



Council of the  
European Union

Brussels, 8 April 2016  
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## PROPOSAL

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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	4 April 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2016) 174 final - ANNEX 11
Subject:	ANNEX to the Proposal for a Council Decision on the conclusion of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the Accession of Ecuador

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Delegations will find attached document COM(2016) 174 final - ANNEX 11.

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Encl.: COM(2016) 174 final - ANNEX 11



Brussels, 4.4.2016  
COM(2016) 174 final

ANNEX 11

**ANNEX**

**to the**

**Proposal for a Council Decision**

**on the conclusion of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the Accession of Ecuador**

## ANNEX XII

(New Section D of Annex VIII to the Agreement referred to in Article 118 of the Agreement)

### LIST OF COMMITMENTS ON CROSS-BORDER SUPPLY OF SERVICES

#### 'SECTION D

#### ECUADOR

This Schedule of Commitments is consistent with the constitutional and legal provisions governing the services sector in Ecuador and their compatibility with the undertakings made at multilateral level.

For the preparation of this offer, account was taken of the United Nations Statistics Division's Central Products Classification (CPC), Statistical Reports, Series M, No. 77, provisional, 1991, for the offer relating to cross-border trade in services.

The list below is composed of the following elements:

- a) a first column indicating the sector or sub-sector in which the commitment is assumed by Ecuador, and the scope of the commitment to which the reservations apply;
- b) a second column describing the applicable reservations, the mode of supply and the obligation affected (Access to Markets - AM, or National Treatment - NT). AM and NT commitments are independent of each other; accordingly, if no AM commitment has been made (remaining "unbound"), this does not invalidate the NT commitment.

For methodological revision and analysis purposes, we would point out the following:

- No commitments of any kind are being made in the sectors or sub-sectors of services not shown on the list
- For the services sub-sectors in which commitments are being maintained or new commitments are being incorporated, the amendments appear in the left-hand column headed "Sector or sub-sector"
- Reservations, conditions and exclusions relative to the rules on market access and national treatment and applied to maintained or newly-incorporated commitments appear in the right-hand column headed "Description of reservations".
- To complement the list, the same right-hand column includes "comments" considered necessary on the commitment or reservation being incorporated or maintained.
- Commitments in specific sectors or sub-sectors are subject to the horizontal reservations and limitations included in the first section, which apply across the board and unconditionally to all sectors unless otherwise stated.

- The commitments do not include measures relating to requirements, technical standards, procedures or processes necessary for the provision of a service and that apply even when not shown on the list, unless they are presented as restrictions on the rules on market access and national treatment

The reservations, conditions and exclusions included on the list below will not apply, insofar as they present inconsistencies, to the sub-sectors and modes committed by Ecuador on the Schedule of Specific Commitments undertaken for its membership of the World Trade Organisation – WTO in 1996, a recast version of which can be found in document S/DCS/W/ECU of 24 January 2003, produced from the original texts of and amendments to documents GATS/SC/98/Suppl.1 and GATS/SC/98/Suppl.2, of the WTO General Agreement on Trade in Services (GATS). Accordingly, the said reservations, conditions and exclusions will be applicable to and required for the new sectors and/or modes of supply set out on the list below only.

In accordance with the provisions included in Article 107(3) relating to the scope of the rules in the Title on Trade in Services, Establishment and Electronic Commerce, no measures that may be adopted or maintained by the State of Ecuador in relation to grants and subsidies are listed.

Similarly, based on Article 107(5) of the Title on Trade in Services, Establishment and Electronic Commerce, Ecuador reserves the right to establish, maintain and fully implement its national legislation with the aim of attaining legitimate policy objectives in areas such as the protection of vulnerable groups, consumer protection, health and the environment among others.

In accordance with Article 107(4) of the Title on Trade in Services, Establishment and Electronic Commerce, this offer does not include services provided in the exercise of governmental authority.

The rights and obligations derived from this schedule of commitments are not directly applicable and effective and thus do not confer directly enforceable rights on natural or legal persons.

