

May 4, 2010

**LIST OF COMMITMENTS ON KEY PERSONNEL AND GRADUATE TRAINEES<sup>1</sup>**  
**(referred to in Article [16])**

**GUATEMALA**

1. The list of commitments below indicates the economic activities inscribed pursuant to Article **[16.2]** and the applicable reservations and conditions on key personnel and graduate trainees. 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 and conditions apply.
- (b) A second column listing the applicable reservations and conditions.

2. For the purpose of this list, the term **none** indicates an economic activities where there are no specific reservations and conditions in a given economic activities without prejudice to horizontal reservations and conditions that apply. The term **unbound** indicates that no commitments have been made.

3. Guatemala does not undertake any commitment on key personnel and graduate trainees in economic activities which are not inscribed in the list below.

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.
- (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. Commitments on key personnel and graduate trainees do not apply in cases where the intent or effect of their temporary presence is to interfere with or otherwise affect the outcome of any labour/management dispute or negotiation.

6. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permits, register and other authorization) and procedures, and measures regarding employment, work and social security conditions when they do not constitute a limitation within the meaning of **Article 16** of the Agreement. Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass

---

<sup>1</sup> Guatemala reserves the right to modify, extend or, reduce this offer in whole or in part at any time.

**May 4, 2010**

specific examinations, including language examinations, need to have a legal domicile in the territory where the economic activity is performed, need to comply with national regulations and practices concerning minimum wages and with collective wage agreements in the host country), even if not listed, apply in any case to key personnel and graduate trainees of the EC Party.

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

8. The list below is without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.

9. In those economic activities where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.

10. 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
<b>All economic activities listed:</b>	
<p>1. 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 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>	
2. 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.	
3. Guatemala reserves the right to adopt or maintain any measure that guarantees rights or preferences for Minorities and Indigenous Populations, socially and economically disadvantaged.	

May 4, 2010

Sector or sub-sector	Description of reservations
4. An authorization of entry and temporary stay under this list shall not supersede the non-discriminatory requirements demanded to the exercise of a profession or activity according to the specific regulatory framework in force.	
5. The reservations affecting establishment in accordance with <b>Article 9</b> (Lists of commitments) of Chapter II (Establishment), as specified in the Lists of Commitments on Establishment, shall apply to the commitments set out in this list.	
<b><u>1. AGRICULTURE, HUNTING, FORESTRY</u></b>	
<b>A. Agriculture, hunting</b> (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding services	None
<b>B. Forestry and logging</b> (ISIC rev 3.1: 020) excluding services	Nationality condition.
<b><u>3. MINING AND QUARRYING</u></b>	
<b>A. Mining of coal and lignite; extraction of peat</b> (ISIC rev 3.1: 10)	None
<b>B. Extraction of crude petroleum and natural gas<sup>2</sup></b> (ISIC rev 3.1: 1110)	None
<b>C. Mining of metal ores</b> (ISIC rev 3.1: 13)	None
<b><u>4. MANUFACTURING<sup>3</sup></u></b> (excluding distribution of arms, munitions, explosives and other war material)	
<b>B. Manufacture of tobacco products</b> (ISIC rev 3.1: 16)	None
<b>C. Manufacture of textiles</b> (ISIC rev 3.1: 17)	None

<sup>2</sup> 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.

<sup>3</sup> 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
<b>D. Manufacture of wearing apparel; dressing and dyeing of fur</b> (ISIC rev 3.1: 18)	None
<b>E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear</b> (ISIC rev 3.1: 19)	None
<b>F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials</b> (ISIC rev 3.1: 20)	None
<b>G. Manufacture of paper and paper products</b> (ISIC rev 3.1: 21)	None
<b>L. Manufacture of rubber and plastics products</b> (ISIC rev 3.1: 25)	None
<b><u>P. Manufacture of machinery</u></b>	
<b>a) Manufacture of general purpose machinery</b> (ISIC rev 3.1: 291)	None
<b>b) Manufacture of special purpose machinery other than weapons and munitions</b> (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None
<b>d) Manufacture of office, accounting and computing machinery</b> (ISIC rev 3.1: 30)	None

