

TISA CONFIDENTIAL INFORMATION - MODIFIED HANDLING AUTHORIZED
WITHOUT PREJUDICE
6 of May, 2016

COLOMBIA – INITIAL OFFER OF SPECIFIC COMMITMENTS

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

COLOMBIAN GENERAL REMARKS

The Offer presented hereby is based on the Core Provisions as drafted at the end of TiSA round of ~~September~~ ~~April~~ 2016; any change to such provisions may result in changes on the commitments. Colombia further reserves the right to make technical changes to this Offer, revising, supplementing or withdrawing all or any part of the Offer, and to correct any errors, omissions, or inaccuracies.

The third column in the Offer includes conditions and qualifications for Art. I-4: National Treatment, as well as the following disciplines being discussed in the Localization Annex in accordance to the Colombian attributions in the text: X.1. Local Presence; X.2. Local Management and Board of Directors; and X.3. Local Content and Other Performance Requirements (only for Mode 3). All scheduled on a negative approach as stated in Articles II-2 (NT) and X.5. Scheduling of Localization Commitments.

Financial Services commitments on Mode 1 are limited to the list included in Art. X.3. Market Access from the Financial Services Annex, and in accordance to the Colombian attributions in the text. All other commitments are preliminary and subject to the outcome of the Annex.

Maritime Transport commitments are presented on a preliminary basis, in accordance with the WTO Maritime Model Schedule. However, these commitments will change in order to include the results of the discussions in the Maritime Transport Annex. The term “freight” included in this Offer have the same meaning as the term “cargo” used in the Annex.

With respect to Mode 4, Colombia reserves the right to add or modify its Offer in accordance to the final scheduling modalities for commitments, and ambition level agreed.

Included in this Offer are the Schedule of Specific Commitments and the list of Most Favored Nation Exemptions; the MFN exemptions are subject to the outcome of any provision that covers such commitments including the Economic Integration Clause, and Multilateralization.

Legal citations: Each entry scheduled in the third column of Section B of Part I and Part II includes a citation identifying the source of the measure. In the

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interpretation of each entry, both elements shall be considered equally: the description included in the Scheduled measure and the legal citation.

Unless otherwise stated, the Colombian Offer follows the Classification stated in document MTN.GNS/W/120 of July 10 of 1991; all CPC references correspond to the 1991 Provisional Central Product Classification of the United Nations Statistical Office; and the scheduling system is based on document S/L/92 of March 28 of 2001.

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SECTOR OR SUBSECTOR	MARKET ACCESS COMMITMENTS	OTHER LIMITATIONS	ADDITIONAL COMMITMENTS	NOTES/REMARKS
PART I. HORIZONTAL COMMITMENTS - Section A				
Colombia undertakes its specific commitments in accordance to Part II of the Agreement				
RESERVATIONS pursuant to Part II, Article 2.4.		Pursuant to Part II, Article 2.4., Colombia reserves the right to adopt, maintain, or modify any measure in the specific sectors, sub-sectors or activities listed below: 1. All Sectors – Social Services: <ul style="list-style-type: none"> • National Treatment. • Local Presence. • Local Management and Board of Directors. • Performance Requirements. 1) 2) 3) 4) The provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: social readaptation, income security or insurance, social security, social welfare, public training and education, health, and child care.		
		2. All Sectors - Minority Affairs: <ul style="list-style-type: none"> • National Treatment. • Local Presence. • Local Management and Board of Directors. • Performance Requirements. 		

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		1) 2) 3) 4) Measures according rights or preferences to socially or economically disadvantaged minorities and ethnic groups, including with respect to the communal lands held by ethnic groups in accordance with Art. 63 of the Constitución Política de Colombia. The ethnic groups in Colombia are: indigenous and Rom (gypsy) people, Afro-Colombian communities and the Raizal community of the Archipelago of San Andres, Providencia, and Santa Catalina.		
		3. All Sectors – Cultural Expressions: <ul style="list-style-type: none">• National Treatment. 1) 2) 3) 4) Measures according rights or preferences to local communities with respect to the support and development of expressions relating to intangible cultural patrimony declared pursuant to Resolución No. 0168 de 2005.		
		4. All Sectors - Subsidies: <ul style="list-style-type: none">• National Treatment.• Performance Requirements. 1) 2) 3) 4) Measures with regard to the granting of subsidies or support to domestic services providers.		
		5. All Sectors - Government Property: <ul style="list-style-type: none">• National Treatment.. 3) If the Colombian State decides to sell all or part of its		

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		<p>interest in an enterprise to a person other than a Colombian state enterprise or other Colombian government entity, it shall first offer such interest exclusively, and under the conditions established in articles 3 and 11 of Ley 226 de 1995, to:</p> <ul style="list-style-type: none">a) current, pensioned, and former employees (other than former employees terminated for just cause) of the enterprise and of other enterprises owned or controlled by the enterprise;b) associations of employees and former employees of the enterprise;c) employee unions;d) federations and confederations of trade unions;e) employee funds (“fondos de empleados”);f) pension and severance funds; andg) cooperative entities. <p>However, once such interest has been transferred or sold, Colombia does not reserve the right to control any subsequent transfer or other disposal of such interest.</p>		
		<p>6. All Sectors - Taxes:</p> <ul style="list-style-type: none">• National Treatment. <p>1) 2) 3) 4) Measures that distinguish in the application of the relevant provisions of domestic fiscal legislation, including those aimed at ensuring the imposition and collection of duties, internal taxes and charges of any kind, between tax payers that are not in the same situation, in</p>		

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		particular with regard to their place of residence or with regard to the place where their capital is invested. 1) 2) Measures on the tax sourcing of certain services when such services are furnished from abroad. 3) 4) Measures connected with the taxation of branches and permanent establishments in Colombia, including measures regarding the transfer abroad of profits when such transfer corresponds to income and capital gains obtained through branches and permanent establishments in Colombia		
		7. All Sectors - Real Es State: • National Treatment. 3) Measures related to ownership of real property by foreigners in border regions, national coasts, or insular territory of Colombia. For the purposes of this entry: - "border region" means a zone of two kilometers in width, parallel to the national border line; - "national coast" means a zone of two kilometers in width, parallel to the line of the highest tide; and - "insular territory" means islands, islets, keys, headlands, and shoals that are part of the territory of Colombia.		
		8. All Sectors – Movement of Natural Persons: • National Treatment.		Subject to the outcome of the discussions on MFN, and the Annex on M4.

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		<p>4) Measures related to the entry and stay of natural persons except in the case of the following categories:</p> <ul style="list-style-type: none"> - In the case of business visitors, a work permit or other similar authorization shall not be required. - For the other categories specified in the Market Access column, no numerical restrictions or requirements for a labour certification test or other procedure of similar effect shall apply. 		
		<p>9. All Sectors – Public Order:</p> <ul style="list-style-type: none"> • National Treatment. <p>3) Measures for reasons of public order pursuant to Article 100 of the "Constitución Política de Colombia".</p>		
		<p>10. Specific Sectors – Cultural Industries:</p> <ul style="list-style-type: none"> • National Treatment. <p>1) 2) 3) 4) Measures on the following sectors:</p> <ul style="list-style-type: none"> - publication, distribution, or sale of books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing; - production, distribution, sale, or display of recordings of movies or videos; - production, distribution, sale, or display of music recordings in audio or video format; 		

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			<ul style="list-style-type: none"> - production and presentation of performing arts; - production and exhibition of visual arts; - production, distribution, or sale of printed music scores or scores readable by machines; - design, production, distribution, retailing and sale of handicrafts (identified as "Artesanias de Colombia" or otherwise); or - radiobroadcasts aimed at the public in general, as well as all radio, television, and cable television-related activities; satellite programming services; and broadcasting networks. - design and creation of advertising contents. 		
			<p>11. Audiovisual and Advertising – Production, Creation, Exhibition, and Broadcasting:</p> <ul style="list-style-type: none"> • National Treatment. • Performance Requirements. <p>1) 2) 3) 4) Measures relating to:</p> <ul style="list-style-type: none"> - <i>Cinematographic Works</i>: a specified percentage (not to exceed 15%) of total annual works shown on cinemas or exhibition rooms on an annual basis must be Colombian. - <i>Cinematographic Works over Free-to-Air Television</i>: a specified percentage (not to exceed 10%) of cinematographic works shown on an annual basis must be Colombian works. - <i>Community Television</i>: a specified portion of the weekly programing (not to exceed 56 weekly hours) must be of 		

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		national programing produced by the operator. - <i>Multichannel Free-to-Air Commercial Television</i> : imposing minimum programing requirements, except that such requirements cannot be imposed on more than two channels or 25% of the total number of channels (whichever is greater) made available by an individual service provider. - <i>Advertising</i> : a specified percentage (not to exceed 20%) of total advertising orders placed annually with media services companies established in Colombia must be created and produced in Colombia.		
		12. Interactive Audio and Video – Availability of Colombian contents: <ul style="list-style-type: none"> • National Treatment. • Performance Requirements. 1) Measures that ensures that there is no unreasonable lack of access to Colombian consumers of Colombian audiovisual programing trough interactive services of audio and/or video.		
		13. <u>Maritime transport services</u> <ul style="list-style-type: none"> • <u>National Treatment.</u> • <u>Local Presence.</u> • <u>Local Management and Board of Directors.</u> • <u>Performance Requirements.</u> 		

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		<u>-1) 2) -3) 4) Any measure with respect to maritime cabotage services¹</u>		
		<p><u>14. Financial Services</u></p> <ul style="list-style-type: none"> • <u>National Treatment</u> <p>All Financial Services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]</p> <p>a. <u>1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</u></p> <p>b. <u>2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement; and</u></p> <p><u>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></p> <p><u>1), 2) 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)</u></p>		

¹ In the case of Colombia, due to its geographical location, “cabotage” is the one realized between Colombian continental ports or Colombian insular ports, in accordance to the relevant Laws and Regulations.

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			<u>as it existed on the date of entry into force of this Agreement.</u>		
			15. Financial Services		
			<u>• Local Presence.</u>		
			<u>-1) 2) Any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on 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.</u>		

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PART I. HORIZONTAL COMMITMENTS - Section B				
Colombia undertakes its specific commitments in accordance to Part II of the Agreement				
RESERVATIONS pursuant to Part II, Article 2.2.		Colombia maintains the following limitations:		
All Sectors – Concessions.		<ul style="list-style-type: none"> • Local Presence. 1) A juridical person organized under the laws of another country, and with its principal domicile in another country, must establish a branch in Colombia in order to develop a concession obtained from the Colombian State. (Código de Comercio, Art. 469, 471 y 474 de 1971)		
All Sectors – Insular Territories		<ul style="list-style-type: none"> • Local Presence. 4) Only a person with its main office in the free port of San Andrés, Providencia, and Santa Catalina may supply services in that region. (Ley 915 de 2004, Art. 5.)		
All Sectors – Foreign Investment		<ul style="list-style-type: none"> • National Treatment. 3) Foreign investment is allowed in all sectors of the economy except for investment projects in activities relating to national defense and the processing and disposal of toxic, hazardous or radioactive waste not produced in Colombia. (Decreto 2080 de 2000, Art. 6)		
Domiciliary Public Services				

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		<ul style="list-style-type: none">• National Treatment.• Local Presence. <p>1) 3) A domiciliary public service enterprise must be domiciled in Colombia.</p> <p>An enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p> <p>For greater certainty, domiciliary public services include the provision of water, sewage, refuse disposal, sanitation and similar services, electric power, combustible gas distribution, and basic public-switched telephone services (PSTN) and any activities supplemental thereto. Activities supplemental to basic public-switched telephone services means long-distance public telephone and fixed wireless local loop telephone services in rural areas, but does not mean commercial mobile telephone services.</p> <p>(Ley 142 de 1994, Art. 17, 18 y 19)</p>		
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ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE				
All Sectors – Social Services.	1) 2) 3) 4) <u>Colombia reserves the right to apply any measure on</u> The provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: social readaptation, income security or insurance, social security, social welfare, public training and education, health, and child care.			
All Sectors - Minority Affairs.	1) 2) 3) 4) <u>Colombia reserves the right to apply any Measure that Measures according accords</u> rights or preferences to socially or economically disadvantaged minorities and ethnic groups, including with respect to the communal lands held by ethnic groups in accordance with Art. 63 of the Constitución Política de Colombia. The ethnic groups in Colombia are: indigenous and Rom (gypsy) people, Afro-Colombian communities and the Raizal community of the Archipelago of San Andres, Providencia, and Santa Catalina.			
All Sectors – Foreign Investment.	3) Foreign investment is allowed in all sectors of the economy except for investment projects in activities relating to national defense and the processing and disposal of toxic, hazardous or radioactive waste not produced in Colombia.			
All Sectors – Movement of natural persons.	4) Unbound for the entry and temporary stay of natural persons except for the following			<u>Subject to the outcome of the discussions on MFN and the</u>

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	<p>categories, as qualified in each Sector of Part II:</p> <p>A. Business visitors mean natural persons of a Party seeking temporary entry into another Party for a purpose that does not include engaging in direct transactions with the general public, and does not receive remuneration from a source located within the host Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - No work permit or similar authorization should be required. - Temporary entry and stay for a period up to 90 days. <p>B. Intra-corporate transferees mean natural persons who have been employed by a juridical person of a Party and who are temporarily transferred to one of its subsidiaries, affiliates or branches in the territory of another Party. The natural person concerned must fall under the following categories:</p> <ul style="list-style-type: none"> - Executives: Natural persons working in a senior position within a juridical person, who primarily direct the management of the juridical person, receiving only general supervision or direction principally from higher-level executives, the board of directors or shareholders of the juridical 			<p>Annex on M4.</p>
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	<p>person;</p> <ul style="list-style-type: none"> - Managers: Natural persons working in a juridical person who: direct the juridical person, a branch office or one or more departments as their head; supervise or control the work of other supervisory, professional or managerial personnel; have the authority personally to recruit and dismiss or recommend recruiting, dismissing or other personnel actions; and receive general supervision or direction principally from the executives of the business or their equivalents; and - Specialists: Natural persons working within a juridical person, who possess uncommon, specialized or proprietary knowledge at an advanced level essential to the company's production, research equipment, techniques or management; <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 2 years. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>C. Contractual service suppliers means</p>			
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	<p>natural persons of a Party employed by a juridical person of a Party, seeking temporary entry in order to perform services pursuant to a contract between his/her employer and a final consumer in another Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>D. Independent professionals means natural persons established as self-employed in the territory of a Party, seeking temporary entry in order to perform services pursuant to a contract with a final consumer in another Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. 			
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	<p>E. Installers and Maintainers means personnel and supervisors, possessing essential specialized knowledge, who are seeking entry to perform installation, repair, or maintenance services related to commercial or industrial equipment or machinery, including computer software, or training workers to perform such services. The supply of a service must occur on a fee or contractual basis (eg. pursuant to a warranty or other service contract incidental to the sale or lease). The entrant must be representing the builder, the seller or the lessor of the equipment or machinery.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 90 days or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>F. Trainees means natural persons who have graduated from a post-secondary institution seeking to obtain further training in their field, or complement their technical or professional training. Such training will be provided under a pre-arranged contract of employment.</p>			
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	<p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p><u>G. Investors means a natural person who will establish, develop, administer or provide advice or key technical services to the operation of an investment to which the business person or the business person's enterprise has committed, or is in the process of committing, a substantial amount of capital.</u></p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 2 years. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. 			
Domiciliary Public Services.	<p>1) 3) A domiciliary public service enterprise, must be organized under the Empresas de Servicios Públicos or ESP regime, must be domiciled in Colombia and organized under Colombian law as a share company (sociedad por acciones). The requirement of being organized as a share</p>			

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	<p>company does not apply to a decentralized entity that takes the form of a commercial and industrial enterprise of the State.</p> <p>For greater certainty, domiciliary public services include the provision of water, sewage, refuse disposal, sanitation and similar services, electric power, combustible gas distribution, and basic public-switched telephone services (PSTN) and any activities supplemental thereto. Activities supplemental to basic public-switched telephone services means long-distance public telephone and fixed wireless local loop telephone services in rural areas, but does not mean commercial mobile telephone services.</p> <p>An enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p>			
Distribution Services	<p>1) 2) 4) The supply of distribution services does not include sectors in which the government establishes a monopoly, pursuant to Article 336 of the Constitución Política de Colombia, with</p>			

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	revenue to be dedicated for public or social services ² . 1) 2) 3) 4) Commitments relating to distribution services does not include the distribution or sale of books, magazines, periodical publications, or printed or electronic newspapers; of recordings of movies or videos; of music recordings in audio or video format; of printed music scores or scores readable by machines; and of handicrafts.			
Environmental Services	1) 2) 3) 4) The supply of environmental services does not include public services whether owned and operated or contracted out by local, regional or central government.			
Financial Services	1) 2) 3) 4) Except for reinsurance and retrocession: nothing in these commitments applies to financial services forming part of a statutory system of social security or public retirement plans. 1) 2) Without prejudice to other means of prudential regulation of cross-border trade in financial services, Colombia may require the registration of cross-border financial services suppliers of another Party and of financial instruments.			

