

GT RESTRICTED

MAY 4, 2010

GUATEMALA OFFER
ESTABLISHMENT & TRADE SERVICES

MAY 4, 2010

LISTS OF COMMITMENTS ON ESTABLISHMENT¹
(Referred to in Article [8])

GUATEMALA

1. The list of commitments below indicate the economic activities inscribed pursuant to Article [9] of the Agreement and, by means of reservations, the national treatment reservations that apply to establishments and investors of the EU Party in those activities. The list is composed of the following elements:

- (a) A first column indicating the economic activities in which the commitment is assumed by the Party, and the scope to which the reservations apply.
- (b) A second column describing the applicable reservations.

2. For the purpose of this list, the term **none** indicates economic activities where there are no reservations to national treatment. The term **unbound** indicates that no national treatment commitments have been made.

For greater certainty, the absence of specific reservations in a given economic activity is without prejudice to horizontal reservations that apply.

3. Economic activities not mentioned in the list below are not committed.

4. In identifying individual economic activities:

- (a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, *ISIC REV 3.1*, 2002.
- (b) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991.

¹ **GUATEMALA** reserves the right to modify, extend or, reduce this offer in whole or in part at any time.

MAY 4, 2010

- (c) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.

5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permit, register and other authorization) and procedures when they do not constitute a national treatment reservation within the meaning of **Articles [7] and [8]** of the Agreement. Those measures (e.g. need to obtain a license, universal service obligations, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the EC Party.

6. In accordance with Article [1(3)] of the Agreement, the list below does not include measures concerning subsidies granted by the Parties.

7. In accordance with Article [7] of the Agreement non-discriminatory requirements as regards the types of legal form of an establishment are not included in the list below.

8. The rights and obligations arising from this list of commitments shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

MAY 4, 2010

Sector or sub-sector	Description of reservations
ALL SECTORS	Guatemala reserves the right to adopt or maintain any measure that guarantees rights or preferences for Minorities and Indigenous Populations, socially and economically disadvantaged.
ALL SECTORS	<p style="text-align: center;"><u>Investment</u></p> <p>Only the following persons may be granted title to, rent, or use state-owned lands in the Department of El Petén:</p> <ul style="list-style-type: none"> (a) Guatemalan nationals who do not own rural real estate anywhere in the country that exceeds 45 hectares; and (b) Guatemalan nationals who do not own industrial, mining or commercial enterprises. <p>Enterprises owned 100 percent by Guatemalan nationals that meet the requirements set out in the preceding paragraph may be granted title to, rent, or use state-owned lands in the Department of El Petén.</p>
ALL SECTORS	<p style="text-align: center;"><u>Investment</u></p> <p>Foreign nationals require an authorization from the <i>Oficina de Control de Areas de Reserva del Estado</i> to acquire ownership of the following state-owned land:</p> <ul style="list-style-type: none"> (a) real estate located in urban zones; and (b) real estate for which rights were registered in the General <p>Property Registry before March 1, 1956 in the following locations:</p> <ul style="list-style-type: none"> (i) a 3 - kilometer- long strip of land along the ocean; (ii) 200 meters around the lakeshores; (iii) 100 meters on either side of the navigable ri (iv) vers; and (v) 50 meters around any spring that serves as a source of water for the population. <p>Only the Government may rent state-owned land described above to enterprises organized under Guatemalan law.</p>