May 4, 2010

Sector or sub-sector	Description of reservations
<b>f) Manufacture of radio, television and communication equipment and apparatus</b> (ISIC rev 3.1: 32)	None
<b>Q. Manufacture of medical, precision and optical instruments, watches and clocks</b> (ISIC rev 3.1: 33)	None
<b>R. Manufacture of motor vehicles, trailers and semi-trailers</b> (ISIC rev 3.1: 34)	None
<b><u>5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER</u></b> (excluding nuclear based electricity generation)	
<b>A. Production of electricity; transmission and distribution of electricity on own account</b> (part of ISIC rev 3.1: 4010) <sup>4</sup>	None
<b><u>6. BUSINESS SERVICES</u></b>	
<b>A. Professional services</b>	
<b>a) Legal services</b> (CPC 861) excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.	None
<b>b) 1. Accounting and bookkeeping services</b> (CPC 86212 other than "auditing services", CPC	None

<sup>4</sup> Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

May 4, 2010

Sector or sub-sector	Description of reservations
86213, CPC 86219 and CPC 86220)	
<b>b) 2. Auditing services</b> (CPC 86211 and 86212 other than accounting services)	None
<b>c) Taxation advisory services</b> (CPC 863) <sup>5</sup>	None
<b>d) Architectural services and</b> <b>e) Urban planning and landscape architectural services</b> (CPC 8671 and CPC 8674)	None
<b>f) Engineering services and</b> <b>g) Integrated engineering services</b> (CPC 8672 and CPC 8673)	None
<b>h) Medical (including psychologists) and dental services</b> (CPC 9312 and part of CPC 85201)	None
<b>i) Veterinary services</b> (CPC 932)	None
<b>B. Computer and related services</b> (CPC 84)	None
<b>C. Research and development services (R&amp;D)</b>	
<b>a) R &amp; D services on natural sciences</b> (CPC 851 excluding organic resources)	None
<b>b) R &amp; D services on</b>	None

<sup>5</sup> 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
<b>social sciences and humanities</b> (CPC 852 excluding psychologists services) <sup>6</sup>	
<b>D. Real estate services<sup>7</sup></b>	
<b>a) Involving own or leased property</b> (CPC 821)	None
<b>b) On a fee or contract basis</b> (CPC 822)	None
<b>E. Rental/leasing services without operators</b>	
<b>b) Relating to aircraft</b> (CPC 83104)	None
<b>d) Relating to other machinery and equipment</b> (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	None
<b>F. Other business services</b>	
<b>a) Advertising</b> (CPC 871)	None
<b>b) Market research and opinion polling</b> (CPC 864)	None
<b>c) Management consulting services</b> (CPC 865)	None
<b>d) Services related to management consulting</b> (CPC 866)	None

<sup>6</sup> Part of CPC 85201 which is to be found under 6.A.h - Medical and dental services.

<sup>7</sup> 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>l) 1. Maintenance and repair of vessels</b> (part of CPC 8868)	None
<b>l) 2. Maintenance and repair of rail transport equipment</b> (part of CPC 8868)	None
<b>l) 4. Maintenance and repair of aircraft and parts thereof</b> (part of CPC 8868)	None
<b>r) 1. Translation and interpretation services</b> (CPC 87905)	None
<b>r) 2. Interior design and other specialty design services</b> (CPC 87907)	None
<b>r) 6. Telecommunications consulting services</b> (CPC 7544)	None
<b>r) 7. Telephone answering services</b> (CPC 87903)	None
<b><u>7. COMMUNICATION SERVICES</u></b>	
<b>A. Courier services</b> (CPC 75121)	None
<b>B. Telecommunications services</b>	
<b>a) All services consisting of the transmission and reception of signals by any electromagnetic means<sup>8</sup>, excluding</b>	None

<sup>8</sup> 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.