² As of the date of signing of this Agreement, Colombia has in place monopolies only with respect to liquor and games of chance.

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	<p>1) 2) Except for reinsurance and retrocession: It is understood that the commitments under this Schedule, the Financial Services Annex or the Services Chapter do not impose any obligation to allow non-resident financial services suppliers to do or solicit business in the territory of Colombia. Colombia may define “doing business” and “solicitation” for that purpose, provided that those definitions are not inconsistent with Article I-1.2. (a) and (b) of the General Provisions.</p> <p>3) The establishment of suppliers of financial services from abroad is only permitted in the form of:</p> <ul style="list-style-type: none"> a) affiliated companies, b) subsidiaries, or c) branches when Colombia expressly <u>allows it</u> under this Schedule. Nonetheless, Colombia reserves the right to choose how to regulate them such -branches- <p>The supply of financial services must correspond to the purpose specifically authorized, which must adopt the corporate form required by Colombian legislation. Agencies of foreign financial entities may not supply financial services in Colombia.</p>			
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	<p>The supply of financial services in Colombia requires prior Government authorization. Such authorization is granted in accordance with the relevant requirements in Colombian legislation and with the regulatory principles generally accepted at the international level. In particular, the authorization permitting suppliers of financial services to operate in Colombia is subject to verification by the Finance Superintendence of the character, responsibility and qualifications of persons participating in the operation as owners, directors or managers. In addition, the Finance Superintendence (Superintendencia Financiera de Colombia) verifies that the applicant entities have satisfactory controls to prevent the laundering of assets and to manage risks, and that they have consolidated supervision in conformity with generally accepted principles in this respect at the international level.</p>			
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PART II. SECTOR-SPECIFIC COMMITMENTS				
1. BUSINESS SERVICES				
A. Professional Services				Subject to the outcome of the discussions on the Annex of "Professional Services" (i. e. to include health-related professional services).
Legal services(CPC 864)	1) Unbound. None.			Colombia is under internal consultations to use the IBA schedule.
a) Legal services³	2) Unbound. None.	• National Treatment.		
(i) (1) Domestic Law (host-country law)		1) 3) 4) Only Colombian nationals may be arbitrators.		
Legal advisory services;	3) Unbound. None.	(Ley 1563 de 2012, Art. 7)		
a) Legal representational services; and Legal arbitration, conciliation and	4) Unbound, except as indicated in the horizontal section.			

³ For the purposes of this entry:
 'domestic law (host-country law)' – the law of Colombia
 'foreign law' (home-country law) – the law of the territories of TISA Parties and other countries other than the law of Colombia
 'international law' – includes law established by international treaties and conventions, as well as customary law
 'legal advisory services' – includes provision of advice to and consultation with clients in matters, including transactions, relationships and disputes, involving the application or interpretation of law; participation with or on behalf of clients in negotiations and other dealings with third parties in such matters and preparation of documents governed in whole or in part by law, and the verification of documents of any kind for purposes of and in accordance with the requirements of law Does not include advice, consultation and documentation services performed by service suppliers entrusted with public functions, such as notary services
 'legal representational services' – includes preparation of documents intended to be submitted to courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of law and appearance before courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of the specified body of law Does not include documentation services performed by service suppliers entrusted with public functions, such as notary services
 'legal arbitration, conciliation and mediation services' – preparation of documents to be submitted to, preparation for and appearance before, an arbitrator, conciliator or mediator in any dispute involving the application and interpretation of law Does not include arbitration, conciliation and mediation services in disputes for which the law has no bearing which fall under services incidental to management consulting As a sub-category, international legal arbitration, conciliation or mediation services refers to the same services when the dispute involves parties from two or more countries or other conditions as stated in Law 1563 of 2012

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
mediation services. Only legal advisory services in foreign legislation and international legislation (excludes advice and litigation in national law).				
(i) Domestic Law (host-country law). Only for international legal arbitration, conciliation and mediation services.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.		• National Treatment. 1) 3) 4) Only Colombian nationals may be arbitrators. (Ley 1563 de 2012, Art 7)	
(ii) Foreign Law (home-country law). Legal advisory services; Legal representational services; and Legal arbitration, conciliation and mediation services.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.			
(iii) International Law. Legal advisory services; Legal representational services; and Legal arbitration, conciliation and mediation services.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.			

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b) Accounting and book-keeping services (CPC 862)	1) None 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> • National Treatment. • Local Presence. 1) 2) 4) Registration as an accountant is required, for which it is necessary to be a Colombian national having the exercise of civil rights or an alien domiciled in Colombia for at least three years prior to the application and satisfy the following requirements: <ul style="list-style-type: none"> a) Possess the degree of public accountant from a Colombian University, show evidence of experience in activities relating to accounting in general of not less than one year, acquired simultaneously with or subsequently to the above studies; or b) Possess the degree of public accountant or an equivalent title issued by foreign institutions of countries with which Colombia has signed agreements on recognition of degrees and endorsed by the duly authorized governmental body. (Ley 43 de 1990, Art. 3 Par. 1; Resolución No. 160 de 2004, Art. 2 Parágrafo y Art. 6.)	
c) Tax advisory services (CPC 863)	1) None. 2) None.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Architectural services (CPC 8671)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Engineering services (CPC 8672)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Integrated engineering services (CPC 8673)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
g) Urban planning and	1) None.			

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landscape architectural services (CPC 8674)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
k) Other	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			These are indicative commitments that will be reviewed in accordance to the outcome of the Annex on "Professional Services".
B. Computer and Related Services (CPC 841, 842, 843, 844, and 845 + 849)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
C. Research and Development Services.				
a) Research and development services on natural sciences. (CPC 851)	1) Unbound. 2) Unbound. 3) Unbound.	<ul style="list-style-type: none"> National Treatment. 1) 2) 4) Any foreign person planning to undertake scientific research on biological diversity in the		

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section		territory of Colombia must involve at least one Colombian researcher in the research or analysis of the results of such research. (Decreto 309 de 2000, Art. 7)	
b) Research and development services on social sciences and humanities (CPC 852)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section			
c) Interdisciplinary research and development services. (CPC 853)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section			
D. Real State Services. (CPC 821 and 822)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
E. Leasing or Rental Services Without Operator.	1) None.			

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(CPC 83103, 83104, 83101+83102+, 83106-83109, and 832)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
F. Other Business Services				
a) Advertising services. (CPC 871)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Market research and public opinion polling services. (CPC 864)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Management consulting service. (CPC 865)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
d) Services related to management consulting. (CPC 866)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Technical testing and analysis services. (CPC 8676)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Services incidental to agriculture, hunting and forestry. (Part of CPC 881)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
g) Services incidental to fishing. (CPC 882)	1) A foreign-flagged vessel may engage in fishing and related activities in Colombian territorial waters only in association with a Colombian enterprise that owns a permit.	<ul style="list-style-type: none"> • National Treatment. 1) 3) Only Colombian nationals may engage in artisanal fishing.		

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	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	The costs of the permit and fishing license are higher for foreign-flagged vessels than for Colombian-flagged vessels. If the flag of a foreign-flagged vessel is that of a country that is a party to another bilateral agreement with Colombia, the terms of that other bilateral agreement shall determine whether or not the requirement to associate with a Colombian enterprise that owns a permit applies. (Decreto 2256 de 1991, Art. 27, 28 y 67; Acuerdo 005 de 2003, Sección II y VII)		
h) Services incidental to mining. (CPC 883+5115)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • Local Presence. 1) 2) 4) To supply services directly related to the exploration and exploitation of minerals and hydrocarbons in Colombia, a juridical person organized under the laws of a foreign country must establish a branch, affiliate company, or subsidiary in Colombia. The previous paragraph does not apply to service suppliers engaged in those services for less than one year. (Ley 685 de 2001, Art. 19 y 20; Decreto legislativo 1056 de 1953, Art. 10; Código de Comercio, Art. 471 y 474 de 1971)		
i) Services incidental to manufacturing	1) None.			

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(CPC 884+885)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
j) Services incidental to energy distribution. (CPC 887)	1) 3) Only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (comercialización) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power. The Government may establish exclusive areas for services incidental to energy distribution in order to ensure universal service. 2) -None. 4) Unbound, except as indicated in the horizontal section.			
k) Placement and supply services of Personnel. (CPC 872)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
l) Investigation and security.	1) Unbound.			

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<p>(CPC 873**)</p> <p><u>Not including Electronic Security System Services.</u></p>	<p>2) Unbound.</p> <p>3) Unbound.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>3) Only an enterprise organized under Colombian law as a limited liability company or a private security and surveillance services cooperative, may provide private security and surveillance services in Colombia. Partners or members of such enterprises must be Colombian nationals (natural persons).</p> <p>Enterprises established prior to February 11, 1994, with foreign members or foreign capital may not increase the participation of foreign members. Cooperatives organized before that date may retain their juridical form.</p> <p>(Decreto 356 de 1994, Art. 8, 12, 23 y 25)</p>		<p><u>Colombia is under consultation to include specific commitments for Electronic Security Systems Services.</u></p>
<p><u>l) Investigation and security. (CPC 873**)</u></p> <p><u>Only for Electronic Security Systems.</u></p>	<p><u>1) Unbound.</u></p> <p><u>2) Unbound.</u></p> <p><u>3) Unbound.</u></p> <p><u>4) Unbound, except as indicated in the horizontal section</u></p>			
<p>m) Related scientific and technical consulting services. (CPC 8675)</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p>			

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	4) Unbound, except as indicated in the horizontal section.			
n) Maintenance and repair of equipment (not including maritime vessels, aircraft, or other transport equipment). (CPC 633+, and 8861-8866)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
o) Building-cleaning services. (CPC 874)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
p) Photographic services. (CPC 875)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
q) Packaging services. (CPC 876)	1) None. 2) None.			

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	3) None. 4) Unbound, except as indicated in the horizontal section.			
r) Printing, publishing. (CPC 88442)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
s) Convention services. (CPC 87909*)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
t) Other.				
Telephone answering services. (CPC 87903)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Duplicating services.	1) None.			

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(CPC 87904)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Translation and interpretation services. (CPC 87905)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Specialty design services. (CPC 87907) It does not include jewelry design nor handicrafts design.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Other business consulting services. (part of CPC 87909)	1) None. 2) None. 3) None.			

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	4) Unbound, except as indicated in the horizontal section.			
2. COMMUNICATION SERVICES				
A. Postal Services B. Courier Services	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> National Treatment. Local Presence. <p>1) 2) 3) 4) Only juridical persons established under Colombian law whose main corporate purpose is the provision of postal services may supply postal services and courier services in Colombia. (Law 1369 of 2009)</p>		Subject to the outcome of the "Competitive Mail Delivery" New and Enhanced Discipline.
C. Telecommunications Services ⁴				
The commitments in this schedule do not cover radio nor television broadcasting services.				
All sectors				
1. Basic services (For public use, exclusively facilities-based services)				
Tele-services				
A. Local and extended local voice telephony ⁵	1) None.			

⁴ The scope of the classification definitions used in this section is based on Colombian legislation.

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
a. National and international long-distance telephony.	1) Long-distance traffic must be routed through the facilities of an operator licensed to provide such a service. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> National Treatment. 3) Colombia Telecomunicaciones S.A. E.S.P. provides long-distance basic public switched telephony services under the same regulatory conditions as the other operators, other than the initial license payment and duration of license validity. (Decreto 1616 de 2003, Art. 13 y 16; Decreto 2542 de 1997, Art. 2; Decreto 2926 de 2005, Art. 2)		
b. Telex services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c. Telegraph services.	1) None.			

⁵ "Extended local" voice telephony (departmental or regional telephony) is the service supplied by the same operator to users in a continuous geographical area consisting of adjacent municipalities, provided the area does not go outside that of the Department.

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d. Cellular mobile telephone services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e. Personal Communications Services (PCS).	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f. Paging services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
g. Trunking.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Carrier Services ⁶				
a. Packet-switched data transmission services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b. Circuit-switched data transmission services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c. Provision of satellite capacity,	1) None.			

⁶ A carrier service is a service providing the necessary capacity to transmit signals between two or more specific points on the telecommunications network. This covers services through circuit- or packet-switched networks and through non-switched networks.

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
exclusively by geostationary satellite systems.	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
2. Value-added telecommunications services ⁷ .	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
3. For non-public use, facilities-based (Relates to the private telecommunications network, established by natural or legal persons for their private and exclusive use, without provision of services to third persons and without connection to the State telecommunications network or to other private telecommunications networks.)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

⁷ Value-added services are defined as those which use basic, telematic or transmission services, or any combination thereof, as a carrier and, in conjunction with them, provide the full capability for the sending or exchange of information, and which add other facilities to the carrier service or satisfy specific new telecommunication needs. These include: electronic mail, voice mail, on-line information and database retrieval, electronic data interchange, facsimile store and forward, code and/or protocol conversion, on-line data processing and information. Only services that can be differentiated from the basic services are considered value-added services.

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D. Audiovisual Services	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
a) Motion picture and video tape production and distribution services. (CPC 9611)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> National Treatment. Performance Requirements. 1) 2) 3) 4) The exhibition and distribution of foreign films is subject to the Cinematographic Development Fee, which is set at 8.5 per cent of the monthly net income derived from such exhibition and distribution. The fee applied to an exhibitor is reduced to 2.25 percent, when a foreign movie is exhibited together with a Colombian short film. Until 2013, the fee applied to a distributor is reduced to 5.5 percent if, during the preceding year, the percentage of Colombian full length films it distributed to cinemas and other exhibitors equaled or exceeded the target percentage set by the government. (Ley 814 de 2003, Art. 5, 14, 15, 18 y 19)	
b) Motion picture projection service. (CPC 9612)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> National Treatment. Performance Requirements. 1) 2) 3) 4) The exhibition and distribution of foreign films is subject to the Cinematographic Development Fee, which is set at 8.5 per cent of the monthly net income derived from such exhibition and distribution.	