Sector or sub-sector	Description of reservations
ALL SECTORS	<p data-bbox="555 232 1185 259"><u>Provision of services in strategic sectors and public services</u></p> <p data-bbox="555 297 1414 539">The provision of public services and services in strategic sectors will require concession rights, licences, authorisations or other forms of permission to be obtained beforehand in accordance with the relevant legislation applicable to the respective sector. Where a requirement is laid down for the provision of the services to take place in part or in full on Ecuadorian territory, a requirement may also be laid down for domiciliation of an establishment in Ecuador for legal persons incorporated under the laws of another country and whose main domicile is in another country.</p> <p data-bbox="555 573 1406 692">Such requirements apply to the provision of public services and those related to energy exploitation in all its forms, telecommunications, exploitation of non-renewable natural resources, transport and refining of hydrocarbons, biodiversity and genetic heritage, water and the radio spectrum.</p> <p data-bbox="555 725 1406 815">The total or partial acquisition of blocks of shares or any rights over the control, management or administration of companies active in the areas listed in the preceding paragraph may be subject to the approval of the competent authorities.</p> <p data-bbox="555 848 1425 967">The criteria for the granting of licences, authorisations and other forms of permission shall be transparent and non-discriminatory as regards the participation of service providers from the EU Party and shall not constitute a quantitative restriction for the provision of the service.</p> <p data-bbox="555 1001 1401 1120">The specific commitments undertaken by Ecuador in this Agreement in strategic sectors and public services shall be considered as constituting the exceptional circumstances provided for in national legislation in relation to the delegation to private initiative in the provision of public services and in the strategic sectors.</p> <p data-bbox="555 1153 857 1180"><u>Ownership of land or waters</u></p> <p data-bbox="555 1218 1337 1279">Foreign national or legal persons may not, in any capacity, acquire land or concessions in national security zones for economic exploitation purposes.</p> <p data-bbox="555 1312 1422 1402">Ecuador reserves the right to adopt or maintain measures related to the ownership of property by foreign nationals in border areas, on the national coasts or on island territory.</p> <p data-bbox="555 1435 742 1462"><u>Essential security</u></p> <p data-bbox="555 1500 1406 1583">The manufacture, import, possession and use of chemical, biological and nuclear weapons is prohibited, as is the introduction into the national territory of nuclear waste and toxic waste.</p> <p data-bbox="555 1617 730 1644"><u>Social Economy</u></p> <p data-bbox="555 1682 1406 1800">In accordance with the provisions of the Constitution of the Republic, Ecuador reserves the right to establish measures granting preferential and differential treatment to the sectors that operate and pursue activities using the social economy model, including the associative and community cooperative sectors.</p> <p data-bbox="555 1834 949 1861"><u>Cultural heritage and natural heritage</u></p> <p data-bbox="555 1899 1410 1989">Ecuador reserves the right to adopt or maintain any measure that grants rights or preferences to local communities with regard to the support, fostering, promotion and development of expressions related to the intangible cultural heritage.</p>

Sector or sub-sector	Description of reservations
	<p>Similarly, it reserves the right to adopt or maintain any measure that grants rights or preferences to local communities with regard to the protection, preservation, recovery and promotion of Ecuador's natural heritage, taken to mean all of the physical, biological and geological features of value from the environmental, scientific, cultural or landscape point of view, including the national system of protected areas and fragile and threatened ecosystems.</p> <p><u>Publishing industry</u></p> <p>Ecuador reserves the right to adopt or maintain any measure that grants to a natural or legal person of the EU Party the same treatment as granted to a natural or legal person from Ecuador in the publishing sector of the latter Party.</p>
1. BUSINESS SERVICES	
A. Professional Services	For the purposes of exercising most professional services in Ecuador, professional qualifications obtained abroad must be recognised by the national competent authority, which generally requires residence in Ecuador before it can grant such recognition.
a) Legal services (CPC 861) Only advisory services on foreign legislation and international law (excluding advisory services, legal representation and notarial services under national law)	1) MA; NT: None 2) MA; NT: None
b) Accounting, auditing and bookkeeping services (CPC 862);	1) MA; NT: Unbound 2) MA; NT: None
c) Taxation services (CPC 863)	1) MA; NT: Unbound 2) MA; NT: None
d) Architectural services (CPC 8671)	1) MA; NT: None 2) MA; NT: None
g) Urban Planning and Landscape Architectural Services (CPC 8674)	1) MA; NT: None 2) MA; NT: None
e) Engineering services (CPC 8672) excluding services procured by the State	1) MA; NT: None 2) MA; NT: None
f) Integrated engineering services (CPC 8673)	1) MA, NT: None