May 4, 2010

Sector or sub-sector	Description of reservations
broadcasting <sup>9</sup>	
<b><u>8. CONSTRUCTION AND RELATED ENGINEERING SERVICES</u></b> (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	Foreign specialist must have experience in the field of construction of at least two years.
<b><u>9.DISTRIBUTION SERVICES</u></b> (excluding distribution of arms, munitions, explosives and other war material)	
<b>A. Commission agents' services</b>	
<b>a) Commission agents' services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</b> (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None
<b>B. Wholesale trade services</b>	
<b>a) Wholesale trade services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</b> (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None
<b>b) Wholesale trade services of telecommunication terminal equipment</b> (part of CPC 7542)	None
<b>D. Franchising</b> (CPC 8929)	None

<sup>9</sup> 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.

May 4, 2010

Sector or sub-sector	Description of reservations
<b><u>10. EDUCATIONAL SERVICES</u></b> (only privately funded services)	
<b>A. Primary education services</b> (CPC 921)  <b>B. Secondary education services</b> (CPC 922)  <b>C. Higher education services</b> (CPC 923)  <b>D. Adult education services</b> (CPC 924)	None
<b><u>11. ENVIRONMENTAL SERVICES</u></b>	
<b>A. Waste water services</b> (CPC 9401) <sup>10</sup>  <b>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</b>  <b>a) Refuse disposal services</b> (CPC 9402)  <b>b) Sanitation and similar Services</b> (CPC 9403)  <b>C. Protection of ambient air and climate</b> (CPC 9404) <sup>11</sup>  <b>D. Remediation and clean up of soil and waters</b> <b>Treatment, remediation of</b>	None

<sup>10</sup> Corresponds to sewage services.

<sup>11</sup> Corresponds to Cleaning Services of Exhaust Gases.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>contaminated/polluted soil and water</b> (part of CPC 9406) <sup>12</sup>  <b>E. Noise and vibration abatement</b> (CPC 9405)  <b>F. Protection of biodiversity and landscape</b> <b>Nature and landscape protection services</b> (part of CPC 9406)	
<b><u>12. FINANCIAL SERVICES</u></b> <sup>13</sup>	
<b><u>A. Insurance and insurance-related services</u></b>  Sub-sectors 1-4	None
<b><u>B. Banking and other financial services (excluding insurance)</u></b>  Sub-sectors 1-12	None
<b><u>13. HEALTH SERVICES AND SOCIAL SERVICES</u></b> (only privately funded services)	
<b>A. Hospital services</b> (CPC 9311)  <b>B. Ambulance services</b> (CPC 93192)  <b>C. Residential health facilities other than hospital services</b> (CPC 93193)	None
<b><u>14. TOURISM AND TRAVEL RELATED SERVICES</u></b>	
<b>A. Hotel, restaurants and</b>	None

<sup>12</sup> Corresponds to parts of Nature and Landscape Protection Services.

<sup>13</sup> Subject to the definition of the regulatory framework.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>catering</b> (CPC 641 and CPC 642) <b>excluding catering in air transport services</b> <sup>14</sup>	
<b>B. Travel agencies and tour operators services (including tour managers)</b> (CPC 7471)	None
<b>C. Tourist guides services</b> (CPC 7472)	Residence requirement.
<b><u>15. RECREATIONAL, CULTURAL AND SPORTING SERVICES</u></b> <b>(other than audio-visual services) (only privately funded services)</b>	
<b>A. Entertainment services (including theatre, live bands, circus and discotheque services)</b> (CPC 9619)	None
<b>B. News and press agencies services</b> (CPC 962)	None
<b>C. Libraries, archives, museums and other cultural services</b> (CPC 963)	None
<b>D. Sporting services</b> (CPC 9641)	None
<b><u>16. TRANSPORT SERVICES</u></b>	
<b><u>A. Maritime transport</u></b>  <b>a) International passenger transportation</b> (CPC 7211 <u>less</u> national cabotage transport).	None

<sup>14</sup> Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Ground handling services.