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		<p>The fee applied to an exhibitor is reduced to 2.25 percent, when a foreign movie is exhibited together with a Colombian short film.</p> <p>Until 2013, the fee applied to a distributor is reduced to 5.5 percent if, during the preceding year, the percentage of Colombian full length films it distributed to cinemas and other exhibitors equaled or exceeded the target percentage set by the government.</p> <p>(Ley 814 de 2003, Art. 5, 14, 15, 18 y 19)</p>		
<p>c) Radio and television services. (CPC 9613)</p> <p>and</p> <p>d) Radio and television transmission services (CPC 7524)</p>	<p>1) Unbound.</p> <p>2) None.</p> <p>3) A concession to supply radio broadcasting services may be granted only to Colombian nationals or to juridical persons organized under Colombian law.</p> <p>Only Colombian nationals or juridical persons organized under Colombian law may be granted concessions to provide free-to-air television services</p> <p>To hold a concession for a privately operated national television channel that provides free-to-air television services, a juridical person must be organized as a corporation (“sociedad anónima”).</p> <p>The number of concessions to provide free-to-air</p>	<p>• National Treatment.</p> <p>1) 2) 3) 4) A concession to supply radio broadcasting services may be granted only to Colombian nationals or to juridical persons organized under Colombian law.</p> <p>(Ley 80 de 1993, Art. 35)</p> <p>• National Treatment.</p> <p>• Local Presence.</p> <p>• Performance Requirements.</p> <p>1) 2) 3) 4) Only Colombian nationals or juridical persons organized under Colombian law may be granted concessions to provide free-to-air television services.</p> <p>Suppliers (operators and/or persons granted the right to use programming slots) of free-to-air national</p>		

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	<p>national and local for-profit television services is subject to an economic needs test in accordance with the criteria set forth by law.</p> <p>Foreign equity in any enterprise holding a free-to-air television concession is limited to 40 percent.</p> <p>Regional television may be supplied only by state-owned entities.</p> <p>Suppliers (operators and/or persons granted the right to use programming slots) of free-to-air national television services must broadcast nationally produced programming on each channel as follows:</p> <ul style="list-style-type: none"> (a) a minimum of 70 per cent between 19:00 hours and 22:30 hours, (b) a minimum of 50 per cent between 22:30 hours and 24:00 hours, (c) a minimum of 50 per cent between 10:00 hours and 19:00 hours, (d) a minimum of 50 per cent for Saturdays, Sundays, and holidays during the hours described in subparagraphs 4a, b)2, and c)3. <p>Suppliers of regional and local free-to-air television services must broadcast a minimum of 50 percent nationally produced programming on each channel</p>	<p>television services must broadcast nationally produced programming on each channel as follows:</p> <ul style="list-style-type: none"> •a) a minimum of 70 per cent between 19:00 hours and 22:30 hours, •b) a minimum of 50 per cent between 22:30 hours and 24:00 hours, •c) a minimum of 50 per cent between 10:00 hours and 19:00 hours, •d) a minimum of 50 per cent for Saturdays, Sundays, and holidays during the hours described in subparagraphs a)1, b)2, and c)3. <p>Suppliers of regional and local free-to-air television services must broadcast a minimum of 50 percent nationally produced programming on each channel. (Ley 014 de 1991, Art. 37; Ley 680 de 2001, Art. 1 y 4; Ley 335 de 1996, Art. 13 y 24; Ley 182 de 1995, Art. 37 numeral 3, Art. 47 y Art. 48; Acuerdo 002 de 1995, Art. 10 parágrafo; Acuerdo 023 de 1997, Art. 8 Parágrafo; Acuerdo 024 de 1997, Art. 6 y 9; 9Acuerdo 020 de 1997, Art. 3 y 4)</p>		
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	<p>Suppliers of broadcast television which employs multiplex digital technologies must provide a 100% free access for their main channel to the general public, and up to 50% of free access for their sub-channels to the general public. Local non-profit television must provide a 100% free access to their users.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
<p>d) Radio and television cable transmission services (CPC 7530) Including Radio and television satellite transmission</p>	<p>1) Unbound.</p> <p>2) None.</p> <p>3) Only juridical persons organized under Colombian law may supply subscription television services.</p> <p>Juridical persons which provide subscription television services must make available to subscribers, at no additional cost, those free-to-air Colombian national, regional, and municipal television channels available in the authorized area of coverage. The transmission of regional and municipal channels will be subject to the technical capacity of the subscription television operator.</p> <p>Suppliers of satellite subscription television only have the obligation of including in their basic programming the transmission of the public interest</p>	<ul style="list-style-type: none"> • Local Presence. • Performance Requirements. <p>1) 2) 3) 4) Only juridical persons organized under Colombian law may supply subscription television services.</p> <p>Juridical persons which provide subscription television services must make available to subscribers, at no additional cost, those free-to-air Colombian national, regional, and municipal television channels available in the authorized area of coverage. The transmission of regional and municipal channels will be subject to the technical capacity of the subscription television operator.</p> <p>Suppliers of satellite subscription television only have the obligation of including in their basic programming the transmission of the public interest channels of the</p>		

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	<p>channels of the Colombian State. When rebroadcasting free-to-air programming subject to a domestic content quota, a subscription television provider may not modify the content of the original signal.</p> <p>The concessionaire of subscription television that transmits commercials different from those of origin must comply with the minimum percentages of nationally produced programming required of suppliers of free-to-air national television services as described in the entry on Radio and Television Services (CPC 9613) and Radio and Television Transmission Services (CPC 7524). Colombia interprets Article 16 of Acuerdo 014 de 1997 as not requiring subscription television suppliers to comply with minimum percentages of nationally produced programming when commercials are inserted into programming outside the territory of Colombia.</p> <p>Suppliers of cable television services must produce and broadcast in Colombia a minimum of one hour of programming each day between 18:00 hours and 24:00 hours.</p> <p>Community television services may only be supplied by communities organized and legally constituted under Colombian law as foundations, cooperatives, associations, or corporations governed by civil law. For greater certainty, such</p>	<p>Colombian State. When rebroadcasting free-to-air programming subject to a domestic content quota, a subscription television provider may not modify the content of the original signal.</p> <p>The concessionaire of subscription television that transmits commercials different from those of origin must comply with the minimum percentages of nationally produced programming required of suppliers of free-to-air national television services as described in the entry on Radio and Television Services (CPC 9613) and Radio and Television Transmission Services (CPC 7524). Colombia interprets Article 16 of Acuerdo 014 de 1997 as not requiring subscription television suppliers to comply with minimum percentages of nationally produced programming when commercials are inserted into programming outside the territory of Colombia.</p> <p>Suppliers of cable television services must produce and broadcast in Colombia a minimum of one hour of programming each day between 18:00 hours and 24:00 hours.</p> <p>(Ley 680 de 2001, Art. 4 y 11; Ley 182 de 1995, Art. 42; Acuerdo 014 de 1997, Art. 14, 16 y 30; Ley 335 de 1996, Art. 8; Acuerdo 032 de 1998, Art. 7 y 9)</p>		
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	<p>services are restricted with respect to area of coverage and number and type of channels; may be offered to no more than 6000 associates, or community members; and must be offered under the modality of a closed network local access channels.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
e) Sound recording (CPC n.a)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
f) Other.	<p>1) Unbound.</p> <p>2) Unbound.</p> <p>3) Unbound.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
E. Other	<p>1) Unbound.</p> <p>2) Unbound.</p> <p>3) Unbound.</p>			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				
A. Construction work for buildings. (CPC 512)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Construction work for civil Engineering. (CPC 513)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
C. Installation and assembly work. (CPC 514+516)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D. Building completion and	1) None.			

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finishing work. (CPC 517)	2) <u>None_Unbound.*</u> 3) None. 4) Unbound, except as indicated in the horizontal section.			
E. Others				
Pre-erection work at construction sites. (CPC 511)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Special trade construction work. (CPC 515)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator. (CPC 518)	1) None. 2) None. 3) None.			

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	4) Unbound, except as indicated in the horizontal section.			
4. DISTRIBUTION SERVICES				
A. Commission agents' services. (CPC 621)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Wholesale trade services (CPC 622), except wholesale trade services of waste and scrap and materials for recycling. (CPC 62278)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
C. Retailing services (CPC 631+632+6111+6113+6121)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D. Franchising.	1) None.			

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(CPC 8929)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
5. EDUCATION SERVICES				
A. Primary education services. (CPC 921)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
B. Secondary education services. (CPC 922)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
C. Higher education services. (CPC 923)- <u>except for public education as indicated in section I-A.</u>	1) None Unbound. 2) None Unbound. 3) <u>Requirements relating to the specific type of</u>			

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	<u>legal entity that may supply such services</u> Unbound.			
	4) Unbound, except as indicated in the horizontal section.			
D. Adult education. (CPC 924) Colombia understands regular education system to mean the formal education system provided for in its legislation.	1) None. 2) None. 3) Requirements relating to the specific type of legal entity that may supply such services. 4) Unbound, except as indicated in the horizontal section.			
E. Other education services. (CPC 929)	1) None. Unbound. 2) None. Unbound. 3) <u>Requirements relating to the specific type of legal entity that may supply such services</u> Unbound. 4) Unbound, except as indicated in the horizontal section.			
6. ENVIRONMENTAL SERVICES				
A. Sewage services (CPC 9401)	1) None. 2) None.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
B. Refuse disposal services (CPC 9402)	1) None. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
C. Sanitation and similar services (CPC 9403)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
D. Other				
Cleaning services of exhaust gases. (CPC 94040)	1) None, other than services established or maintained for a public purpose. 2) None.			

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

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Noise abatement services. (CPC 94050)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Nature and landscape protection services. (CPC 94060)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Other environmental protection services. (94090)	1) None, other than services established or maintained for a public purpose. 2) None.			

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	3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
7. FINANCIAL SERVICES				
1. Insurance and insurance-related services.				
(A) Life Insurance.	1) Unbound. 2) None, except for: a) those insurance services the purchase of which is mandatory under Colombian law; b) those insurance services the purchase of which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security system; c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency	<ul style="list-style-type: none"> National Treatment. 3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent. (Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as amended)		

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Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	(entidad del Estado); and d) all types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales). 3) None, except that Colombia reserves the right to choose how to regulate the establishment of branches, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves ⁸ , and obligations regarding risk patrimony and their investments ⁹ .			

⁸ In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the country is rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

⁹ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and authorities;
- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of

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	<p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(B) (1) Non-life insurance, except the services indicated in paragraph 1. b (i) (A) B.3 (a) (i) and (D#) of the article X.3 Market Access Commitments of Annex [X] on Financial</p>	<p>1) Unbound</p> <p>2) None, except for the following services:</p> <p>a) those insurances services the purchase of which is mandatory under Colombian law;</p>	<p>• National Treatment.</p> <p>3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent.</p>		

administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;

- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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<p>Services of the Agreement section of the Understanding on Commitments in Financial Services of the GATS (hereinafter the "Understanding").</p>	<p>b) those insurance services the purchase of which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security system;</p> <p>c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado); and</p> <p>d) all types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales).</p> <p>3) None, except that Colombia reserves the right to choose how to regulate branches establishment, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves¹⁰, and obligations regarding risk patrimony and their investments¹¹.</p>	<p>(Estatuto Orgánico del Sistema Financiero– Decreto 663 of 1993, as amended)</p>		
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¹⁰ In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the country is

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<p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p>				

rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

¹¹ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and authorities;
- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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	<p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(B) (2) Other non-life insurance services, as indicated in paragraph 1. b (i) (A) and (D) of the article X.3 Market Access Commitments of Annex [X] on Financial Services of the Agreement B.3 (a) (i) and (ii) of the Market Access section of the "Understanding".</p>	<p>1) None, except that Colombia may require cross-border financial service suppliers to provide information such as the aggregate value of premiums paid to them by persons resident in Colombia.</p> <p>2) None, except for the following services:</p> <p>a) those insurance services the purchase of which is mandatory under Colombian law; and</p> <p>b) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado).</p> <p>3) None, except that Colombia reserves the right to choose how to regulate branches establishment, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves¹², and</p>	<p>• National Treatment.</p> <p>3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent. (Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as <u>amended</u>)</p>		

¹² In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the

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	<p>obligations regarding risk patrimony and their investments¹³.</p> <p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p>			

country is rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

¹³ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and authorities;
- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
(ii) Reinsurance and retrocession.	1) None 2) None 3) None 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
(iii) Insurance intermediation such as brokerage and agency.	1) Unbound, except none for intermediation in respect of reinsurance and retrocession, and in respect of the insurance services indicated in paragraphs <u>1. b (i) (A) and (D) of the article X.3 Market Access Commitments of Annex [X] on Financial Services of the Agreement B-3 (a) (i) and (ii) of the Market Access section of the "Understanding"</u> . 2) None, except for the following services: a) those insurance services the purchase of which is mandatory under Colombian law; b) those insurance services the purchase of			

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	<p>which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security system;</p> <p>c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado); and</p> <p>d) All types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales).</p> <p>3) None.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for Business Visitors, Intra-</p>			

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	corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
2. Banking and other financial services (excluding insurance)				
(v) Acceptance of deposits and other repayable funds from the public.	1) Unbound 2) None	<ul style="list-style-type: none"> • National Treatment. 3) The sums of money subject to court or police order, including cauciones ¹⁶ , and funds consigned under leases must be deposited in the Banco Agrario de Colombia. S.A., which may derive a competitive advantage with respect to its overall operations from all or some portion of that exclusive right. (Decreto 2419 de 1999, Art. 1, in conformity with Ley 270 de 1996, Art. 203 y Decreto 1065 de 1999, Art 16). Colombia may grant advantages or exclusive rights to the following financial entities:		
(vi) Lending of all types, including consumer credit, mortgage credit, factoring by financial institutions, and financing of commercial transactions.	3) None, except that Colombia does not allow for the establishment as branches. However, branching is an acceptable form of establishment for banks, as defined in Colombian laws. Colombia reserve the right to choose how to regulate the establishment of bank branches including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves, and obligations regarding risk patrimony and their investments ¹⁴ .			
(vii) Financial leasing services.				
(viii) All payment and money				

¹⁴ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of banks established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular bank of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that bank;
- c) require a bank that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken and contracts entered into in Colombia by branches of banks of another Party established in Colombia be subject to Colombian law and authorities;

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Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
transmission services, including credit, factoring and financing of commercial transaction. (ix) Guarantees and commitments. (x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: (A) money market instruments (including	For that purpose, Colombia may require that the capital assigned to the branches of banks of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of banks of another Party shall be limited by the capital assigned and brought into Colombia. The sums of money subject to court or police order, including cauciones ¹⁶ , and funds consigned under leases must be deposited in the Banco Agrario de Colombia, S.A., which may derive a competitive advantage with respect to its overall operations from all or some portion of that exclusive right. Colombia may grant advantages or exclusive rights to the following financial entities:	<ul style="list-style-type: none"> • Fondo para el Financiamiento del Sector Agropecuario (FINAGRO); • Banco Agrario de Colombia; • Fondo Nacional de Garantías; • Financiera Eléctrica Nacional (FEN); • Financiera de Desarrollo Territorial (FINDETER); • Fiduciaria La Previsora; • Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (ICETEX); • Banco de Comercio Exterior (BANCOLDEX); • Fondo Financiero de Proyectos de Desarrollo (FONADE). The advantages or exclusive rights may include, but are not limited to, the following: ⁴ <ul style="list-style-type: none"> • exemption from certain taxation; • exemption from registration and periodic reporting requirements under federal securities 		

- e) (issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; and responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization have the same treatment as the branch's initial capital;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that no deficiencies arise in the solvency margin and other capital requirements contemplated in local regulations.

¹⁶ A caución, under Colombian law, is a deposit of money made under court order – for example, by a civil defendant in return for the court lifting an injunction won by the plaintiff against certain assets of the defendant.

¹⁵ A caución, under Colombian law, is a deposit of money made under court order – for example, by a civil defendant in return for the court lifting an injunction won by the plaintiff against certain assets of the defendant.

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<p>cheques, bills, certificates of deposits);</p>	<ul style="list-style-type: none"> Fondo para el Financiamiento del Sector Agropecuario (FINAGRO); Banco Agrario de Colombia; Fondo Nacional de Garantías; Financiera Eléctrica Nacional (FEN); Financiera de Desarrollo Territorial (FINDETER); Fiduciaria La Previsora; Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (ICETEX); Banco de Comercio Exterior (BANCOLDEX); Fondo Financiero de Proyectos de Desarrollo (FONADE). 	<p>laws;</p> <ul style="list-style-type: none"> purchase by the government of Colombia, through any public entity of Colombia, of obligations issued by the entities listed above. (Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as amended) 		
<p>(B) foreign exchange;</p>				
<p>(C) derivative products including, but not limited to, futures and options;</p>				
<p>(D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements;</p>	<p>The advantages or exclusive rights may include, but are not limited to, the following:⁴</p> <ul style="list-style-type: none"> exemption from certain taxation; exemption from registration and periodic reporting requirements under federal securities laws; purchase by the government of Colombia, through any public entity of Colombia, of obligations issued by the entities listed above. 			
<p>(E) transferable securities;</p>				
<p>(F) other negotiable instruments and financial assets, including bullion.</p>	<p>The number of primary dealers in the debt securities of Colombia is limited to a certain number of financial institutions, which can be varied from time to time.</p>			
<p>(xi) Participation in issues of</p>	<p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and</p>			

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all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues.	Maintainers, and Trainees as indicated in the horizontal section.			
(xii) Money broking.				
(xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services, excluding pension funds management and severance payment funds management (Sociedades Administradoras de Fondos de Pensiones y Cesantias) and other	1) None, excluding: (i) custodial services, unless they are related to managing a collective investment scheme ¹⁷ ; (ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme ¹⁸ established as a trust; and (iii) execution services, unless they are related to managing a collective investment scheme ¹⁹ .			

