of credit (underwriting));</p> <ul style="list-style-type: none"> • Issue and operation of credit cards (CPC 81133) (includes only credit cards issued in Chile); • Issue and operation of debit cards; • Travellers' cheques; • Transfer of funds (bank drafts); • Discounting or acquisition of bills of exchange and promissory notes; • Endorsement and guarantee of third party liabilities in Chilean currency and foreign currency; • Securities custody; • Exchange market operations carried out according to the regulations issued or to be issued by the Central Bank of Chile; • Operations with derivatives authorised or to be authorised by the Central Bank of Chile (includes only forwards and swaps of 	<p>added to the shares such a person already possesses, represent more than 10 per cent of the bank's capital without having first obtained the authorisation of the SBIF. In addition, the partners or shareholders of a financial institution may not transfer a percentage of rights or shares in their company in excess of 10 per cent without having obtained authorisation from the SBIF.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		
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currency and interest rate); and			
• Acceptance and execution of fiduciary operations.			
b) Complementary banking services:	The supply of financial services that complement core banking services may be provided directly by these institutions, with prior authorisation from the SBIF, or through subsidiaries which the SBIF shall determine.		
Financial leasing (CPC 81120) (includes only leasing contracts for goods acquired at the client's request, i.e. they cannot acquire goods in order to stock them and offer them for leasing). Factoring	1) Unbound 2) None 3) Financial leasing and Factoring services are regarded as complementary banking services and, consequently, the SBIF is empowered to extend or restrict the operation of the services which these institutions may offer, and these institutions may only offer the services expressly authorised by the SBIF. 4) Unbound, except as indicated in the horizontal section.		
Advisory and other auxiliary financial services¹ (CPC 8133) (includes only services indicated in the banking sector in this schedule) (excludes intermediation and credit reference and analysis, relating to banking and other financial services).	1) None. 2) None. 3)None. 4) Unbound, except as indicated in the horizontal section.		
Management of funds of third parties performed by a General Management Fund (<i>Administradora General de Fondos</i>) (in no circumstances does this include management of pension funds and voluntary pension savings plans	1)Unbound 2)None 3)The management of funds of third parties can only be offered through subsidiaries as established in the General Banking Act and with prior authorisation of both the SBIF and the <i>Superintendencia deValores y Seguros, SVS</i> (Securities and		

¹ Chile's commitments on investment advisory services shall not, in and of themselves, be construed to require Chile to permit the public offering of securities (as defined under its relevant law) in the territory of Chile by financial service suppliers of another Party who supply or seek to supply such investment advisory services. Chile may subject the investment advisory services to regulatory and registration requirements.

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(Planes de Ahorro Previsional Voluntario)	Insurance Commission). 4) Unbound, except as indicated in the horizontal section.		
Securitisation	1) Unbound 2) None 3) Banks can provide securitisation services through subsidiaries as established in the General Banking Act. In order to provide these services, bank subsidiaries must comply with the securities laws and the norms issued by the SVS. Prior authorisation from both the SVS and the SBIF is required. 4) Unbound, except as indicated in the horizontal section.		
Intermediation of publicly offered securities (CPC 81321).	1) Unbound 2) None 3) Banks can provide the services of intermediation of publicly offered securities through subsidiaries as established in the General Banking Act, either as securities agents and/or as stockbrokers. Except for the requirement to enrol in the relevant register of the SVS, in order to provide these services bank subsidiaries must comply with the securities laws and the norms issued by the SVS. Prior authorisation from both the SVS and the SBIF is required. 4) Unbound, except as indicated in the horizontal section.		
Representative offices of foreign banks.	1)Unbound 2)Unbound 3)The SBIF may authorise foreign banks to maintain representative offices acting as business agents for their main offices, and shall exercise upon them the same inspection authority granted upon the Superintendent by the <i>Ley General de Bancos</i> with respect to banking enterprises. The authorisation given by the SBIF to representative offices is subject to revocation if its maintenance is found to be inconvenient, as expressed in the <i>Ley General de Bancos</i> . This is not intended to limit any remedies that the investor affected by the revocation of the authorisation may have under Chilean law to challenge the measure. 4) Unbound, except as indicated in the horizontal section.		

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<p><u>Insurance and insurance-related services:</u></p> <p>1. In Chile, the insurance business is divided into two groups: the first group comprises companies that insure goods or property (<i>patrimonio</i>) against the risk of loss or damage, while the second comprises those that cover personal risks or guarantee, within or at the end of a certain term, a capital sum, a paid-up policy or an income for the insured or his/her beneficiaries. The same insurance company may not be constituted in such a way as to cover both categories of risk.</p> <p>2. Credit insurance companies, even though classified in the first group, must be established as legal entities with the sole purpose of covering this type of risk, i.e. loss of or damage to the goods or property (<i>patrimonio</i>) of the insured as a result of the non-payment of a money debt or loan, being also permitted to cover guarantee and fidelity risks.</p>			
<p>Sale of direct life insurance (does not include insurance related to the social security system) (CPC 81211), and</p> <p>Sale of direct general insurance (CPC 8129, except for CPC 81299) (excluding the <i>Instituciones de Salud Previsional</i>, ISAPRES (social security health institutions) i.e. legal persons set up for the purpose of providing health benefits to persons who opt to become members and financed through the statutory contribution of a percentage of taxable income fixed by law or a higher amount, as the case may be. It also excludes the <i>Fondo Nacional de Salud</i>, FONASA (National Health Fund), a public agency financed by the government and the statutory contribution of a percentage of taxable income fixed by law, which is jointly responsible for paying benefits under the</p>	<p>1) Unbound 2) Unbound 3) Insurance services can be provided only by insurance companies established in Chile as corporations or as branches of foreign corporations with the sole purpose of developing this line of business, either direct life insurance or direct general insurance. In the case of general credit insurance (81296), they must be established as corporations or branches with the sole purpose of covering this type of risk.</p> <p>Insurance corporations can be legally constituted only in accordance with the provisions of the law on corporations.</p> <p>For the purposes of foreign insurance branch operations in Chile, the capital and reserves (<i>patrimonio</i>) effectively invested in Chile is considered, and not that of the main office. Such capital and reserves (<i>patrimonio</i>) must be effectively transferred and converted into domestic currency in conformity with any of the systems authorised by Law or by the <i>Banco Central de Chile</i>. The increases in capital that do not come from the capitalisation of reserves will have the same treatment as the initial capital. In transactions between a branch and its main office or other related companies abroad they will be considered</p>		

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<p>optional health scheme which persons not members of an ISAPRE may join.</p> <p>(Does not include sale of insurance for international maritime shipping, international commercial aviation and space launching and freight (including satellites) and goods in international transit).</p>	<p>as independent entities.</p> <p>Insurance may be issued directly or through insurance brokers who, to engage in that activity, must be enrolled in the Register maintained by the SVS, and must satisfy the requirements of the law.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		
<p>Sale of insurance for international maritime shipping, international commercial aviation and space launching and freight (including satellites) and goods in international transit.</p> <p>(includes goods transported, the vehicle transporting the goods and any civil responsibility deriving therefrom. Does not include national transport (<i>cabotage</i>)).</p>	<p>1) None</p> <p>2) None</p> <p>3) Insurance services may be offered by insurance corporations constituted in Chile and which have the sole purpose of developing the business of direct general insurance.</p> <p>4)Unbound, except as indicated in the horizontal section.</p>		
<p>Insurance brokers</p> <p>(excludes insurance for international maritime shipping, international commercial aviation and space launching and freight (including satellites) and goods in international transit).</p>	<p>1) Unbound</p> <p>2)Unbound</p> <p>3) Must be enrolled in the Register maintained by the SVS and fulfil the requirements established by the SVS. Only legal persons legally constituted in Chile for this specific purpose may provide this service.</p> <p>4)Unbound, except as indicated in the horizontal section.</p>		
<p>Brokers of insurance for international maritime shipping, international commercial aviation and space launching and freight (including satellites) and goods in international transit</p> <p>(includes the goods being transported, the vehicle transporting the goods and</p>	<p>1) None</p> <p>2) None</p> <p>3) Must be enrolled in the Register maintained by the SVS and fulfil the requirements established by the SVS. Only legal persons legally constituted in Chile for this specific purpose may provide this service.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		

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any civil responsibility deriving therefrom. Does not include national transport (<i>cabotage</i>)).			
Reinsurance and retrocession (includes reinsurance brokers).	1)None, Reinsurance services may also be provided by foreign reinsurers and foreign reinsurance brokers enrolled in the Register maintained by the SVS. 2)None 3)Reinsurance services are provided by reinsurance corporations and branches established in Chile in accordance with the provisions of the law on corporations and authorised by the SVS. Insurance corporations may also provide reinsurance services as a complement to their insurance business if their articles of association so allow. 4) Unbound, except as indicated in the horizontal section.		
Claim settlement services. (excludes insurance for international maritime shipping, international commercial aviation and space launching and freight (including satellites) and goods in international transit).	1) Unbound 2) None 3) Claim settlement services may be offered directly by insurance companies established in Chile or by legal persons constituted in Chile and registered with the SVS. 4) Unbound, except as indicated in the horizontal section.		
Auxiliary insurance services (includes only consultancy, actuarial services and risk assessment).	1) None 2) None 3) Auxiliary insurance services may only be provided by legal persons constituted in Chile and registered with the SVS. 4)Unbound, except as indicated in the horizontal section.		
<u>Securities services:</u> 1. Publicly offered securities may be traded by legal persons established under Chilean law, whose sole purpose is securities brokerage, either as members of a stock exchange (stockbrokers) or outside the stock exchange (securities agents) and these institutions must be registered with the Superintendencia de Valores y Seguros, SVS (Securities and Insurance Commission). However, only stockbrokers may trade shares or their derivatives (subscription options) on the stock exchange. Non-share securities may be traded by stockbrokers or securities agents registered with the SVS. 2. Publicly offered securities risk rating services are provided by rating agencies established for the sole purpose of rating publicly offered securities, and they must be enrolled in the <i>Registro de Entidades Clasificadoras de Riesgo</i> (Register of Risk Rating Agencies) maintained by the SVS. On the other hand, the inspection of rating agencies with respect to the rating of securities issued by banks and financial companies is the responsibility of the <i>Superintendencia de Bancos e Instituciones Financieras</i> , SBIF (Superintendency of Banks and Financial Institutions).			

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<p>3. Securities custody consists of the physical safe-keeping of securities' certificates and may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose. It may also be undertaken by entities that provide depository and custodial services for securities which should be established as special purpose corporations (<i>sociedades anónimas especiales</i>) with the sole purpose of receiving in deposit publicly offered securities from entities authorised by law and to facilitate operations for the transfer of such securities (centralised securities depositories, <i>depósitos centralizados de valores</i>).</p> <p>4. Financial advisory services, which involve giving financial advice on financing alternatives, investment appraisal, investment possibilities and debt rescheduling strategies, may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose.</p> <p>5. The purpose of financial portfolio management is to diversify investments, on behalf of third parties, over a range of instruments and may be provided by securities Traders (stockbrokers and securities agents) as a complementary activity for their clients.</p> <p>6. Securities services that may be provided by banking institutions both directly or through subsidiaries are listed in the banking services sector of this Schedule, and are excluded from the securities services section of this schedule.</p> <p>7. Clearing houses for stock exchange derivative products have the purpose of being the counterpart for all purchases and sales of contracts for futures, securities options and others of similar nature authorised by the SVS.</p>			
Stock exchanges.	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Stock exchanges must be established as special purpose corporations (<i>sociedades anónimas especiales</i>) under Chilean law.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		
<p>Intermediation of publicly offered securities, except shares (CPC 81321)</p> <p>Subscription and placement as agents (underwriting).</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Brokerage activities must be supplied through a legal person established in Chile and require prior enrolment in the Register of stockbrokers and securities agents kept by the SVS.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		
<p>Intermediation of publicly offered shares of corporations (CPC 81321) (includes subscription and placement as agents, underwriting).</p> <p>Operations in stock exchange derivatives authorised by the Superintendencia de Valores y Seguros</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as a legal person in Chile. They must acquire a share in the respective stock exchange and be accepted as members of this exchange. Prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS is required for brokerage activities. In addition to the</p>		

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(Securities and Insurance Commission) (includes only dollar and interest rate futures, and options on shares. Shares must fulfill the requirements established by the respective clearing house, <i>cámara de compensación</i>).	legal requirement concerning capital and reserves (<i>patrimonio</i>), the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply. 4)Unbound, except as indicated in the horizontal section.		
Trading in metals on the stock exchange (includes only gold and silver).	1)Unbound 2)Unbound 3)Trading in gold and silver may be carried out by stockbrokers on their own account and for third parties in the stock exchange in accordance with stock exchange regulations. In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as legal persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange. Prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS is required for brokerage activities. In addition to the legal requirement concerning capital and reserves (<i>patrimonio</i>), the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated and the category of intermediaries to which they apply. 4)Unbound		
Securities risk rating (relates solely to rating or giving an opinion on publicly offered securities).	1) Unbound 2) Unbound 3) They must be established in Chile as a partnership (<i>sociedad de personas</i>). One of the specific requirements to be fulfilled is that not less than 60 per cent of the company's capital must be held by the principal partners (natural or legal persons in this line of business holding a minimum of five per cent of the membership rights in the rating agency). 4)Unbound, except as indicated in the horizontal section.		
Securities custody undertaken by securities intermediaries (CPC 81319)	1)Unbound 2)Unbound 3) For securities custody, intermediaries (stockbrokers and		

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(does not include the services offered by suppliers who combine custody, securities clearance and settlement (securities depositories, <i>depósitos de valores</i>)).	agents) must be constituted in Chile as a legal person. In addition to the legal requirement concerning capital and reserves (<i>patrimonio</i>), the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated and the category of intermediaries to which they apply. 4)Unbound, except as indicated in the horizontal section.		
Custody undertaken by entities for the deposit and custody of securities.	1)Unbound 2)Unbound 3) Securities deposit and custody entities must be constituted in Chile as corporations set up for that sole purpose. 4)Unbound, except as indicated in the horizontal section.		
Financial advisory services supplied by securities intermediaries (CPC 81332).	1)Unbound 2)Unbound 3)Financial advisory services supplied by securities intermediaries established as legal persons in Chile require prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS. In addition to the legal requirement concerning capital and reserves (<i>patrimonio</i>), the SVS may impose more stringent non-discriminatory provisions regarding economic solvency on the intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated and the category of intermediaries to which they apply. 4)Unbound, except as indicated in the horizontal section.		
Financial portfolio management supplied by security intermediaries (this does not under any circumstances include a General Management Fund) (<i>Administradora General de Fondos</i>).	1) Unbound 2) Unbound 3)Financial portfolio management services supplied by securities intermediaries established as legal persons in Chile require prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS. In addition to the legal requirement concerning capital and reserves (<i>patrimonio</i>), the SVS may impose more stringent non-discriminatory provisions regarding economic solvency on the intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated and the category of		

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	intermediaries to which they apply. 4)Unbound, except as indicated in the horizontal section.		
Management of funds of third parties performed by a General Management Fund (<i>Administradora General de Fondos</i>) (in no circumstances does this include management of pension funds and voluntary pension savings plans (<i>Planes de Ahorro Previsional Voluntario</i>))	1)Unbound 2)Unbound 3) The Fund management service may be carried out by corporations set up for that sole purpose, constituted in Chile, with authorisation from the SVS. 4)Unbound, except as indicated in the horizontal section.		
Service of clearing houses for derivatives (contracts for futures and options on securities).	1)Unbound 2)Unbound 3)Clearing houses for futures contracts and options on securities must be established in Chile as corporations for that sole purpose and with an authorisation from the SVS. They may only be constituted by stock exchanges and their stockbrokers. 4)Unbound, except as indicated in the horizontal section.		
Cattle and agricultural commodities exchanges. Service of clearing houses of futures and options on cattle and agricultural commodities.	1)Unbound 2)Unbound 3)Entities must be established as special purpose corporations (<i>sociedades anónimas especiales</i>) under Chilean law. 4)Unbound, except as indicated in the horizontal section		
Cattle and agricultural commodities brokerage.	1) Unbound. 2) Unbound 3) The activity of cattle and agricultural commodities broker must be performed by legal entities established under Chilean law. 4)Unbound, except as indicated in the horizontal section		
General deposit warehouses (warrants) (corresponds to merchandise warehousing services accompanied by the issue of a deposit certificate and a chattel mortgage receipt (<i>vale de prenda</i>)).	1)Unbound 2) Unbound 3)Provision of warrant services may be carried out only by legal persons duly constituted in Chile who have the supply of warrant services as their sole purpose. 4) Unbound, except as indicated in the horizontal section.		
Securities issue and registration	1)Unbound		

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services (CPC 81322)(does not include deposit and custody of securities services).	2) Unbound 3) None 4)Unbound, except as indicated in the horizontal section		
<u>Other financial services:</u>			
Provision and transfer of financial information and financial data² processing and related software by suppliers of other financial services.³	1) None, 2) None, 3) None. 4)Unbound, except as indicated in the horizontal section		
Exchange market operations carried out according to the regulations issued or to be issued by the Central Bank of Chile.	1) Unbound 2) Unbound 3) Only banks, juridical persons, stockbrokers and securities agents, all of which must be established in Chile as legal entities, can operate in the Formal Exchange Market. Juridical persons, stockbrokers and securities agents require prior authorisation from the <i>Banco Central de Chile</i> to operate in the Formal Exchange Market. 4) Unbound, except as indicated in the horizontal section.		
Management of mortgage loans as established in <i>Decreto con Fuerza de Ley N° 251, Ley de Seguros</i>, Title V.	1) Unbound 2) Unbound 3) Mortgage Loans Management Agencies must be established		

² It is understood that where the financial information or financial data processing referred involve personal data, the treatment of such personal data shall be in accordance with Chilean law regulating the protection of such data.