<sup>15</sup> 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
<b>b) International freight transportation</b> (CPC 7212 <u>less</u> national cabotage transport) <sup>15</sup>	
<b>B. Internal waterways transport</b>  <b>a) Passenger transportation</b> (CPC 7221)	None
<b>C. Rail transport</b> <b>a) Passenger transportation</b> (CPC 7111)  <b>b) Freight transportation</b> (CPC 7112)	None
<b>D. Road transport</b> <b>a) Passenger transportation</b> (CPC 7121 and CPC 7122)	None
<b><u>17. SERVICES AUXILIARY TO TRANSPORT</u></b> <sup>16</sup>	
<b>B. Services auxiliary to internal waterways transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741)  <b>b) Storage and warehouse services</b> (part of CPC 742)  <b>c) Freight transport agency services</b> (part of CPC 748)  <b>d) Rental of vessels with</b>	None

<sup>16</sup> 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
<b>crew</b> (CPC 7223)	
<b>C. Services auxiliary to rail transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741)  <b>b) Storage and warehouse services</b> (part of CPC 742)  <b>c) Freight transport agency services</b> (part of CPC 748)	None
<b>D. Services auxiliary to road transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741)  <b>b) Storage and warehouse services</b> (part of CPC 742)  <b>c) Freight transport agency services</b> (part of CPC 748)  <b>e) Supporting services for road transport equipment</b> (CPC 744)	None
<b>E. Services auxiliary to air transport services</b>  <b>a) Ground handling services (including catering)</b>  <b>b) Storage and warehouse services</b> (part of CPC 742)  <b>e) Sales and marketing</b>	None

May 4, 2010

Sector or sub-sector	Description of reservations
f) Computer reservations system	
g) Airport management	
<b><u>18. ENERGY SERVICES</u></b>	
<b>B. Pipeline transportation of fuels</b> (CPC 7131)	None
<b>C. Storage and warehouse services of fuels transported through pipelines</b> (part of CPC 742)	None
<b>D. Wholesale trade services of solid, liquid and gaseous fuels and related products</b> (CPC 62271) <b>and wholesale trade services of electricity, steam and hot water</b>	None
<b>E. Retailing services of motor fuel</b> (CPC 613)	None
<b>F. Retail sales of fuel oil, bottled gas, coal and wood</b> (CPC 63297) <b>and retailing services of electricity, (non bottled) gas, steam and hot water</b>	None
<b>G. Services incidental to energy distribution</b> (CPC 887)	None



May 4, 2010

**LIST OF COMMITMENTS ON BUSINESS SERVICES SELLERS<sup>17</sup>**  
**(referred to in Article [17])**

**GUATEMALA**

1. The list of commitments below indicates the economic activities, sectors and sub-sectors inscribed pursuant to Article [17.2] and the applicable reservations and conditions on business services sellers. The list is composed of the following elements:

(a) A first column indicating the economic activities, sectors or sub-sectors in which the commitment is assumed by the Party, and the scope to which the reservations and conditions apply.

(b) A second column listing the applicable reservations and conditions.

2. For the purpose of this list, the term **none** indicates an economic activities, sectors or sub-sectors where there are no specific reservations and conditions in a given economic activities, sectors or sub-sectors without prejudice to horizontal reservations and conditions that apply. The term **unbound** indicates that no commitments have been made.

3. Guatemala do not undertake any commitment on business services sellers in economic activities, sectors or sub-sectors which are not inscribed.

4. In identifying individual economic activities, sectors and sub-sectors:

(d) 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.

(e) 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.

(f) 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. Commitments on business services sellers do not apply in cases where the intent or effect of their temporary presence is to interfere with or otherwise affect the outcome of any labour/management dispute or negotiation.

6. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permits, register and other authorization) and procedures, and measures regarding employment, work and social security conditions when they do not constitute a limitation within the meaning of Article 19 of the Agreement. Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, need to have a legal domicile in

---

<sup>17</sup> Guatemala reserves the right to modify, extend or, reduce this offer in whole or in part at any time.

**May 4, 2010**

the territory where the economic activity is performed, need to comply with national regulations and practices concerning minimum wages and with collective wage agreements in the host country), even if not listed, apply in any case to business services sellers of the EC Party.