MAY 4, 2010

Sector or sub-sector	Description of reservations
ALL SECTORS	<p align="center"><u>Investment</u></p> <p>Only Guatemalans by birth and companies owned 100% by Guatemalans by birth can be owners or possessing national lands located within 15 kilometers from the border. Foreigners may, however, owning or possessing urban property or property rights of the State, registered with the Registrar General of the Property, prior to 1 March 1956 within 15 kilometers of the border.</p>
ALL SECTORS	<p align="center"><u>Investment</u></p> <p>A company constituted under foreign laws, can be established in Guatemala in any form, but shall constitute a capital allocated to its operations in Guatemala, and a bond in favor of a third party for an amount not less than the equivalent in quetzals of US\$ 50,000, which shall remain in force for as long as that company is operating in Guatemala.</p> <p>The exact amount of the bond will be determined by the Register of Companies based <i>inter alia</i> on the amount of the investment.</p> <p>For greater certainty, the requirement of a bond should not to be viewed as an impediment to a company organized under the laws of a foreign country, to settle in Guatemala.</p>
ALL SECTORS	<p>Every employer is prohibited to employ less than ninety percent of Guatemalan workers and pay them less than eighty-five percent of the total wages in their respective businesses are earned, except that on the subject establish special laws.</p> <p>Both proportions may change:</p> <p>a) If so require obvious reasons of protecting and promoting the national economy, or lack of Guatemalans technicians in a particular activity or defending national workers to demonstrate their abilities. In all these circumstances, the Executive Branch, through agreement reasoned issued through the Ministry of Labor and Social Security, both ratios may decrease by up to ten per cent each and for a period of five years for each company, or increase them to eliminate the participation of foreign workers.</p> <p>In the case the Ministry authorizes the reduction of rates expressed before, it should require companies to prepare Guatemalan technicians in the branch of their activities within that purpose was granted; and</p> <p>b) When authorized and controlled immigration occur by the</p>

MAY 4, 2010

Sector or sub-sector	Description of reservations
	<p>Executive Branch or contracted by the same, and entering or have entered the country to work in the establishment or development of settled agriculture or livestock, welfare institutions or cultural character; or in the case of Central American origin. In all these circumstances, the scope of the respective modification should be given the discretion of the executive branch, but the agreement that was handed down through the Ministry of Labor and Social Security must clearly state the reasons, limit and duration of the change is made.</p> <p>For the computation of what was said in the first paragraph fractions should ignore, and when the total number of employees does not exceed five, four of them shall be Guatemalan.</p> <p>The provision of this measure does not apply to managers, administrators, supervisors and general managers of companies.</p> <p>For greater certainty this clause applies to foreign workers under an employment relationship in the host country and without prejudice of the commitments made under Chapter IV. Temporary Presence of Natural Persons for Business purposes.</p>
NON SERVICES SECTORS	<p>Market access for non services is unbound. Any more favorable commitment on market access for non services sectors within the meaning of Article (6) on market access in the establishment chapter, resulting from an international agreement shall constitute a commitment under this agreement as of the date of entry into force of that agreement.</p>
ALL SECTORS	<p>Economic activities considered as public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private.</p>

MAY 4, 2010

Sector or sub-sector	Description of reservations
1. AGRICULTURE, HUNTING, FORESTRY	
<u>A. Agriculture and hunting.</u> (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding advisory and consultancy services ² .	None.
<u>B. Forestry and logging.</u> (ISIC rev 3.1: 020) excluding advisory and consultancy services.	Only Guatemalan nationals or enterprises organized under Guatemalan law may exploit and renew forestry resources.
2. FISHING AND AQUACULTURE. (ISIC rev.3.1: 0501, 0502) excluding services.	None.
3. MINING AND QUARRYING	
A. Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10)	None.
B. Extraction of crude petroleum and natural gas³ (ISIC rev 3.1: 1110)	None.
C. Mining of metal ores (ISIC rev 3.1: 13)	None.
D. Other mining and quarrying (ISIC rev 3.1: 14)	None
4. MANUFACTURING⁴	
<u>A. Manufacture of food</u>	:

² Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

³ Does not include services incidental to mining rendered on a fee or contract basis at oil and gas fields which are to be found in ENERGY SERVICES under 18.A.

⁴ Does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>products and beverages.</u> (ISIC rev 3.1: 151, 152, 153, 154)	None.
<u>B. Manufacture of tobacco products.</u> (ISIC rev 3.1: 16)	None.
<u>C. Manufacture of textiles.</u> (ISIC rev 3.1: 17)	None.
<u>D. Manufacture of wearing apparel; dressing and dyeing of fur.</u> (ISIC rev 3.1: 18)	None.
<u>E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear.</u> (ISIC rev 3.1: 19)	None.
<u>F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials.</u> (ISIC rev 3.1: 20)	None.
<u>G. Manufacture of paper and paper products</u> (ISIC rev 3.1: 21)	None.
<u>H. Publishing, printing and reproduction of recorded media⁵.</u> (ISIC rev 3.1: 22, excluding publishing and printing on a fee or contract basis ⁶)	None.
<u>I. Manufacture of coke oven</u>	

⁵ The sector is limited to manufacturing activities. It does not include activities which are audiovisual related or present a cultural content.

