

**Annex II: Schedules of Specific Commitments
Part II: Schedule of Chile**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p>	<p>i. Payments and transfers</p> <p>1), 2), 3) and 4). Unbound, with respect to the measures adopted or to be adopted by the Central bank of Chile in conformity with its Constitutional Organic Law (“Ley Orgánica Constitucional del Banco Central de Chile, Ley 18.840”) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, inter alia, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (“encaje”).</p> <p>ii. Decree Law 600 (“Decreto Ley 600”)</p> <p>Decree Law 600 (1974), the Foreign Investment Statute, is a voluntary and special investment regime.</p> <p>As an alternative to the common regime for the entry of capital into Chile, potential investors may apply to the Foreign Investment Committee to be subject to the regime set out in Decree Law 600.</p> <p>The obligations and commitments contained in the Trade in Services Chapter and in this Annex do not apply to Decree Law 600, Foreign Investment Statute, Law 18.657 Foreign Capital Investment Funds Law, to the continuation or prompt renewal of such laws, to amendments to those laws or to any special and / or voluntary investment regime that may be adopted in the future by Chile.</p>		

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	<p>For greater certainty, it is understood that the Foreign Investment Committee of Chile has the right to reject applications to invest through Decree Law 600 and Law 18.657. Additionally, the Foreign Investment Committee has the right to regulate the terms and conditions of foreign investment under the aforementioned Decree Law 600 and Law 18.657.</p> <p>iii. Original ethnic groups</p> <p>Nothing in this Schedule may be understood as limiting the right to adopt measures establishing rights or preferences to original ethnic groups.</p> <p>iv. Commercial Presence (mode 3))</p> <p>This Schedule applies only to the following types of commercial presence for foreign investors: sociedades anónimas abiertas y cerradas (public corporations open or closed), sociedades de responsabilidad limitada (private-limited companies), and agencias de sociedades extranjeras (subsidiaries).</p> <p>Real estate acquisitions and the performance of other legal acts in border areas must comply with the provisions of the relevant legislation, which is unbound for the purposes of this Schedule. The border area is defined as land situated within a distance of 10 km from the border and up to 5 km from the coast and the province of Arica.</p> <p>v. Movement of natural persons (mode 4))</p> <p>Unbound, except for transfers of natural persons within a foreign enterprise established in Chile, in accordance to commercial presence, of senior and specialized personnel who have been employed by the organization for a period of at least two years immediately preceding the date of their application for admission, performing the same type of duties in the parent company of their country of origin. In any case, foreign natural persons may not represent more than 15% of the total staff employed in Chile, when the employer hires more than 25 persons.</p> <p>Senior personnel are those executives who come under the direct supervision of the board of directors of the enterprise established in Chile and who, inter alia:</p>		

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	<ul style="list-style-type: none"> • conduct the management of the organization or one of its departments or subdivisions; • supervise and control the work of other supervisory, professional or managerial employees; • are personally authorized to hire and fire or recommend hiring or firing or any other measure related to personnel. <p>Specialized personnel are those highly qualified persons who are indispensable to the supply of the service because of their professional knowledge or:</p> <ul style="list-style-type: none"> • possession of qualifications for a particular type of work or activity requiring specialized technical expertise; • essential knowledge for the supply of the service, research equipment, techniques or management; and • the non-availability of such specialized personnel in Chile. <p>The category of senior and specialized personnel does not include the members of the board of directors of a company established in Chile.</p> <p>For all legal purposes, senior and specialized personnel must establish domicile or residence in Chile. Providers of services are admitted temporarily, for a period of two years, extendable to two more years. Personnel admitted under these conditions will be subject to the provisions of the labor and social security legislation in force.</p> <p>The temporary presence of natural persons includes also the following categories :</p> <p>a) A natural person seeking temporary entry, for the purpose of participating in business meetings, performing market or investment studies, generating business contacts or participating in negotiations related to the supply of services in the future, including the setting up of a business or enterprise in the territory of Chile. Temporary entry shall be granted when the business visitor: a) does not perceive remuneration in Chile; b) is not involved in making direct sales to the public; c) does not personally supply a service.</p>		

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	<p>b) Persons working in a senior position, as defined above, within a legal person, who are responsible for setting up in Chile a commercial presence of a service provider of China when:</p> <ul style="list-style-type: none"> - the representatives are not engaged in making direct sale or supplying services; and - the service provider has its principal place of business in the territory of China and has no other representative, office, branch or subsidiary in China . 		

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II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES a. <u>Professional services</u>	Without prejudice to what is established in Section I (Horizontal Commitments), suppliers of the professional services included in this Schedule may be subject to assessment by the competent authorities in connection with which they must show that they fulfil the requirements designed to ensure that they perform competently in the sector.		
International legal services ¹ i. Advisory services on matters of international law and foreign law. (part of CPC 86190)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
ii. Arbitration and mediation/conciliation services (86602)	(1) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators. (2) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators.	(1) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators. (2) None, except for arbitration proceedings which, under Chilean legislation, fall within the sole jurisdiction of the national arbitration courts or may be heard by legal arbitrators.	