³ Provision and transfer of financial information and financial data processing and related software by suppliers of other financial services is subject to prior authorization from the relevant regulator.

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	as corporations (<i>sociedades anónimas</i>) under Chilean law. For greater certainty, according to <i>Decreto con Fuerza de Ley N° 251, Ley de Seguros</i> , Title V, Article 88. 4) Unbound, except as indicated in the horizontal section.		
Investment advice to a collective investment scheme⁴ located in Chile⁵	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.		
Portfolio management services to a collective investment scheme⁶ located in Chile⁷, excluding trustee services, custodial services⁸ and execution services that are not related to managing a collective investment scheme.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.		

^{4,8} Collective Investment Scheme means for Chile, a “General Management Fund” (Administradora General de Fondos) as defined in Law 20.712 which is subject to supervision by the Superintendence of Securities and Insurance (Superintendencia de Valores y Seguros), excluding the provision of custodial services that are related to managing a collective investment scheme.

^{5,9} Chile may require a collective investment scheme or a person involved in the operation of the scheme located in Chile to retain ultimate responsibility for the management of the collective investment scheme.

⁸ Custodial services are included only with respect to investments for which the primary market is outside of Chile.

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TRADE IN SERVICES AGREEMENT

~~SECOND-THIRD~~ REVISED OFFER BY CHILE

~~MAY-OCTOBER~~ 2016

~~This offer has been drafted based on the November 2013 version of the core text adopted by the TISA participants.~~

Chile reserves the right to withdraw, modify, or reduce this offer in whole or part, and to correct any errors, omissions or inaccuracies.

~~Chile's offer may change depending on the outcome of the negotiations.~~

~~This offer is subject to ongoing internal consultation.~~

Chile's offer does not currently include any commitments or exemptions on Most-Favoured-Nation (MFN) treatment, as the related provision in the core text is currently under negotiation.

CPC references mean Central Product Classification established by the United Nations Statistics Division (CPC), Series M, N°77, *Provisional Central Product Classification*, 1991.

In the case of inconsistency between any of the elements contained under any of the columns in Part I Section B and Part II of the schedule, the listed "Measure" shall prevail.

Modes of supply: (1) Cross border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons		
HORIZONTAL COMMITMENTS		
All Sectors	Chile reserves the right of the Central Bank of Chile to maintain or adopt measures in conformity with its Constitutional Organic Law (<i>Ley Orgánica Constitucional del Banco Central de Chile, Ley 18.840</i>) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, inter alia, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (<i>encaje</i>).	
All Sectors	Decree Law 600 (1974), the Foreign Investment Statute, is a voluntary and special investment regime. As an alternative to the common regime for the entry of capital into Chile, potential investors may apply to the Foreign Investment Committee to be subject to the regime set out in Decree Law 600. The obligations and commitments contained in this Agreement and in this Annex do not apply to Decree Law 600, Foreign Investment Statute, Law 18.657 Foreign Capital Investment Funds Law, to the continuation or prompt renewal of such laws, to amendments to those laws or to any special and/or voluntary investment regime that may be adopted in the future by Chile. For greater certainty, it is understood that the Foreign Investment Committee of Chile has the right to reject applications to invest through Decree Law 600 and Law 18.657. Additionally, the Foreign Investment Committee has the right to regulate the terms and conditions of foreign investment under the aforementioned Decree Law 600 and Law 18.657.	
I. HORIZONTAL COMMITMENTS – SECTION A RESERVATIONS pursuant to Article II-2:4. Chile reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		

Sector or subsector	<p><u>Limitations on:</u></p> <p>Limitations on National treatment</p> <p>Limitations on Local Content and Other Performance Requirements</p> <p>Limitations on Local Management and Boards of Directors</p> <p>Limitations on Local Presence</p>	Additional commitments
All Sectors	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure relating to the ownership or control of land within five kilometres of the coastline that is used for agricultural activities. Such measure 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.</p> <p>Measures:</p> <p>Decree Law 1939, Official Gazette, November 10, 1977, Rules for acquisition, administration and disposal of State owned assets, Title I (<i>Decreto Ley 1939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I</i>).</p>	
All Sectors	<p><u>National Treatment</u></p> <p><u>Local Management and Boards of Directors</u></p> <p>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.</p> <p>A "State company"¹ 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 entry into force 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.</p>	

¹ A list of existing state enterprises in Chile can be found on the following website: <http://dipres.gob.cl>

Communications	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p>Chile reserves the right to adopt or maintain any measure related to one way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services and direct audio broadcasting; supplementary telecommunication services and limited telecommunication services.</p> <p>Measures: Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II, III, V and VI (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI</i>)</p>	
All Sectors Issues Involving Minorities	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>Chile reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.</p>	
All Sectors Issues Involving Indigenous Peoples	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>Chile reserves the right to adopt or maintain any measure according rights or preferences to indigenous peoples.</p>	

<p>Education</p>	<p><u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>Chile reserves the right to adopt or maintain any measure relating to:</p> <ul style="list-style-type: none"> (a) commercial presences who supply educational services in Chile; and (b) natural persons who supply educational services in Chile. <p>Subparagraph (b) includes teachers and auxiliary personnel supplying educational services in pre-school, kindergarten, special education, elementary, secondary or higher education, professional, technical or university education, and all the persons that supply services related to education, including, sponsors of educational institutions of any kind, schools, lyceums, academies, training centres, professional and technical institutes or universities.</p> <p>This reservation does not apply to commercial presences supplying educational services in kindergarten, pre-school, elementary or secondary private education institutions, that do not receive public resources, or the supply of services related to second-language training, corporate, business, and industrial training and skill upgrading, which include consulting services relating to technical support, advice, curriculum, and programme development in education</p>	
<p>All Sectors Government Finances</p>	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure related to the acquisition, sale or disposal by nationals of another Party of bonds, treasury securities or any other type of debt instruments issued by the Central Bank of Chile (<i>Banco Central de Chile</i>) or the Government of Chile. This reservation is not intended to affect the rights of another Party's financial institutions (banks) established in Chile to acquire, sell or dispose of such instruments when required for the purposes of regulatory capital.</p>	

Fisheries	<p><u>National Treatment</u></p> <p>Chile reserves 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” do not cover aquaculture.</p> <p>Measures: Decree Law 2.222, Official Gazette, May 31, 1978, Navigation Law, Titles I, II, III, IV and V (<i>Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación Títulos I, II, III, IV y V</i>) D.F.L. 340, Official Gazette, April 6, 1960, about Maritime Concessions (<i>D.F.L. 340, Diario Oficial, abril 6, 1960, sobre Concesiones Marítimas</i>). Supreme Decree 660, Official Gazette, November 28, 1988, Maritime Concession Act (<i>Decreto Supremo 660, Diario Oficial, noviembre 28, 1988, Reglamento de Concesiones Marítimas</i>). Supreme Decree 123 of the Ministry of Economic Affairs, Development and Reconstruction, Vice- Ministry of Fishing, Official Gazette, August 23, 2004, On Use of Ports (<i>Decreto Supremo 123 del Ministerio de Economía, Fomento y Reconstrucción, Subsecretaría de Pesca, Diario Oficial, agosto 23, 2004, Sobre Uso de Puertos</i>).</p>	
Entertainment, Audio-visual and Broadcasting Services	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p>Chile reserves the right to adopt or maintain any measure relating to: (a) the organisation and presentation in Chile of concerts and musical performances; (b) the distribution or display of movies or videos; and (c) radio broadcasts aimed at the public in general, as well as all radio, television and cable television-related activities, satellite programming services and broadcasting networks. Notwithstanding the above, Chile shall extend to services suppliers of another Party, treatment no less favourable than that Party accords services suppliers of Chile.</p>	
Social Services	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p>	

	Chile 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 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.	
Environmental Services	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>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 supplied by juridical persons incorporated under Chilean law or created in accordance with the requirements established by Chilean law.</p> <p>This reservation shall not apply to consultancy services retained by the said juridical persons.</p>	
Construction Services	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>Chile reserves the right to adopt or maintain any measure with respect to the supply of construction services by foreign juridical persons or legal entities.</p> <p>These measures may include requirements such as residency, registration or any other form of local presence, or the obligation of giving financial security for work as a condition for the supply of construction services.</p>	
International road transport	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>Chile reserves the right to adopt or maintain any measure relating to the international land transportation of cargo or passengers in border areas.</p> <p>Additionally, Chile reserves the right to adopt or maintain the following limitations for the supply of international land transportation from Chile:</p> <p>(a) the service supplier must be a Chilean natural or juridical person; (b) the service supplier must have a real and effective domicile in Chile; and (c) in the case of juridical persons, the service supplier must be legally constituted in Chile and more than 50 per cent of its</p>	

	capital stock must be owned by Chilean nationals and its effective control must be by Chilean nationals.	
Domestic road transport (cabotage)	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure that authorises only Chilean natural or juridical persons to supply land transportation of persons or merchandise inside the territory of Chile ("cabotage"). For this, the enterprises shall use vehicles registered in Chile.</p>	
<u>Subsidies</u>	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p><u>Chile reserves the right to adopt or maintain any measure with regards to subsidies or grants including government-supported loans, guarantees, and insurance.</u></p>	
<p>All Sectors</p> <p>Movement of Natural Persons</p> <p>Providing Services</p>	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure with respect to the supply of services through the presence of natural persons (provision of services through mode 4), including immigration measures, except as specifically set out in this Schedule, for the following categories:</p> <p>Intra Corporate Transferees: means natural persons within a foreign enterprise established in Chile, in accordance to commercial presence, of senior and specialized personnel who have been employed by the organization for a period of at least two years immediately preceding the date of their application for admission, performing the same type of duties in the parent company of their country of origin. In any case, foreign natural persons may not represent more than 15 percent (15%) of the total staff employed in Chile, when the employer hires more than 25 persons.</p> <p><i>Senior personnel</i> are those executives who come under the direct supervision of the board of directors of the enterprise established in Chile and who, <i>inter alia</i>:</p>	

	<ul style="list-style-type: none"> - conduct the management of the organization or one of its departments or subdivisions; - supervise and control the work of other supervisory, professional or managerial employees; - are personally authorized to hire and fire or recommend hiring or firing or any other measure related to personnel. <p><i>Specialised personnel</i> are those highly qualified persons who are indispensable to the supply of the service because of their professional knowledge or:</p> <ul style="list-style-type: none"> - possession of qualifications for a particular type of work or activity requiring specialized technical expertise; - essential knowledge for the supply of the service, research equipment, techniques or management; and - the non-availability of such specialized personnel in Chile. <p>The category of senior and specialized personnel does not include the members of the board of directors of a company established in Chile.</p> <p>For all legal purposes, senior and specialized personnel must establish domicile or residence in Chile. Providers of services are admitted temporarily, for a period of two years, extendable to two more years. Personnel admitted under these conditions will be subject to the provisions of the labour and social security legislation in force.</p> <p>Business Visitors: means a natural person seeking temporary entry, for the purpose of participating in business meetings, performing market or investment studies, generating business contacts or participating in negotiations related to the supply of services in the future, including the setting up of a business or enterprise in the territory of Chile. Temporary entry shall be granted when the business visitor: a) does not perceive remuneration in Chile; b) is not involved in making direct sales to the public; c) does not personally supply a service.</p> <p>Persons Responsible for Setting up a Commercial Presence: means persons working in a senior position, as defined above, within a legal person, who are responsible for setting up in Chile a commercial presence of a service provider of another Party when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sale or supplying services; and - the service provider has its principal place of business in the territory of another Party and has no other representative, office, branch or subsidiary in any of the Parties. <p>The commitments for Business Visitors and Persons Responsible for Setting up a Commercial Presence do not apply to financial services.</p>	
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I. HORIZONTAL COMMITMENTS – SECTION B			
Sector or subsector	Limitations on Market access	Other Limitations: <u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u> Limitations on national treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
	<u>Limitations on Market Access pursuant to Article II-1</u> Chile maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:	<u>Reservations pursuant to Articles II-2:2 and II-2:3, and [...]</u> Chile maintains the following conditions and qualifications on national treatment, local content and other performance requirements, local management and boards of directors, and local presence, in all sectors.	
All Sectors Movement of Natural Persons Providing Services	(4) Unbound, except as indicated in Part I, Section A.		

<p>All Sectors</p>	<p>Chile may only dispose of the ownership or other rights over “State land” to Chilean natural or juridical persons, unless the applicable legal exceptions, such as in Decree Law 1939 (<i>Decreto Ley 1939</i>), apply. “State land” for these purposes refers to State owned land up to a distance of 10 kilometres from the border and up to a distance of five kilometres from the coastline measured from the high-tide line.</p>	<p>National Treatment</p> <p>Chile may only dispose of the ownership or other rights over “State land” to Chilean natural or juridical persons, unless the applicable legal exceptions, such as in Decree Law 1939 (<i>Decreto Ley 1939</i>), apply. “State land” for these purposes refers to State owned land up to a distance of 10 kilometres from the border and up to a distance of five kilometres from the coastline, measured from the high-tide line.</p>	
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	<p>Immovable property situated in areas declared “the borderland zone” by virtue of D.F.L. 4 of the Ministry of Foreign Affairs, 1967 (<i>D.F.L. 4 del Ministerio de Relaciones Exteriores, 1967</i>) may not be acquired, either as property or in any other title, by (a) natural persons with nationality of a neighbouring country; (b) juridical persons with their principal seat in a neighbouring country; (c) juridical persons with 40 per cent or more of capital owned by natural persons with nationality of a neighbouring country; or (d) juridical persons effectively controlled by such natural persons.</p> <p>Notwithstanding the foregoing, this limitation may not apply if an exemption is granted by a Supreme Decree (<i>Decreto Supremo</i>) based on considerations of national interest.</p>	<p>Immovable property situated in areas declared “the borderland zone” by virtue of D.F.L. 4 of the Ministry of Foreign Affairs, 1967 (<i>D.F.L. 4 del Ministerio de Relaciones Exteriores, 1967</i>) may not be acquired, either as property or in any other title, by (a) natural persons with nationality of a neighbouring country; (b) juridical persons with their principal seat in a neighbouring country; (c) juridical persons with 40 per cent or more of capital owned by natural persons with nationality of a neighbouring country; or (d) juridical persons effectively controlled by such natural persons.</p> <p>Notwithstanding the foregoing, this limitation may not apply if an exemption is granted by a Supreme Decree (<i>Decreto Supremo</i>) based on considerations of national interest.</p> <p>Measures: Decree Law 1939, Official Gazette, November 10, 1977, Rules for acquisition, administration and disposal of State owned assets, Title I (<i>Decreto Ley 1939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I</i>).</p> <p>Decree with Force of Law (D.F.L.) 4 of the Ministry of Foreign Affairs, Official Gazette, November 10, 1967 (<i>Decreto con Fuerza de Ley (D.F.L.) 4 del Ministerio de Relaciones Exteriores, Diario Oficial, noviembre 10, 1967</i>).</p>	
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<p>All sectors</p>	<p>A minimum of 85 per cent of employees who work for the same employer shall be Chilean natural persons or foreigners with more than five years of residence in Chile. This rule applies to employers with more than 25 employees under a contract of employment (<i>contrato de trabajo</i>). Expert technical personnel shall not be subject to this provision, as determined by the Directorate of Labour (<i>Dirección del Trabajo</i>).</p> <p>An employee shall be understood to mean any natural person who supplies intellectual or material services, under dependency or subordination, pursuant to a contract of employment.</p>	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>A minimum of 85 per cent of employees who work for the same employer shall be Chilean natural persons or foreigners with more than five years of residence in Chile. This rule applies to employers with more than 25 employees under a contract of employment (<i>contrato de trabajo</i>). Expert technical personnel shall not be subject to this provision, as determined by the Directorate of Labour (<i>Dirección del Trabajo</i>).</p> <p>An employee shall be understood to mean any natural person who supplies intellectual or material services, under dependency or subordination, pursuant to a contract of employment.</p> <p>Measures:</p> <p>D.F.L. 1 of the Ministry of Labour and Social Welfare, Official Gazette, January 24, 1994, Labour Code, Preliminary Title, Book I, Chapter III (<i>D.F.L. 1 del Ministerio del Trabajo y Previsión Social, Diario Oficial, enero 24, 1994, Código del Trabajo, Título preliminar, Libro I, Capítulo III</i>)</p>	
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<p>All Sectors</p> <p>Energy</p>	<p>The exploration, exploitation, and treatment (<i>beneficio</i>) of liquid or gaseous hydrocarbons, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree. For greater certainty, it is understood that the term “treatment” (<i>beneficio</i>) shall not include the storage, transportation or refining of the energy material referred to in this paragraph.</p> <p>The production of nuclear energy for peaceful purposes may only be carried out by the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>) or, with its authorization, jointly with third persons. Should the Commission grant such an authorization, it may determine the terms and conditions thereof.</p>	<p>National Treatment</p> <p>Local Content and Other Performance Requirements</p> <p>The exploration, exploitation, and treatment (<i>beneficio</i>) of liquid or gaseous hydrocarbons, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree. For greater certainty, it is understood that the term “treatment” (<i>beneficio</i>) shall not include the storage, transportation or refining of the energy material referred to in this paragraph.</p> <p>The production of nuclear energy for peaceful purposes may only be carried out by the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>) or, with its authorization, jointly with third persons. Should the Commission grant such an authorisation, it may determine the terms and conditions thereof.</p> <p>Measures:</p> <p>Political Constitution of the Republic of Chile, Chapter III (<i>Constitución Política de la República de Chile, Capítulo III</i>)</p> <p>Law 18.097, Official Gazette, January 21, 1982, Constitutional Organic Law on Mining Concessions, Titles I, II and III (<i>Ley 18.097, Diario Oficial, enero 21, 1982, Orgánica Constitucional sobre Concesiones Mineras, Títulos I, II y III</i>)</p> <p>Law 18.248, Official Gazette, October 14, 1983, Mining Code, Titles I and II (<i>Ley 18.248, Diario Oficial, octubre 14, 1983, Código de Minería, Títulos I y II</i>)</p> <p>Law 16.319, Official Gazette, October 23, 1965, Creates the Chilean Nuclear Energy Commission, Titles I, II and III (<i>Ley 16.319, Diario Oficial, octubre 23, 1965, crea la Comisión Chilena de Energía Nuclear, Títulos I, II y III</i>)</p>	<p>14</p> <p>Limited</p> <p>Copy for the Council and the European Parliament</p>
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<p>All sectors</p> <p>Mining</p>	<p>The exploration, exploitation, and treatment (<i>beneficio</i>) of lithium, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree of the President of the Republic. Chile has the right of first offer at market prices and terms for the purchase of mineral products when thorium and uranium are contained in significant quantities.</p> <p>For greater certainty, Chile may require that producers separate from mining products the portion of:</p> <ol style="list-style-type: none"> (1) liquid or gaseous hydrocarbons; (2) lithium; (3) deposits of any kind existing in sea waters subject to national jurisdiction; and (4) deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, that exists, in significant amounts, in such mining products and that can be economically and technically separated, for delivery to or for sale on behalf of the State. For these purposes, “economically and technically separated” means that the costs incurred to recover the four types of substances referred to above through a sound technical procedure and to commercialize and deliver those substances shall be lower than their commercial value. 	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p>The exploration, exploitation, and treatment (<i>beneficio</i>) of lithium, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree.</p> <p>Chile has the right of first offer at market prices and terms for the purchase of mineral products when thorium and uranium are contained in significant quantities.</p> <p>For greater certainty, Chile may require that producers separate from mining products the portion of:</p> <ol style="list-style-type: none"> (1) liquid or gaseous hydrocarbons; (2) lithium; (3) deposits of any kind existing in sea waters subject to national jurisdiction; and (4) deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, that exists, in significant amounts, in such mining products and that can be economically and technically separated, for delivery to or for sale on behalf of the State. For these purposes, “economically and technically separated” means that the costs incurred to recover the four types of substances referred to above through a sound technical procedure and to commercialise and deliver those substances shall be lower than their commercial value. 	
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	<p>Furthermore, only the Chilean Nuclear Energy Commission, or parties authorized by the said Commission, may execute or enter into juridical acts regarding extracted natural atomic materials and lithium, as well as their concentrates, derivatives and compounds.</p>	<p>Furthermore, only the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>), or parties authorised by the said Commission, may execute or enter into juridical acts regarding extracted natural atomic materials and lithium, as well as their concentrates, derivatives and compounds.</p> <p>Measures:</p> <p>Political Constitution of the Republic of Chile, Chapter III (<i>Constitución Política de la República de Chile, Capítulo III</i>) Law 18.097, Official Gazette, January 21, 1982, Constitutional Organic Law on Mining Concessions, Titles I, II and III (<i>Ley 18.097, Diario Oficial, enero 21, 1982, Orgánica Constitucional sobre Concesiones Mineras, Títulos I, II y III</i>) Law 18.248, Official Gazette, October 14, 1983, Mining Code, Titles I and III (<i>Ley 18.248, Diario Oficial, octubre 14, 1983, Código de Minería, Títulos I y III</i>) Law 16.319, Official Gazette, October 23, 1965, Creates the Chilean Nuclear Energy Commission, Titles I, II and III (<i>Ley 16.319, Diario Oficial, octubre 23, 1965, crea la Comisión Chilena de Energía Nuclear, Títulos I, II y III</i>)</p>	
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II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Other Limitations: Limitations on National treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
I. BUSINESS SERVICES			
A. Professional Services ²			
1. Legal Services (861)			