⁶ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>products.</u> (ISIC rev 3.1: 231)	None.
<u>J. Manufacture of refined petroleum products.</u> (ISIC rev 3.1: 232)	None.
<u>K. Manufacture of chemicals and chemical products other than explosives.</u> (ISIC rev 3.1: 24 excluding manufacturing of explosives)	None.
<u>L. Manufacture of rubber and plastics products.</u> (ISIC rev 3.1: 25)	None.
<u>M. Manufacture of other non-metallic mineral products.</u> (ISIC rev 3.1: 261)	None.
<u>N. Manufacture of basic metals.</u> (ISIC rev 3.1: 27)	None.
<u>O. Manufacture of fabricated metal products, except machinery and equipment.</u> (ISIC rev 3.1: 28)	None.
<u>P. Manufacture of machinery</u>	
a) Manufacture of general purpose machinery. (ISIC rev 3.1: 291)	None.
b) Manufacture of special purpose machinery other than weapons and munitions. (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None.
c) Manufacture of domestic appliances n.e.c. (ISIC rev 3.1: 293)	None.

MAY 4, 2010

Sector or sub-sector	Description of reservations
d) Manufacture of office, accounting and computing machinery. (ISIC rev 3.1: 30)	None.
e) Manufacture of electrical machinery and apparatus n.e.c. (ISIC rev 3.1: 31)	None.
f) Manufacture of radio, television and communication equipment and apparatus. (ISIC rev 3.1: 32)	None.
<u>Q. Manufacture of medical, precision and optical instruments, watches and clocks.</u> (ISIC rev 3.1: 33)	None.
<u>R. Manufacture of motor vehicles, trailers and semi-trailers.</u> (ISIC rev 3.1: 34)	None.
<u>S. Manufacture of other (non-military) transport equipment.</u> (ISIC rev 3.1: 351, 352, 359 excluding manufacturing of warships, warplanes and other transport equipment for military use)	None.
<u>T. Manufacture of furniture; manufacturing n.e.c.</u> (ISIC rev 3.1: 361, 369)	None.
<u>U. Recycling.</u> (ISIC rev 3.1: 371)	None.

MAY 4, 2010

Sector or sub-sector	Description of reservations
5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER⁷ (EXCLUDING NUCLEAR BASED ELECTRICITY GENERATION).	
<u>A. Production of electricity; transmission and distribution of electricity on own account.</u> (part of ISIC rev 3.1: 4010) ⁸	None.
<u>B. Manufacture of gas; distribution of gaseous fuels through mains on own account.</u> (part of ISIC rev 3.1: 4020) ⁹	None.
<u>C. Production of steam and hot water; distribution of steam and hot water on own account.</u> (part of ISIC rev 3.1: 4030) ¹⁰	None.
6. BUSINESS SERVICES.	
<u>A. Professional Services</u>	
a) 1. Legal Services (CPC 861) ¹¹ excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.	Full admission to the Bar is subject to nationality. Foreign persons can provide services only in partnership or in association with national lawyers. .

⁸ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

⁹ Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

¹⁰ Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.