¹⁷ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

¹⁸ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

¹⁹ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

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assets management relating to the social security system;	<p>2) None, excluding:</p> <ul style="list-style-type: none"> (i) custodial services, unless they are related to managing a collective investment scheme²⁰; (ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme²¹ established as a trust; and (iii) execution services, unless they are related to managing a collective investment scheme²². <p>3) None, excluding:</p> <ul style="list-style-type: none"> (i) custodial services, unless they are related to managing a collective investment scheme; (ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme established 			

²⁰ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

²¹ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

²² Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

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	as a trust; and (iii) execution services, unless they are related to managing a collective investment scheme. 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.				
(xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.	1) Unbound 2) None 3) None 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.				
(xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services.	1) 2) None, except: a) Where the financial information or financial data processing of this commitment involves personal data, the treatment of such personal data shall be in accordance with Colombian law regulating the protection of such data; b) A trading platform, whether electronic or				

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	physical, does not fall within the range of services specified.			
	3) None.			
	4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
(xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv)	1) 2) None, except for: Unbound for credit reference and analysis 3) None 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
9. TOURISM AND TRAVEL RELATED SERVICES				
A. Hotels and restaurants (incl. catering) (CPC 641-643)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Travel agencies and tour	1) None.			

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operators services (CPC 7471)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 3) 4) Foreign nationals must be domiciled in Colombia to provide travel and tourism agent services within the territory of Colombia. (Ley 32 de 1990, Art. 5; Decreto 502 de 1997, Art. 1-7)		
C. Tourist guides services (CPC 7472)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 3) 4) Foreign nationals must be domiciled in Colombia to provide travel and tourism agent services within the territory of Colombia. (Ley 32 de 1990, Art. 5; Decreto 502 de 1997, Art. 1-7) ↗To become a qualified Tourist Guide in Colombia, the person must be certified by the Servicio Nacional de Aprendizaje –SENA- or other Colombian Educative Institution recognized by the Colombian Government. (Ley 32 de 1990, Art. 5; Decreto 502 de 1997, Art. 1-7 (Ley 1558 de 2012, Art. 26)		
D. Other	1) None. 2) None.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None. 4) Unbound, except as indicated in the horizontal section.			
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)				
A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
B. News agency services (962)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Management and Board of Directors 3) The director or general manager of a newspaper published in Colombia that focuses on Colombian politics must be a Colombian national. (Ley 29 de 1944, Art. 13)		
C. Libraries, archives, museums and other cultural services (CPC 963)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal			

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	section.			
D. Sporting (CPC 9641)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
E. Other	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
11. TRANSPORT SERVICES				
Unbound respecting the number of concessions and the total number of operations.				
A. Maritime Transport Services.				Subject to the outcome of the "Maritime Transport" New and Enhanced Discipline.
International Transport (freight and passengers) CPC 7214 and 7212 less cabotage²³ transport.			The following services at the port are made available to	

²³ In the case of Colombia, due to its geographical location, "cabotage" is the one realized between Colombian continental ports or Colombian insular ports, in accordance to Article 143 of Decree 2324 of 198420 and Article 2 of Decree 804 of 200121.

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
				international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage. 2. Towing and the tug assistance. 3. Provisioning, fuelling and Watering. 4. Garbage collecting and ballast waste disposal. 5. Port Captain's services. 6. Navigation aids. 7. Shore-based operational services essential to ship operations including communications, water and electrical supplies. 8. Emergency

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International Transport (freight and passengers) CPC 7211 and 7212 less cabotage ²⁴ transport <u>as defined in Part I-A</u> .	1) (a) Liner shipping: None. (b) Bulk, tramp, and other international shipping, including passenger transportation: None. 2) None. 3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: Unbound (b) Other forms of commercial presence ²⁵ for the supply of international maritime transport services: None.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 1) All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. (Código de Comercio de 1971, Art. 1455)	repair facilities. 9. Anchorage, berth and berthing Services.	

²⁴ ~~In the case of Colombia, due to its geographical location, "cabotage" is the one realized between Colombian continental ports or Colombian insular ports, in accordance to Article 143 of Decree 2324 of 198420 and Article 2 of Decree 804 of 200421.~~

²⁵ "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;

(b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inland transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;

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	4) (a) Ships' crews: Unbound (b) Key personnel employed in relation to a commercial presence as defined under mode 3b) above: Unbound, except as indicated in the horizontal section.			
Maritime domestic freight Transportation ²⁶ (part of CPC 7212), limited to the following services: - Feeder Services Transport feeder services related to international cargo. - Transport of empty containers for international trade. - Maritime transport servicing offshore petroleum exploration and production.	1) Unbound 2) None 3) -None 4) Unbound, except as indicated in the horizontal section			

(c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported; (d) the provision of business information by any means, including computerized information systems and electronic data interchange (subject to the provisions of the Attachment on telecommunications);

(e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;

(f) acting on behalf of the companies, organizing the call of the ship or taking over cargoes when required.

²⁶ According to Colombian law this commitment does not include cabotage, as it refers to specific cases. The commitment can therefore be fulfilled without conflicting Colombian law.

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<p>Domestic maritime towing and pushing services, including anchor handling, servicing petroleum exploration and production (part of CPC 7214).</p>	<p>1) None 2) None 3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports. 4) Unbound, except as indicated in the horizontal section</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 1 de 1991, Art. 5.20 y Art. 6 Decreto 1423 de 1989, Art. 38)</p>		
<p>Maritime Auxiliary Services</p>				
<p>Maritime Cargo Handling Services²⁷</p>	<p>1) Unbound except for - no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment.</p>	<p>3) Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag</p>		

²⁷ "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of :

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

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	<p>2) None.</p> <p>3) None²⁸, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Ley 1 de 1991, Art. 5.20 y Art. 6 Decreto 1423 de 1989, Art. 38)</p>		
<p>Storage and Warehousing Services.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None²⁹, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction,</p>			

²⁸ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

²⁹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

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	<p>maintenance, and administration of ports.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
Customs Clearance Services ³⁰	<p>1) Unbound</p> <p>2) None.</p> <p>3) None³¹, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> Local Presence. <p>3) In order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services ("intermediación para servicios postales") and mensajería Especializada (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users ("Usuarios Aduaneros Permanentes") or Highly Exporting Users ("Usuarios Altamente Exportadores"). (Decreto 2685 de 1999, Art. 74 y 76)</p>		
Container Station and Depot Services ³²	<p>1) Unbound</p> <p>2) None.</p> <p>3) None³³, except restrictions on the number of</p>			

³⁰ "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

³¹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

³² "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.

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	concessions and the total number of operations for these types of services. 4) Unbound, except as indicated in the horizontal section				
Maritime Agency Services ³⁴	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section				
Maritime Freight Forwarding Services ³⁵	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section				
B. Internal Waterways					

³³ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

³⁴ "Maritime agency services" means activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;

- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

³⁵ "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

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Transport	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
a) Passenger transportation. (CPC 7221)	1) Unbound. 2) Unbound. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> National Treatment. Local Presence. 1) 2) 4) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. Only enterprises organized under Colombian law using Colombian flag vessels may supply maritime and fluvial transport services between two points within the territory of Colombia (cabotage) All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. Pilotage on Colombian territorial seas and rivers may only be performed by Colombian nationals. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5; Decreto 804 de 2001, Art. 2 y 4 Inciso 4 Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 658 de 2001, Art. 11 Decreto 1597 de 1998, Art. 23)	
b) Freight transportation (CPC 7222)	1) Unbound.		<ul style="list-style-type: none"> National Treatment. 	

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	<p>2) Unbound.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • Local Presence. <p>1) 2) 4) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia.</p> <p>Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia.</p> <p>Only enterprises organized under Colombian law using Colombian flag vessels may supply maritime and fluvial transport services between two points within the territory of Colombia (cabotage)</p> <p>All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Pilotage on Colombian territorial seas and rivers may only be performed by Colombian nationals. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5; Decreto 804 de 2001, Art. 2 y 4 Inciso 4 Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 658 de 2001, Art. 11</p>		
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COLOMBIA – INITIAL OFFER OF SPECIFIC COMMITMENTS

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
<u>C. Air Transport</u>			Decreto 1597 de 1998, Art. 23)	
<u>c) Rental of vessels with crew (CPC 7223)</u>	1) <u>None.</u>			
	2) <u>None.</u>			
	3) <u>None.</u>			
	4) <u>Unbound, except as indicated in the horizontal section</u>			
<u>d) -Maintenance and repair of vessels. (CPC 8868**)</u>	1) <u>None.</u>			
	2) <u>None.</u>			
	3) <u>None.</u>			
	4) <u>Unbound, except as indicated in the horizontal section</u>			
<u>e) Specialty Air Services</u>	1) <u>Unbound.</u>			
	2) <u>None.</u>		<ul style="list-style-type: none"> • <u>National Treatment.</u> • <u>Local Presence.</u> 	
	3) <u>None.</u>		<p><u>Only Colombian nationals or juridical persons organized under Colombian law and domiciled in Colombia may supply specialty air services within the territory of Colombia.</u></p>	
	4) <u>Unbound, except as indicated in the horizontal section.</u>		<p><u>Only Colombian nationals or juridical persons organized under Colombian law may own and maintain real and effective control of an airplane registered to</u></p>	

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

		<u>supply specialty air services in Colombia,</u> <u>(Código de Comercio, Artículos 1795 y</u> <u>1864)</u>		
<u>C.E.</u> Rail Transport				
a) Passenger transportation (CPC 7111)	1) None. 2) None. 3) Restrictions on the number of concessions and the total number of operations for these type of services. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)		
b) Freight transportation (CPC 7112)	1) None. 2) None. 3) Restrictions on the number of concessions and the total number of operations for these type of services. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)		
<u>D.F.</u> Road Transport				

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COLOMBIA – INITIAL OFFER OF SPECIFIC COMMITMENTS

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

a) Passenger Transportation (CPC 7121 and CPC 7122)	1) None. 2) None. 3) Restrictions on the number of concessions and the total number of operations for these type of services. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)		
b) Freight Transportation (CPC 7123, excluding transportation of mail on own account)	1) None. 2) None. 3) Restrictions on the number of concessions and the total number of operations for these type of services. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)		
<u>G. Pipeline Transport</u>				
E-b) Pipeline Transportation of Goods Other Than Fuel (CPC 7139)	1) Unbound-None. 2) None. 3) None.			

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

	4) Unbound, except as indicated in the horizontal section.			
Services Auxiliary to Transport	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
A.H. Services auxiliary to Maritime Transport				
d) <u>Maintenance and repair of vessels (CPC 8868**)</u>	1) <u>Unbound.</u> 2) <u>None.</u> 3) <u>None.</u> 4) <u>Unbound, except as indicated in the horizontal section.</u>			
g) Rental of Vessels with Crew (CPC 7213)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
h) Pushing and towing	1) Unbound.			

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

services (CPC 7214)	2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section. 3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 1) Foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Código de Comercio de 1971, Art. 1455; Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38) 3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports. (Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)		
j) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None.			

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

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None. 4) Unbound, except as indicated in the horizontal section.			
B.H. Services auxiliary to internal waterways transport				
a) Cargo-handling services (part of CPC 741)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Storage and warehouse services (part of CPC 742)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None.			

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

	4) Unbound, except as indicated in the horizontal section.			
d) Rental of Vessels with Crew (CPC 7223)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)		
e) Pushing and towing services (CPC 7224)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section. 3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.	<ul style="list-style-type: none"> National Treatment. Local Presence. 1) Foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Código de Comercio de 1971, Art. 1455; Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)		

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

		3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports. (Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)		
g) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
<u>C.H.</u> Services auxiliary to rail transport				
a) Cargo-handling services (part of CPC 741)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Storage and warehouse services (part of CPC 742)	1) Unbound. 2) None.			

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

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Pushing and towing services (CPC 7113)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Supporting services for rail transport services (CPC 743)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Other supporting and	1) None.			

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

auxiliary services (part of CPC 749)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D.H. Services auxiliary to road transport				
a) Cargo-handling services (part of CPC 741)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Storage and warehouse services (part of CPC 742)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None.			

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

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
d) Rental of Commercial Road Vehicles with Operators (CPC 7124)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Supporting services for road transport equipment (CPC 744)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
<u>E.H.</u> Services auxiliary to air transport services				
a) Ground handling services	1) None. Commercial presence is required for the	• Local Presence.		Reviewing mode 1 limitation.

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

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	<p>supply of ground handling services.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>		<p><u>1) Suppliers of ground handling services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Resolución N. 07285 del 21 de Diciembre de 2012).</u></p>	
b) Storage and warehouse services (part of CPC 742)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
c) Freight transport agency services (part of CPC 748)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
e) Sales and Marketing	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p>			

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

	4) Unbound, except as indicated in the horizontal section.			
f) Computer Reservations System (CRS)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
g) Airport management	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
<u>F.H.</u> Services auxiliary to pipeline transport of goods other than fuel.				
a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

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12. OTHER SERVICES NOT INCLUDED ELSEWHERE				
Custom Services	1) Unbound 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Presence. 1) 3) 4) In order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services (“intermediación para servicios postales”) and mensajería especializada (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users (“Usuarios Aduaneros Permanentes”) or Highly Exporting Users (“Usuarios Altamente Exportadores”). (Decreto 2685 de 1999, Art. 74 y 76)		
Notary and Registrar Services	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> National Treatment. 1) 3) 4) Only Colombian nationals may be notaries and/or registrars. The approval of new notaries is subject to an economic needs test that takes into account the population of the proposed area of service, the necessity of the services, and the availability of communication facilities, among other factors. (Decreto ley 960 de 1970, Art. 123, 124, 126, 127 y 132;		

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COLOMBIA – INITIAL OFFER OF SPECIFIC COMMITMENTS

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence Decreto ley 1250 de 1970, Art. 60)	4) Presence of natural persons

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COLOMBIA – LIST OF MFN EXEMPTIONS

SECTOR OR SUBSECTOR	DESCRIPTION OF THE MEASURE	COUNTRIES TO WHICH THE MEASURE APPLIES	INTENDED DURATION	CONDITIONS CREATING THE NEED FOR THE EXEMPTION
Telecommunications	The principle of national treatment for the purposes of commercial presence is only granted to suppliers of services in the Andean value-added telecommunications services market.	Andean Group countries	Unlimited	Maintains preferential treatment for suppliers of the relevant services belonging to countries members of the Andean Group.
Audiovisual	Measures under existing or future bilateral or multilateral agreements on the co-production of audiovisual works for the cinema or television, in particular with regard to their distribution, access and financing conditions.	Belgium; countries members of the Latin American Agreement on Cinematographic Co-Production; other countries concerned.	Unlimited	Protects the principle of the agreements concerned.
Land Transport	Measures which grant preferential treatment to countries of the Andean Road Freight System.	Countries of the Andean Group	Unlimited	Protects regional integration efforts in the Andean Area.
Road and River Transport	Measures that accords differential treatment to countries under any bilateral or multilateral international agreement signed after the date of entry into force of this Agreement involving road and river transport services.	Selected countries	Unlimited	Ensure a fluent road and river transportation regional system.
Aviation, Fisheries, and Maritime Matters ³⁶ .	Measures that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed after the date of entry into force of this Agreement.	Selected countries	Unlimited	Protect the rights granted under bilateral or multilateral agreement.

³⁶ Including Salvage.

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Taxation	Measures aimed at ensuring the effective and equitable imposition and collection of direct taxes or that are aimed at preventing tax avoidance or evasion, including measures regarding tax havens.	All	Unlimited	Ensure effective and equitable tax collection.
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COLOMBIAN GENERAL REMARKS

The Offer presented hereby is based on the Core Provisions as drafted at the end of TiSA round of September 2016; any change to such provisions may result in changes on the commitments. Colombia further reserves the right to make technical changes to this Offer, revising, supplementing or withdrawing all or any part of the Offer, and to correct any errors, omissions, or inaccuracies.