² Without prejudice to what is established in Part I (Horizontal Commitments), suppliers of the professional services included in this Schedule may be subject to assessment by the competent authorities in connection with which they must show that they fulfill the requirements designed to ensure that they perform competently in the sector.

<p><u>Domestic Law</u></p>	<p>(1) (2) and (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section</p> <p>, except:</p> <p>Receivers in bankruptcy (síndicos de quiebra) must have not less than three years' experience and must be duly authorised by the Minister of Justice (Ministerio de Justicia), and can only work in the place they reside.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>Only Chilean and foreign nationals with residence in Chile, who have completed the totality of their legal studies in the country, shall be authorized to practice as lawyers (<i>abogados</i>).</p> <p>Only lawyers (<i>abogados</i>) duly qualified to practice law shall be authorized to plead a case in Chilean courts and to file the first legal action or claim of each party.</p> <p>The following documents, among others, shall be drawn up solely by lawyers (<i>abogados</i>): drafting of articles of incorporation and amendments thereto; mutual termination of obligations or liquidation of corporations; liquidation of community property between spouses (<i>sociedad conyugal</i>); distribution of property; articles of incorporation of juridical persons, associations, water canal members (<i>asociaciones de canalistas</i>) and cooperative associations (<i>cooperativas</i>); agreements governing financial transactions; corporate bond issuance agreements; and sponsoring applications for legal representation made by corporations and foundations.</p> <p><u>Measures:</u></p> <p><u>Decree 110 of the Ministry of Justice Official Gazette March 20 1979 (Decreto 110 del Ministerio de Justicia, Diario Oficial, marzo 20, 1979)</u></p> <p><u>Law 18.120 Official Gazette May 18 1982 (Ley 18.120, Diario Oficial, mayo 18, 1982)</u></p> <p><u>Tribunals Organic Code Title XV Official Gazette July 9 1943 (Código Orgánico de Tribunales, Títulos XI, XII y XV, Diario Oficial, julio 9, 1943)</u></p>	
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Foreign and International Law	(1) (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
<u>Arbitration and Conciliation Services (86602)</u>	<u>(1) (2) and (3) None except for those arbitration proceedings that Chilean legislation designates as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law.</u> <u>(4) Unbound, except as indicated in the horizontal section</u>	<u>National Treatment</u> <u>Chilean legislation designates some arbitration proceedings as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law (árbitro de derecho) whom by legal mandate shall be Chilean nationals.</u>	

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<p>Auxiliary Services in the Administration of Justice</p>	<p>(1) and (3) None, except <u>in the case of</u> : Receivers in bankruptcy (<i>síndicos de quiebra</i>) must have not less than three years' experience and who must be duly authorised by the Minister of Justice (<i>Ministerio de Justicia</i>), and can only work in the place they reside.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>Justice ancillaries (<i>auxiliares de la administración de justicia</i>) must have their residence in the same city or place where the court house for which they render services is domiciled.</p> <p>Public defenders (<i>defensores públicos</i>), public notaries (<i>notarios públicos</i>), and custodians (<i>conservadores</i>) shall be Chilean natural persons and fulfil the same requirements needed to become a judge.</p> <p>Archivists (<i>archiveros</i>), public defenders (<i>defensores públicos</i>) and arbitrators at law (<i>árbitros de derecho</i>) must be lawyers (<i>abogados</i>) and, therefore, must be Chilean or foreign nationals with residence in Chile who have completed the totality of their legal studies in the country. Another Party's lawyers may assist in arbitration when dealing with the law of another Party and international law and the private parties request it.</p> <p>Only Chilean natural persons, with the right to vote, and foreign natural persons with permanent residence and the right to vote, can act as process servers (<i>receptores judiciales</i>) and superior court attorneys (<i>procuradores del número</i>).</p> <p>Only Chilean natural persons, foreign natural persons with permanent residence in Chile or Chilean juridical persons may be auctioneers (<i>martilleros públicos</i>).</p> <p>Receivers in bankruptcy (<i>síndicos de quiebra</i>) must have a professional or technical degree granted by a university or a professional or technical institute recognised by Chile. Receivers in bankruptcy must have at least three years of experience in the commercial, economic or judicial field.</p>	<p>20</p> <p>Limited</p> <p>Copy for the Council and the European Parliament</p>
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<p>2. Accounting, auditing and bookkeeping services³ (862)</p>	<p>(1) and (3) None, except: The external auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencias de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<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.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>External auditors of financial institutions must be registered in the Register of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencia de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons legally incorporated 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.</p> <p>Measures:</p> <p>Law 18.046, Official Gazette, October 22, 1981, Corporations Law, Title V (<i>Ley 18.046, Diario Oficial, octubre 22, 1981, Ley de Sociedades Anónimas, Título V</i>) Supreme Decree 702 of the Ministry of Finance, Official Gazette, July 6, 2012, Corporations Act (<i>Decreto Supremo 702 del Ministerio de Hacienda, Diario Oficial, julio 6, 2012, Reglamento de Sociedades Anónimas</i>)</p> <p>Decree Law 1.097, Official Gazette, July 25, 1975, Titles I, II, III and IV (<i>Decreto Ley 1.097, Diario Oficial, julio 25, 1975, Títulos I, II, III y IV</i>)</p> <p>Decree Law 3.538, Official Gazette, December 23, 1980, Titles I, II, III and IV (<i>Decreto Ley 3.538, Diario Oficial, diciembre 23, 1980, Títulos I, II, III y IV</i>)</p> <p>Circular 2.714, October 6, 1992; Circular 1, January 17, 1989; Chapter 19 Updated Collection, Superintendency of Banks and Financial Institutions Norms on External Auditors (<i>Circular 2.714, octubre 6, 1992; Circular 1, enero 17, 1989; Capítulo 19 de la Recopilación Actualizada de Normas de la Superintendencia de Bancos e Instituciones Financieras sobre auditores externos</i>)</p> <p>Circular 327, June 29, 1983 and 350, October 21, 1983, Superintendence of Securities and Insurance (<i>Circulares 327, junio 29, 1983 y 350, octubre 21, 1983, de la Superintendencia de Valores y Seguros</i>)</p>	
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³ Financial statements must be endorsed by a professional legally authorized to practice in Chile.

<p>3. Taxation services (863)</p>	<p>(1), (2), and (3) None, except: The external auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencias de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons 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 Registry. (4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>External auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencia de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons legally incorporated 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 Registry.</p> <p>Measures:</p> <p>Law 18.046, Official Gazette, October 22, 1981, Corporations Law, Title V (<i>Ley 18.046, Diario Oficial, octubre 22, 1981, Ley de Sociedades Anónimas, Título V</i>) Supreme Decree 587 of the Ministry of Finance, Official Gazette, November 13, 1982, Corporations Act (<i>Decreto Supremo 587 del Ministerio de Hacienda, Diario Oficial, noviembre 13, 1982, Reglamento de Sociedades Anónimas</i>) Decree Law 1.097, Official Gazette, July 25, 1975, Titles I, II, III and IV (<i>Decreto Ley 1.097, Diario Oficial, julio 25, 1975, Títulos I, II, III y IV</i>) Decree Law 3.538, Official Gazette, December 23, 1980, Titles I, II, III and IV (<i>Decreto Ley 3.538, Diario Oficial, diciembre 23, 1980, Títulos I, II, III y IV</i>) Circular 2.714, October 6, 1992; Circular 1, January 17, 1989; Chapter 19 Updated Collection, Superintendency of Banks and Financial Institutions Norms on External Auditors (<i>Circular 2.714, octubre 6, 1992; Circular 1, enero 17, 1989; Capítulo 19 de la Recopilación Actualizada de Normas de la Superintendencia de Bancos e Instituciones Financieras sobre auditores externos</i>) Circulars 327, June 29, 1983 and 350, October 21, 1983, Superintendence of Securities and Insurance (<i>Circulares 327, junio 29, 1983 y 350, octubre 21, 1983, de la Superintendencia de Valores y Seguros</i>).</p>	
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4. Architectural services (8671)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Engineering services (8672)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
6. Integrated engineering services (8673)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
7. Urban planning and landscape architectural services (8674)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
8. Veterinary services (932)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
9. Services provided by midwives, nurses, physiotherapists and para-medical personnel (93191)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>B. Computer and related services</u>			

1. Consultancy services related to the installation of computer hardware (841)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
2. Software implementation services (842)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
3. Data processing services (843)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
4. Data base services (844)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Maintenance and repair services of office machinery and equipment including computers (845)	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
6. Other computer services	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
<u>C. Research and Development Services</u>			

<p>1. Research and development services on natural sciences and related scientific and technical consulting services (part of 851) (part of 853) (part of 8675)</p>	<p>(1) and (3) None, except: Natural persons representing foreign juridical persons, or natural persons residing abroad, intending to perform explorations for work of a scientific or technical nature, or mountain climbing in areas that are adjacent to Chilean borders shall apply for the appropriate authorisation through a Chilean consul in the country of domicile of the natural person.</p>	<p>National Treatment Foreign natural and juridical persons intending to conduct research in the 200- mile maritime zone shall be required to submit a request six months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>), and shall comply with the requirements established in the corresponding regulation. Chilean natural and juridical persons shall be required to submit a request three months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>) and shall comply with the requirements established in the corresponding regulation. Natural persons representing foreign juridical persons, or natural persons residing abroad, intending to perform explorations for work of a scientific or technical nature, or mountain climbing in areas that are adjacent to Chilean borders shall apply for the appropriate authorization through a Chilean consul in the country of domicile of the natural person. The Chilean consul shall then send such application directly to the National Directorate of Borders and Frontiers (<i>Dirección Nacional de Fronteras y Límites del Estado</i>). The Directorate may order that one or more Chilean natural persons working in the appropriate related activities shall join the explorations in order to become acquainted with the studies to be undertaken.</p>	
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	<p>The Chilean consul shall then send such application directly to the National Directorate of Borders and Frontiers (<i>Dirección Nacional de Fronteras y Límites del Estado</i>). The Directorate may order that one or more Chilean natural persons working in the appropriate related activities shall join the explorations in order to become acquainted with the studies to be undertaken.</p> <p>The Operations Department of the National Directorate of Borders and Frontiers (<i>Departamento de Operaciones de la Dirección Nacional de Fronteras y Límites del Estado</i>) shall decide to announce whether it authorises or rejects geographic or scientific explorations to be carried out by foreign juridical or natural persons in Chile.</p> <p>The National Directorate of Borders and Frontiers shall authorise and will supervise all explorations involving work of scientific or technical nature, or mountain climbing, that foreign juridical persons or natural persons residing abroad intend to carry out in areas adjacent to Chilean borders.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>The Operations Department of the National Directorate of Borders and Frontiers (<i>Departamento de Operaciones de la Dirección Nacional de Fronteras y Límites del Estado</i>) shall decide to announce whether it authorises or rejects geographic or scientific explorations to be carried out by foreign juridical or natural persons in Chile. The National Directorate of Borders and Frontiers of the State (<i>Dirección Nacional de Fronteras y Límites del Estado</i>) shall authorise and will supervise all explorations involving work of scientific or technical nature, or mountain climbing, that foreign juridical persons or natural persons residing abroad intend to carry out in areas adjacent to Chilean borders.</p> <p>Measures:</p> <p>Supreme Decree 711 of the Ministry of National Defence, Official Gazette, October 15, 1975 (<i>Decreto Supremo 711 del Ministerio de Defensa Nacional, Diario Oficial, octubre 15, 1975</i>)</p> <p>D.F.L. 11 of the Ministry of Economic Affairs, Development and Reconstruction, Official Gazette, December 5, 1968 (<i>D.F.L. 11 del Ministerio de Economía, Fomento y Reconstrucción, Diario Oficial, diciembre 5, 1968</i>)</p> <p>Decree 559 of the Ministry of Foreign Affairs, Official Gazette, January 24, 1968 (<i>Decreto 559 del Ministerio de Relaciones Exteriores, Diario Oficial, enero 24, 1968</i>)</p> <p>D.F.L. 83 of the Ministry of Foreign Affairs, Official Gazette, March 27, 1979 (<i>D.F.L. 83 del Ministerio de Relaciones Exteriores, Diario Oficial, marzo 27, 1979</i>)</p>	
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<p>2. Research and development services on social sciences and humanities (part of 852)</p>	<p>(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section</p>	<p>Foreign juridical or foreign natural persons intending to perform excavations, surveys, probing or collect anthropological, archaeological or paleontological material must apply for a permit from the National Monuments Council (<i>Consejo de Monumentos Nacionales</i>). In order to obtain the permit, the person in charge of the research must be engaged by a reliable foreign scientific institution and must be working in collaboration with a Chilean governmental scientific institution or a Chilean university.</p> <p>The aforementioned permit can be granted to (a) Chilean researchers having the pertinent scientific background in archaeology, anthropology or palaeontology, duly certified as appropriate, and also having a research project and due institutional sponsorship; and (b) foreign researchers, provided that they are engaged by a reliable scientific institution and that they work in collaboration with a Chilean governmental scientific institution or a Chilean university. Museum directors or curators recognised by the National Monuments Council (<i>Consejo de Monumentos Nacionales</i>), professional archaeologists, anthropologists or palaeontologists, as appropriate, and the members of the Chilean Society of Archaeology (<i>Sociedad Chilena de Arqueología</i>) shall be authorised to perform salvage-related works. Salvage related works involve the urgent recovery of data and archaeological, anthropological or paleontological artefacts or species threaten by imminent loss.</p> <p>Measures:</p> <p>Law 17.288, Official Gazette, February 4, 1970, Title V (<i>Ley 17.288, Diario Oficial, febrero 4, 1970, Título V</i>) Supreme Decree 484 of the Ministry of Education, Official Gazette, April 2, 1991 (<i>Decreto Supremo 484 del Ministerio de Educación, Diario Oficial, abril 2, 1991</i>)</p>	
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3. Interdisciplinary R&D services (853)	(1), (2) and (3) None, except: Same limitations as indicated above for Research and development services on natural sciences may apply. (4) Unbound, except as indicated in the horizontal section	Same limitations <u>and measures</u> as indicated above for Research and development services on natural sciences and on social sciences and humanities.	
<u>D. Real Estate Services</u>			
1. Involving own or leased property (821)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
2. On a fee or contract basis (822)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>E. Rental/Leasing Services without crew/operators, relating to vessels (83103), aircraft (83104), any other transport equipment (83101+83102+), and other machinery and equipment (83106-83109)</u>	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>F. Other Business Services</u>			