¹¹ Includes legal advisory, legal representational, legal arbitration and conciliation/mediation, and legal documentation and certification services. Provision of legal services is only authorized in respect of public

MAY 4, 2010

Sector or sub-sector	Description of reservations
b) 1. Accounting and Bookkeeping Services (CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220)	Foreign persons can provide services only in partnership or in association with national service providers.
b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)	Foreign persons can provide services only in partnership or in association with national service providers.
c) Taxation Advisory Services (CPC 863) ¹²	Foreign persons can provide services only in partnership or in association with national service providers.
d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	Foreign persons can provide services only in partnership or in association with national service providers.
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	Foreign persons can provide services only in partnership or in association with national service providers.
h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)	Foreign persons can provide services only in partnership or in association with national service providers.
i) Veterinary services (CPC 932)	Foreign persons can provide services only in partnership or in association with national service providers.
j) 1. Midwives services (part of CPC 93191)	Unbound

international law, EU law and the law of any jurisdiction where the service supplier or its personnel is qualified to practice as lawyer, and is subject to licensing requirements applicable in Guatemala. :Legal services in respect of Guatemalan law shall in principle be carried out by or through a fully qualified lawyer admitted to the Bar in Guatemala acting personally. Full admission to the Bar in Guatemala is necessary for representation before the Courts and other competent authorities in Guatemala since it involves practice of Guatemalan law procedural law.

¹² Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a). Legal services.

MAY 4, 2010

Sector or sub-sector	Description of reservations
j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	Foreign persons can provide services only in partnership or in association with national service providers.
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211) and other services supplied by pharmacists	None.
<u>B. Computer and Related Services</u> (CPC 841, 842, 843, 844, 845, 849)	None.
<u>C. Research and Development Services</u> ¹³	
a) R & D services on natural sciences (CPC 851)	None.
b) R & D services on Social Sciences and Humanities (CPC 852 excluding psychologists services) ¹⁴ c) Interdisciplinary R & D services (CPC 853)	None
<u>D. Real Estate Services</u> ¹⁵	
a) Involving Own or Leased Property (CPC 821)	None.

¹³ For all these sectors, Guatemala will administer these concessions with conformity to the national biodiversity protection plans, knowledge and natural resources. Additionally, Guatemala reserves the right to participate and acquaint with the studies and reaches derived from the supply of these services.

¹⁴ Part of CPC 85201 which is to be found under 6.A.h - Medical and dental services.

¹⁵ The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

MAY 4, 2010

Sector or sub-sector	Description of reservations
b) On a Fee or Contract Basis (CPC 822)	None.
<u>E. Rental/Leasing Services without Operators</u>	
a) Relating to Ships (CPC 83103)	None.
b) Relating to Aircraft (CPC 83104)	None.
c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	None.
d) Relating to Other Machinery and Equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	None.
e) Relating to personal and household goods (CPC 832)	None.
f) Telecommunications equipment rental (CPC 7541)	None.
<u>F. Other Business Services</u>	
a) Advertising (CPC 871)	None.
b) Market Research and Opinion Polling (CPC 864)	None.
c) Management Consulting Services (CPC 865)	None.
d) Services Related to Management Consulting (CPC 866)	None.
e) Technical Testing and Analysis Services (CPC	None.

MAY 4, 2010

Sector or sub-sector	Description of reservations
8676)	
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	None.
g) Advisory and Consulting Services Relating to Fishing (part of CPC 882)	None.
h) Advisory and Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885)	None.
i) Placement and Supply Services of Personnel	
i) 1. Executive search (CPC 87201)	None.
i) 2. Placement Services (CPC 87202)	None.
i) 3. Supply Services of office support personnel (CPC 87203)	None.
i) 4. Model agency Services (part of CPC 87209)	None.
j) 1. Investigation Services (CPC 87301)	None
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	None
k) Related Scientific and Technical Consulting Services¹⁶ (CPC 8675)	None.

¹⁶ The horizontal limitation on public utilities applies to certain activities related to mining (minerals, oil, gas, etc.).

MAY 4, 2010

Sector or sub-sector	Description of reservations
l) 1. Maintenance and repair of vessels (part of CPC 8868)	None.
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	None.
l) 3. Maintenance and Repair of motor vehicles, motorcycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	None.
l) 4. Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)	None.
l) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods¹⁷ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	None.
m) Building-Cleaning Services (CPC 874)	None.
n) Photographic Services (CPC 875)	None
o) Packaging Services (CPC 876)	None.

¹⁷ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1 to 6.F.l) 4.

Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer services.