The third column in the Offer includes conditions and qualifications for Art. I-4: National Treatment, as well as the following disciplines being discussed in the Localization Annex in accordance to the Colombian attributions in the text: X.1. Local Presence; X.2. Local Management and Board of Directors; and X.3. Local Content and Other Performance Requirements (only for Mode 3). All scheduled on a negative approach as stated in Articles II-2 (NT) and X.5. Scheduling of Localization Commitments.

Financial Services commitments on Mode 1 are limited to the list included in Art. X.3. Market Access from the Financial Services Annex, and in accordance to the Colombian attributions in the text. All other commitments are preliminary and subject to the outcome of the Annex.

Maritime Transport commitments are presented on a preliminary basis, in accordance with the WTO Maritime Model Schedule. However, these commitments will change in order to include the results of the discussions in the Maritime Transport Annex. The term “freight” included in this Offer have the same meaning as the term “cargo” used in the Annex.

With respect to Mode 4, Colombia reserves the right to add or modify its Offer in accordance to the final scheduling modalities for commitments, and ambition level agreed.

Included in this Offer are the Schedule of Specific Commitments and the list of Most Favored Nation Exemptions; the MFN exemptions are subject to the outcome of any provision that covers such commitments including the Economic Integration Clause, and Multilateralization.

Legal citations: Each entry scheduled in the third column of Section B of Part I and Part II includes a citation identifying the source of the measure. In the interpretation of each entry, both elements shall be considered equally: the description included in the Scheduled measure and the legal citation.

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Unless otherwise stated, the Colombian Offer follows the Classification stated in document MTN.GNS/W/120 of July 10 of 1991; all CPC references correspond to the 1991 Provisional Central Product Classification of the United Nations Statistical Office; and the scheduling system is based on document S/L/92 of March 28 of 2001.

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SECTOR OR SUBSECTOR	MARKET ACCESS COMMITMENTS	OTHER LIMITATIONS	ADDITIONAL COMMITMENTS	
PART I. HORIZONTAL COMMITMENTS - Section A Colombia undertakes its specific commitments in accordance to Part II of the Agreement				
RESERVATIONS pursuant to Part II, Article 2.4.		Pursuant to Part II, Article 2.4., Colombia reserves the right to adopt, maintain, or modify any measure in the specific sectors, sub-sectors or activities listed below:		
		1. All Sectors – Social Services: <ul style="list-style-type: none"> • National Treatment. • Local Presence. • Local Management and Board of Directors. • Performance Requirements. 1) 2) 3) 4) The provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: social readaptation, income security or insurance, social security, social welfare, public training and education, health, and child care.		
		2. All Sectors - Minority Affairs: <ul style="list-style-type: none"> • National Treatment. • Local Presence. • Local Management and Board of Directors. • Performance Requirements. 1) 2) 3) 4) Measures according rights or preferences to socially or economically disadvantaged minorities and		

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Modes of Supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
			ethnic groups, including with respect to the communal lands held by ethnic groups in accordance with Art. 63 of the Constitución Política de Colombia. The ethnic groups in Colombia are: indigenous and Rom (gypsy) people, Afro-Colombian communities and the Raizal community of the Archipelago of San Andres, Providencia, and Santa Catalina.		
			<p>3. All Sectors – Cultural Expressions:</p> <ul style="list-style-type: none"> • National Treatment. <p>1) 2) 3) 4) Measures according rights or preferences to local communities with respect to the support and development of expressions relating to intangible cultural patrimony declared pursuant to Resolución No. 0168 de 2005.</p>		
			<p>4. All Sectors - Subsidies:</p> <ul style="list-style-type: none"> • National Treatment. • Performance Requirements. <p>1) 2) 3) 4) Measures with regard to the granting of subsidies or support to domestic services providers.</p>		
			<p>5. All Sectors - Government Property:</p> <ul style="list-style-type: none"> • National Treatment. <p>3) If the Colombian State decides to sell all or part of its interest in an enterprise to a person other than a Colombian state enterprise or other Colombian government entity, it shall first offer such interest exclusively, and under the conditions established in</p>		

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Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
		articles 3 and 11 of Ley 226 de 1995, to: <ul style="list-style-type: none"> a) current, pensioned, and former employees (other than former employees terminated for just cause) of the enterprise and of other enterprises owned or controlled by the enterprise; b) associations of employees and former employees of the enterprise; c) employee unions; d) federations and confederations of trade unions; e) employee funds ("fondos de empleados"); f) pension and severance funds; and g) cooperative entities. However, once such interest has been transferred or sold, Colombia does not reserve the right to control any subsequent transfer or other disposal of such interest.		
		6. All Sectors - Taxes: <ul style="list-style-type: none"> • National Treatment. 1) 2) 3) 4) Measures that distinguish in the application of the relevant provisions of domestic fiscal legislation, including those aimed at ensuring the imposition and collection of duties, internal taxes and charges of any kind, between tax payers that are not in the same situation, in particular with regard to their place of residence or with regard to the place where their capital is invested.		
		1) 2) Measures on the tax sourcing of certain services when such services are furnished from abroad.		
		3) 4) Measures connected with the taxation of branches		

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		and permanent establishments in Colombia, including measures regarding the transfer abroad of profits when such transfer corresponds to income and capital gains obtained through branches and permanent establishments in Colombia		
		<p>7. All Sectors - Real Estate:</p> <ul style="list-style-type: none"> • National Treatment. <p>3) Measures related to ownership of real property by foreigners in border regions, national coasts, or insular territory of Colombia. For the purposes of this entry:</p> <ul style="list-style-type: none"> - “border region” means a zone of two kilometers in width, parallel to the national border line; - “national coast” means a zone of two kilometers in width, parallel to the line of the highest tide; and - “insular territory” means islands, islets, keys, headlands, and shoals that are part of the territory of Colombia. 		
		<p>8. All Sectors – Movement of Natural Persons:</p> <ul style="list-style-type: none"> • National Treatment. <p>4) Measures related to the entry and stay of natural persons except in the case of the following categories:</p> <ul style="list-style-type: none"> - In the case of business visitors, a work permit or other similar authorization shall not be required. - For the other categories specified in the Market Access column, no numerical restrictions or requirements for a labour certification test or other procedure of similar effect shall apply. 		

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		<p>9. All Sectors – Public Order:</p> <ul style="list-style-type: none"> • National Treatment. <p>3) Measures for reasons of public order pursuant to Article 100 of the “Constitución Política de Colombia”.</p>		
		<p>10. Specific Sectors – Cultural Industries:</p> <ul style="list-style-type: none"> • National Treatment. <p>1) 2) 3) 4) Measures on the following sectors :</p> <ul style="list-style-type: none"> - publication, distribution, or sale of books, magazines, periodical publications, or printed or electronic newspapers, excluding the printing and typesetting of any of the foregoing; - production, distribution, sale, or display of recordings of movies or videos; - production, distribution, sale, or display of music recordings in audio or video format; - production and presentation of performing arts; - production and exhibition of visual arts; - production, distribution, or sale of printed music scores or scores readable by machines; - design, production, distribution, retailing and sale of handicrafts (identified as “Artesanías de Colombia” or otherwise); or - radiobroadcasts aimed at the public in general, as well as all radio, television, and cable television-related activities; satellite programming services; and broadcasting networks. - design and creation of advertising contents. 		

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			11. Audiovisual and Advertising – Production, Creation, Exhibition, and Broadcasting: <ul style="list-style-type: none"> • National Treatment. • Performance Requirements. 1) 2) 3) 4) Measures relating to: <ul style="list-style-type: none"> - <i>Cinematographic Works</i>: a specified percentage (not to exceed 15%) of total annual works shown on cinemas or exhibition rooms on an annual basis must be Colombian. - <i>Cinematographic Works over Free-to-Air Television</i>: a specified percentage (not to exceed 10%) of cinematographic works shown on an annual basis must be Colombian works. - <i>Community Television</i>: a specified portion of the weekly programing (not to exceed 56 weekly hours) must be of national programing produced by the operator. - <i>Multichannel Free-to-Air Commercial Television</i>: imposing minimum programing requirements, except that such requirements cannot be imposed on more than two channels or 25% of the total number of channels (whichever is greater) made available by an individual service provider. - <i>Advertising</i>: a specified percentage (not to exceed 20%) of total advertising orders placed annually with media services companies established in Colombia must be created and produced in Colombia. 		
			12. Interactive Audio and Video – Availability of Colombian contents:		

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			<ul style="list-style-type: none"> • National Treatment. • Performance Requirements. <p>1) Measures that ensures that there is no unreasonable lack of access to Colombian consumers of Colombian audiovisual programming through interactive services of audio and/or video.</p>		
			<p>13. Maritime transport services</p> <ul style="list-style-type: none"> • National Treatment. • Local Presence. • Local Management and Board of Directors. • Performance Requirements. <p>1) 2) 3) 4) Any measure with respect to maritime cabotage services¹</p>		
			<p>14. Financial Services</p> <ul style="list-style-type: none"> • <u>National Treatment</u> <p><u>All Financial Services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]</u></p> <p><u>a. 1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</u></p> <p><u>b. 2) Any measure with respect to all financial services</u></p>		

¹ In the case of Colombia, due to its geographical location, “cabotage” is the one realized between Colombian continental ports or Colombian insular ports, in accordance to the relevant Laws and Regulations.

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		<p><u>other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement; and</u></p> <p><u>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></p> <p><u>1), 2) 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.</u></p>		
		<p>15. Financial Services</p> <ul style="list-style-type: none"> • Local Presence. <p>1) 2) Any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on 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.</p>		

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PART I. HORIZONTAL COMMITMENTS - Section B				
Colombia undertakes its specific commitments in accordance to Part II of the Agreement				
RESERVATIONS pursuant to Part II, Article 2.2.		Colombia maintains the following limitations:		
All Sectors – Concessions.		<ul style="list-style-type: none"> • Local Presence. 1) A juridical person organized under the laws of another country, and with its principal domicile in another country, must establish a branch in Colombia in order to develop a concession obtained from the Colombian State. (Código de Comercio, Art. 469, 471 y 474 de 1971)		
All Sectors – Insular Territories		<ul style="list-style-type: none"> • Local Presence. 4) Only a person with its main office in the free port of San Andrés, Providencia, and Santa Catalina may supply services in that region. (Ley 915 de 2004, Art. 5.)		
All Sectors – Foreign Investment		<ul style="list-style-type: none"> • National Treatment. 3) Foreign investment is allowed in all sectors of the economy except for investment projects in activities relating to national defense and the processing and disposal of toxic, hazardous or radioactive waste not produced in Colombia. (Decreto 2080 de 2000, Art. 6)		
Domiciliary Public Services		<ul style="list-style-type: none"> • National Treatment. • Local Presence. 		

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		<p>1) 3) A domiciliary public service enterprise must be domiciled in Colombia.</p> <p>An enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p> <p>For greater certainty, domiciliary public services include the provision of water, sewage, refuse disposal, sanitation and similar services, electric power, combustible gas distribution, and basic public-switched telephone services (PSTN) and any activities supplemental thereto. Activities supplemental to basic public-switched telephone services means long-distance public telephone and fixed wireless local loop telephone services in rural areas, but does not mean commercial mobile telephone services.</p> <p>(Ley 142 de 1994, Art. 17, 18 y 19)</p>		
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ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE				
All Sectors – Social Services.	1) 2) 3) 4) Colombia reserves the right to apply any measure on The provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: social readaptation, income security or insurance, social security, social welfare, public training and education, health, and child care.			
All Sectors - Minority Affairs.	1) 2) 3) 4)) Colombia reserves the right to apply any Measure that accords rights or preferences to socially or economically disadvantaged minorities and ethnic groups, including with respect to the communal lands held by ethnic groups in accordance with Art. 63 of the Constitución Política de Colombia. The ethnic groups in Colombia are: indigenous and Rom (gypsy) people, Afro-Colombian communities and the Raizal community of the Archipelago of San Andres, Providencia, and Santa Catalina.			
All Sectors – Foreign Investment.	3) Foreign investment is allowed in all sectors of the economy except for investment projects in activities relating to national defense and the processing and disposal of toxic, hazardous or radioactive waste not produced in Colombia.			
All Sectors – Movement of natural persons.	4) Unbound for the entry and temporary stay of natural persons except for the following categories, as qualified in each Sector of Part II:			

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	<p>A. Business visitors mean natural persons of a Party seeking temporary entry into another Party for a purpose that does not include engaging in direct transactions with the general public, and does not receive remuneration from a source located within the host Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - No work permit or similar authorization should be required. - Temporary entry and stay for a period up to 90 days. <p>B. Intra-corporate transferees mean natural persons who have been employed by a juridical person of a Party and who are temporarily transferred to one of its subsidiaries, affiliates or branches in the territory of another Party. The natural person concerned must fall under the following categories:</p> <ul style="list-style-type: none"> - Executives: Natural persons working in a senior position within a juridical person, who primarily direct the management of the juridical person, receiving only general supervision or direction principally from higher-level executives, the board of directors or shareholders of the juridical person; - Managers: Natural persons working in a juridical person who: direct the juridical person, a branch office or one or more departments as their head; supervise or 			
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	<p>control the work of other supervisory, professional or managerial personnel; have the authority personally to recruit and dismiss or recommend recruiting, dismissing or other personnel actions; and receive general supervision or direction principally from the executives of the business or their equivalents; and</p> <ul style="list-style-type: none"> - Specialists: Natural persons working within a juridical person, who possess uncommon, specialized or proprietary knowledge at an advanced level essential to the company's production, research equipment, techniques or management; <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 2 years. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>C. Contractual service suppliers means natural persons of a Party employed by a juridical person of a Party, seeking temporary entry in order to perform services pursuant to a contract between his/her employer and a final consumer in another Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, 			
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	<p>whichever is less.</p> <ul style="list-style-type: none"> - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>D. Independent professionals means natural persons established as self-employed in the territory of a Party, seeking temporary entry in order to perform services pursuant to a contract with a final consumer in another Party.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>E. Installers and Maintainers means personnel and supervisors, possessing essential specialized knowledge, who are seeking entry to perform installation, repair, or maintenance services related to commercial or industrial equipment or machinery, including computer software, or training workers to perform such services. The supply of a service must occur on a fee or contractual basis (eg. pursuant to a warranty or other service contract incidental to the sale or lease). The entrant must be representing the builder, the seller or the lessor</p>			
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	<p>of the equipment or machinery.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 90 days or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>F. Trainees means natural persons who have graduated from a post-secondary institution seeking to obtain further training in their field, or complement their technical or professional training. Such training will be provided under a pre-arranged contract of employment.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 1 year or the period of the contract, whichever is less. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. <p>G. Investors means a natural person who will establish, develop, administer or provide advice or key technical services to the operation of an investment to which the business person or the business person's enterprise has committed, or is in the process of committing, a substantial</p>			
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	<p>amount of capital.</p> <p><i>Conditions for entry:</i></p> <ul style="list-style-type: none"> - Temporary entry and stay for a period up to 2 years. - All other requirements regarding entry, stay, wages, working conditions and social security benefits shall continue to apply. 			
<p>Domiciliary Public Services.</p>	<p>1) 3) A domiciliary public service enterprise, must be organized under the Empresas de Servicios Públicos or ESP regime, must be domiciled in Colombia and organized under Colombian law as a share company (sociedad por acciones). The requirement of being organized as a share company does not apply to a decentralized entity that takes the form of a commercial and industrial enterprise of the State.</p> <p>For greater certainty, domiciliary public services include the provision of water, sewage, refuse disposal, sanitation and similar services, electric power, combustible gas distribution, and basic public-switched telephone services (PSTN) and any activities supplemental thereto. Activities supplemental to basic public-switched telephone services means long-distance public telephone and fixed wireless local loop telephone services in rural areas, but does not mean commercial mobile telephone services.</p> <p>An enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with</p>			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.			
Distribution Services	1) 2) 4) The supply of distribution services does not include sectors in which the government establishes a monopoly, pursuant to Article 336 of the Constitución Política de Colombia, with revenue to be dedicated for public or social services ² . 1) 2) 3) 4) Commitments relating to distribution services does not include the distribution or sale of books, magazines, periodical publications, or printed or electronic newspapers; of recordings of movies or videos; of music recordings in audio or video format; of printed music scores or scores readable by machines; and of handicrafts.			
Environmental Services	1) 2) 3) 4) The supply of environmental services does not include public services whether owned and operated or contracted out by local, regional or central government.			
Financial Services	1) 2) 3) 4) Except for reinsurance and retrocession: nothing in these commitments applies to financial services forming part of a statutory system of social security or public retirement plans. 1) 2) Without prejudice to other means of prudential regulation of cross-border trade in			

² As of the date of signing of this Agreement, Colombia has in place monopolies only with respect to liquor and games of chance.