1. Advertising services 871, except other advertising services (CPC 8719)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
2. Market research and public opinion polling services (864)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
3. Management consulting service (865) (except 86509)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
4. Services related to management consulting (866), (except 86602)	(1) (2) and (3) None (4) Unbound, except as indicated in the horizontal section (1), (2) and (3) None, except for those arbitration proceedings that Chilean legislation designates as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law. (4) Unbound, except as indicated in the horizontal section	Chilean legislation designates some arbitration proceedings as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law (árbitro de derecho), whom, by legal mandate, shall be Chilean nationals.	
5. Technical testing and analysis services (8676)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

<p>6. Services incidental to agriculture, hunting and forestry (881)</p>	<p>(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section</p>	<p><u>Local Presence</u></p> <p>Any person who owns guns, explosives or similar substances must register with the appropriate authority in its domicile for which purpose a request shall be submitted to the General Directorate for National Mobilization of the Ministry of National Defense (<i>Dirección General de Movilización Nacional del Ministerio de Defensa Nacional</i>).</p> <p>Measures: Law 17.798, Official Gazette, October 21, 1972, Title I (<i>Ley 17.798, Diario Oficial, octubre 21, 1972, Título I</i>) Supreme Decree 83 of the Ministry of National Defence, Official Gazette, May 13, 2008 (<i>Decreto Supremo 83 del Ministerio de Defensa Nacional, Diario Oficial, mayo 13, 2008</i>)</p>	
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<p>7. Services incidental to fishing (882)</p>	<p>(1), (2) and (3) Unbound (4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>Foreign natural and juridical persons intending to conduct research in the 200- mile maritime zone shall be required to submit a request six months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>), and shall comply with the requirements established in the corresponding regulation. Chilean natural and juridical persons shall be required to submit a request three months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>) and shall comply with the requirements established in the corresponding regulation.</p> <p>Only Chilean natural or juridical persons constituted in accordance with Chilean law and foreigners with permanent residency may hold an authorization or concession to carry out aquaculture activities.</p> <p>Only Chilean natural persons or juridical persons constituted in accordance with Chilean law and foreigners with permanent residency may hold permits to harvest and catch hydrobiological species.</p>	
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		<p>Only Chilean vessels are permitted to fish in internal waters, in the territorial sea and in the exclusive economic zone. "Chilean vessels" are those defined in the Navigation Law (<i>Ley de Navegación</i>). Access to industrial extractive fishing activities shall be subject to prior registration of the vessel in Chile.</p> <p>Only a Chilean natural or juridical person may register a vessel in Chile. Such juridical person may register a vessel in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile.</p> <p>The president, manager and the majority of the directors or administrators must be Chilean natural persons. In addition, more than fifty per cent of its equity capital must be held by Chilean natural or juridical persons. For these purposes, a juridical person with ownership participation in another juridical person that owns a vessel has to comply with all the requirements mentioned above.</p> <p>A joint ownership (<i>comunidad</i>) may register a vessel if (1) the majority of the joint ownership is Chilean with domicile and residency in Chile; (2) the administrators are Chilean natural persons; and (3) the majority of the rights of the joint ownership(<i>comunidad</i>) belong to a Chilean natural or juridical person. For these purposes, a juridical person with ownership participation in a joint ownership (<i>comunidad</i>) that owns a vessel has to comply with all the requirements above.</p> <p>An owner (<i>natural or juridical person</i>) of a fishing vessel registered in Chile prior to June 30, 1991, shall not be subject to the nationality requirement mentioned above.</p> <p>In cases of reciprocity granted to Chilean vessels by any other country, fishing vessels specifically authorized by the maritime authorities pursuant to powers conferred by law may be exempted from the requirements mentioned above on equivalent terms provided to Chilean Vessels by that country.</p> <p>Access to small-scale fishing (<i>pesca artesanal</i>) activities shall be subject to registration in the registry for small scale fishing (<i>Registro de Pesca Artesanal</i>). Registration for small-scale fishing (<i>pesca artesanal</i>) is only granted to Chilean natural persons and foreign natural persons with permanent residency, or a Chilean juridical person constituted by the aforementioned persons.</p>	33
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		Measures: Supreme Decree 711 of the Ministry of National Defence, Official Gazette, October 15, 1975 (<i>Decreto Supremo 711 del Ministerio de Defensa Nacional, Diario Oficial, octubre 15, 1975</i>) Law 18.892, Official Gazette, December 23, 1989, General Law on Fisheries and Aquaculture, Titles I and VI (<i>Ley 18.892, Diario Oficial, Diciembre 23, 1989, Ley General de Pesca y Acuicultura, Títulos I y VI</i>) Law 18.892, Official Gazette, December 23, 1989, General Law on Fisheries and Aquaculture, Titles I, III, IV and IX (<i>Ley 18.892, Diario Oficial, December 23, 1989, Ley General de Pesca y Acuicultura, Títulos I, III, IV y IX</i>) Decree Law 2.222, Official Gazette, May 31, 1978, Navigation Law, Titles I and II (<i>Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación, Títulos I y II</i>)	
8. Services incidental to mining (883)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section.		
9. Placement and supply services of personnel (87201); (87202); (87203); (87204); (87205); (87206); (87209)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		

10. Investigation and security services (excluding guard services) (87301), (87302), (87303), (87304)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
Guard services (87305)	(1), (2) and (3), None, except: Only Chilean nationals may provide services as private security guards. (4) Unbound, except as indicated in the horizontal section	National Treatment Only Chilean nationals may provide services as private security guards. Measures: Decree 1.773 of the Ministry of Interior, Official Gazette, November 14, 1994 (<i>Decreto 1.773 del Ministerio del Interior, Diario Oficial, noviembre 14, 1994</i>)	
11. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (633+8861-8866);	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
12. Building-cleaning services (874)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
13. Photographic services (875)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

14. Packaging services (876)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
15. Printing, publishing (88442)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section	<p><u>National Treatment</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>The owner of a social communication medium such as newspapers, magazines or regularly published texts whose publishing address is located in Chile, or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory.</p> <p>Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p> <p>The director legally responsible and the person who replaces him or her must be Chilean, with domicile and residence in Chile. Chilean nationality will not be required in case a social communication medium uses a language different from Spanish.</p> <p>Measure:</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I & III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
16. Convention services (87909*)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

<u>II.</u> <u>COMMUNICATION</u> <u>SERVICES</u>			
B. <u>Courier services</u> (7512)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section.		
<u>C.</u> <u>Telecommunication</u> <u>services</u>			
Public local telephone services (75211); Public long distance telephone services (75212)	(1), (2), (3) and (4): Chile reserves the right to adopt or maintain any measure that is not inconsistent with Chile's obligations under Article XVI of the General Agreement on Trade in Services.		

<p>Local basic telecommunication services and networks, intermediate telecommunication services, supplementary telecommunication services, and limited telecommunications services</p>	<p>(1), (2) and (3): a concession granted by means of a Supreme Decree (<i>Decreto Supremo</i>) issued by the Ministry of Transport and Telecommunications (<i>Ministerio de Transportes y Telecomunicaciones</i>) shall be required for the installation, operation, and exploitation of public and intermediary telecommunication services in Chilean territory. Only juridical persons organized under the Chilean law shall be eligible for such concessions.</p> <p>An official decision issued by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) shall be required to render Supplementary Telecommunication Services, consisting of additional services by hooking up equipment to public networks. Said decision refers to compliance with the technical standards established by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) and non-alteration of the essential technical features of networks or of the permissible technological or basic service modalities provided through them.</p> <p>A permit issued by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) shall be required for the installation, operation, and development of limited telecommunications services.</p> <p>International traffic shall be routed through the installations of a company holding a concession granted by the Ministry of Transport and Telecommunications (<i>Ministerio de Transporte y Telecomunicaciones</i>).</p> <p>(4) Unbound, except as indicated in horizontal section.</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>Only juridical persons organized under the Chilean law shall be eligible for a concession required for the installation, operation, and exploitation of public and intermediary telecommunication services in Chilean territory.</p> <p>Measures:</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones</i>)</p>	
<p><u>D. Audiovisual services</u></p>			

Radio and television services (9613)	(1), (2) and (3) Unbound	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>The owner of a social communication medium such as those that transmit on a regular basis sounds, texts or images, or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory.</p> <p>Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p> <p>The owner of a concession to supply (a) public telecommunication services; (b) intermediate telecommunication services supplied to telecommunications services through facilities and networks established for that purpose; and (c) sound broadcasting, shall be a juridical person constituted and domiciled in Chile.</p> <p>Only Chilean nationals may be presidents, managers, administrators or legal representatives of the juridical person.</p> <p>In the case of public radio broadcasting services, the board of directors may include foreigners, only if they do not represent the majority.</p> <p>In the case of a social communication medium, the legally responsible director and the person who subrogates him or her must be Chilean, with domicile and residence in Chile, unless the social communication medium uses a language other than Spanish.</p> <p>Request for public radio broadcasting concessions submitted by juridical person in which, foreigners hold an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin.</p>	39
Radio and television transmission services (7524)	(4) Unbound, except as indicated in the horizontal section		

		<p>The National Television Council (<i>Consejo Nacional de Televisión</i>) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production.</p> <p>Only juridical persons duly constituted in Chile and having domicile in Chile may be titleholders or make use of permits for radio broadcasting telecommunication services.</p> <p>Only Chilean may be president, managers, administrators or legal representatives of the juridical person.</p> <p>The National Television Council (<i>Consejo Nacional de Televisión</i>) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production.</p> <p>.</p> <p>Measures:</p> <p>Law 18.838, Official Gazette, September 30, 1989, National Television Council, Titles I, II and III (<i>Ley 18.838, Diario Oficial, septiembre 30, 1989, Consejo Nacional de Televisión, Títulos I, II y III</i>)</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II and III (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II y III</i>)</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I and III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
<u>IV. DISTRIBUTION SERVICES</u>			

Commission agents' services (621); Wholesale trade services (622); Retailing services (631+632+6111+6113+6121); Franchising (8929); Other (8929)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
VI. ENVIRONMENTAL SERVICES			
Environmental Services (9401;-9403;9404; 9405; 9406 +9409other)	(1) and (3) Unbound, except for consultancy services. (2) None (4) Unbound, except as indicated in the horizontal section		
IX. TOURISM AND TRAVEL RELATED SERVICES			

Hotels and restaurants (including catering) (641-643); Travel Agencies and Tour operators services (7471); Tourist guides services (7472)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
X. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)			
A. Entertainment services			
Entertainment services. (Including theatre and circus services) (9619, excluding 96191)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

<p>B. News agency services (962)</p>	<p>(1), (2) and (3) None, except: Request for public radio broadcasting concessions submitted by juridical person in which foreigners holds an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence</p> <p>The owner of a social communication medium such as those that transmit on a regular basis sounds, texts or image transmission or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory. Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p> <p>The owner of a concession to supply (a) public telecommunication services; (b) intermediate telecommunication services supplied to telecommunications services through facilities and networks established for that purpose; and (c) sound broadcasting, shall be a juridical person constituted and domiciled in Chile.</p> <p>In the case of public radio broadcasting services, the board of directors may include foreigners, only if they do not represent the majority. The legally responsible director and the person who subrogates him or her must be Chilean, with domicile and residence in Chile.</p> <p>Request for public radio broadcasting concessions submitted by juridical person in which, foreigners holds an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin.</p> <p>The National Television Council (<i>Consejo Nacional de Televisión</i>) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production.</p> <p>Only juridical persons duly constituted in Chile and having domicile in Chile may be titleholders or make use of permits for radio broadcasting telecommunication services. Only Chilean may be president, managers or legal representatives of the juridical person.</p>	
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		<p>Measures:</p> <p>Law 18.838, Official Gazette, September 30, 1989, National Television Council, Titles I, II and III (<i>Ley 18.838, Diario Oficial, septiembre 30, 1989, Consejo Nacional de Televisión, Títulos I, II y III</i>)</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II and III (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II y III</i>)</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I and III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
<p>C. Libraries, archives, museums and other cultural services (963)</p>	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>		

<p>D. Sporting and other recreational services (964) (excluding gambling and betting services (96492); coin-operated amusement machine services; and sports facility operation services (96413))</p>	<p>(1), (2) and (3) None, except that a specific type of legal entity may be required for sporting organisations that develop professional activities. In addition: (a) it is not permitted to participate with more than one team in the same category of sport competition; (b) specific regulations may be established on equity ownership in sporting companies; and (c) minimal capital requirements may be imposed.</p> <p>(4) Unbound, except as indicated in horizontal section.</p>	<p><u>Local Presence</u></p> <p>Any person who owns guns, explosives or similar substances must register with the appropriate authority in its domicile for which purpose a request shall be submitted to the General Directorate for National Mobilization of the Ministry of National Defense (<i>Dirección General de Movilización Nacional del Ministerio de Defensa Nacional</i>).</p> <p>Any natural or juridical person registered as an importer of fireworks may request authorization for importation and entrance thereof into Chile from the General Directorate for National Mobilization (<i>Dirección General de Movilización Nacional</i>) and may keep stocks of the said elements for sale to persons holding authorization to stage pyrotechnical shows.</p> <p>The Supervisory Authority (<i>Autoridad Fiscalizadora</i>) shall only authorise pyrotechnical shows if a report is available with regard to the installation, development and security measures for the show, which must be signed and approved by a fireworks programmer registered in the national registries of the General Directorate for National Mobilisation (<i>Dirección General de Movilización Nacional</i>) or by a professional certified by the said General Directorate.</p> <p>For the production and execution of pyrotechnical shows, the presence of at least a fireworks expert handler registered with the General Directorate shall be required.</p> <p>Measures:</p> <p>Law 17.798, Official Gazette, October 21, 1972, Title I (<i>Ley 17.798, Diario Oficial, octubre 21, 1972, Título I</i>)</p> <p>Supreme Decree 83 of the Ministry of National Defence, Official Gazette, May 13, 2008 (<i>Decreto Supremo 83 del Ministerio de Defensa Nacional, Diario Oficial, mayo 13, 2008</i>)</p>	
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Sports facility operation services (96413)	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
<u>XI. TRANSPORT SERVICES</u>			