MAY 4, 2010

Sector or sub-sector	Description of reservations
p) Printing and Publishing (CPC 88442)	None.
q) Convention Services (part of CPC 87909)	None.
r) 1. Translation and Interpretation Services (CPC 87905)	None.
r) 2. Interior Design and other Specialty Design Services (CPC 87907)	None.
r) 3. Collection Agency Services (CPC 87902)	None.
r) 4. Credit reporting services (CPC 87901)	None.
r) 5. Duplicating services (CPC 87904) ¹⁸	None.
r) 6. Telecommunications consulting services (CPC 7544)	None.
r) 7. Telephone answering services (CPC 87903)	None.
7. COMMUNICATION SERVICES	
Courier services including express delivery services ¹⁹ (CPC 75121, except for the services reserved to the State and its enterprises in accordance with the national legislation)	None

¹⁸ Does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>B. Telecommunications Services</u>	
a) All services consisting of the transmission and reception of signals by any electromagnetic means²⁰, excluding broadcasting²¹	None.
b) Satellite broadcast transmission services²²	None except that: - the commitments are subject to reciprocity - service suppliers in this sector may be subject to obligations to safeguard general interest objectives related to the conveyance of content through their network in line with the Republic of Guatemala regulatory framework for electronic communications.
8. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	None.
9.DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material)	
<u>A. Commission Agents' Services</u>	

¹⁹ For purposes of this Agreement, express delivery services means the collection, transport, and delivery, of documents, printed matter, parcels, goods, or other items on an expedited basis, while tracking and maintaining control of these items throughout the supply of the service. Express delivery services do not include (i) air transport services, (ii) services supplied in the exercise of governmental authority, or (iii) maritime transport services.

²⁰ These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under 1.B. Computer services.

²¹ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

²² These services cover the telecommunications service consisting of the transmission and reception of radio and television broadcast by satellite (the uninterrupted chain of transmission via satellite required for the distribution of TV and radio programme signals to the general public). This covers selling use of satellite services, but does not include the selling of television programme packages to households.

MAY 4, 2010

Sector or sub-sector	Description of reservations
a) Commission Agents' Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Other Commission Agents' Services (CPC 621)	None.
<u>B. Wholesale Trade Services</u>	
a) Wholesale Trade Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Wholesale Trade Services of telecommunication terminal equipment (part of CPC 7542)	None.
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ²³)	None.
<u>C. Retailing Services</u>²⁴ Retailing Services of motor vehicles, motorcycles and	None.

²³ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 18.D.

²⁴ Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 6.B. and 6.F.I). Does not include retailing services of energy products which are to be found in ENERGY SERVICES under 18.E and 18.F.

MAY 4, 2010

Sector or sub-sector	Description of reservations
snowmobiles and parts and accessories thereof (CPC 61112, part of CPC 6113 and part of CPC 6121) Retailing Services of telecommunication terminal equipment (part of CPC 7542) Food retailing services (CPC 631) Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopedic goods²⁵ (CPC 632 excluding CPC 63211 and 63297)	
<u>D. Franchising</u> <u>(CPC 8929)</u>	None.
<u>10. EDUCATIONAL SERVICES (only privately funded services)</u>	
<u>A. Primary Education Services</u> <u>(CPC 921)</u> <u>B. Secondary Education Services</u> <u>(CPC 922)</u> <u>C. Higher Education Services</u> <u>(CPC 923)</u> <u>D. Adult Education Services</u> <u>(CPC 924)</u>	None
<u>E. Other education services</u> <u>(CPC 929)</u>	Unbound.

²⁵ Retail sales of pharmaceutical, medical and orthopedic goods are to be found under PROFESSIONAL SERVICES in 1.A.k).

MAY 4, 2010

Sector or sub-sector	Description of reservations
11. ENVIRONMENTAL SERVICES	
<u>A.) Waste Water Services</u> (CPC 9401) ²⁶	None.
<u>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</u> a) Refuse Disposal Services (CPC 9402) b) Sanitation and Similar Services (CPC 9403)	None.
<u>C. Protection of ambient air and climate</u> (CPC 9404) ²⁷	None.
<u>D. Remediation and clean up of soil and waters</u> Treatment, remediation of contaminated/polluted soil and water (part of CPC 9406) ²⁸	None. ²⁹
<u>E. Noise and vibration abatement</u> (CPC 9405)	None.
<u>F. Protection of biodiversity and landscape</u> Nature and landscape protection services (part of CPC 9406)	None.
<u>G. Other environmental and</u>	Unbound.