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	<p>financial services, Colombia may require the registration of cross-border financial services suppliers of another Party and of financial instruments.</p> <p>1) 2) Except for reinsurance and retrocession: It is understood that the commitments under this Schedule, the Financial Services Annex or the Services Chapter do not impose any obligation to allow non-resident financial services suppliers to do or solicit business in the territory of Colombia. Colombia may define “doing business” and “solicitation” for that purpose, provided that those definitions are not inconsistent with Article I-1.2. (a) and (b) of the General Provisions.</p> <p>3) The establishment of suppliers of financial services from abroad is only permitted in the form of:</p> <ul style="list-style-type: none"> a) affiliated companies, b) subsidiaries, or c) branches when Colombia expressly allows it, under this Schedule. Nonetheless, Colombia, reserves the right to choose how to regulate such branches. <p>The supply of financial services must correspond to the purpose specifically authorized, which must adopt the corporate form required by Colombian legislation. Agencies of foreign financial entities</p>			
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	<p>may not supply financial services in Colombia.</p> <p>The supply of financial services in Colombia requires prior Government authorization. Such authorization is granted in accordance with the relevant requirements in Colombian legislation and with the regulatory principles generally accepted at the international level. In particular, the authorization permitting suppliers of financial services to operate in Colombia is subject to verification by the Finance Superintendence of the character, responsibility and qualifications of persons participating in the operation as owners, directors or managers. In addition, the Finance Superintendence (Superintendencia Financiera de Colombia) verifies that the applicant entities have satisfactory controls to prevent the laundering of assets and to manage risks, and that they have consolidated supervision in conformity with generally accepted principles in this respect at the international level.</p>			
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PART II. SECTOR-SPECIFIC COMMITMENTS				
1. BUSINESS SERVICES				
A. Professional Services				
a) Legal services ³	1) Unbound.	<ul style="list-style-type: none"> National Treatment. 1) 3) 4) Only Colombian nationals may be arbitrators. (Ley 1563 de 2012, Art. 7)		
(i) (1) Domestic Law (host-country law). Legal advisory services;	2) Unbound.			
Legal representational services; and Legal arbitration, conciliation and mediation services.	3) Unbound.			
	4) Unbound.			
(i) (2) Domestic Law (host-country law). Only for international legal arbitration, conciliation and mediation services.	1) None	<ul style="list-style-type: none"> National Treatment. 1) 3) 4) Only Colombian nationals may be arbitrators. (Ley 1563 de 2012, Art 7)		
	2) None.			
	3) None.			
	4) Unbound, except as indicated in the horizontal			

³ For the purposes of this entry:

‘domestic law (host-country law)’ – the law of Colombia.

‘foreign law’ (home-country law) – the law of the territories of TISA Parties and other countries other than the law of Colombia.

‘international law’ – includes law established by international treaties and conventions, as well as customary law.

‘legal advisory services’ – includes provision of advice to and consultation with clients in matters, including transactions, relationships and disputes, involving the application or interpretation of law; participation with or on behalf of clients in negotiations and other dealings with third parties in such matters; and preparation of documents governed in whole or in part by law, and the verification of documents of any kind for purposes of and in accordance with the requirements of law. Does not include advice, consultation and documentation services performed by service suppliers entrusted with public functions, such as notary services.

‘legal representational services’ – includes preparation of documents intended to be submitted to courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of law; and appearance before courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of the specified body of law. Does not include documentation services performed by service suppliers entrusted with public functions, such as notary services.

‘legal arbitration, conciliation and mediation services’ – preparation of documents to be submitted to, preparation for and appearance before, an arbitrator, conciliator or mediator in any dispute involving the application and interpretation of law. Does not include arbitration, conciliation and mediation services in disputes for which the law has no bearing which fall under services incidental to management consulting. As a sub-category, international legal arbitration, conciliation or mediation services refers to the same services when the dispute involves parties from two or more countries or other conditions as stated in Law 1563 of 2012.

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	section.			
(ii) Foreign Law (home-country law). Legal advisory services; Legal representational services; and Legal arbitration, conciliation and mediation services.	1) None 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
(iii) International Law Legal advisory services; Legal representational services; and Legal arbitration, conciliation and mediation services.	1) None 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Accounting and book-keeping services (CPC 862)	1) None 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) 2) 4) Registration as an accountant is required, for which it is necessary to be a Colombian national having the exercise of civil rights or an alien domiciled in Colombia for at least three years prior to the application and satisfy the following requirements:</p> <p>a) Possess the degree of public accountant from a Colombian University, show evidence of experience in activities relating to accounting in general of not less than one year, acquired</p>		

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		simultaneously with or subsequently to the above studies; or b) Possess the degree of public accountant or an equivalent title issued by foreign institutions of countries with which Colombia has signed agreements on recognition of degrees and endorsed by the duly authorized governmental body. (Ley 43 de 1990, Art. 3 Par. 1; Resolución No. 160 de 2004, Art. 2 Parágrafo y Art. 6.)		
c) Tax advisory services (CPC 863)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Architectural services (CPC 8671)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Engineering services (CPC 8672)	1) None. 2) None.			

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	3) None.			
	4) Unbound, except as indicated in the horizontal section.			
f) Integrated engineering services (CPC 8673)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
g) Urban planning and landscape architectural services (CPC 8674)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
k) Other	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Computer and Related Services (CPC 841, 842, 843, 844, and 845 + 849)	1) None. 2) None.			

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	3) None. 4) Unbound, except as indicated in the horizontal section.			
C. Research and Development Services.				
a) Research and development services on natural sciences. (CPC 851)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section	<ul style="list-style-type: none"> National Treatment. 1) 2) 4) Any foreign person planning to undertake scientific research on biological diversity in the territory of Colombia must involve at least one Colombian researcher in the research or analysis of the results of such research. (Decreto 309 de 2000, Art. 7)		
b) Research and development services on social sciences and humanities (CPC 852)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section			
c) Interdisciplinary research and development services. (CPC 853)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section			
D. Real State Services.	1) None.			

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(CPC 821 and 822)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
E. Leasing or Rental Services Without Operator. (CPC 83103, 83104, 83101+83102+, 83106-83109, and 832)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
F. Other Business Services				
a) Advertising services. (CPC 871)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Market research and public opinion polling services. (CPC 864)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

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c) Management consulting service. (CPC 865)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Services related to management consulting. (CPC 866)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Technical testing and analysis services. (CPC 8676)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Services incidental to agriculture, hunting and forestry. (Part of CPC 881)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

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<p>g) Services incidental to fishing. (CPC 882)</p>	<p>1) A foreign-flagged vessel may engage in fishing and related activities in Colombian territorial waters only in association with a Colombian enterprise that owns a permit.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • National Treatment. <p>1) 3) Only Colombian nationals may engage in artisanal fishing.</p> <p>The costs of the permit and fishing license are higher for foreign-flagged vessels than for Colombian-flagged vessels.</p> <p>If the flag of a foreign-flagged vessel is that of a country that is a party to another bilateral agreement with Colombia, the terms of that other bilateral agreement shall determine whether or not the requirement to associate with a Colombian enterprise that owns a permit applies. (Decreto 2256 de 1991, Art. 27, 28 y 67; Acuerdo 005 de 2003, Sección II y VII)</p>		
<p>h) Services incidental to mining. (CPC 883+5115)</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • Local Presence. <p>1) 2) 4) To supply services directly related to the exploration and exploitation of minerals and hydrocarbons in Colombia, a juridical person organized under the laws of a foreign country must establish a branch, affiliate company, or subsidiary in Colombia.</p> <p>The previous paragraph does not apply to service suppliers engaged in those services for less than one year. (Ley 685 de 2001, Art. 19 y 20; Decreto legislativo 1056 de 1953, Art. 10;</p>		

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		<i>Código de Comercio, Art. 471 y 474 de 1971)</i>		
i) Services incidental to manufacturing (CPC 884+885)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
j) Services incidental to energy distribution. (CPC 887)	1) 3) Only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (comercialización) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power. The Government may establish exclusive areas for services incidental to energy distribution in order to ensure universal service. 2) None. 4) Unbound, except as indicated in the horizontal section.			
k) Placement and supply services of Personnel. (CPC 872)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

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<p>l) Investigation and security. (CPC 873**)</p> <p>Not including Electronic Security System Services.</p>	<p>1) Unbound.</p> <p>2) Unbound.</p> <p>3) Unbound.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>3) Only an enterprise organized under Colombian law as a limited liability company or a private security and surveillance services cooperative, may provide private security and surveillance services in Colombia. Partners or members of such enterprises must be Colombian nationals (natural persons).</p> <p>Enterprises established prior to February 11, 1994, with foreign members or foreign capital may not increase the participation of foreign members. Cooperatives organized before that date may retain their juridical form. (Decreto 356 de 1994, Art. 8, 12, 23 y 25)</p>		
<p>l) Investigation and security. (CPC 873**)</p> <p>Only for Electronic Security Systems.</p>	<p>1) Unbound.</p> <p>2) Unbound.</p> <p>3) Unbound.</p> <p>4) Unbound, except as indicated in the horizontal section</p>			
<p>m) Related scientific and technical consulting services. (CPC 8675)</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal</p>			

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	section.			
n) Maintenance and repair of equipment (not including maritime vessels, aircraft, or other transport equipment). (CPC 633+, and 8861-8866)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
o) Building-cleaning services. (CPC 874)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
p) Photographic services. (CPC 875)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
q) Packaging services. (CPC 876)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
r) Printing, publishing. (CPC 88442)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
s) Convention services. (CPC 87909*)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
t) Other.				
Telephone answering services. (CPC 87903)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Duplicating services. (CPC 87904)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
Translation and interpretation services. (CPC 87905)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Specialty design services. (CPC 87907) It does not include jewelry design nor handicrafts design.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Other business consulting services. (part of CPC 87909)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
2. COMMUNICATION SERVICES				
A. Postal Services B. Courier Services	1) None.	• National Treatment.		

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	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Presence. 1) 2) 3) 4) Only juridical persons established under Colombian law whose main corporate purpose is the provision of postal services may supply postal services and courier services in Colombia. (Law 1369 of 2009)		
C. Telecommunications Services ⁴ The commitments in this schedule do not cover radio nor television broadcasting services.				
All sectors				
1. Basic services (For public use, exclusively facilities-based services)				
Tele-services				
A. Local and extended local voice telephony ⁵	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
a. National and international long-distance telephony.	1) Long-distance traffic must be routed through the facilities of an operator licensed to provide	<ul style="list-style-type: none"> National Treatment. 		

⁴ The scope of the classification definitions used in this section is based on Colombian legislation.

⁵ "Extended local" voice telephony (departmental or regional telephony) is the service supplied by the same operator to users in a continuous geographical area consisting of adjacent municipalities, provided the area does not go outside that of the Department.

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	such a service. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	3) Colombia Telecomunicaciones S.A. E.S.P. provides long-distance basic public switched telephony services under the same regulatory conditions as the other operators, other than the initial license payment and duration of license validity. (Decreto 1616 de 2003, Art. 13 y 16; Decreto 2542 de 1997, Art. 2; Decreto 2926 de 2005, Art. 2)		
b. Telex services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c. Telegraph services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d. Cellular mobile telephone services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
e. Personal Communications Services (PCS).	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f. Paging services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
g. Trunking.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Carrier Services ⁶				
a. Packet-switched data transmission services.	1) None. 2) None.			

⁶ A carrier service is a service providing the necessary capacity to transmit signals between two or more specific points on the telecommunications network. This covers services through circuit- or packet-switched networks and through non-switched networks.

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	3) None. 4) Unbound, except as indicated in the horizontal section.			
b. Circuit-switched data transmission services.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c. Provision of satellite capacity, exclusively by geostationary satellite systems.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
2. Value-added telecommunications services ⁷ .	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

⁷ Value-added services are defined as those which use basic, telematic or transmission services, or any combination thereof, as a carrier and, in conjunction with them, provide the full capability for the sending or exchange of information, and which add other facilities to the carrier service or satisfy specific new telecommunication needs. These include: electronic mail, voice mail, on-line information and database retrieval, electronic data interchange, facsimile store and forward, code and/or protocol conversion, on-line data processing and information. Only services that can be differentiated from the basic services are considered value-added services.

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	section.			
3. For non-public use, facilities-based (Relates to the private telecommunications network, established by natural or legal persons for their private and exclusive use, without provision of services to third persons and without connection to the State telecommunications network or to other private telecommunications networks.)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D. Audiovisual Services				
a) Motion picture and video tape production and distribution services. (CPC 9611)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> National Treatment. Performance Requirements. 1) 2) 3) 4) The exhibition and distribution of foreign films is subject to the Cinematographic Development Fee, which is set at 8.5 per cent of the monthly net income derived from such exhibition and distribution. The fee applied to an exhibitor is reduced to 2.25 percent, when a foreign movie is exhibited together with a Colombian short film. (Ley 814 de 2003, Art. 5, 14, 15, 18 y 19)		
b) Motion picture projection service. (CPC 9612)	1) None. 2) None.	<ul style="list-style-type: none"> National Treatment. Performance Requirements. 		