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<p><u>A. Maritime</u> <u>Transport Services</u></p> <p><u>B. Internal</u> <u>Waterways</u> <u>Transport</u></p>	<p>(1) and (3) Unbound. (2) None. (4) Unbound, except as indicated in horizontal section.</p>	<p><u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>Only Chilean natural or juridical person may register a vessel in Chile. Such juridical person must be constituted with principle domicile and real and effective seat in Chile In addition, more than 50 per cent of its capital must be held by Chilean natural or juridical persons. For these purposes, a juridical person with ownership participation in another juridical person that owns a vessel has to comply with all the aforementioned requisites. The president, manager, and majority of the directors or administrators must be Chilean natural persons.</p> <p>A joint ownership (<i>comunidad</i>) may register a vessel if (a) the majority of the joint ownership is Chilean with domicile and residency in Chile; (b) the administrators are Chileans; (c) the majority of the rights of the joint ownership belong to a Chilean natural or juridical person. For these purposes, a juridical person with ownership participation in a joint ownership (<i>comunidad</i>) that owns a vessel has to comply with all the aforementioned requisites to be considered Chilean.</p> <p>Fishing boat captains (<i>patrones de pesca</i>), machinists (<i>mecánicos-motoristas</i>), machine operators (<i>motoristas</i>), seafaring fishermen (<i>marineros pescadores</i>), small-scale fishermen (<i>pescadores</i>), industrial or maritime trade technical employees or workers, and industrial and general ship service crews on fishing factories or fishing boats shall be required to be Chilean nationals. Foreigners with domicile in Chile shall also be authorised to perform those activities when so requested by ship operators (<i>armadores</i>) for being indispensable to initiate those activities.</p> <p>In order to fly the Chilean flag, the ship captain (<i>patrón de nave</i>), officers and crew must be Chilean nationals. Nevertheless, if indispensable, the General Directorate for the Maritime Territory and Merchant fleet (<i>Dirección General del Territorio Marítimo y de Marina Mercante</i>), on the basis of a substantiated resolution (<i>resolución fundada</i>) and on a temporary basis, may authorise the hiring of foreign personnel, with the exception of the captain, who must always be a Chilean national.</p>	<p>47</p>
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		<p>Only a Chilean natural or juridical person shall be authorized to work in Chile as a multimodal operator.</p> <p>Cabotage shall be reserved for Chilean vessels. Cabotage shall include the ocean, river or lake shipping of passengers and cargo between different points of the national territory and between such points and naval artifacts installed in territorial waters or in the exclusive economic zone.</p> <p>Foreign merchant vessels may be able to participate in cabotage when cargo volumes exceed 900 tons, following a public tender called by the user with due anticipation. When the cargo volumes involved are equal to or less than 900 tons, and no vessels flying the Chilean flag are available, the Maritime Authority may authorize embarking such cargo on foreign merchant vessels.</p> <p>International maritime transport of cargo to or from Chile is subject to the principle of reciprocity. In the event that Chile should adopt, for reasons of reciprocity, a cargo reservation measure applicable to international cargo transportation between Chile and a non-Party, the reserved cargo shall be transported in Chilean flag vessels or in vessels considered as such.</p> <p>Shipping agents or representatives of ship operators, owners or captains, whether they are natural or juridical person, shall be required to be Chilean. Work of stowage and dockage performed by natural persons is reserved to Chileans who are duly accredited by the corresponding authority to carry out such work and have an office established in Chile.</p> <p>Whenever these activities are carried out by juridical persons, they must be legally constituted in Chile and have their principal domicile in Chile. The chairman, administrators, managers or directors must be Chilean. At least 50 per cent of the corporate capital must be held by Chilean natural or juridical persons. Such enterprises shall designate one or more empowered agents, who will act in their representation and who shall be Chilean nationals.</p> <p>Anyone unloading, transhipping and, generally, using continental or insular Chilean ports, particularly for landing fish catches or processing fish catches on board, shall also be required to be a Chilean natural or juridical person.</p>	
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<u>C. Air Transport Services</u>			
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<p>1. Rental services of aircraft with operator (734)</p> <p>2. Specialty air services</p>	<p>(1), (2) and (3) None, except: Only a Chilean natural or juridical person may register an aircraft in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile. In addition, a majority of its own ownership must be held by Chilean natural or juridical persons, which in turn must comply with aforementioned requisites.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>Only a Chilean natural or juridical person may register an aircraft in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile. In addition, a majority of its own ownership must be held by Chilean natural or juridical persons, which in turn must comply with aforementioned requisites.</p> <p>The president, manager, majority of directors and/or administrators of the juridical person must be Chilean natural persons.</p> <p>A foreign registered private aircraft engaged in non-commercial may not remain in Chile more than 30 days from its date of entry into Chile, unless authorized by the General Directorate for Civil Aeronautics (<i>Dirección General de Aeronáutica Civil</i>). For greater certainty, this measure shall not apply to specialty air services as defined in Air Transport services Annex, except for glider towing and parachute jumping.</p> <p>In order to work as crew member on aircrafts used by Chilean aviation company, foreign aviation personnel shall be required first to obtain a Chilean license with the appropriate permits enabling them to discharge the pertinent duties.</p> <p>Foreign aviation personnel shall be allowed to work in that capacity in Chile provided that Chilean civil aviation authorities validate the license or authorization granted by a foreign country. In the absence of an international agreement regulating such validation, the license or authorization shall be granted under conditions of reciprocity. In that case, proof shall be submitted showing that the licenses or authorizations were issued or validated by the pertinent authorities in the country where aircraft is registered, that the documents are in force, and that the requirements for issuing or validating such licenses and authorizations meet or exceed the standards required in Chile for analogous cases.</p> <p>The Civil Aviation Board (<i>Junta de Aeronáutica Civil</i>), by means of a substantiated resolution (<i>resolución fundada</i>), may terminate, suspend or limit domestic traffic services (cabotage) or any other class of commercial aviation services carried out solely in Chilean territory by foreign companies or aircraft if in their country of origin the right to equal treatment for Chilean companies and aircraft is denied.</p>	<p>51</p> <p>Limited</p> <p>Copy for the Council and the European Parliament</p>
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		<p>Foreign civil aircraft not engaging in commercial transport activities or non-scheduled commercial air transport intended to enter Chilean territory, including its territorial waters, to fly over Chile, and to make stop-overs for non-commercial purposes, shall be required to notify the General Directorate For Civil Aeronautics at least 24 hours in advance.</p> <p>Measures:</p> <p>Law 18.916, Official Gazette, February 8, 1990, Code of Aeronautics, Preliminary Title and Titles II and III (<i>Ley 18.916, Diario Oficial, febrero 8, 1990, Código Aeronáutico, Títulos Preliminar, II y III</i>).</p> <p>Decree Law 2.564, Official Gazette, June 22, 1979, Commercial Aviation Norms (<i>Decreto Ley 2.564, Diario Oficial, junio 22, 1979, Normas sobre Aviación Comercial</i>)</p> <p>Supreme Decree 624 of the Ministry of National Defence, Official Gazette, January 5, 1995 (<i>Decreto Supremo 624 del Ministerio de Defensa Nacional, Diario Oficial, enero 5, 1995</i>)</p> <p>Law 16.752, Official Gazette, February 17, 1968, Title II (<i>Ley 16.752, Diario Oficial, febrero 17, 1968, Título II</i>)</p> <p>Decree 34 of the Ministry of National Defence, Official Gazette, February 10, 1968 (<i>Decreto 34 del Ministerio de Defensa Nacional, Diario Oficial, febrero 10, 1968</i>)</p> <p>Supreme Decree 102 of the Ministry of Transport and Telecommunications, Official Gazette, June 17, 1981 (<i>Decreto Supremo 102 del Ministerio de Transportes y Telecomunicaciones, Diario Oficial, junio 17, 1981</i>)</p> <p>Supreme Decree 172 of the Ministry of National Defense, Official Gazette, March 5, 1974 (<i>Decreto Supremo 172 del Ministerio de Defensa Nacional, Diario Oficial, marzo 5, 1974</i>)</p> <p>Supreme Decree 37 of the Ministry of National Defense, Official Gazette, December 10, 1991 (<i>Decreto Supremo 37 del Ministerio de Defensa Nacional, Diario Oficial, diciembre 10, 1991</i>)</p> <p>Decree 222 of the Ministry of National Defense, Official Gazette, October 05, 2005 (<i>Decreto 222 del Ministerio de Defensa Nacional, Diario Oficial, octubre 05, 2005</i>)</p>	
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3. Selling and marketing of air transport services	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
4. Aircraft repair and maintenance services (part of 8868)	(1) Unbound* (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Computer reservation system services (part of 7523)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
6. Ground Handling	(1) , (2) and (3) None (4) Unbound, except as indicated in horizontal section		
7. Airport Operation	(1) ,(2) and(3) None (4) Unbound, except as indicated in horizontal section		

<p><u>F. Road Transport Services</u></p>	<p>(1), (2) and (3) None, except: Passenger Transportation is unbound. (4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>Land transportation service providers shall register in the National Registry by submitting an application to the Regional Secretary of Transport and Telecommunications (<i>Secretaría Regional Ministerial del Ministerio de Transportes y Telecomunicaciones</i>). In the case of urban services applicants shall submit the application to the Regional Secretary responsible for the area in which the service is to be supplied and, in the case of rural and interurban services, in the region where the applicant is domiciled. The application shall provide the detailed information required by law, attaching thereto, among other documents, a properly certified photocopy of the National Identity Card and, in the case of juridical persons, the public instruments accrediting its constitution and name and the domicile of its legal representative and documents evidencing such capacity.</p> <p>Foreign natural and juridical persons qualified to supply international transportation services in Chilean territory cannot supply local transportation services or participate in any manner whatsoever in the said activities in the national territory.</p> <p>Only companies with actual and effective domicile in Chile and organized under the laws of Chile, Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay shall be authorized to provide international land transportation services between Chile and Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay. Furthermore, to obtain an international land transport permit, in the case of foreign juridical persons, more than 50 per cent of its corporate capital and effective control shall be held by nationals of Chile, Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay.</p>	
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		<p>Motor vehicles bearing foreign license plates that enter Chile on a temporary basis, pursuant to provisions set forth in the 1949 Geneva Convention on Road Traffic, shall circulate freely throughout the national territory for the period established therein, provided that they comply with the requirements established by Chilean law.</p> <p>Holders of valid international driving licence or certificates issued in a foreign country in accordance with the Geneva Convention may drive anywhere within the national territory. The driver of a vehicle bearing foreign license plates who holds an international driver's license shall present upon request by the authorities the documents certifying both the roadworthiness of the vehicle and the use and validity of his or her personal documents.</p> <p>Measures:</p> <p>Supreme Decree 212 of the Ministry of Transport and Telecommunications, Official Gazette, November 21, 1992 (<i>Decreto Supremo 212 del Ministerio de Transportes y Telecomunicaciones, Diario Oficial, noviembre 21, 1992</i>)</p> <p>Decree 163 of the Ministry of Transport and Telecommunications, Official Gazette, January 4, 1985 (<i>Decreto 163 del Ministerio de Transportes y Telecomunicaciones, Diario Oficial, enero 4, 1985</i>)</p> <p>Supreme Decree 257 of the Ministry of Foreign Affairs, Official Gazette, October 17, 1991 (<i>Decreto Supremo 257 del Ministerio de Relaciones Exteriores, Diario Oficial, octubre 17, 1991</i>)</p> <p>Law 18.290, Official Gazette, February 7, 1984, Title IV (<i>Ley 18.290, Diario Oficial, febrero 7, 1984, Título IV</i>)</p> <p>Supreme Decree 485 of the Ministry of Foreign Affairs, Official Gazette, September 7, 1960, Geneva Convention (<i>Decreto Supremo 485 del Ministerio de Relaciones Exteriores, Diario Oficial, septiembre 7, 1960, Convención de Ginebra</i>)</p>	
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G. Pipeline Transport (Transportation of fuels and other goods) (7131 + 7139)	(1), (2), and (3) 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. (4) None, except as indicated in the horizontal section		
H. Services Auxiliary to All Modes of Transport: cargo handling services; storage and warehouse services; freight transport agency services; other supporting and auxiliary transport services	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>Only Chilean natural persons with residency in Chile may act as customs brokers (<i>Despachadores de Aduana</i>) or Agents (<i>Agentes de Aduana</i>).</p> <p>Measures: D.F.L. 30 of the Ministry of Finance, Official Gazette, April 13, 1983, Book IV (<i>D.F.L. 30 del Ministerio de Hacienda, Diario Oficial, abril 13, 1983, Libro IV</i>) D.F.L. 2 of the Ministry of Finance, 1998 (<i>D.F.L. 2 del Ministerio de Hacienda, 1998</i>)</p>	
<u>Other Services Not Listed Above</u>	(1), (2) and (3) Unbound (4) Unbound, except as indicated in the horizontal section	All existing measures inconsistent with Article I-4 (National Treatment) at all levels of government.	

TRADE IN SERVICES AGREEMENT

~~SECOND-THIRD~~ REVISED OFFER BY CHILE

~~MAY-OCTOBER~~ 2016

~~This offer has been drafted based on the November 2013 version of the core text adopted by the TiSA participants.~~

Chile reserves the right to withdraw, modify, or reduce this offer in whole or part, and to correct any errors, omissions or inaccuracies.

~~Chile's offer may change depending on the outcome of the negotiations.~~

~~This offer is subject to ongoing internal consultation.~~

Chile's offer does not currently include any commitments or exemptions on Most-Favoured-Nation (MFN) treatment, as the related provision in the core text is currently under negotiation.

CPC references mean Central Product Classification established by the United Nations Statistics Division (CPC), Series M, Nº77, *Provisional Central Product Classification*, 1991.

In the case of inconsistency between any of the elements contained under any of the columns in Part I Section B and Part II of the schedule, the listed "Measure" shall prevail.

Modes of supply: (1) Cross border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons		
HORIZONTAL COMMITMENTS		
All Sectors	Chile reserves the right of the Central Bank of Chile to maintain or adopt measures in conformity with its Constitutional Organic Law (<i>Ley Orgánica Constitucional del Banco Central de Chile, Ley 18.840</i>) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, inter alia, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (<i>encaje</i>).	
All Sectors	<p>Decree Law 600 (1974), the Foreign Investment Statute, is a voluntary and special investment regime. As an alternative to the common regime for the entry of capital into Chile, potential investors may apply to the Foreign Investment Committee to be subject to the regime set out in Decree Law 600.</p> <p>The obligations and commitments contained in this Agreement and in this Annex do not apply to Decree Law 600, Foreign Investment Statute, Law 18.657 Foreign Capital Investment Funds Law, to the continuation or prompt renewal of such laws, to amendments to those laws or to any special and/or voluntary investment regime that may be adopted in the future by Chile. For greater certainty, it is understood that the Foreign Investment Committee of Chile has the right to reject applications to invest through Decree Law 600 and Law 18.657. Additionally, the Foreign Investment Committee has the right to regulate the terms and conditions of foreign investment under the aforementioned Decree Law 600 and Law 18.657.</p>	
I. HORIZONTAL COMMITMENTS – SECTION A RESERVATIONS pursuant to Article II-2:4. Chile reserves the right to adopt or maintain any measure in the specific sectors, sub-sectors or activities listed below:		
Sector or subsector	<u>Limitations on:</u> Limitations on National treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments

All Sectors	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure relating to the ownership or control of land within five kilometres of the coastline that is used for agricultural activities. Such measure 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.</p> <p>Measures:</p> <p>Decree Law 1939, Official Gazette, November 10, 1977, Rules for acquisition, administration and disposal of State owned assets, Title I (<i>Decreto Ley 1939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I</i>).</p>	
All Sectors	<p><u>National Treatment</u> <u>Local Management and Boards of Directors</u></p> <p>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.</p> <p>A "State company"¹ 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 entry into force 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.</p>	
Communications	<p><u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u></p> <p>Chile reserves the right to adopt or maintain any measure related to one way satellite broadcasting of digital telecommunication services, whether these involve direct home television broadcasting, direct broadcasting of television services and direct audio broadcasting; supplementary telecommunication services and limited telecommunication services.</p>	

¹ A list of existing state enterprises in Chile can be found on the following website: <http://dipres.gob.cl>

	<p>Measures:</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II, III, V and VI (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II, III, V y VI</i>)</p>	
<p>All Sectors Issues Involving Minorities</p>	<p> National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence </p> <p>Chile reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.</p>	
<p>All Sectors Issues Involving Indigenous Peoples</p>	<p> National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence </p> <p>Chile reserves the right to adopt or maintain any measure according rights or preferences to indigenous peoples.</p>	
<p>Education</p>	<p> National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence </p> <p>Chile reserves the right to adopt or maintain any measure relating to:</p> <ul style="list-style-type: none"> (a) commercial presences who supply educational services in Chile; and (b) natural persons who supply educational services in Chile. <p>Subparagraph (b) includes teachers and auxiliary personnel supplying educational services in pre-school, kindergarten, special education, elementary, secondary or higher education, professional, technical or university education, and all the persons that supply services related to education, including, sponsors of educational institutions of any kind, schools, lyceums, academies, training centres, professional and technical institutes or universities.</p>	

	This reservation does not apply to commercial presences supplying educational services in kindergarten, pre-school, elementary or secondary private education institutions, that do not receive public resources, or the supply of services related to second-language training, corporate, business, and industrial training and skill upgrading, which include consulting services relating to technical support, advice, curriculum, and programme development in education.	
All Sectors	National Treatment	
Government Finances	Chile reserves the right to adopt or maintain any measure related to the acquisition, sale or disposal by nationals of another Party of bonds, treasury securities or any other type of debt instruments issued by the Central Bank of Chile (<i>Banco Central de Chile</i>) or the Government of Chile. This reservation is not intended to affect the rights of another Party's financial institutions (banks) established in Chile to acquire, sell or dispose of such instruments when required for the purposes of regulatory capital.	
Fisheries	<p>National Treatment</p> <p>Chile reserves 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).</p> <p>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" do not cover aquaculture.</p> <p>Measures:</p> <p>Decree Law 2.222, Official Gazette, May 31, 1978, Navigation Law, Titles I, II, III, IV and V (<i>Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación Títulos I, II, III, IV y V</i>) D.F.L. 340, Official Gazette, April 6, 1960, about Maritime Concessions (<i>D.F.L. 340, Diario Oficial, abril 6, 1960, sobre Concesiones Marítimas</i>).</p> <p>Supreme Decree 660, Official Gazette, November 28, 1988, Maritime Concession Act (<i>Decreto Supremo 660, Diario Oficial, noviembre 28, 1988, Reglamento de Concesiones Marítimas</i>).</p> <p>Supreme Decree 123 of the Ministry of Economic Affairs, Development and Reconstruction, Vice- Ministry of Fishing, Official Gazette, August 23, 2004, On Use of Ports (<i>Decreto Supremo 123 del Ministerio de Economía, Fomento y Reconstrucción, Subsecretaría de Pesca, Diario Oficial, agosto 23, 2004, Sobre Uso de Puertos</i>).</p>	
Entertainment, Audio-visual and Broadcasting Services	<p>National Treatment</p> <p>Local Content and Other Performance Requirements</p>	

	<p>Chile reserves the right to adopt or maintain any measure relating to:</p> <ul style="list-style-type: none"> (a) the organisation and presentation in Chile of concerts and musical performances; (b) the distribution or display of movies or videos; and (c) radio broadcasts aimed at the public in general, as well as all radio, television and cable television-related activities, satellite programming services and broadcasting networks. <p>Notwithstanding the above, Chile shall extend to services suppliers of another Party, treatment no less favourable than that Party accords services suppliers of Chile.</p>	
Social Services	<p>National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence</p> <p>Chile 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 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.</p>	
Environmental Services	<p>National Treatment Local Presence</p> <p>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 supplied by juridical persons incorporated under Chilean law or created in accordance with the requirements established by Chilean law.</p> <p>This reservation shall not apply to consultancy services retained by the said juridical persons.</p>	
Construction Services	<p>National Treatment Local Presence</p> <p>Chile reserves the right to adopt or maintain any measure with respect to the supply of construction services by foreign juridical persons or legal entities.</p>	

	These measures may include requirements such as residency, registration or any other form of local presence, or the obligation of giving financial security for work as a condition for the supply of construction services.	
International road transport	<p>National Treatment Local Presence</p> <p>Chile reserves the right to adopt or maintain any measure relating to the international land transportation of cargo or passengers in border areas.</p> <p>Additionally, Chile reserves the right to adopt or maintain the following limitations for the supply of international land transportation from Chile:</p> <p>(a) the service supplier must be a Chilean natural or juridical person; (b) the service supplier must have a real and effective domicile in Chile; and (c) in the case of juridical persons, the service supplier must be legally constituted in Chile and more than 50 per cent of its capital stock must be owned by Chilean nationals and its effective control must be by Chilean nationals.</p>	
Domestic road transport (cabotage)	<p>National Treatment</p> <p>Chile reserves the right to adopt or maintain any measure that authorises only Chilean natural or juridical persons to supply land transportation of persons or merchandise inside the territory of Chile ("cabotage"). For this, the enterprises shall use vehicles registered in Chile.</p>	
Subsidies	<p>National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence</p> <p>Chile reserves the right to adopt or maintain any measure with regards to subsidies or grants including government-supported loans, guarantees, and insurance.</p>	