²⁶ Corresponds to sewage services.

²⁷ Corresponds to Cleaning Services of Exhaust Gases.

²⁸ Corresponds to parts of Nature and Landscape Protection Services.

²⁹ The provision of these services must be consistent with national policies for the operation and maintenance of natural resources and biodiversity.

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>ancillary services</u> (CPC 9409)	
<u>12. FINANCIAL SERVICES</u>	
Guatemala reserves the right to adopt or maintain measures requiring the incorporation in Guatemala of foreign financial service suppliers in Guatemala, other than those seeking to operate as banks or insurance companies within Guatemala.	
<u>A. Insurance and insurance-related services</u> ³⁰ Sub-sectors 1-4	None
<u>B. Banking and other financial services (excluding insurance)</u> Sub-sectors 1-12	None
<u>13. HEALTH SERVICES AND SOCIAL SERVICES (only privately funded services)</u>	
<u>A. Hospital Services</u> (CPC 9311)	None.
<u>B. Ambulance Services</u> (CPC 93192)	None.
<u>C. Residential health facilities other than hospital services</u> (CPC 93193)	None.
<u>D. Social Services</u> (CPC 933)	Unbound.
<u>14. TOURISM AND TRAVEL RELATED SERVICES</u>	
<u>A. Hotel, Restaurants and Catering</u> (CPC 641, CPC 642 and CPC 643) <u>excluding catering in air</u>	None.

³⁰ It is understood, only individuals and enterprises authorized by law may solicit, promote, or sell insurance, or perform any other insurance activity within the territory of Guatemala.

MAY 4, 2010

Sector or sub-sector	Description of reservations
transport services ³¹	
<u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471)	None.
<u>C. Tourist Guides Services</u> (CPC 7472)	None except that only Guatemalan or nationals of a foreign country that are residents in Guatemala may provide tour guide services.
15. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services) (only privately funded services)	
<u>A. Entertainment Services</u> (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	None
<u>B. News and Press Agencies Services</u> (CPC 962)	None.
<u>C. Libraries, archives, museums and other cultural services</u> (CPC 963)	None.
<u>D. Sporting services</u> (CPC 9641)	None
<u>E. Recreation park and beach Services</u> (CPC 96491)	None.
16. TRANSPORT SERVICES	
<u>A. Maritime transport</u> a) International passenger transportation (CPC 7211 less national	None.

³¹ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Ground handling services.

³² Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

MAY 4, 2010

Sector or sub-sector	Description of reservations
cabotage transport). b) International freight transportation (CPC 7212 <u>less</u> national cabotage transport) ³²	
<u>B. Internal Waterways Transport</u> a) Passenger transportation (CPC 7221) b) Freight transportation (CPC 7222)	None.
<u>C. Rail Transport</u> a) Passenger transportation (CPC 7111) b) Freight transportation (CPC 7112) c) Pushing and towing services (CPC 7113)	None.
<u>D. Road Transport</u> a) Passenger Transportation (CPC 7121 and CPC 7122)	None.
b) Freight Transportation (CPC 7123)	None.
<u>E. Pipeline transport of goods other than fuel</u> ³³ (CPC 7139)	None
<u>17. SERVICES AUXILIARY TO TRANSPORT</u> ³⁴	
<u>A. Services auxiliary to Maritime Transport</u> a) Maritime Cargo Handling	None except for pushing and towing.

³³ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 18.B.

³⁴ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.I) 1 to 6.F.I) 4.