Sector or sub-sector	Description of reservations
excluding services procured by the State	2) MA, NT: None
h) Medical and dental services (CPC 9312)	1) MA; NT: None 2) MA; NT: None
<p>B. Computer and Related Services, exclusively:</p> <p>Consulting services related to the installation of computer hardware (CPC 841);</p> <p>Maintenance and repair services of office equipment including computers (845), and</p> <p>Other computer services (CPC 849).</p>	1) MA, NT: None 2) MA, NT: None
E. Rental/Leasing Services without Operators	
<p>a) Leasing or rental services concerning vessels without crew (CPC 83101 and 83103)</p> <p>b) Leasing or rental services of aircraft without crew (CPC 83104)</p> <p>c) Leasing or rental services of other means of transport without operators (83101+ 83102 + 83105)</p> <p>d) Leasing or rental services of other machinery and equipment without operators (83106-83109)</p>	1) MA; NT: None 2) MA; NT: None
F. Other Business Services	
<p>a) Advertising services (CPC 871)</p> <p>Exclusively: Sale or leasing services of advertising space or time (CPC 8711)</p>	1) MA; NT: None 2) MA; NT: None

Sector or sub-sector	Description of reservations
b) Market research and public opinion polling services (CPC 864)	1) MA; NT: None 2) MA; NT: None
c) Management consulting services (CPC 865)	1) MA; NT: None 2) MA; NT: None
d) Services related to management consulting (CPC 866)	1) MA; NT: None 2) MA; NT: None
e) Technical testing and analysis services (CPC 8676)	1) MA; NT: None 2) MA; NT: None
h) Services incidental to mining (CPC 883)	1) MA; NT: None 2) MA; NT: None
k) Personnel placement and supply services (CPC 872)	1) MA; NT: None 2) MA; NT: None
m) Related scientific and technical consulting services (CPC 8675), excluding services procured by the State	1) MA; NT: None 2) MA; NT: None
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861 - 8866)	1) MA; NT: None 2) MA; NT: None
o) Building-cleaning services	1) MA; NT: None 2) MA; NT: None
o) Photographic services (CPC 875)	1) MA; NT: None 2) MA; NT: None
q) Packaging services (CPC 876)	1) MA; NT: None 2) MA; NT: None
<b>2. COMMUNICATION SERVICES</b>	
A. Postal and courier services (part of CPC 7511 and CPC 7512) Services relating to the handling of postal items 8,	1) MA; NT: Unbound until the end of the fifth year following the entry into force of this Agreement. None, from the sixth year onwards



Sector or sub-sector	Description of reservations
<p>according to the following list of sub-sectors, whether for domestic or foreign destinations:</p> <p>(i) Handling of addressed written communications on any kind of physical medium including the direct mail and hybrid mail services,</p> <p>(ii) Handling of addressed parcels and packages,</p> <p>(iii) Handling of addressed press products,</p> <p>(iv) Handling of items referred to in (i) to (iii) above as registered or insured mail,</p> <p>(v) Express delivery services for items referred to in (i) to (iii) above,</p> <p>(vi) Handling of non-addressed items,</p> <p>(vii) Document exchange</p> <p>Commitments in sub-sectors (i), (iv) and (v) are excluded when they fall into the scope of the services which may be reserved for the State, which is: for items of correspondence<sup>1</sup> the price of which is less than two and a half times the public basic tariff, provided that they weigh less than 50 grams, plus the registered mail service used in the course of judicial or administrative procedures. (Part of CPC 751, part of CPC 71235<sup>2</sup> and part of CPC 73210<sup>3</sup>)</p>	<p>2) MA; NT: None</p>

<sup>1</sup> “Items of correspondence” shall include written communications on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping. Books, catalogues, newspapers and other regular publications shall not be considered items of correspondence.

<sup>2</sup> Transportation of mail on own account by any land mode.

<sup>3</sup> Transportation of mail on own account by air.

Sector or sub-sector	Description of reservations
<p>C. Telecommunications Services</p> <p>Including the services listed below, excluding broadcasting</p> <p>These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport.</p>	
<p>a) All services consisting of the transmission and reception of signals by any electromagnetic means.</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>b) Satellite capacity provision services, to connect television and radio broadcasting stations</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>o) Others</p>	<p>1) MA; NT: Unbound</p> <p>2) MA; NT: None</p>
<p><b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b></p>	
<p>A. General construction work for buildings (CPC 512)</p> <p>(CPC 5121) One- or two-dwelling buildings, (CPC 5122) multi-dwelling buildings, (CPC 5123) warehouses and industrial buildings, (CPC 5125) public entertainment buildings, (CPC 51260) hotel, restaurant and similar buildings</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>B. General construction work for civil engineering (CPC 513) excluding services procured by the State</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>C. Installation and assembling work (CPC</p>	<p>1) MA; NT: None</p>