¹ Refers solely and exclusively to matters relating to international and foreign law. If an advisory service involves an appearance before a Chilean court of justice or administrative body, then this must be conducted by a lawyer authorized to practise in Chile who fulfils the requirement of being a Chilean national. The same requirement must be fulfilled whenever there is a need for a written instrument to be submitted or a formal procedure carried out before the above-mentioned court or administrative body. The provision of advisory services does not confer the right to use the title of Attorney and therefore does not include representation or advisory services in contentious or non-contentious matters.

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<i>b. Accounting, auditing and bookkeeping services²:</i> i. Financial auditing services (86211) ii. Accounting review services (86212)	(3) None (4) Unbound, except as indicated in the horizontal section. (1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section. (1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.		(3) None (4) Unbound, except as indicated in the horizontal section. (1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section. (1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
<i>c. Architectural services</i> i. Advisory and pre-design architectural services (86711) ii. Architectural design services (86712)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

² Financial statements must be endorsed by a professional legally authorized to practise in Chile.

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d. Engineering services:				
i. Advisory and consultative engineering services (86721)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
ii. Engineering design services for industrial processes and production (part of CCPC 86725)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
iii. Engineering design services relating to sanitary works (CPC 86726)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
e. Integrated Engineering Services:				
Integrated engineering services for energy services (86733)	(1) Unbound (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.		(1), (2) and (3) Unbound for anthropological, archaeological and palaeontological studies, research or any other activity conducted in the 200-nautical-mile maritime zone under national jurisdiction and studies in border areas. (4) Unbound, except as indicated in the horizontal section, in which case the restrictions for Modes	

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		1, 2 and 3 apply.	
2. COMPUTER AND RELATED SERVICES			
<i>b.</i> Software implementation services:			
c. Consultancy services related to the installation of computer hardware CPC841	(1) None	(1) None	
d. Software implementation services CPC842	(2) None	(2) None	
e. Data processing services CPC 843(for the purposes of the entire section, other than data-processing services for financial services)	(3) None	(3) None	
f. Maintenance and repair services of office machinery and equipment including computers CPC845	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except as indicated in the horizontal section	

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<p>3. RESEARCH AND DEVELOPMENT SERVICES</p> <p>a. Research and development services on natural sciences (part of CPC 851) (part of CPC 853) (part of CPC 86751)</p>	<p>(1) and (3) None, except:</p> <p>The Directorate of Borders and Frontiers may stipulate that an expedition include one or more representatives of relevant Chilean activities. These representatives would participate in and learn about the studies and their scope.</p> <p>The Directorate of Borders and Frontiers may authorize or refuse geographical explorations in Chile of any kind planned by foreign legal or natural persons.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) and (3) None, except:</p> <p>Foreign natural or legal persons intending to conduct research in the 200-mile maritime zone under national jurisdiction must obtain an authorization from the Instituto Hidrográfico de la Armada de Chile (Hydrographic Institute of the Chilean Army), in accordance with the relevant regulation. For this purpose, they must submit a request at least six months in advance of the date on which the research is intended to start</p> <p>The Directorate of Borders and Frontiers may authorize or refuse geographical explorations in Chile of any kind planned by foreign legal or natural persons.</p> <p>(2) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

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4. REAL-ESTATE SERVICES				
a. Real-estate services involving own or leased property (821)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Real-estate services on a fee or contract basis (822)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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5. OTHER BUSINESS SERVICES				
a. Advertising services (CPC 871), except other advertising services (CPC8719)	(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. Packaging services (CPC 876)	(1) Unbound*	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.

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<p>Management Consulting Services</p> <p>General management consulting services (86501)</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section</p>	
<p>Financial management consulting services (86502)</p>	<p>(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.</p>	
<p>Marketing management consulting services (86503)</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section</p>	
<p>Production management consulting services (86505)</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	

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Human resources management consulting services (86504)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		
Public relations services (86506)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		
b. Services incidental to mining (CPC 883)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		
7. SERVICES INCIDENTAL TO THE MANUFACTURE				
a. Services incidental to the manufacture of metal products, machinery and equipment (CPC 885) Except Manufacture of electrical machinery and apparatus n.e.c., on a fee or contract basis (CPC 8855) and Manufacture of medical precision and optical instruments,	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		

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watches and clocks, on a fee or contract basis, and Manufacture of medical precision and optical instruments, watches and clocks, on a fee or contract basis (CPC 8857)				
b. Manufacture of textiles, wearing apparel and leather products on a fee or contract basis (CPC 8842)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		
c. Manufacture of other non-metallic mineral products, on a fee or contract basis (CPC 8848)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.		
8. LEASING SERVICES (WITHOUT OPERATOR)				

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a. Leasing or rental services concerning aircraft (without operator) (83104)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.		(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Leasing or rental services concerning agricultural machinery and equipment (without operator) (83106)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section		(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Leasing or rental services concerning construction machinery and equipment (without operator) (83107)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section		1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the horizontal section.	