MAY 4, 2010

Sector or sub-sector	Description of reservations
Services b) Storage and warehousing Services (part of CPC 742) c) Customs Clearance Services d) Container Station and Depot Services e) Maritime Agency Services f) Maritime Freight Forwarding Services g) Rental of Vessels with Crew (CPC 7213) h) Pushing and towing services (CPC 7214) i) Supporting services for maritime transport (part of CPC 745) j) Other supporting and auxiliary services (including catering) (part of CPC 749)	
<u>B. Services auxiliary to internal waterways transport</u> a) Cargo-handling services (part of CPC 741) b) Storage and warehouse services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of Vessels with Crew	None except for pushing and towing.

MAY 4, 2010

Sector or sub-sector	Description of reservations
<p>(CPC 7223)</p> <p>e) Pushing and towing services (CPC 7224)</p> <p>f) Supporting services for internal waterway transport (part of CPC 745)</p> <p>g) Other supporting and auxiliary services (part of CPC 749)</p>	
<p><u>C. Services auxiliary to rail transport</u></p> <p>a) Cargo-handling services (part of CPC 741)</p> <p>b) Storage and warehouse services (part of CPC 742)</p> <p>c) Freight transport agency services (part of CPC 748)</p> <p>d) Pushing and towing services (CPC 7113)</p> <p>e) Supporting services for rail transport services (CPC 743)</p> <p>f) Other supporting and auxiliary services (part of CPC 749)</p>	None.
<p><u>D. Services auxiliary to road transport</u></p> <p>a) Cargo-handling services (part of CPC 741)</p> <p>b) Storage and warehouse services (part of CPC 742)</p>	None.

MAY 4, 2010

Sector or sub-sector	Description of reservations
c) Freight transport agency services (part of CPC 748) d) Rental of Commercial Road Vehicles with Operators (CPC 7124) e) Supporting services for road transport equipment (CPC 744) f) Other supporting and auxiliary services (part of CPC 749)	
<u>E. Services auxiliary to air transport services</u>	
a) Ground handling services (including catering)	None.
b) Storage and warehouse services (part of CPC 742)	None.
c) Freight transport agency services (part of CPC 748)	None.
d) Rental of aircraft with crew (CPC 734)	None.
e) Sales and Marketing	None.
f) Maintenance and repair of aircraft services.	None.
g) Computer Reservations System.	None.
h) Airport management	None

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>F. Services auxiliary to pipeline transport of goods other than fuel</u> Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)	None
18. ENERGY SERVICES	
<u>A. Services incidental to Mining</u> (CPC 883) ³⁵	None
<u>B. Pipeline Transportation of fuels</u> (CPC 7131)	None.
<u>C. Storage and warehouse services of fuels transported through pipelines</u> (part of CPC 742)	None.
<u>D. Wholesale trade services of solid, liquid and gaseous fuels and related products</u> (CPC 62271) <u>and wholesale trade services of electricity, steam and hot water</u>	None.
<u>E. Retailing Services of motor fuel</u> (CPC 613)	None.
<u>F. Retail sales of fuel oil, bottled gas, coal and wood</u> (CPC 63297)	

³⁵ Includes the following service rendered on a fee or contract basis: advisory and consulting services relating to mining, on land site preparation, on land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and downhole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services, plugging and abandoning of wells. Does not include direct access to or exploitation of natural resources.

Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 8. CONSTRUCTION SERVICES.

MAY 4, 2010

Sector or sub-sector	Description of reservations
<u>and retailing services of electricity, (non bottled) gas, steam and hot water</u>	
<u>G. Services incidental to energy distribution</u> ³⁶ (CPC 887)	None
<u>19. OTHER SERVICES NOT INCLUDED ELSEWHERE</u>	
a) Washing, Cleaning and Dyeing services (CPC 9701)	None.
b) Hairdressing services (CPC 97021)	None.
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	None.
d) Other beauty treatment services n.e.c (CPC 97029)	None.
e) Spa services and non therapeutical massages, to the extent that they are provided as relaxation physical well-being services and not for medical or rehabilitation purposes ³⁷ (CPC ver. 1.0 97230)	None.
f) Telecommunications connection services (CPC 7543)	None.
g) Domestic services (CPC 980)	None.

³⁶ Except for consulting services.

³⁷ Therapeutical massages and thermal cure services are to be found under 6.A.h) Medical services, 6.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (13.A and 13 C).