<p>All Sectors</p> <p>Movement of Natural Persons Providing Services</p>	<p><u>National Treatment</u></p> <p>Chile reserves the right to adopt or maintain any measure with respect to the supply of services through the presence of natural persons (provision of services through mode 4), including immigration measures, except as specifically set out in this Schedule, for the following categories:</p> <p>Intra Corporate Transferees: means natural persons within a foreign enterprise established in Chile, in accordance to commercial presence, of senior and specialized personnel who have been employed by the organization for a period of at least two years immediately preceding the date of their application for admission, performing the same type of duties in the parent company of their country of origin. In any case, foreign natural persons may not represent more than 15 percent (15%) of the total staff employed in Chile, when the employer hires more than 25 persons.</p> <p><i>Senior personnel</i> are those executives who come under the direct supervision of the board of directors of the enterprise established in Chile and who, <i>inter alia</i>:</p> <ul style="list-style-type: none"> - conduct the management of the organization or one of its departments or subdivisions; - supervise and control the work of other supervisory, professional or managerial employees; - are personally authorized to hire and fire or recommend hiring or firing or any other measure related to personnel. <p><i>Specialised personnel</i> are those highly qualified persons who are indispensable to the supply of the service because of their professional knowledge or:</p> <ul style="list-style-type: none"> - possession of qualifications for a particular type of work or activity requiring specialized technical expertise; - essential knowledge for the supply of the service, research equipment, techniques or management; and - the non-availability of such specialized personnel in Chile. <p>The category of senior and specialized personnel does not include the members of the board of directors of a company established in Chile.</p> <p>For all legal purposes, senior and specialized personnel must establish domicile or residence in Chile. Providers of services are admitted temporarily, for a period of two years, extendable to two more years. Personnel admitted under these conditions will be subject to the provisions of the labour and social security legislation in force.</p> <p>Business Visitors: means a natural person seeking temporary entry, for the purpose of participating in business meetings, performing market or investment studies, generating business contacts or participating in negotiations related to the supply of services in the future, including the setting up of a business or enterprise in the territory of Chile. Temporary entry shall be granted when the business visitor: a) does not perceive remuneration in Chile; b) is not involved in making direct sales to the public; c) does not personally supply a service.</p>	
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	<p>Persons Responsible for Setting up a Commercial Presence: means persons working in a senior position, as defined above, within a legal person, who are responsible for setting up in Chile a commercial presence of a service provider of another Party when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sale or supplying services; and - the service provider has its principal place of business in the territory of another Party and has no other representative, office, branch or subsidiary in any of the Parties. <p>The commitments for Business Visitors and Persons Responsible for Setting up a Commercial Presence do not apply to financial services.</p>	
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I. HORIZONTAL COMMITMENTS – SECTION B			
Sector or subsector	Limitations on Market access	Other Limitations: National Treatment Local Content and Other Performance Requirements Local Management and Boards of Directors Local Presence Local Presence Limitations on national treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
	<u>Limitations on Market Access pursuant to Article II-1</u> Chile maintains the following terms, limitations and conditions on market access in all sectors included in Part II of this Schedule:	<u>Reservations pursuant to Articles II-2:2 and II-2:3, and [...]</u> Chile maintains the following conditions and qualifications on national treatment, local content and other performance requirements, local management and boards of directors, and local presence, in all sectors.	
All Sectors Movement of Natural Persons Providing Services	(4) Unbound, except as indicated in Part I, Section A.		

<p>All Sectors</p>	<p>Chile may only dispose of the ownership or other rights over “State land” to Chilean natural or juridical persons, unless the applicable legal exceptions, such as in Decree Law 1939 (<i>Decreto Ley 1939</i>), apply. “State land” for these purposes refers to State owned land up to a distance of 10 kilometres from the border and up to a distance of five kilometres from the coastline measured from the high-tide line.</p> <p>Immovable property situated in areas declared “the borderland zone” by virtue of D.F.L 4 of the Ministry of Foreign Affairs, 1967 (<i>D.F.L. 4 del Ministerio de Relaciones Exteriores, 1967</i>) may not be acquired, either as property or in any other title, by (a) natural persons with nationality of a neighbouring country; (b) juridical persons with their principal seat in a neighbouring country; (c) juridical persons with 40 per cent or more of capital owned by natural persons with nationality of a neighbouring country; or (d) juridical persons effectively controlled by such natural persons.</p> <p>Notwithstanding the foregoing, this limitation may not apply if an exemption is granted by a Supreme Decree (<i>Decreto Supremo</i>) based on considerations of national interest.</p>	<p><u>National Treatment</u></p> <p>Chile may only dispose of the ownership or other rights over “State land” to Chilean natural or juridical persons, unless the applicable legal exceptions, such as in Decree Law 1939 (<i>Decreto Ley 1939</i>), apply. “State land” for these purposes refers to State owned land up to a distance of 10 kilometres from the border and up to a distance of five kilometres from the coastline, measured from the high-tide line.</p> <p>Immovable property situated in areas declared “the borderland zone” by virtue of D.F.L 4 of the Ministry of Foreign Affairs, 1967 (<i>D.F.L. 4 del Ministerio de Relaciones Exteriores, 1967</i>) may not be acquired, either as property or in any other title, by (a) natural persons with nationality of a neighbouring country; (b) juridical persons with their principal seat in a neighbouring country; (c) juridical persons with 40 per cent or more of capital owned by natural persons with nationality of a neighbouring country; or (d) juridical persons effectively controlled by such natural persons.</p> <p>Notwithstanding the foregoing, this limitation may not apply if an exemption is granted by a Supreme Decree (<i>Decreto Supremo</i>) based on considerations of national interest.</p> <p>Measures:</p> <p>Decree Law 1939, Official Gazette, November 10, 1977, Rules for acquisition, administration and disposal of State owned assets, Title I (Decreto Ley 1939, Diario Oficial, noviembre 10, 1977, Normas sobre adquisición, administración y disposición de bienes del Estado, Título I).</p> <p>Decree with Force of Law (D.F.L.) 4 of the Ministry of Foreign Affairs, Official Gazette, November 10, 1967 (<i>Decreto con Fuerza de Ley (D.F.L.) 4 del Ministerio de Relaciones Exteriores, Diario Oficial, noviembre 10, 1967</i>).</p>	
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<p>All sectors</p>	<p>A minimum of 85 per cent of employees who work for the same employer shall be Chilean natural persons or foreigners with more than five years of residence in Chile. This rule applies to employers with more than 25 employees under a contract of employment (<i>contrato de trabajo</i>). Expert technical personnel shall not be subject to this provision, as determined by the Directorate of Labour (<i>Dirección del Trabajo</i>).</p> <p>An employee shall be understood to mean any natural person who supplies intellectual or material services, under dependency or subordination, pursuant to a contract of employment.</p>	<p>National Treatment Local Presence</p> <p>A minimum of 85 per cent of employees who work for the same employer shall be Chilean natural persons or foreigners with more than five years of residence in Chile. This rule applies to employers with more than 25 employees under a contract of employment (<i>contrato de trabajo</i>). Expert technical personnel shall not be subject to this provision, as determined by the Directorate of Labour (<i>Dirección del Trabajo</i>).</p> <p>An employee shall be understood to mean any natural person who supplies intellectual or material services, under dependency or subordination, pursuant to a contract of employment.</p> <p>Measures:</p> <p>D.F.L. 1 of the Ministry of Labour and Social Welfare, Official Gazette, January 24, 1994, Labour Code, Preliminary Title, Book I, Chapter III (<i>D.F.L. 1 del Ministerio del Trabajo y Previsión Social, Diario Oficial, enero 24, 1994, Código del Trabajo, Título preliminar, Libro I, Capítulo III</i>)</p>	
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<p>All Sectors Energy</p>	<p>The exploration, exploitation, and treatment (<i>beneficio</i>) of liquid or gaseous hydrocarbons, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree. For greater certainty, it is understood that the term “treatment” (<i>beneficio</i>) shall not include the storage, transportation or refining of the energy material referred to in this paragraph.</p> <p>The production of nuclear energy for peaceful purposes may only be carried out by the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>) or, with its authorization, jointly with third persons. Should the Commission grant such an authorization, it may determine the terms and conditions thereof.</p>	<p><u>National Treatment</u> <u>Local Content and Other Performance Requirements</u></p> <p>The exploration, exploitation, and treatment (<i>beneficio</i>) of liquid or gaseous hydrocarbons, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree. For greater certainty, it is understood that the term “treatment” (<i>beneficio</i>) shall not include the storage, transportation or refining of the energy material referred to in this paragraph.</p> <p>The production of nuclear energy for peaceful purposes may only be carried out by the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>) or, with its authorization, jointly with third persons. Should the Commission grant such an authorisation, it may determine the terms and conditions thereof.</p> <p>Measures:</p> <p>Political Constitution of the Republic of Chile, Chapter III (Constitución Política de la República de Chile, Capítulo III) Law 18.097, Official Gazette, January 21, 1982, Constitutional Organic Law on Mining Concessions, Titles I, II and III (Ley 18.097, Diario Oficial, enero 21, 1982, Orgánica Constitucional sobre Concesiones Mineras, Títulos I, II y III)</p>	
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		<p>Law 18.248, Official Gazette, October 14, 1983, Mining Code, Titles I and II (Ley 18.248, Diario Oficial, octubre 14, 1983, Código de Minería, Títulos I y II)</p> <p>Law 16.319, Official Gazette, October 23, 1965, Creates the Chilean Nuclear Energy Commission, Titles I, II and III (Ley 16.319, Diario Oficial, octubre 23, 1965, crea la Comisión Chilena de Energía Nuclear, Títulos I, II y III)</p>	
<p>All sectors</p> <p>Mining</p>	<p>The exploration, exploitation, and treatment (<i>beneficio</i>) of lithium, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree of the President of the Republic.</p> <p>Chile has the right of first offer at market prices and terms for the purchase of mineral products when thorium and uranium are contained in significant quantities.</p> <p>For greater certainty, Chile may require that producers separate from mining products the portion of:</p> <ul style="list-style-type: none"> (1) liquid or gaseous hydrocarbons; (2) lithium; (3) deposits of any kind existing in sea waters subject to national jurisdiction; and 	<p>National Treatment Local Content and Other Performance Requirements</p> <p>The exploration, exploitation, and treatment (<i>beneficio</i>) of lithium, deposits of any kind existing in sea waters subject to national jurisdiction, and deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, can be the object of administrative concessions or special operating contracts, subject to the requirements and the conditions to be determined, in each case by a Supreme Decree.</p> <p>Chile has the right of first offer at market prices and terms for the purchase of mineral products when thorium and uranium are contained in significant quantities.</p> <p>For greater certainty, Chile may require that producers separate from mining products the portion of:</p> <ul style="list-style-type: none"> (1) liquid or gaseous hydrocarbons; (2) lithium; (3) deposits of any kind existing in sea waters subject to national jurisdiction; and 	

	<p>(4) deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, that exists, in significant amounts, in such mining products and that can be economically and technically separated, for delivery to or for sale on behalf of the State. For these purposes, “economically and technically separated” means that the costs incurred to recover the four types of substances referred to above through a sound technical procedure and to commercialize and deliver those substances shall be lower than their commercial value.</p> <p>Furthermore, only the Chilean Nuclear Energy Commission, or parties authorized by the said Commission, may execute or enter into juridical acts regarding extracted natural atomic materials and lithium, as well as their concentrates, derivatives and compounds.</p>	<p>(4) deposits of any kind wholly or partially located in areas classified as important to national security with mining effects, which qualification shall be made by law only, that exists, in significant amounts, in such mining products and that can be economically and technically separated, for delivery to or for sale on behalf of the State. For these purposes, “economically and technically separated” means that the costs incurred to recover the four types of substances referred to above through a sound technical procedure and to commercialise and deliver those substances shall be lower than their commercial value.</p> <p>Furthermore, only the Chilean Nuclear Energy Commission (<i>Comisión Chilena de Energía Nuclear</i>), or parties authorised by the said Commission, may execute or enter into juridical acts regarding extracted natural atomic materials and lithium, as well as their concentrates, derivatives and compounds.</p> <p>Measures:</p> <p>Political Constitution of the Republic of Chile, Chapter III (<i>Constitución Política de la República de Chile, Capítulo III</i>) Law 18.097, Official Gazette, January 21, 1982, Constitutional Organic Law on Mining Concessions, Titles I, II and III (<i>Ley 18.097, Diario Oficial, enero 21, 1982, Orgánica Constitucional sobre Concesiones Mineras, Títulos I, II y III</i>) Law 18.248, Official Gazette, October 14, 1983, Mining Code, Titles I and III (<i>Ley 18.248, Diario Oficial, octubre 14, 1983, Código de Minería, Títulos I y III</i>) Law 16.319, Official Gazette, October 23, 1965, Creates the Chilean Nuclear Energy Commission, Titles I, II and III (<i>Ley 16.319, Diario Oficial, octubre 23, 1965, crea la Comisión Chilena de Energía Nuclear, Títulos I, II y III</i>)</p>	
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II. SECTOR-SPECIFIC COMMITMENTS			
Sector or subsector	Limitations on market access	Other Limitations: Limitations on National treatment Limitations on Local Content and Other Performance Requirements Limitations on Local Management and Boards of Directors Limitations on Local Presence	Additional commitments
I. BUSINESS SERVICES			
A. Professional Services²			
1. Legal Services (861)			
<u>Domestic Law</u>	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section	<u>National Treatment</u> <u>Local Presence</u>	

² Without prejudice to what is established in Part I (Horizontal Commitments), suppliers of the professional services included in this Schedule may be subject to assessment by the competent authorities in connection with which they must show that they fulfill the requirements designed to ensure that they perform competently in the sector.

			<p><u>Only Chilean and foreign nationals with residence in Chile, who have completed the totality of their legal studies in the country, shall be authorized to practice as lawyers (<i>abogados</i>).</u></p> <p><u>Only lawyers (<i>abogados</i>) duly qualified to practice law shall be authorized to plead a case in Chilean courts and to file the first legal action or claim of each party.</u></p> <p><u>The following documents, among others, shall be drawn up solely by lawyers (<i>abogados</i>): drafting of articles of incorporation and amendments thereto; mutual termination of obligations or liquidation of corporations; liquidation of community property between spouses (<i>sociedad conyugal</i>); distribution of property; articles of incorporation of juridical persons, associations, water canal members (<i>asociaciones de canalistas</i>) and cooperative associations (<i>cooperativas</i>); agreements governing financial transactions; corporate bond issuance agreements; and sponsoring applications for legal representation made by corporations and foundations.</u></p> <p><u>Measures:</u></p> <p><u>Decree 110 of the Ministry of Justice, Official Gazette, March 20, 1979 (<i>Decreto 110 del Ministerio de Justicia, Diario Oficial, marzo 20, 1979</i>)</u></p> <p><u>Law 18.120, Official Gazette, May 18, 1982 (<i>Ley 18.120, Diario Oficial, mayo 18, 1982</i>)</u></p> <p><u>Tribunals Organic Code, Title XV Official Gazette, July 9, 1943 (<i>Código Orgánico de Tribunales, Títulos XI, XII y XV, Diario Oficial, julio 9, 1943</i>)</u></p>	
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<u>Foreign and International Law</u>	<p>(1) (2) and (3) None.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>		
<u>Arbitration and Conciliation Services (86602)</u>	<p>(1), (2) and (3) None, except for those arbitration proceedings that Chilean legislation designates as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law.</p> <p>_____</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>National Treatment</p> <p>Chilean legislation designates some arbitration proceedings as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law (<i>árbitro de derecho</i>), whom, by legal mandate, shall be Chilean nationals.</p>	
<u>Auxiliary Services in the Administration of Justice</u>	<p>(1) and (3) None, except <u>in the case of</u> :</p> <p>Receivers in bankruptcy (<i>síndicos de quiebra</i>) must have not less than three years' experience and who must be duly authorised by the Minister of Justice (<i>Ministerio de Justicia</i>), and can only work in the place they reside.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>National Treatment</p> <p>Local Presence</p> <p>Justice ancillaries (<i>auxiliares de la administración de justicia</i>) must have their residence in the same city or place where the court house for which they render services is domiciled.</p> <p>Public defenders (<i>defensores públicos</i>), public notaries (<i>notarios públicos</i>), and custodians (<i>conservadores</i>) shall be Chilean natural persons and fulfil the same requirements needed to become a judge.</p> <p>Archivists (<i>archiveros</i>), public defenders (<i>defensores públicos</i>) and arbitrators at law (<i>árbitros de derecho</i>) must be lawyers (<i>abogados</i>) and, therefore, must be Chilean or foreign nationals with residence in Chile who have completed the totality of their legal studies in the country. Another Party's lawyers may assist in arbitration when dealing with the law of another Party and international law and the private parties request it.</p>	