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<p>9. COMMUNICATIONS SERVICES</p> <p>Telecommunications services</p> <p>BASIC TELECOMMUNICATION SERVICES</p> <p>Telecommunications services consist of the transport of electromagnetic signals (sound, data, image and any combination thereof), regardless of the type of technology used.</p> <p>This definition does not cover the economic activity consisting of the provision of a service the content of which requires the use of telecommunications services for its transport. The provision of a service the content of which is transported via telecommunications services is subject to the terms and conditions established for that sector, subsector or activity in Chile's Schedule of Specific Commitments.</p>	<p>In the case of private services the purpose of which is to meet the specific telecommunications needs of particular enterprises, entities or persons by prior agreement, the supply of these services does not give access to traffic from or to public telecommunications network users.</p>		
<p>Chile's Schedule of Commitments excludes basic local telecommunications services, one-way satellite transmissions of Direct-to-Home and Direct-Broadcast-Satellite television services and digital audio services. It also excludes free reception broadcasting services.</p>			
<p>It includes only international and domestic long-distance basic telecommunications services:</p>			

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<p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet-switched data transmission services (CPC 7523**)</p> <p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(d) Telex services (CPC 7523**)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (CPC 7521** + 7529**)</p> <p>(g) Private leased circuit services (CPC 7522** + 7523**) Other: Domestic and international satellite services and satellite links/capacity.</p> <p>Mobile/cellular services: personal communications services, paging services, mobile data transmission services.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Subject to a concession, licence or permit from the Undersecretariat for Telecommunications (SUBTEL). A supplier providing a (domestic and international) long-distance telephone service must be an open corporation.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>VALUE-ADDED SERVICES</p>			

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On-line information retrieval	(1) None	(1) None	
Electronic mail	Subject to a correspondent agreement with an international services concessionaire.		
Facsimile	(2) Unbound	(2) Unbound	
Data processing	(3) Subject to obtaining a permit. Contract with a public service concessionaire. Complementary service authorization from the Undersecretariat for Telecommunications (SUBTEL).	(3) None	
Voice mail			
Electronic data interchange	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
Code and protocol conversion. n. a.			
PRIVATE LEASED CIRCUITS			
Voice telephone service	(1) Unbound *	(1) Unbound *	
Data transmission	(2) Unbound	(2) Unbound	
Electronic mail	(3) Subject to the granting of limited service.	(3) None	
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
10. TOURISM AND TRAVEL RELATED SERVICES			
a. Hotels and Restaurants (including catering) (CPC 641) (CPC 642) (CPC 643)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Travel agency and tour operator services Travel agencies and tour operators (CPC 74710)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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c. Tourist guide services (74720)	(1) Unbound *	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	(1) Unbound *	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	
11. DISTRIBUTION SERVICES									
a. Wholesale trade services (CPC 622) (CPC 61111) (CPC 6113) (CPC 6121)	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	
b. Retailing services (CPC 632)	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	
12. EDUCATION SERVICES (92):									
a. Post-secondary technical and vocational education services (9231)	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	(1) None	(2) None	(3) None	(4) Unbound, except as indicated in the horizontal section.	
b. Adult education services n.e.c.. (924)	(1) None				(1) None				

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13.SPORTING SERVICES			
a. Sporting and other Recreational Services (CPC 9641)	1) 2) and 3) None, except that a specific type of legal entity may be required for sporting organisations that develop professional activities. In addition, on a National Treatment basis: i) it is not permitted to participate with more than one team in the same category of a sport competition, ii) specific regulations may be established on equity ownership in sporting companies; iii) minimal capital requirement may be imposed. 4) Unbound, except as indicated in the Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal	
14. ENVIRONMENTAL SERVICES (CPC 940)	(1), (3) Unbound, except that the criteria in Article 3 market access shall be applied on the basis of national treatment. 2) None 4) Unbound, except as indicated in the Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
15. TRANSPORT SERVICES AUXILIARY AIR TRANSPORT SERVICES			
a. Selling and marketing of air transport	(1) None	(1) None	

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services	(2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
b. Aircraft repair and maintenance services (CPC8868)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
c. Computer reservation system (CRS) services	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
d. Ground Handling	(1) Unbound * (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Unbound * (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
e. Airport Operation	(1) Unbound * (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) Unbound * (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

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f. Specialty Air Services	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	