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	<p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) 2) 3) 4) The exhibition and distribution of foreign films is subject to the Cinematographic Development Fee, which is set at 8.5 per cent of the monthly net income derived from such exhibition and distribution.</p> <p>The fee applied to an exhibitor is reduced to 2.25 percent, when a foreign movie is exhibited together with a Colombian short film. (Ley 814 de 2003, Art. 5, 14, 15, 18 y 19)</p>		
<p>c) Radio and television services. (CPC 9613)</p> <p>and</p> <p>d) Radio and television transmission services (CPC 7524)</p>	<p>1) Unbound.</p> <p>2) None.</p> <p>3) A concession to supply radio broadcasting services may be granted only to Colombian nationals or to juridical persons organized under Colombian law.</p> <p>Only Colombian nationals or juridical persons organized under Colombian law may be granted concessions to provide free-to-air television services</p> <p>To hold a concession for a privately operated national television channel that provides free-to-air television services, a juridical person must be organized as a corporation (“sociedad anónima”).</p> <p>The number of concessions to provide free-to-air national and local for-profit television services is subject to an economic needs test in accordance with the criteria set forth by law.</p> <p>Foreign equity in any enterprise holding a free-to-air</p>	<p>• National Treatment.</p> <p>1) 2) 3) 4) A concession to supply radio broadcasting services may be granted only to Colombian nationals or to juridical persons organized under Colombian law. (Ley 80 de 1993, Art. 35)</p> <p>• National Treatment.</p> <p>• Local Presence.</p> <p>• Performance Requirements.</p> <p>1) 2) 3) 4) Only Colombian nationals or juridical persons organized under Colombian law may be granted concessions to provide free-to-air television services.</p> <p>Suppliers (operators and/or persons granted the right to use programming slots) of free-to-air national television services must broadcast nationally produced programming on each channel as follows:</p> <p>a) a minimum of 70 per cent between 19:00 hours</p>		

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	<p>television concession is limited to 40 percent.</p> <p>Regional television may be supplied only by state-owned entities.</p> <p>Suppliers (operators and/or persons granted the right to use programming slots) of free-to-air national television services must broadcast nationally produced programming on each channel as follows:</p> <ul style="list-style-type: none"> (a) a minimum of 70 per cent between 19:00 hours and 22:30 hours, (b) a minimum of 50 per cent between 22:30 hours and 24:00 hours, (c) a minimum of 50 per cent between 10:00 hours and 19:00 hours, (d) a minimum of 50 per cent for Saturdays, Sundays, and holidays during the hours described in subparagraphs a), b), and c). <p>Suppliers of regional and local free-to-air television services must broadcast a minimum of 50 percent nationally produced programming on each channel</p> <p>Suppliers of broadcast television which employs multiplex digital technologies must provide a 100% free access for their main channel to the general public, and up to 50% of free access for their sub-channels to the general public. Local non-profit television must provide a 100% free access to their users.</p> <p>4) Unbound, except as indicated in the horizontal</p>	<ul style="list-style-type: none"> and 22:30 hours, b) a minimum of 50 per cent between 22:30 hours and 24:00 hours, c) a minimum of 50 per cent between 10:00 hours and 19:00 hours, d) a minimum of 50 per cent for Saturdays, Sundays, and holidays during the hours described in subparagraphs a), b), and c). <p>Suppliers of regional and local free-to-air television services must broadcast a minimum of 50 percent nationally produced programming on each channel.</p> <p>(Ley 014 de 1991, Art. 37; Ley 680 de 2001, Art. 1 y 4; Ley 335 de 1996, Art. 13 y 24; Ley 182 de 1995, Art. 37 numeral 3, Art. 47 y Art. 48; Acuerdo 002 de 1995, Art. 10 párrafo; Acuerdo 023 de 1997, Art. 8 Parágrafo; Acuerdo 024 de 1997, Art. 6 y 9; 9Acuerdo 020 de 1997, Art. 3 y 4)</p>		
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	section.			
d) Radio and television cable transmission services (CPC 7530) Including Radio and television satellite transmission	<p>1) Unbound.</p> <p>2) None.</p> <p>3) Only juridical persons organized under Colombian law may supply subscription television services.</p> <p>Juridical persons which provide subscription television services must make available to subscribers, at no additional cost, those free-to-air Colombian national, regional, and municipal television channels available in the authorized area of coverage. The transmission of regional and municipal channels will be subject to the technical capacity of the subscription television operator.</p> <p>Suppliers of satellite subscription television only have the obligation of including in their basic programming the transmission of the public interest channels of the Colombian State. When rebroadcasting free-to-air programming subject to a domestic content quota, a subscription television provider may not modify the content of the original signal.</p> <p>The concessionaire of subscription television that transmits commercials different from those of origin must comply with the minimum percentages of nationally produced programming required of suppliers of free-to-air national television services as described in the entry on Radio and Television</p>	<ul style="list-style-type: none"> Local Presence. Performance Requirements. <p>1) 2) 3) 4) Only juridical persons organized under Colombian law may supply subscription television services.</p> <p>Juridical persons which provide subscription television services must make available to subscribers, at no additional cost, those free-to-air Colombian national, regional, and municipal television channels available in the authorized area of coverage. The transmission of regional and municipal channels will be subject to the technical capacity of the subscription television operator.</p> <p>Suppliers of satellite subscription television only have the obligation of including in their basic programming the transmission of the public interest channels of the Colombian State. When rebroadcasting free-to-air programming subject to a domestic content quota, a subscription television provider may not modify the content of the original signal.</p> <p>The concessionaire of subscription television that transmits commercials different from those of origin must comply with the minimum percentages of nationally produced programming required of suppliers of free-to-air national television services as described in the entry on Radio and Television</p>		

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	<p>Services (CPC 9613) and Radio and Television Transmission Services (CPC 7524). Colombia interprets Article 16 of Acuerdo 014 de 1997 as not requiring subscription television suppliers to comply with minimum percentages of nationally produced programming when commercials are inserted into programming outside the territory of Colombia.</p> <p>Suppliers of cable television services must produce and broadcast in Colombia a minimum of one hour of programming each day between 18:00 hours and 24:00 hours.</p> <p>Community television services may only be supplied by communities organized and legally constituted under Colombian law as foundations, cooperatives, associations, or corporations governed by civil law. For greater certainty, such services are restricted with respect to area of coverage and number and type of channels; may be offered to no more than 6000 associates, or community members; and must be offered under the modality of a closed network local access channels.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>Services (CPC 9613) and Radio and Television Transmission Services (CPC 7524). Colombia interprets Article 16 of Acuerdo 014 de 1997 as not requiring subscription television suppliers to comply with minimum percentages of nationally produced programming when commercials are inserted into programming outside the territory of Colombia.</p> <p>Suppliers of cable television services must produce and broadcast in Colombia a minimum of one hour of programming each day between 18:00 hours and 24:00 hours.</p> <p>(Ley 680 de 2001, Art. 4 y 11; Ley 182 de 1995, Art. 42; Acuerdo 014 de 1997, Art.14, 16 y 30; Ley 335 de 1996, Art. 8; Acuerdo 032 de 1998, Art. 7 y 9)</p>		
<p>e) Sound recording (CPC n.a)</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p>			

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	4) Unbound, except as indicated in the horizontal section.			
f) Other.	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
E. Other	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				
A. Construction work for buildings. (CPC 512)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Construction work for civil Engineering. (CPC 513)	1) None. 2) None.			

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	3) None. 4) Unbound, except as indicated in the horizontal section.			
C. Installation and assembly work. (CPC 514+516)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D. Building completion and finishing work. (CPC 517)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
E. Others				
Pre-erection work at construction sites. (CPC 511)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Special trade construction work.	1) None.			

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(CPC 515)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator. (CPC 518)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
4. DISTRIBUTION SERVICES				
A. Commission agents' services. (CPC 621)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
B. Wholesale trade services (CPC 622), except wholesale trade services of waste and scrap and materials for recycling. (CPC 62278)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
C. Retailing services (CPC 631+632+6111+6113+612 1)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
D. Franchising. (CPC 8929)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
5. EDUCATION SERVICES				
A. Primary education services. (CPC 921)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
B. Secondary education services. (CPC 922)	1) Unbound. 2) Unbound. 3) Unbound.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
C. Higher education services. (CPC 923)-except for public education as indicated in section I-A.	1) None. 2) None. 3) Requirements relating to the specific type of legal entity that may supply such services. 4) Unbound, except as indicated in the horizontal section.			
D. Adult education. (CPC 924) Colombia understands regular education system means the formal education system provided for in its legislation.	1) None. 2) None. 3) Requirements relating to the specific type of legal entity that may supply such services. 4) Unbound, except as indicated in the horizontal section.			
E. Other education services. (CPC 929)	1) None. 2) None. 3) Requirements relating to the specific type of legal entity that may supply such services 4) Unbound, except as indicated in the horizontal section.			
6. ENVIRONMENTAL SERVICES				

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A. Sewage services (CPC 9401)	1) None. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
B. Refuse disposal services (CPC 9402)	1) None. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
C. Sanitation and similar services (CPC 9403)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
D. Other				
Cleaning services of exhaust gases.	1) None, other than services established or maintained for a public purpose.			

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(CPC 94040)	2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Noise abatement services. (CPC 94050)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Nature and landscape protection services. (CPC 94060)	1) None, other than services established or maintained for a public purpose. 2) None. 3) None, other than services established or maintained for a public purpose. 4) Unbound, except as indicated in the horizontal section.			
Other environmental protection services. (94090)	1) None, other than services established or maintained for a public purpose. 2) None.			

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	<p>3) None, other than services established or maintained for a public purpose.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
<p>7. FINANCIAL SERVICES</p>				
<p>1. Insurance and insurance-related services.</p>				
<p>(A) Life Insurance.</p>	<p>1) Unbound.</p> <p>2) None, except for:</p> <p>a) those insurance services the purchase of which is mandatory under Colombian law;</p> <p>b) those insurance services the purchase of which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security system;</p> <p>c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado); and</p>	<p>• National Treatment.</p> <p>3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent. (Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as amended)</p>		

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	<p>d) all types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales).</p> <p>3) None, except that Colombia reserves the right to choose how to regulate the establishment of branches, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves⁸, and obligations regarding risk patrimony and their investments⁹.</p>			

⁸ In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the country is rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

⁹ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and authorities;
- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;

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	<p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(B) (1) Non-life insurance, except the services indicated in paragraph 1. b (i) (A) and (D) of the article X.3 Market Access Commitments of <u>Annex [X] on Financial Services of the Agreement</u> .</p>	<p>1) Unbound</p> <p>2) None, except for the following services:</p> <p>a) those insurance services the purchase of which is mandatory under Colombian law;</p> <p>b) those insurance services the purchase of which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security</p>	<p>• National Treatment.</p> <p>3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent. (Estatuto Orgánico del Sistema Financiero– Decreto 663 of 1993, as amended)</p>		

- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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	<p>system;</p> <p>c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado); and</p> <p>d) all types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales).</p> <p>3) None, except that Colombia reserves the right to choose how to regulate branches establishment, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves¹⁰, and obligations regarding risk patrimony and their investments¹¹.</p>				

¹⁰ In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the country is rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

¹¹ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and

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	<p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(B) (2) Other non-life insurance services, as indicated in paragraph 1. b (i) (A) and (D) of the article X.3 Market Access Commitments of <u>Annex [X] on Financial Services of the</u></p>	<p>1) None, except that Colombia may require cross-border financial service suppliers to provide information such as the aggregate value of premiums paid to them by persons resident in Colombia.</p>	<ul style="list-style-type: none"> • National Treatment. <p>3) 4) A foreign national who has resided in Colombia for less than one year may not supply services in Colombia as an insurance agent.</p>		

authorities;

- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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<p><u>Agreement</u> .</p>	<p>2) None, except for the following services:</p> <p>a) those insurances services the purchase of which is mandatory under Colombian law; and</p> <p>b) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado).</p> <p>3) None, except that Colombia reserves the right to choose how to regulate branches establishment, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves¹², and obligations regarding risk patrimony and their investments¹³.</p>	<p>(Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as amended)</p>		
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¹² In accordance with Decreto 2779 of 2001, an insurance company established in Colombia may currently invest up to thirty (30) percent of the value of its portfolio that corresponds to its technical reserves in instruments issued or guaranteed by foreign entities identified in that decree, such as fixed income securities (i) issued or guaranteed by a foreign government or foreign central bank, if the sovereign debt of the country is rated as investment grade; (ii) issued or guaranteed by a multilateral credit organization; (iii) issued by foreign non-banking entities; or (iv) guaranteed or accepted by commercial banks or investment banks, but in the case of clauses (iii) and (iv), only if the issuer is located in a country the sovereign debt of which is rated as investment grade.

¹³ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that insurance company;
- c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of another Party established in Colombia be subject to Colombian law and authorities;
- e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;

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	<p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of another Party shall be limited by the capital assigned and brought into Colombia.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
(ii) Reinsurance and retrocession.	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
(iii) Insurance intermediation	1) Unbound, except none for intermediation in			

- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

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<p>such as brokerage and agency.</p>	<p>respect of reinsurance and retrocession, and in respect of the insurance services indicated in paragraphs 1. b (i) (A) and (D) of the article X.3 Market Access Commitments of <u>Annex [X] on Financial Services of the Agreement</u>.</p> <p>2) None, except for the following services:</p> <p>a) those insurance services the purchase of which is mandatory under Colombian law;</p> <p>b) those insurance services the purchase of which is prohibited under Colombian law prior to purchase of insurance services described in subparagraph (a) or participation in Colombia's social security system;</p> <p>c) all insurance services, when the policy holder, insured, or beneficiary is a Colombian government ministry, department, or agency (entidad del Estado); and</p> <p>d) All types of lifetime annuities (renta vitalicia), death and disability insurance (previsionales de invalidez y sobrevivencia), and workers compensation insurance (riesgos profesionales).</p> <p>3) None.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers,</p>			
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	and Trainees as indicated in the horizontal section.			
(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.	1) None 2) None 3) None 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
2. Banking and other financial services (excluding insurance)				
(v) Acceptance of deposits and other repayable funds from the public.	1) Unbound 2) None	• National Treatment. 3) The sums of money subject to court or police order, including cauciones ¹⁶ , and funds consigned under leases must be deposited in the Banco Agrario de Colombia. S.A., which may derive a competitive advantage with respect to its overall operations from all or some portion of that exclusive right. (Decreto 2419 de 1999, Art. 1, in conformity with Ley 270 de 1996, Art. 203 y Decreto 1065 de 1999, Art 16). Colombia may grant advantages or exclusive rights		
(vi) Lending of all types, including consumer credit, mortgage credit, factoring by financial institutions, and financing of commercial transactions.	3) None, except that Colombia does not allow for the establishment as branches. However, branching is an acceptable form of establishment for banks, as defined in Colombian laws. Colombia reserve the right to choose how to regulate the establishment of bank branches including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves, and			
(vii) Financial leasing services.				

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(viii) All payment and money transmission services, including credit, factoring and financing of commercial transaction.	obligations regarding risk patrimony and their investments ¹⁴ .			to the following financial entities: <ul style="list-style-type: none"> • Fondo para el Financiamiento del Sector Agropecuario (FINAGRO); • Banco Agrario de Colombia; • Fondo Nacional de Garantías; • Financiera Eléctrica Nacional (FEN); • Financiera de Desarrollo Territorial (FINDETER); • Fiduciaria La Previsora; • Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (ICETEX); • Banco de Comercio Exterior (BANCOLDEX); • Fondo Financiero de Proyectos de Desarrollo (FONADE). 	
(ix) Guarantees and commitments.	For that purpose, Colombia may require that the capital assigned to the branches of banks of another Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of banks of another Party shall be limited by the capital assigned and brought into Colombia.				
(x) Trading for own account or for account of customers, whether on	The sums of money subject to court or police order, including cauciones ¹⁵ , and funds consigned under				

¹⁶ A caución, under Colombian law, is a deposit of money made under court order – for example, by a civil defendant in return for the court lifting an injunction won by the plaintiff against certain assets of the defendant.

¹⁴ Colombia may establish the following requirements, among others:

- a) require branches to comply with the same obligations currently required or that may be required in the future of banks established under Colombian law;
- b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular bank of another Party from that Party's financial supervisory or regulatory authorities before permitting the establishment of a branch by that bank;
- c) require a bank that seeks to establish through a branch to demonstrate that it fulfils the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- d) require that the acts undertaken and contracts entered into in Colombia by branches of banks of another Party established in Colombia be subject to Colombian law and authorities;
- e) (issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; and responsibility vis-à-vis local creditors;
- f) require that any subsequent capitalization have the same treatment as the branch's initial capital;
- g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of another Party be liable for the obligations contracted by its branch in Colombia;
- h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- i) allow branches established in Colombia to make transfers of their net profits, provided that no deficiencies arise in the solvency margin and other capital requirements contemplated in local regulations.

¹⁵ A caución, under Colombian law, is a deposit of money made under court order – for example, by a civil defendant in return for the court lifting an injunction won by the plaintiff against certain assets of the defendant.