		<p>Only Chilean natural persons, with the right to vote, and foreign natural persons with permanent residence and the right to vote, can act as process servers (<i>receptores judiciales</i>) and superior court attorneys (<i>procuradores del número</i>).</p> <p>Only Chilean natural persons, foreign natural persons with permanent residence in Chile or Chilean juridical persons may be auctioneers (<i>martilleros públicos</i>).</p> <p>Receivers in bankruptcy (<i>síndicos de quiebra</i>) must have a professional or technical degree granted by a university or a professional or technical institute recognised by Chile. Receivers in bankruptcy must have at least three years of experience in the commercial, economic or judicial field.</p> <p>Measures:</p> <p>Decree 110 of the Ministry of Justice, Official Gazette, March 20, 1979 (Decreto 110 del Ministerio de Justicia, Diario Oficial, marzo 20, 1979)</p> <p>Law 18.120, Official Gazette, May 18, 1982 (Ley 18.120, Diario Oficial, mayo 18, 1982)</p> <p>Tribunals Organic Code, Titles XI and XII and XV Official Gazette, July 9, 1943 (<i>Código Orgánico de Tribunales, Títulos XI, XII y XV, Diario Oficial, julio 9, 1943</i>)</p> <p>Real State Custodian Registry Act, Titles I, II and III, Official Gazette, June 24, 1857 (<i>Reglamento del Registro Conservador de Bienes Raíces, Títulos I, II y III, Diario Oficial, junio 24, 1857</i>)</p> <p>Law 18.118, Official Gazette, May 22, 1982, Title I (<i>Ley 18.118, Diario Oficial, mayo 22, 1982, Título I</i>)</p> <p>Decree 197 of the Ministry of Economic Affairs, Development and Reconstruction, Official Gazette, August 8, 1985 (<i>Decreto 197 del Ministerio de Economía, Fomento y Reconstrucción, Diario Oficial, agosto 8, 1985</i>)</p> <p>Law 18.175, Official Gazette, October 28, 1982, Title III (<i>Ley 18.175, Diario Oficial, octubre 28, 1982, Título III</i>)</p>	
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<p>2. Accounting, auditing and bookkeeping services³ (862)</p>	<p>(1) and (3) None, except: The external auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencias de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<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.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p><u>National Treatment</u> <u>Local Presence</u></p> <p>External auditors of financial institutions must be registered in the Register of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencia de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons legally incorporated 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.</p> <p>Measures:</p> <p>Law 18.046, Official Gazette, October 22, 1981, Corporations Law, Title V (<i>Ley 18.046, Diario Oficial, octubre 22, 1981, Ley de Sociedades Anónimas, Título V</i>) Supreme Decree 702 of the Ministry of Finance, Official Gazette, July 6, 2012, Corporations Act (<i>Decreto Supremo 702 del Ministerio de Hacienda, Diario Oficial, julio 6, 2012, Reglamento de Sociedades Anónimas</i>)</p> <p>Decree Law 1.097, Official Gazette, July 25, 1975, Titles I, II, III and IV (<i>Decreto Ley 1.097, Diario Oficial, julio 25, 1975, Títulos I, II, III y IV</i>)</p> <p>Decree Law 3.538, Official Gazette, December 23, 1980, Titles I, II, III and IV (<i>Decreto Ley 3.538, Diario Oficial, diciembre 23, 1980, Títulos I, II, III y IV</i>)</p> <p>Circular 2.714, October 6, 1992; Circular 1, January 17, 1989; Chapter 19 Updated Collection, Superintendency of Banks and Financial Institutions Norms on External Auditors (<i>Circular 2.714, octubre 6, 1992; Circular 1, enero 17, 1989; Capítulo 19 de la Recopilación Actualizada de Normas de la Superintendencia de Bancos e Instituciones Financieras sobre auditores externos</i>)</p> <p>Circular 327, June 29, 1983 and 350, October 21, 1983, Superintendence of Securities and Insurance (<i>Circulares 327, junio 29, 1983 y 350, octubre 21, 1983, de la Superintendencia de Valores y Seguros</i>)</p>	
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³ Financial statements must be endorsed by a professional legally authorized to practice in Chile.

3. Taxation services (863)	<p>(1), (2), and (3) None, except:</p> <p>The external auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencias de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons 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 Registry.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>National Treatment</p> <p>Local Presence</p> <p>External auditors of financial institutions must be registered in the Registry of External Auditors kept by the Superintendence of Banks and Financial Institutions (<i>Superintendencia de Bancos e Instituciones Financieras</i>) and the Superintendence of Securities and Insurance (<i>Superintendencia de Valores y Seguros</i>). Only Chilean juridical persons legally incorporated 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 Registry.</p> <p>Measures:</p> <p>Law 18.046, Official Gazette, October 22, 1981, Corporations Law, Title V (<i>Ley 18.046, Diario Oficial, octubre 22, 1981, Ley de Sociedades Anónimas, Título V</i>)</p> <p>Supreme Decree 587 of the Ministry of Finance, Official Gazette, November 13, 1982, Corporations Act (<i>Decreto Supremo 587 del Ministerio de Hacienda, Diario Oficial, noviembre 13, 1982, Reglamento de Sociedades Anónimas</i>)</p> <p>Decree Law 1.097, Official Gazette, July 25, 1975, Titles I, II, III and IV (<i>Decreto Ley 1.097, Diario Oficial, julio 25, 1975, Títulos I, II, III y IV</i>)</p> <p>Decree Law 3.538, Official Gazette, December 23, 1980, Titles I, II, III and IV (<i>Decreto Ley 3.538, Diario Oficial, diciembre 23, 1980, Títulos I, II, III y IV</i>)</p> <p>Circular 2.714, October 6, 1992; Circular 1, January 17, 1989; Chapter 19 Updated Collection, Superintendency of Banks and Financial Institutions Norms on External Auditors (<i>Circular 2.714, octubre 6, 1992; Circular 1, enero 17, 1989; Capítulo 19 de la Recopilación Actualizada de Normas de la Superintendencia de Bancos e Instituciones Financieras sobre auditores externos</i>)</p> <p>Circulars 327, June 29, 1983 and 350, October 21, 1983, Superintendence of Securities and Insurance (<i>Circulares 327, junio 29, 1983 y 350, octubre 21, 1983, de la Superintendencia de Valores y Seguros</i>).</p>	
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4. Architectural services (8671)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Engineering services (8672)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
6. Integrated engineering services (8673)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
7. Urban planning and landscape architectural services (8674)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
8. Veterinary services (932)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
9. Services provided by midwives, nurses, physiotherapists and para-medical personnel (93191)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>B. Computer and related services</u>			
1. Consultancy services related to the installation of computer hardware (841)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

2. Software implementation services (842)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
3. Data processing services (843)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
4. Data base services (844)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Maintenance and repair services of office machinery and equipment including computers (845)	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
6. Other computer services	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
<u>C. Research and Development Services</u>			

<p>1- Research and development services on natural sciences and related scientific and technical consulting services (part of 851) (part of 853) (part of 8675)</p>	<p>(1) and (3) None, except:</p> <p>Natural persons representing foreign juridical persons, or natural persons residing abroad, intending to perform explorations for work of a scientific or technical nature, or mountain climbing in areas that are adjacent to Chilean borders shall apply for the appropriate authorisation through a Chilean consul in the country of domicile of the natural person.</p> <p>The Chilean consul shall then send such application directly to the National Directorate of Borders and Frontiers (<i>Dirección Nacional de Fronteras y Límites del Estado</i>). The Directorate may order that one or more Chilean natural persons working in the appropriate related activities shall join the explorations in order to become acquainted with the studies to be undertaken.</p> <p>The Operations Department of the National Directorate of Borders and Frontiers (<i>Departamento de Operaciones de la Dirección Nacional de Fronteras y Límites del Estado</i>) shall decide to announce whether it authorises or rejects geographic or scientific explorations to be carried out by foreign juridical or natural persons in Chile.</p> <p>The National Directorate of Borders and Frontiers shall authorise and will supervise all explorations involving work of scientific or technical nature, or mountain climbing, that foreign juridical persons or natural persons residing abroad intend to carry out in areas adjacent to Chilean borders.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u></p> <p>Foreign natural and juridical persons intending to conduct research in the 200- mile maritime zone shall be required to submit a request six months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>), and shall comply with the requirements established in the corresponding regulation. Chilean natural and juridical persons shall be required to submit a request three months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>) and shall comply with the requirements established in the corresponding regulation.</p> <p>Natural persons representing foreign juridical persons, or natural persons residing abroad, intending to perform explorations for work of a scientific or technical nature, or mountain climbing in areas that are adjacent to Chilean borders shall apply for the appropriate authorization through a Chilean consul in the country of domicile of the natural person. The Chilean consul shall then send such application directly to the National Directorate of Borders and Frontiers (<i>Dirección Nacional de Fronteras y Límites del Estado</i>). The Directorate may order that one or more Chilean natural persons working in the appropriate related activities shall join the explorations in order to become acquainted with the studies to be undertaken.</p> <p>The Operations Department of the National Directorate of Borders and Frontiers (<i>Departamento de Operaciones de la Dirección Nacional de Fronteras y Límites del Estado</i>) shall decide to announce whether it authorises or rejects geographic or scientific explorations to be carried out by foreign juridical or natural persons in Chile. The National Directorate of Borders and Frontiers of the State (<i>Dirección Nacional de Fronteras y Límites del Estado</i>) shall authorise and will supervise all explorations involving work of scientific or technical nature, or mountain climbing, that foreign juridical persons or natural persons residing abroad intend to carry out in areas adjacent to Chilean borders.</p>	
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<p>2. Research and development services on social sciences and humanities (part of 852)</p>	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>Foreign juridical or foreign natural persons intending to perform excavations, surveys, probing or collect anthropological, archaeological or paleontological material must apply for a permit from the National Monuments Council (<i>Consejo de Monumentos Nacionales</i>). In order to obtain the permit, the person in charge of the research must be engaged by a reliable foreign scientific institution and must be working in collaboration with a Chilean governmental scientific institution or a Chilean university.</p> <p>The aforementioned permit can be granted to (a) Chilean researchers having the pertinent scientific background in archaeology, anthropology or palaeontology, duly certified as appropriate, and also having a research project and due institutional sponsorship; and (b) foreign researchers, provided that they are engaged by a reliable scientific institution and that they work in collaboration with a Chilean governmental scientific institution or a Chilean university. Museum directors or curators recognised by the National Monuments Council (<i>Consejo de Monumentos Nacionales</i>), professional archaeologists, anthropologists or palaeontologists, as appropriate, and the members of the Chilean Society of Archaeology (<i>Sociedad Chilena de Arqueología</i>) shall be authorised to perform salvage-related works.</p>	

		<p>Salvage related works involve the urgent recovery of data and archaeological, anthropological or paleontological artefacts or species threaten by imminent loss.</p> <p>Measures:</p> <p>Law 17.288, Official Gazette, February 4, 1970, Title V (<i>Ley 17.288, Diario Oficial, febrero 4, 1970, Título V</i>) Supreme Decree 484 of the Ministry of Education, Official Gazette, April 2, 1991 (<i>Decreto Supremo 484 del Ministerio de Educación, Diario Oficial, abril 2, 1991</i>)</p>	
3. Interdisciplinary R&D services (853)	<p>(1), (2) and (3) None, except: Same limitations as indicated above for Research and development services on natural sciences <u>and related scientific and technical consulting services</u> may apply. (4) Unbound, except as indicated in the horizontal section</p>	<p>Same limitations <u>and measures</u> as indicated above for Research and development services on natural sciences and on social sciences and humanities.</p>	
<u>D. Real Estate Services</u>			
1. Involving own or leased property (821)	<p>(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section</p>		
2. On a fee or contract basis (822)	<p>(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section</p>		

<u>E. Rental/Leasing Services without crew/operators, relating to vessels (83103), aircraft (83104), any other transport equipment (83101+83102+), and other machinery and equipment (83106-83109)</u>	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>F. Other Business Services</u>			
1. Advertising services 871, except other advertising services (CPC 8719)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
2. Market research and public opinion polling services (864)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
3. Management consulting service (865) (except 86509)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

4. Services related to management consulting (866), (except 86602)	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> <p>(1), (2) and (3) None, except for those arbitration proceedings that Chilean legislation designates as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>Chilean legislation designates some arbitration proceedings as being under the exclusive jurisdiction of national arbitral tribunals or within the purview of an arbitrator at law (<i>árbitro de derecho</i>), whom, by legal mandate, shall be Chilean nationals.</p>	
5. Technical testing and analysis services (8676)	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>		
6. Services incidental to agriculture, hunting and forestry (881)	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>Local Presence</u></p> <p>Any person who owns guns, explosives or similar substances must register with the appropriate authority in its domicile for which purpose a request shall be submitted to the General Directorate for National Mobilization of the Ministry of National Defense (<i>Dirección General de Movilización Nacional del Ministerio de Defensa Nacional</i>).</p> <p>Measures:</p> <p>Law 17.798, Official Gazette, October 21, 1972, Title I (<i>Ley 17.798, Diario Oficial, octubre 21, 1972, Título I</i>)</p> <p>Supreme Decree 83 of the Ministry of National Defence, Official Gazette, May 13, 2008 (<i>Decreto Supremo 83 del Ministerio de Defensa Nacional, Diario Oficial, mayo 13, 2008</i>)</p>	

<p>7. Services incidental to fishing (882)</p>	<p>(1), (2) and (3) Unbound (4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>Foreign natural and juridical persons intending to conduct research in the 200- mile maritime zone shall be required to submit a request six months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>), and shall comply with the requirements established in the corresponding regulation. Chilean natural and juridical persons shall be required to submit a request three months in advance to the Chilean Army Hydrographic Institute (<i>Instituto Hidrográfico de la Armada de Chile</i>) and shall comply with the requirements established in the corresponding regulation.</p> <p>Only Chilean natural or juridical persons constituted in accordance with Chilean law and foreigners with permanent residency may hold an authorization or concession to carry out aquaculture activities.</p> <p>Only Chilean natural persons or juridical persons constituted in accordance with Chilean law and foreigners with permanent residency may hold permits to harvest and catch hydrobiological species.</p> <p>Only Chilean vessels are permitted to fish in internal waters, in the territorial sea and in the exclusive economic zone. “Chilean vessels” are those defined in the Navigation Law (Ley de Navegación). Access to industrial extractive fishing activities shall be subject to prior registration of the vessel in Chile.</p> <p>Only a Chilean natural or juridical person may register a vessel in Chile. Such juridical person may register a vessel in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile.</p>	
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		<p>The president, manager and the majority of the directors or administrators must be Chilean natural persons. In addition, more than fifty per cent of its equity capital must be held by Chilean natural or juridical persons. For these purposes, a juridical person with ownership participation in another juridical person that owns a vessel has to comply with all the requirements mentioned above.</p> <p>A joint ownership (<i>comunidad</i>) may register a vessel if (1) the majority of the joint ownership is Chilean with domicile and residency in Chile; (2) the administrators are Chilean natural persons; and (3) the majority of the rights of the joint ownership(<i>comunidad</i>) belong to a Chilean natural or juridical person. For these purposes, a juridical person with ownership participation in a joint ownership (<i>comunidad</i>) that owns a vessel has to comply with all the requirements above.</p> <p>An owner (<i>natural or juridical person</i>) of a fishing vessel registered in Chile prior to June 30, 1991, shall not be subject to the nationality requirement mentioned above.</p> <p>In cases of reciprocity granted to Chilean vessels by any other country, fishing vessels specifically authorized by the maritime authorities pursuant to powers conferred by law may be exempted from the requirements mentioned above on equivalent terms provided to Chilean Vessels by that country.</p> <p>Access to small-scale fishing (<i>pesca artesanal</i>) activities shall be subject to registration in the registry for small scale fishing (<i>Registro de Pesca Artesanal</i>). Registration for small-scale fishing (<i>pesca artesanal</i>) is only granted to Chilean natural persons and foreign natural persons with permanent residency, or a Chilean juridical person constituted by the aforementioned persons.</p>	
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		Measures: Supreme Decree 711 of the Ministry of National Defence, Official Gazette, October 15, 1975 (<i>Decreto Supremo 711 del Ministerio de Defensa Nacional, Diario Oficial, octubre 15, 1975</i>) Law 18.892, Official Gazette, December 23, 1989, General Law on Fisheries and Aquaculture, Titles I and VI (<i>Ley 18.892, Diario Oficial, Diciembre 23, 1989, Ley General de Pesca y Acuicultura, Títulos I y VI</i>) Law 18.892, Official Gazette, December 23, 1989, General Law on Fisheries and Aquaculture, Titles I, III, IV and IX (<i>Ley 18.892, Diario Oficial, December 23, 1989, Ley General de Pesca y Acuicultura, Títulos I, III, IV y IX</i>) Decree Law 2.222, Official Gazette, May 31, 1978, Navigation Law, Titles I and II (<i>Decreto Ley 2.222, Diario Oficial, mayo 31, 1978, Ley de Navegación, Títulos I y II</i>)	
8. Services incidental to mining (883)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section.		
9. Placement and supply services of personnel (87201); (87202); (87203); (87204); (87205); (87206); (87209)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		
10. Investigation and security services (excluding guard services) (87301), (87302), (87303), (87304)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section		

Guard services (87305)	(1), (2) and (3), None, except: Only Chilean nationals may provide services as private security guards. (4) Unbound, except as indicated in the horizontal section	<u>National Treatment</u> Only Chilean nationals may provide services as private security guards. Measures: Decree 1.773 of the Ministry of Interior, Official Gazette, November 14, 1994 (<i>Decreto 1.773 del Ministerio del Interior, Diario Oficial, noviembre 14, 1994</i>)	
11. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (633+8861-8866);	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
12. Building-cleaning services (874)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
13. Photographic services (875)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
14. Packaging services (876)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		

15. Printing, publishing (88442)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section	<p><u>National Treatment</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>The owner of a social communication medium such as newspapers, magazines or regularly published texts whose publishing address is located in Chile, or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory.</p> <p>Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p> <p>The director legally responsible and the person who replaces him or her must be Chilean, with domicile and residence in Chile. Chilean nationality will not be required in case a social communication medium uses a language different from Spanish.</p> <p>Measure:</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I & III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
16. Convention services (87909*)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>II.</u> <u>COMMUNICATION</u> <u>SERVICES</u>			