Sector or sub-sector	Description of reservations
514+516)	2) MA; NT: None
D. Building completion and finishing work (CPC 517)	1) MA; NT: None 2) MA; NT: None
E. Other (CPC 511+515+518).  (CPC 511 Pre-erection work at construction sites, CPC 515 Special trade construction work, CPC 518 Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator)	1) MA; NT: None 2) MA; NT: None
4. DISTRIBUTION SERVICES	
A) Commission agents' services (CPC 621)	
a) Commission agents' services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 6111, part of CPC 6113 and part of CPC 6121)	1) MA; NT: None 2) MA; NT: None
b) Other commission agents' services (CPC 621)	1) MA; NT: None 2) MA; NT: None
B) Wholesale Trade Services	
a) Wholesale trade in commercial motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of (CPC 6111), part of (CPC 6113) and part of CPC 6121)	1) MA; NT: None 2) MA; NT: None
b) Wholesale trade services of telecommunications terminal equipment (part of CPC 7542)	1) MA; NT: None 2) MA; NT: None

Sector or sub-sector	Description of reservations
c) Other wholesale trade services (CPC 622) except energy goods, minerals, chemicals and pharmaceutical goods.	
C) Retailing Services (CPC 631 + 632 + 6111 + 6113 + 6121+7542)	
Food retailing services (CPC 631)	1) MA; NT: None 2) MA; NT: None
Non-food retailing services (CPC 632)	1) MA; NT: None 2) MA; NT: None
Sales of motor vehicles (CPC 6111)	1) MA; NT: None 2) MA; NT: None
Sales of parts and accessories of motor vehicles (CPC 6113)	1) MA; NT: None 2) MA; NT: None
Sales of motorcycles and snowmobiles and related parts and accessories (CPC 6121)	1) MA; NT: None 2) MA; NT: None
Wholesale and retail trade services of telecommunication terminal equipment (CPC 7542)	1) MA; NT: None 2) MA; NT: None
D. Franchising (CPC 8929)	1) MA; NT: None 2) MA; NT: None
6. ENVIRONMENTAL SERVICES	
A) Sewage services (CPC 9401)	1) MA; NT: None 2) MA; NT: None
B) Refuse disposal services (CPC 9402)	1) MA; NT: None 2) MA; NT: None
C) Sanitation and similar services (CPC 9403)	1) MA; NT: None 2) MA; NT: None

Sector or sub-sector	Description of reservations
<p>D) Other</p> <ul style="list-style-type: none"> <li>- Cleaning services of exhaust gases (CPC 9404)</li> <li>- Noise abatement services (CPC 9405)</li> <li>- Nature and landscape protection services (CPC 9406)</li> <li>- Other (CPC 9409)</li> </ul>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>7. FINANCIAL SERVICES</p>	<p>The provision of cross-border financial services in Ecuador, including insurance and insurance-related services, does not imply that the providers of such services may conduct or advertise business on Ecuadorian territory. Ecuador may define the terms “conduct business” and “advertise”, wherever such definitions are not inconsistent with the commitments made by Ecuador for modes 1 and 2.</p> <p>Ecuador may require written evidence of the authorisation granted by a competent authority of the other Party for the providers of cross-border financial services and for the financial products and instruments they offer in Ecuador.</p> <p>Insurance enterprises may contract reinsurance abroad, as long as the reinsurance enterprises are classified in accordance with international standards, and subjected to the rules laid down by the Superintendency of Banking, Insurance and Private Pension Fund Administrators (‘SBS - Superintendencia de Banca y Seguros’). For greater transparency, if the insurance enterprises contract reinsurances directly, they should do it with enterprises included in the SBS reinsurance registry.</p> <p>The auxiliary services of the financial services related to the provision and transfer of financial information and the processing of financial data shall be registered in accordance with the rules laid down by the Superintendency of Banking, Insurance and Private Pension Fund Administrators. The said auxiliary services may not collect, maintain and deliver credit information. For greater transparency, financial information services or the processing of financial data shall be subject to the Ecuadorian provisions regulating the protection of such information.</p> <p>For greater transparency, the mandatory risk ratings for financial institutions incorporated under Ecuadorian law require the foreign risk-rating agencies to first register with the Ecuadorian Superintendency of Banking, Insurance and Private Pension Fund Administrators.</p> <p>On the securities market, Ecuador will accept the risk rating by an agency recognised by the European Securities and Markets Authority (ESMA) as a “Nationally Recognized Statistical Rating Organisation – RSRO”, in the event of a secondary public offering on the Ecuadorian securities market, securities issued abroad or a primary public offering on the Ecuadorian securities market by multilateral issuers recognised as local issuers.</p> <p>Ecuador reserves the right to adopt or maintain measures that restrict the acquisition of obligatory insurance outside of Ecuador, or that require that obligatory insurance be purchased from suppliers established in Ecuador such as the Seguro Obligatorio de Accidentes de Tránsito (SOAT, Obligatory Traffic Accident Insurance). Ecuador reserves the right to adopt or maintain measures that restrict the acquisition of reinsurance and/or retrocession relating to such</p>