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

8. The list below is without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment and the list of commitments on cross-border supply of services.

9. In those economic activities, sectors or sub-sectors where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.

10. 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
<b>All economic activities, sectors and sub-sectors listed:</b>	
	<p>1. 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 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>
	<p>2. 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>
	<p>3. Guatemala reserves the right to adopt or maintain any measure that guarantees rights or preferences for Minorities and Indigenous Populations, socially and economically disadvantaged.</p>
	<p>4. An authorization of entry and temporary stay under this list shall not supersede the non-discriminatory requirements demanded to the exercise of a profession or activity according to the specific regulatory framework in force.</p>

May 4, 2010

Sector or sub-sector	Description of reservations
5. The reservations affecting establishment in accordance with <b>Article 9</b> (Lists of commitments) of Chapter II (Establishment), as specified in the Lists of Commitments on Establishment, and the reservations affecting cross-border supply of services in accordance with <b>Article 15</b> (Lists of commitments) of Chapter III (Cross-border Supply of Services), as specified in the Lists of Commitments on Cross-border Supply of Services, shall apply to the commitments set out in this list.	
<b><u>1. AGRICULTURE, HUNTING, FORESTRY</u></b>	
<b>A. Agriculture, hunting</b> (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding services	None
<b><u>4. MANUFACTURING</u><sup>18</sup></b> <b>(excluding distribution of arms, munitions, explosives and other war material)</b>	
<b>A. Manufacture of food products</b> (ISIC rev 3.1: 151, 152, 153, 154)	None
<b>B. Manufacture of tobacco products</b> (ISIC rev 3.1: 16)	None
<b>C. Manufacture of textiles</b> (ISIC rev 3.1: 17)	None
<b>D. Manufacture of wearing apparel; dressing and dyeing of fur</b> (ISIC rev 3.1: 18)	None
<b>E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear</b> (ISIC rev 3.1: 19)	None
<b>F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials</b> (ISIC rev 3.1: 20)	None

<sup>18</sup> 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
<b>G. Manufacture of paper and paper products</b> (ISIC rev 3.1: 21)	None
<b>J. Manufacture of refined petroleum products</b> (ISIC rev 3.1: 232)	None
<b>K. Manufacture of chemicals and chemical products other than explosives</b> (ISIC rev 3.1: 24 excluding manufacturing of explosives)	None
<b>L. Manufacture of rubber and plastics products</b> (ISIC rev 3.1: 25)	None
<b>P. Manufacture of machinery</b>	
<b>a) Manufacture of general purpose machinery</b> (ISIC rev 3.1: 291)	None
<b>b) Manufacture of special purpose machinery other than weapons and munitions</b> (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None
<b>c) Manufacture of domestic appliances n.e.c.</b> (ISIC rev 3.1: 293)	None
<b>d) Manufacture of office, accounting and computing machinery</b> (ISIC rev 3.1: 30)	None
<b>f) Manufacture of radio, television and communication equipment and apparatus</b> (ISIC rev 3.1: 32)	None

May 4, 2010

Sector or sub-sector	Description of reservations
<b>Q. Manufacture of medical, precision and optical instruments, watches and clocks</b> (ISIC rev 3.1: 33)	None
<b>R. Manufacture of motor vehicles, trailers and semi-trailers</b> (ISIC rev 3.1: 34)	None
<b>U. Recycling</b> (ISIC rev 3.1: 37)	None
<b><u>5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER</u></b> (excluding nuclear based electricity generation)	
<b>A. Production of electricity; transmission and distribution of electricity on own account</b> (part of ISIC rev 3.1: 4010) <sup>19</sup>	None
<b><u>6. BUSINESS SERVICES</u></b>	
<b>A. Professional services</b>	
<b>a) Legal services</b> (CPC 861) <sup>20</sup> excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.	None