B. Courier services (7512)	(1), (2) and (3) None. (4) Unbound, except as indicated in the horizontal section.		
<u>C.</u> Telecommunication services			
Public local telephone services (75211); Public long distance telephone services (75212)	(1), (2), (3) and (4): Chile reserves the right to adopt or maintain any measure that is not inconsistent with Chile's obligations under Article XVI of the General Agreement on Trade in Services.		
Local basic telecommunication services and networks, intermediate telecommunication services, supplementary telecommunication services, and limited telecommunications services	<p>(1), (2) and (3): a concession granted by means of a Supreme Decree (<i>Decreto Supremo</i>) issued by the Ministry of Transport and Telecommunications (<i>Ministerio de Transportes y Telecomunicaciones</i>) shall be required for the installation, operation, and exploitation of public and intermediary telecommunication services in Chilean territory. Only juridical persons organized under the Chilean law shall be eligible for such concessions.</p> <p>An official decision issued by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) shall be required to render Supplementary Telecommunication Services, consisting of additional services by hooking up equipment to public networks. Said decision refers to compliance with the technical standards established by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) and non-alteration of the essential technical features of networks or of the permissible technological or basic service modalities provided through them.</p>	<p>National Treatment Local Presence</p> <p>Only juridical persons organized under the Chilean law shall be eligible for a concession required for the installation, operation, and exploitation of public and intermediary telecommunication services in Chilean territory.</p> <p>Measures:</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones</i>)</p>	

	<p>A permit issued by the Undersecretariat of Telecommunications (<i>Subsecretaría de Telecomunicaciones</i>) shall be required for the installation, operation, and development of limited telecommunications services.</p> <p>International traffic shall be routed through the installations of a company holding a concession granted by the Ministry of Transport and Telecommunications (<i>Ministerio de Transporte y Telecomunicaciones</i>).</p> <p>(4) Unbound, except as indicated in horizontal section.</p>		
<u>D. Audiovisual services</u>			
Radio and television services (9613)	<p>(1), (2) and (3) Unbound</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u></p> <p><u>Local Content and Other Performance Requirements</u></p> <p><u>Local Management and Boards of Directors</u></p> <p><u>Local Presence</u></p> <p>The owner of a social communication medium such as those that transmit on a regular basis sounds, texts or images, or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory.</p> <p>Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p>	

<p>Radio and television transmission services (7524)</p>		<p>The owner of a concession to supply (a) public telecommunication services; (b) intermediate telecommunication services supplied to telecommunications services through facilities and networks established for that purpose; and (c) sound broadcasting, shall be a juridical person constituted and domiciled in Chile.</p> <p>Only Chilean nationals may be presidents, managers, administrators or legal representatives of the juridical person.</p> <p>In the case of public radio broadcasting services, the board of directors may include foreigners, only if they do not represent the majority.</p> <p>In the case of a social communication medium, the legally responsible director and the person who subrogates him or her must be Chilean, with domicile and residence in Chile, unless the social communication medium uses a language other than Spanish.</p> <p>Request for public radio broadcasting concessions submitted by juridical person in which, foreigners hold an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin.</p> <p>The National Television Council (<i>Consejo Nacional de Televisión</i>) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production.</p> <p>Only juridical persons duly constituted in Chile and having domicile in Chile may be titleholders or make use of permits for radio broadcasting telecommunication services.</p> <p>Only Chilean may be president, managers, administrators or legal representatives of the juridical person.</p>	
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		<p>The National Television Council (Consejo Nacional de Televisión) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production</p> <p>Measures:</p> <p>Law 18.838, Official Gazette, September 30, 1989, National Television Council, Titles I, II and III (<i>Ley 18.838, Diario Oficial, septiembre 30, 1989, Consejo Nacional de Televisión, Títulos I, II y III</i>)</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II and III (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II y III</i>)</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I and III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
<u>IV. DISTRIBUTION SERVICES</u>			
Commission agents' services (621); Wholesale trade services (622); Retailing services (631+632+6111+6113+6121); Franchising (8929); Other (8929)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
VI. ENVIRONMENTAL SERVICES			

Environmental Services (9401;- 9403; 9404; 9405; 9406 + 9409 other)	(1) and (3) Unbound, except for consultancy services. (2) None (4) Unbound, except as indicated in the horizontal section		
<u>IX. TOURISM AND TRAVEL RELATED SERVICES</u>			
Hotels and restaurants (including catering) (641-643); Travel Agencies and Tour operators services (7471); Tourist guides services (7472)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
<u>X. RECREATIONAL, CULTURAL AND SPORTING SERVICES</u> (other than audiovisual services)			
A. Entertainment services			

Entertainment services (Including theatre and circus services) (9619, excluding 96191)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
B. <u>News agency services</u> (962)	(1), (2) and (3) None, except: Request for public radio broadcasting concessions submitted by juridical person in which foreigners holds an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin. (4) Unbound, except as indicated in the horizontal section	<p><u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>The owner of a social communication medium such as those that transmit on a regular basis sounds, texts or image transmission or a national news agency, shall in the case of natural person have a duly established domicile in Chile and in the case of a juridical person shall be constituted with domicile in Chile or have an agency authorized to operate within the national territory. Only Chilean nationals may be president, administrators or legal representatives of the juridical person.</p> <p>The owner of a concession to supply (a) public telecommunication services; (b) intermediate telecommunication services supplied to telecommunications services through facilities and networks established for that purpose; and (c) sound broadcasting, shall be a juridical person constituted and domiciled in Chile.</p> <p>In the case of public radio broadcasting services, the board directors may include foreigners, only if they do not represent the majority. The legally responsible director and the person who subrogates him or her must be Chilean, with domicile and residence in Chile.</p>	

		<p>Request for public radio broadcasting concessions submitted by juridical person in which, foreigners holds an interest exceeding 10 per cent of the capital shall be granted only if proof is previously provided verifying that similar rights and obligations as those that the applicant will enjoy in Chile are granted to Chilean nationals in their country of origin.</p> <p>The National Television Council (<i>Consejo Nacional de Televisión</i>) may establish as a general requirement that, programs broadcast through public (open) television channels include up to 40 per cent of Chilean production.</p> <p>Only juridical persons duly constituted in Chile and having domicile in Chile may be titleholders or make use of permits for radio broadcasting telecommunication services. Only Chilean may be president, managers or legal representatives of the juridical person.</p> <p>Measures:</p> <p>Law 18.838, Official Gazette, September 30, 1989, National Television Council, Titles I, II and III (<i>Ley 18.838, Diario Oficial, septiembre 30, 1989, Consejo Nacional de Televisión, Títulos I, II y III</i>)</p> <p>Law 18.168, Official Gazette, October 2, 1982, General Telecommunications Law, Titles I, II and III (<i>Ley 18.168, Diario Oficial, octubre 2, 1982, Ley General de Telecomunicaciones, Títulos I, II y III</i>)</p> <p>Law 19.733, Official Gazette, June 4, 2001, Law on Liberties of Opinion and Information and the Exercise of Journalism, Titles I and III (<i>Ley 19.733, Diario Oficial, junio 4, 2001, Ley sobre las Libertades de Opinión e Información y Ejercicio del Periodismo, Títulos I y III</i>)</p>	
C. Libraries, archives, museums and other cultural services (963)	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>		

<p>D. Sporting and other recreational services (964) (excluding gambling and betting services (96492); coin-operated amusement machine services; and sports facility operation services (96413))</p>	<p>(1), (2) and (3) None, except that a specific type of legal entity may be required for sporting organisations that develop professional activities. In addition: (a) it is not permitted to participate with more than one team in the same category of sport competition; (b) specific regulations may be established on equity ownership in sporting companies; and (c) minimal capital requirements may be imposed.</p> <p>(4) Unbound, except as indicated in horizontal section.</p>	<p><u>Local Presence</u></p> <p>Any person who owns guns, explosives or similar substances must register with the appropriate authority in its domicile for which purpose a request shall be submitted to the General Directorate for National Mobilization of the Ministry of National Defense (<i>Dirección General de Movilización Nacional del Ministerio de Defensa Nacional</i>).</p> <p>Any natural or juridical person registered as an importer of fireworks may request authorization for importation and entrance thereof into Chile from the General Directorate for National Mobilization (<i>Dirección General de Movilización Nacional</i>) and may keep stocks of the said elements for sale to persons holding authorization to stage pyrotechnical shows.</p> <p>The Supervisory Authority (<i>Autoridad Fiscalizadora</i>) shall only authorise pyrotechnical shows if a report is available with regard to the installation, development and security measures for the show, which must be signed and approved by a fireworks programmer registered in the national registries of the General Directorate for National Mobilisation (<i>Dirección General de Movilización Nacional</i>) or by a professional certified by the said General Directorate.</p> <p>For the production and execution of pyrotechnical shows, the presence of at least a fireworks expert handler registered with the General Directorate shall be required.</p> <p>Measures:</p> <p>Law 17.798, Official Gazette, October 21, 1972, Title I (<i>Ley 17.798, Diario Oficial, octubre 21, 1972, Título I</i>)</p> <p>Supreme Decree 83 of the Ministry of National Defence, Official Gazette, May 13, 2008 (<i>Decreto Supremo 83 del Ministerio de Defensa Nacional, Diario Oficial, mayo 13, 2008</i>)</p>	
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Sports facility operation services (96413)	(1), (2) and (3) None (4) Unbound, except as indicated in horizontal section.		
<u>XI. TRANSPORT SERVICES</u>			
<u>A. Maritime Transport Services</u> <u>B. Internal Waterways Transport</u>	(1) and (3) Unbound. (2) None. (4) Unbound, except as indicated in horizontal section.	<u>National Treatment</u> <u>Local Content and Other Performance Requirements</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u> Only Chilean natural or juridical person may register a vessel in Chile. Such juridical person must be constituted with principle domicile and real and effective seat in Chile In addition, more than 50 per cent of its capital must be held by Chilean natural or juridical persons. For these purposes, a juridical person with ownership participation in another juridical person that owns a vessel has to comply with all the aforementioned requisites. The president, manager, and majority of the directors or administrators must be Chilean natural persons. A joint ownership (<i>comunidad</i>) may register a vessel if (a) the majority of the joint ownership is Chilean with domicile and residency in Chile; (b) the administrators are Chileans; (c) the majority of the rights of the joint ownership belong to a Chilean natural or juridical person. For these purposes, a juridical person with ownership participation in a joint ownership (<i>comunidad</i>) that owns a vessel has to comply with all the aforementioned requisites to be considered Chilean.	

		<p>Fishing boat captains (<i>patrones de pesca</i>), machinists (<i>mecánicos-motoristas</i>), machine operators (<i>motoristas</i>), seafaring fishermen (<i>marineros pescadores</i>), small-scale fishermen (<i>pescadores</i>), industrial or maritime trade technical employees or workers, and industrial and general ship service crews on fishing factories or fishing boats shall be required to be Chilean nationals. Foreigners with domicile in Chile shall also be authorised to perform those activities when so requested by ship operators (<i>armadores</i>) for being indispensable to initiate those activities.</p> <p>In order to fly the Chilean flag, the ship captain (<i>patrón de nave</i>), officers and crew must be Chilean nationals. Nevertheless, if indispensable, the General Directorate for the Maritime Territory and Merchant fleet (<i>Dirección General del Territorio Marítimo y de Marina Mercante</i>), on the basis of a substantiated resolution (<i>resolución fundada</i>) and on a temporary basis, may authorise the hiring of foreign personnel, with the exception of the captain, who must always be a Chilean national.</p> <p>Only a Chilean natural or juridical person shall be authorized to work in Chile as a multimodal operator.</p> <p>Cabotage shall be reserved for Chilean vessels. Cabotage shall include the ocean, river or lake shipping of passengers and cargo between different points of the national territory and between such points and naval artifacts installed in territorial waters or in the exclusive economic zone.</p> <p>Foreign merchant vessels may be able to participate in cabotage when cargo volumes exceed 900 tons, following a public tender called by the user with due anticipation. When the cargo volumes involved are equal to or less than 900 tons, and no vessels flying the Chilean flag are available, the Maritime Authority may authorize embarking such cargo on foreign merchant vessels.</p>	
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<u>C. Air Transport Services</u>			
1. Rental services of aircraft with operator (734) 2. Specialty air services	<p>(1), (2) and (3) None, except: Only a Chilean natural or juridical person may register an aircraft in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile. In addition, a majority of its own ownership must be held by Chilean natural or juridical persons, which in turn must comply with aforementioned requisites.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p><u>National Treatment</u> <u>Local Management and Boards of Directors</u> <u>Local Presence</u></p> <p>Only a Chilean natural or juridical person may register an aircraft in Chile. Such juridical person must be constituted in Chile with principle domicile and real and effective seat in Chile. In addition, a majority of its own ownership must be held by Chilean natural or juridical persons, which in turn must comply with aforementioned requisites.</p> <p>The president, manager, majority of directors and/or administrators of the juridical person must be Chilean natural persons.</p>	

		<p>A foreign registered private aircraft engaged in non-commercial may not remain in Chile more than 30 days from its date of entry into Chile, unless authorized by the General Directorate for Civil Aeronautics (<i>Dirección General de Aeronáutica Civil</i>). For greater certainty, this measure shall not apply to specialty air services as defined in Air Transport services Annex, except for glider towing and parachute jumping.</p> <p>In order to work as crew member on aircrafts used by Chilean aviation company, foreign aviation personnel shall be required first to obtain a Chilean license with the appropriate permits enabling them to discharge the pertinent duties.</p> <p>Foreign aviation personnel shall be allowed to work in that capacity in Chile provided that Chilean civil aviation authorities validate the license or authorization granted by a foreign country. In the absence of an international agreement regulating such validation, the license or authorization shall be granted under conditions of reciprocity. In that case, proof shall be submitted showing that the licenses or authorizations were issued or validated by the pertinent authorities in the country where aircraft is registered, that the documents are in force, and that the requirements for issuing or validating such licenses and authorizations meet or exceed the standards required in Chile for analogous cases.</p> <p>The Civil Aviation Board (<i>Junta de Aeronáutica Civil</i>), by means of a substantiated resolution (<i>resolución fundada</i>), may terminate, suspend or limit domestic traffic services (cabotage) or any other class of commercial aviation services carried out solely in Chilean territory by foreign companies or aircraft if in their country of origin the right to equal treatment for Chilean companies and aircraft is denied.</p> <p>Foreign civil aircraft not engaging in commercial transport activities or non-scheduled commercial air transport intended to enter Chilean territory, including its territorial waters, to fly over Chile, and to make stop-overs for non-commercial purposes, shall be required to notify the General Directorate For Civil Aeronautics at least 24 hours in advance.</p>	
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3. Selling and marketing of air transport services	<p>(1), (2) and (3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>		

4. Aircraft repair and maintenance services (part of 8868)	(1) Unbound* (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
5. Computer reservation system services (part of 7523)	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section		
6. Ground Handling	(1) , (2) and (3) None (4) Unbound, except as indicated in horizontal section		
7. Airport Operation	(1) ,(2) and(3) None (4) Unbound, except as indicated in horizontal section		
<u>F. Road Transport Services</u>	(1), (2) and (3) None, except: Passenger Transportation is unbound. (4) Unbound, except as indicated in the horizontal section	National Treatment Local Presence Land transportation service providers shall register in the National Registry by submitting an application to the Regional Secretary of Transport and Telecommunications (<i>Secretaría Regional Ministerial del Ministerio de Transportes y Telecomunicaciones</i>). In the case of urban services applicants shall submit the application to the Regional Secretary responsible for the area in which the service is to be supplied and, in the case of rural and interurban services, in the region where the applicant is domiciled.	

		<p>The application shall provide the detailed information required by law, attaching thereto, among other documents, a properly certified photocopy of the National Identity Card and, in the case of juridical persons, the public instruments accrediting its constitution and name and the domicile of its legal representative and documents evidencing such capacity.</p> <p>Foreign natural and juridical persons qualified to supply international transportation services in Chilean territory cannot supply local transportation services or participate in any manner whatsoever in the said activities in the national territory.</p> <p>Only companies with actual and effective domicile in Chile and organized under the laws of Chile, Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay shall be authorized to provide international land transportation services between Chile and Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay. Furthermore, to obtain an international land transport permit, in the case of foreign juridical persons, more than 50 per cent of its corporate capital and effective control shall be held by nationals of Chile, Argentina, Bolivia, Brazil, Peru, Uruguay or Paraguay.</p> <p>Motor vehicles bearing foreign license plates that enter Chile on a temporary basis, pursuant to provisions set forth in the 1949 Geneva Convention on Road Traffic, shall circulate freely throughout the national territory for the period established therein, provided that they comply with the requirements established by Chilean law.</p> <p>Holders of valid international driving licence or certificates issued in a foreign country in accordance with the Geneva Convention may drive anywhere within the national territory. The driver of a vehicle bearing foreign license plates who holds an international driver's license shall present upon request by the authorities the documents certifying both the roadworthiness of the vehicle and the use and validity of his or her personal documents.</p>	
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<p>G. Pipeline Transport (Transportation of fuels and other goods) (7131 + 7139)</p>	<p>(1), (2), and (3) 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.</p> <p>(4) None, except as indicated in the horizontal section</p>		

H. Services Auxiliary to All Modes of Transport: cargo handling services; storage and warehouse services; freight transport agency services; other supporting and auxiliary transport services	(1), (2) and (3) None (4) Unbound, except as indicated in the horizontal section	<p>National Treatment</p> <p>Local Presence</p> <p>Only Chilean natural persons with residency in Chile may act as customs brokers (<i>Despachadores de Aduana</i>) or Agents (<i>Agentes de Aduana</i>).</p> <p>Measures:</p> <p>D.F.L. 30 of the Ministry of Finance, Official Gazette, April 13, 1983, Book IV (<i>D.F.L. 30 del Ministerio de Hacienda, Diario Oficial, abril 13, 1983, Libro IV</i>)</p> <p>D.F.L. 2 of the Ministry of Finance, 1998 (<i>D.F.L. 2 del Ministerio de Hacienda, 1998</i>)</p>	
<u>Other Services Not Listed Above</u>	(1), (2) and (3) Unbound (4) Unbound, except as indicated in the horizontal section	All existing measures inconsistent with Article I-4 (National Treatment) at all levels of government.	