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<p>an exchange, in an over-the-counter market or otherwise, the following:</p> <p>(A) money market instruments (including cheques, bills, certificates of deposits);</p> <p>(B) foreign exchange;</p> <p>(C) derivative products including, but not limited to, futures and options;</p> <p>(D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements;</p> <p>(E) transferable securities;</p> <p>(F) other negotiable instruments and</p>	<p>leases must be deposited in the Banco Agrario de Colombia. S.A., which may derive a competitive advantage with respect to its overall operations from all or some portion of that exclusive right.</p> <p>Colombia may grant advantages or exclusive rights to the following financial entities:</p> <ul style="list-style-type: none"> • Fondo para el Financiamiento del Sector Agropecuario (FINAGRO); • Banco Agrario de Colombia; • Fondo Nacional de Garantías; • Financiera Eléctrica Nacional (FEN); • Financiera de Desarrollo Territorial (FINDETER); • Fiduciaria La Previsora; • Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (ICETEX); • Banco de Comercio Exterior (BANCOLDEX); • Fondo Financiero de Proyectos de Desarrollo (FONADE). <p>The advantages or exclusive rights may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • exemption from certain taxation; • exemption from registration and periodic reporting requirements under federal securities laws; • purchase by the government of Colombia, through any public entity of Colombia, of obligations issued by the entities listed above. <p>The number of primary dealers in the debt securities of Colombia is limited to a certain</p>	<p>The advantages or exclusive rights may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • exemption from certain taxation; • exemption from registration and periodic reporting requirements under federal securities laws; • purchase by the government of Colombia, through any public entity of Colombia, of obligations issued by the entities listed above. (Estatuto Orgánico del Sistema Financiero – Decreto 663 of 1993, as amended) 		
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<p>financial assets, including bullion.</p> <p>(xi) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues.</p> <p>(xii) Money broking.</p>	<p>number of financial institutions, which can be varied from time to time.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
<p>(xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services, excluding pension funds management and severance payment</p>	<p>1) None, excluding:</p> <p>(i) custodial services, unless they are related to managing a collective investment scheme¹⁷;</p> <p>(ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme¹⁸ established as a trust; and</p>			

¹⁷ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

¹⁸ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

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funds management (Sociedades Administradoras de Fondos de Pensiones y Cesantias) and other assets management relating to the social security system;	(iii) execution services, unless they are related to managing a collective investment scheme ¹⁹ . 2) None, excluding: (i) custodial services, unless they are related to managing a collective investment scheme ²⁰ ; (ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme ²¹ established as a trust; and (iii) execution services, unless they are related to managing a collective investment scheme ²² . 3) None, excluding: (i) custodial services, unless they are related to managing a collective			

¹⁹ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

²⁰ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

²¹ Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

²² Colombia may require a collective investment scheme located in the other Party's territory to retain ultimate responsibility for the management of the collective investment scheme, including the assets of the collective investment scheme.

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	investment scheme; (ii) trustee services, but not excluding the holding in trust of investments by a collective investment scheme established as a trust; and (iii) execution services, unless they are related to managing a collective investment scheme. 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
(xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.	1) Unbound 2) None 3) None 4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.			
(xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services.	1) 2) None, except: a) Where the financial information or financial data processing of this commitment involves personal data, the treatment of such personal data shall be in accordance with Colombian law regulating the protection of such data;			

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	<p>b) A trading platform, whether electronic or physical, does not fall within the range of services specified.</p> <p>3) None.</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
(xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv)	<p>1) 2) None, except for: Unbound for credit reference and analysis</p> <p>3) None</p> <p>4) Unbound, except for Business Visitors, Intra-corporate Transferees, Installers and Maintainers, and Trainees as indicated in the horizontal section.</p>			
9. TOURISM AND TRAVEL RELATED SERVICES				
A. Hotels and restaurants (incl. catering) (CPC 641-643)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
B. Travel agencies and tour	<p>1) None.</p>			

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operators services (CPC 7471)	2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 3) 4) Foreign nationals must be domiciled in Colombia to provide travel and tourism agent services within the territory of Colombia. (Ley 32 de 1990, Art. 5; Decreto 502 de 1997, Art. 1-7)		
C. Tourist guides services (CPC 7472)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 3) 4) Foreign nationals must be domiciled in Colombia to provide travel and tourism agent services within the territory of Colombia. To become a qualified Tourist Guide in Colombia, the person must be certified by the Servicio Nacional de Aprendizaje –SENA- or other Colombian Educative Institution recognized by the Colombian Government. (Ley 32 de 1990, Art. 5; Decreto 502 de 1997, Art. 1-7 Ley 1558 de 2012, Art. 26)		
D. Other	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			

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10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)				
A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
B. News agency services (962)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.	<ul style="list-style-type: none"> Local Management and Board of Directors 3) The director or general manager of a newspaper published in Colombia that focuses on Colombian politics must be a Colombian national. (Ley 29 de 1944, Art. 13)		
C. Libraries, archives, museums and other cultural services (CPC 963)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
D. Sporting (CPC 9641)	1) Unbound. 2) Unbound. 3) Unbound.			

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	4) Unbound, except as indicated in the horizontal section.			
E. Other	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.			
11. TRANSPORT SERVICES				
Unbound respecting the number of concessions and the total number of operations.				
A. Maritime Transport Services.				
International Transport (freight and passengers) CPC 7211 and 7212 less cabotage transport as defined in Part I-A	1) (a) Liner shipping: None. (b) Bulk, tramp, and other international shipping, including passenger transportation: None. 2) None. 3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: Unbound	<ul style="list-style-type: none"> • National Treatment. • Local Presence. 1) All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. (Código de Comercio de 1971, Art. 1455)		

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	<p>(b) Other forms of commercial presence²³ for the supply of international maritime transport services: None.</p> <p>4) (a) Ships' crews: Unbound</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under mode 3b) above: Unbound, except as indicated in the horizontal section.</p>			
<p>Maritime domestic freight Transportation²⁴ (part of CPC 7212), limited to the following services: - Feeder Services.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal</p>			

²³ "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inland transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported; (d) the provision of business information by any means, including computerized information systems and electronic data interchange (subject to the provisions of the Attachment on telecommunications);
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organizing the call of the ship or taking over cargoes when required.

²⁴ According to Colombian law this commitment does not include cabotage, as it refers to specific cases. The commitment can therefore be fulfilled without conflicting Colombian law.

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<p>- Transport of empty containers for international trade.</p> <p>- Maritime transport servicing offshore petroleum exploration and production.</p>	<p>section</p>			
<p>Domestic maritime towing and pushing services, including anchor handling, servicing petroleum exploration and production (part of CPC 7214).</p>	<p>1) None</p> <p>2) None</p> <p>3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year.</p> <p>(Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 1 de 1991, Art. 5.20 y Art. 6 Decreto 1423 de 1989, Art. 38)</p>		
<p>Maritime Auxiliary Services</p>				

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<p>Maritime Cargo Handling Services²⁵</p>	<p>1) Unbound except for - no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment.</p> <p>2) None.</p> <p>3) None²⁶, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>3) Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Ley 1 de 1991, Art. 5.20 y Art. 6 Decreto 1423 de 1989, Art. 38)</p>		
<p>Storage and Warehousing Services.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None²⁷, except restrictions on the number of concessions and the total number of operations for these type of services.</p>			

²⁵ "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of :

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

²⁶ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

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	<p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
<p>Customs Clearance Services²⁸</p>	<p>1) Unbound</p> <p>2) None.</p> <p>3) None²⁹, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • Local Presence. <p>3) In order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services (“intermediación para servicios postales”) and mensajería Especializada (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users (“Usuarios Aduaneros Permanentes”) or Highly Exporting Users (“Usuarios Altamente Exportadores”). (Decreto 2685 de 1999, Art. 74 y 76)</p>		
<p>Container Station and Depot Services³⁰</p>	<p>1) Unbound</p>			

²⁷ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

²⁸ "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

²⁹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

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	2) None.			
	3) None ³¹ , except restrictions on the number of concessions and the total number of operations for these types of services.			
	4) Unbound, except as indicated in the horizontal section			
Maritime Agency Services ³²	1) None.			
	2) None.			
	3) None.			
	4) Unbound, except as indicated in the horizontal section			
Maritime Freight Forwarding Services ³³	1) None.			
	2) None.			
	3) None.			

³⁰ "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.

³¹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

³² "Maritime agency services" means activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;

- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

³³ "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

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	4) Unbound, except as indicated in the horizontal section			
B. Internal Waterways Transport				
a) Passenger transportation. (CPC 7221)	<p>1) Unbound.</p> <p>2) Unbound.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) 2) 4) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia.</p> <p>Only enterprises organized under Colombian law using Colombian flag vessels may supply maritime and fluvial transport services between two points within the territory of Colombia (cabotage)</p> <p>All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Pilotage on Colombian territorial seas and rivers may only be performed by Colombian nationals. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5; Decreto 804 de 2001, Art. 2 y 4 Inciso 4 Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 658 de 2001, Art. 11 Decreto 1597 de 1998, Art. 23)</p>		
b) Freight transportation	1) Unbound.			

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<p>(CPC 7222)</p>	<p>2) Unbound.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) 2) 4) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia.</p> <p>Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia.</p> <p>Only enterprises organized under Colombian law using Colombian flag vessels may supply maritime and fluvial transport services between two points within the territory of Colombia (cabotage)</p> <p>All foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Pilotage on Colombian territorial seas and rivers may only be performed by Colombian nationals.</p> <p style="text-align: center;">(Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5; Decreto 804 de 2001, Art. 2 y 4 Inciso 4 Código de Comercio de 1971, Art. 1455 Decreto 2324 de 1984, Art. 124 Ley 658 de 2001, Art. 11 Decreto 1597 de 1998, Art. 23)</p>		
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Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
C. Air Transport				
c) Rental of vessels with crew (CPC 7223)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section			
d) Maintenance and repair of vessels. (CPC 8868**)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section			
e) Specialty Air Services	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>Only Colombian nationals or juridical persons organized under Colombian law and domiciled in Colombia may supply specialty air services within the territory of Colombia.</p> <p>Only Colombian nationals or juridical persons organized under Colombian law may own and maintain real and effective control of an airplane registered to supply specialty air services in Colombia. (Código de Comercio, Artículos 1795 y 1864)</p>	
E. Rail Transport				
a) Passenger transportation	1) None.			

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(CPC 7111)	<p>2) None.</p> <p>3) Restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> Local Presence. <p>1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)</p>		
b) Freight transportation (CPC 7112)	<p>1) None.</p> <p>2) None.</p> <p>3) Restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<ul style="list-style-type: none"> Local Presence. <p>1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia.</p> <p>Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)</p>		
F. Road Transport				
a) Passenger Transportation (CPC 7121 and CPC 7122)	<p>1) None.</p> <p>2) None.</p> <p>3) Restrictions on the number of concessions and the total number of operations for these type of services.</p>	<ul style="list-style-type: none"> Local Presence. <p>1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10;</p>		

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	4) Unbound, except as indicated in the horizontal section.	Decreto 149 de 1999, Art. 5)		
b) Freight Transportation (CPC 7123, excluding transportation of mail on own account)	<p>1) None.</p> <p>2) None.</p> <p>3) Restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>• Local Presence.</p> <p>1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia.</p> <p>Only foreign enterprises with an agent or representative domiciled in Colombia and legally responsible for its activities in Colombia may supply multimodal transportation of cargo within and from the territory of Colombia.</p> <p>(Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)</p>		
G. Pipeline Transport				
b) Transportation of Goods Other Than Fuel (CPC 7139)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
H. Services auxiliary to Maritime Transport				
d) Maintenance and repair of vessels (CPC 8868**)	<p>1) Unbound.</p> <p>2) None.</p> <p>3) None.</p>			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
g) Rental of Vessels with Crew (CPC 7213)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
h) Pushing and towing services (CPC 7214)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> • National Treatment. • Local Presence. <p>1) Foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia.</p> <p>Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Código de Comercio de 1971, Art. 1455; Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)</p>	
			3) The holder of a concession to supply port services	

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		must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports. (Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)		
j) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
H. Services auxiliary to internal waterways transport				
a) Cargo-handling services (part of CPC 741)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Storage and warehouse services (part of CPC 742)	1) Unbound. 2) None. 3) None.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Rental of Vessels with Crew (CPC 7223)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> Local Presence. 1) Suppliers of public transportation services within the territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Ley 336 de 1996, Art. 9 y 10; Decreto 149 de 1999, Art. 5)	
e) Pushing and towing services (CPC 7224)	1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.		<ul style="list-style-type: none"> National Treatment. Local Presence. 1) Foreign-flagged vessels entering a Colombian port must have a representative legally responsible for their activities in Colombia and domiciled in Colombia. Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag	

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		<p>vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year. (Código de Comercio de 1971, Art. 1455; Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)</p> <p>3) The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports. (Ley 1 de 1991, Art. 5.20 y Art. 6; Decreto 1423 de 1989, Art. 38)</p>		
g) Other supporting and auxiliary services (part of CPC 749)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>			
H. Services auxiliary to rail transport				
a) Cargo-handling services (part of CPC 741)	<p>1) Unbound.</p> <p>2) None.</p> <p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal</p>			

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	section.			
b) Storage and warehouse services (part of CPC 742)	1) Unbound. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
d) Pushing and towing services (CPC 7113)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Supporting services for rail transport services (CPC 743)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal			

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	section.			
f) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
H. Services auxiliary to road transport				
a) Cargo-handling services (part of CPC 741)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
b) Storage and warehouse services (part of CPC 742)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None.			

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	1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
	4) Unbound, except as indicated in the horizontal section.			
d) Rental of Commercial Road Vehicles with Operators (CPC 7124)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Supporting services for road transport equipment (CPC 744)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Other supporting and auxiliary services (part of CPC 749)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
H. Services auxiliary to air transport services				
a) Ground handling services	1) None. 2) None.	<ul style="list-style-type: none"> • Local Presence. 1) Suppliers of ground handling services within the		

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	3) None. 4) Unbound, except as indicated in the horizontal section.	territory of Colombia must be enterprises organized under Colombian law and domiciled in Colombia. (Resolución N° 07285 del 21 de Diciembre de 2012)		
b) Storage and warehouse services (part of CPC 742)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
c) Freight transport agency services (part of CPC 748)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
e) Sales and Marketing	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
f) Computer Reservations System (CRS)	1) None. 2) None.			

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	3) None. 4) Unbound, except as indicated in the horizontal section.			
g) Airport management	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
H. Services auxiliary to pipeline transport of goods other than fuel.				
a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.			
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12. OTHER SERVICES NOT INCLUDED ELSEWHERE				
Custom Services	1) Unbound 2) None. 3) None.	<ul style="list-style-type: none"> Local Presence. <p>1) 3) 4) In order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible</p>		

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	<p>4) Unbound, except as indicated in the horizontal section.</p>	<p>for their activities in Colombia: customs intermediation, intermediation for postal services (“intermediación para servicios postales”) and mensajería especializada (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users (“Usuarios Aduaneros Permanentes”) or Highly Exporting Users (“Usuarios Altamente Exportadores”). (Decreto 2685 de 1999, Art. 74 y 76)</p>		
<p>Notary and Registrar Services</p>	<p>1) Unbound. 2) Unbound. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.</p>	<p>• National Treatment. 1) 3) 4) Only Colombian nationals may be notaries and/or registrars. The approval of new notaries is subject to an economic needs test that takes into account the population of the proposed area of service, the necessity of the services, and the availability of communication facilities, among other factors. (Decreto ley 960 de 1970, Art. 123, 124, 126, 127 y 132; Decreto ley 1250 de 1970, Art. 60)</p>		

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COLOMBIA – LIST OF MFN EXEMPTIONS

SECTOR OR SUBSECTOR	DESCRIPTION OF THE MEASURE	COUNTRIES TO WHICH THE MEASURE APPLIES	INTENDED DURATION	CONDITIONS CREATING THE NEED FOR THE EXEMPTION
Telecommunications	The principle of national treatment for the purposes of commercial presence is only granted to suppliers of services in the Andean value-added telecommunications services market.	Andean Group countries	Unlimited	Maintains preferential treatment for suppliers of the relevant services belonging to countries members of the Andean Group.
Audiovisual	Measures under existing or future bilateral or multilateral agreements on the co-production of audiovisual works for the cinema or television, in particular with regard to their distribution, access and financing conditions.	Belgium; countries members of the Latin American Agreement on Cinematographic Co-Production; other countries concerned.	Unlimited	Protects the principle of the agreements concerned.
Land Transport	Measures which grant preferential treatment to countries of the Andean Road Freight System.	Countries of the Andean Group	Unlimited	Protects regional integration efforts in the Andean Area.
Road and River Transport	Measures that accords differential treatment to countries under any bilateral or multilateral international agreement signed after the date of entry into force of this Agreement involving road and river transport services.	Selected countries	Unlimited	Ensure a fluent road and river transportation regional system.
Aviation, Fisheries, and Maritime Matters ³⁴ .	Measures that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed after the date of entry into force of this Agreement.	Selected countries	Unlimited	Protect the rights granted under bilateral or multilateral agreement.
Taxation	Measures aimed at ensuring the effective and equitable imposition and collection of direct taxes or	All	Unlimited	Ensure effective and equitable tax collection.

³⁴ Including Salvage.

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	that are aimed at preventing tax avoidance or evasion, including measures regarding tax havens.			
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