<sup>19</sup> Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

<sup>20</sup> 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 international law, Guatemala 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.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>B. Computer and related services</b> (CPC 84)	None
<b>C. Research and development services (R&amp;D)</b>	
<b>a) R &amp; D services on natural sciences</b> (CPC 851 excluding organic resources)	None
<b>b) R &amp; D services on social sciences and humanities</b> (CPC 852 excluding psychologists services) <sup>21</sup>	None
<b>E. Rental/leasing services without operators</b>	
<b>a) Relating to aircraft</b> (CPC 83104)	None
<b>b) Relating to other transport equipment</b> (CPC 83101, CPC 83102 and CPC 83105)	None
<b>c) Relating to other machinery and equipment</b> (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	None
<b>F. Other business services</b>	
<b>a) Advertising</b> (CPC 871)	None
<b>b) Market research and opinion polling</b> (CPC 864)	None
<b>l) 2. Maintenance and repair of rail transport equipment</b> (part of CPC 8868)	None
<b>o) Packaging services</b> (CPC 876)	None

<sup>21</sup> Part of CPC 85201 which is to be found under 6.A.h - Medical and dental services.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>p) Printing and publishing</b> (CPC 88442)	None
<b>q) Convention services</b> (part of CPC 87909)	None
<b>r) 1. Translation and interpretation services</b> (CPC 87905)	None
<b>r) 2. Interior design and other specialty design services</b> (CPC 87907)	None
<b>r) 4. Credit reporting services</b> (CPC 87901)	None
<b>r) 6. Telecommunications consulting services</b> (CPC 7544)	None
<b>r) 7. Telephone answering services</b> (CPC 87903)	None
<b><u>7. COMMUNICATION SERVICES</u></b>	
<b>A. Courier services</b> (CPC 75121)	None
<b>B. Telecommunications services</b>	
<b><u>8. CONSTRUCTION AND RELATED ENGINEERING SERVICES</u></b> (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	None
<b><u>9. DISTRIBUTION SERVICES</u></b> (excluding distribution of arms, munitions, explosives and other war material)	
<b>A. Commission agents' services</b>	
<b>a) Commission agents' services of motor vehicles, motorcycles and</b>	None



May 4, 2010

Sector or sub-sector	Description of reservations
<b>snowmobiles and parts and accessories thereof</b> (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	
<b>B. Wholesale trade services</b>	
<b>a) Wholesale trade services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</b> (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None
<b>b) Wholesale trade services of telecommunication terminal equipment</b> (part of CPC 7542)	None
<b>C. Retailing services</b> <sup>22</sup>	
<b>a) Retailing services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof</b> (CPC 61112, part of CPC 6113 and part of CPC 6121)	None
<b>b) Retailing services of telecommunication terminal equipment</b> (part of CPC 7542)	None
<b>c) Food retailing services</b> (CPC 631)	None
<b>D. Franchising</b> (CPC 8929)	None

<sup>22</sup> 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
<b><u>10. EDUCATIONAL SERVICES</u></b> (only privately funded services)	
<b>A. Primary education services</b> (CPC 921)  <b>B. Secondary education services</b> (CPC 922)  <b>C. Higher education services</b> (CPC 923)  <b>D. Adult education services</b> (CPC 924)	None
<b><u>11. ENVIRONMENTAL SERVICES</u></b>	
<b>A. Waste water services</b> (CPC 9401) <sup>23</sup>  <b>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</b>  <b>a) Refuse disposal services</b> (CPC 9402) <b>b) Sanitation and similar Services</b> (CPC 9403)  <b>C. Protection of ambient air and climate</b> (CPC 9404) <sup>24</sup>  <b>D. Remediation and clean up of soil and waters</b> <b>Treatment, remediation of contaminated/polluted soil and water</b> (part of CPC 9406) <sup>25</sup>	None

<sup>23</sup> Corresponds to sewage services.

<sup>24</sup> Corresponds to Cleaning Services of Exhaust Gases.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>E. Noise and vibration abatement</b> (CPC 9405)  <b>F. Protection of biodiversity and landscape</b> <b>Nature and landscape protection services</b> (part of CPC 9406)	
<b><u>13. HEALTH SERVICES AND SOCIAL SERVICES</u></b> <b>(only privately funded services)</b>	
<b>A. Hospital services</b> (CPC 9311)  <b>B. Ambulance services</b> (CPC 93192)  <b>C. Residential health facilities other than hospital services</b> (CPC 93193)	None
<b><u>14. TOURISM AND TRAVEL RELATED SERVICES</u></b>	
<b>A. Hotel, restaurants and catering</b> (CPC 641 and CPC 642) <b>excluding catering in air transport services<sup>26</sup></b>	None
<b>B. Travel agencies and tour operators services</b> <b>(including tour managers)</b> (CPC 7471)	None
<b><u>15. RECREATIONAL, CULTURAL AND SPORTING SERVICES</u></b> <b>(other than audio-visual services) (only privately funded services)</b>	
<b>A. Entertainment services</b> <b>(including theatre, live bands, circus and</b>	None

<sup>25</sup> Corresponds to parts of Nature and Landscape Protection Services.

<sup>26</sup> Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Ground handling services.

May 4, 2010

Sector or sub-sector	Description of reservations
<b>discotheque services)</b> (CPC 9619)	
<b>B. News and press agencies services</b> (CPC 962)	None
<b>C. Libraries, archives, museums and other cultural services</b> (CPC 963)	None
<b><u>16. TRANSPORT SERVICES</u></b>	
<b><u>A. Maritime transport</u></b>  <b>a) International passenger transportation</b> (CPC 7211 <u>less</u> national cabotage transport).  <b>b) International freight transportation</b> (CPC 7212 <u>less</u> national cabotage transport) <sup>27</sup>	None
<b>B. Internal waterways transport</b>  <b>a) Passenger transportation</b> (CPC 7221)  <b>b) Freight transportation</b> (CPC 7222)	None
<b>C. Rail transport</b>  <b>a) Passenger transportation</b> (CPC 7111)  <b>b) Freight transportation</b> (CPC 7112)	None
<b>D. Road transport</b>	None

<sup>27</sup> 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
<b>a) Passenger transportation</b> (CPC 7121 and CPC 7122)  <b>b) Freight transportation</b> (CPC 7123)	
<b>17. SERVICES AUXILIARY TO TRANSPORT<sup>28</sup></b>	
<b>B. Services auxiliary to internal waterways transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741) <b>b) Storage and warehouse services</b> (part of CPC 742) <b>c) Freight transport agency services</b> (part of CPC 748) <b>d) Rental of vessels with crew</b> (CPC 7223)	None
<b>C. Services auxiliary to rail transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741) <b>b) Storage and warehouse services</b> (part of CPC 742) <b>c) Freight transport agency services</b> (part of CPC 748)	None
<b>D. Services auxiliary to road transport</b>  <b>a) Cargo-handling services</b> (part of CPC 741) <b>b) Storage and warehouse services</b> (part of CPC 742) <b>c) Freight transport agency services</b>	None

<sup>28</sup> 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
(part of CPC 748) <b>d) Supporting services for road transport equipment</b> (CPC 744)	
<b>E. Services auxiliary to air transport services</b>  <b>a) Ground handling services (including catering)</b> <b>b) Storage and warehouse services</b> (part of CPC 742) <b>c) Freight transport agency services</b> (part of CPC 748) <b>d) Sales and marketing</b> <b>e) Computer reservations system</b> <b>f) Airport management</b>	None
<b><u>18. ENERGY SERVICES</u></b>	
<b>B. Pipeline transportation of fuels</b> (CPC 7131)	None
<b>C. Storage and warehouse services of fuels transported through pipelines</b> (part of CPC 742)	None
<b>D. Wholesale trade services of solid, liquid and gaseous fuels and related products</b> (CPC 62271) <b>and wholesale trade services of electricity, steam and hot water</b>	None
<b>E. Retailing services of motor fuel</b> (CPC 613)	None
<b>F. Retail sales of fuel oil, bottled gas, coal and wood</b> (CPC 63297)	None

May 4, 2010

Sector or sub-sector	Description of reservations
and retailing services of electricity, (non bottled) gas, steam and hot water	
<b>G. Services incidental to energy distribution</b> (CPC 887)	None