Sector or sub-sector	Description of reservations
	obligatory insurance outside of Ecuador, or that require that the services be acquired from providers established in Ecuador.
A. ALL INSURANCE AND INSURANCE RELATED SERVICES	In order to be able to operate in Ecuador, non-resident insurance and reinsurance companies, intermediaries and providers of auxiliary insurance services must register and renew their registration in accordance with the rules laid down in national legislation.
1) Non-life insurance	For Mode 1 and Mode 2 MA, NT: Unbound, except: (a) insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) Goods in international transit.
2) Reinsurance and retrocession	1) MA; None  NT: None  2) MA: None  NT: None
3) Insurance intermediation, such as brokerage and agency	1) MA and NT: Unbound, except for insurance of risks relating to:  international maritime shipping and international commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom and goods in international transit.  2) MA unbound, except for insurance of risks relating to:  international maritime shipping and international commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom and goods in international transit.  NT: None
4) Services auxiliary to insurance for risk assessment (risk inspector), claim settlement (loss adjuster) and actuarial services	1) MA: None  NT: None  2) MA: None  NT: None
B. BANKING AND OTHER FINANCIAL SERVICES (excluding insurance)	

Sector or sub-sector	Description of reservations
<p>a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119);</p> <p>b) Lending of all types, including consumer credit, mortgage credit, factoring by financial institutions, and financing of commercial transactions (CPC 8113)</p> <p>c) Financial leasing services (CPC 8112)</p> <p>d) Payment and money transmission services: credit, charge and debit cards, travellers' cheques and bankers' drafts (CPC 81339)</p> <p>e) Guarantees and commitments (CPC 81199)</p> <p>f) Trading for own account or for account of customers, whether on an exchange or in an over-the-counter market, the following:</p> <ul style="list-style-type: none"> <li>- money market instruments (cheques, bills, certificate of deposits etc.) (part of CPC 81339);</li> <li>- foreign exchange (CPC 81333),</li> <li>- derivative products: futures and options (part of CPC 81339)</li> <li>- exchange rate and interest rate instruments, swaps and forward rate agreements. (part of CPC 81339)</li> <li>- transferable securities (CPC 81321)</li> <li>- other negotiable instruments and financial assets, including bullion</li> </ul>	<p>1) MA; NT: None.</p> <p>2) MA; NT: None</p>

Sector or sub-sector	Description of reservations
<p>(part of CPC 71339)</p> <p>g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132)</p> <p>h) Money broking (CPC 81339)</p> <p>i) Asset management: cash or portfolio management, collective investment management, custodial, depository and trust services. (CPC 8119 + 81323)</p> <p>j) settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments. (CPC 81339 or 81319)</p>	
<p>k) Advisory and other auxiliary financial services on all the activities listed under the heading banking and other financial services (excluding insurance): credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring (CPC 8131 or 8133)</p>	<p>1) MA; NT: Unbound for services involving the collection, maintenance and delivery of credit information.</p> <p>2) MA; NT: None, except for services involving the collection, maintenance and delivery of credit information.</p>
<p>l) Provision and transfers of financial information, financial data processing and related software by providers of other financial services. (CPC 8131)</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>8. HEALTH AND SOCIAL SERVICES (except those listed under 1.A h-j of the Classification W120)</p>	
<p>Hospital services (CPC</p>	<p>1) MA; NT: None.</p>



Sector or sub-sector	Description of reservations
9311)	2) MA; NT: None
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>	Before starting any tourist activity as described in the Tourism Act, all natural or legal persons, undertakings or companies must obtain the relevant registration, namely registration of the tourism services provider in the public register of tourism entrepreneurs and establishments, in the Ministry of Tourism of Ecuador.
<b>A) Hotels and Restaurants (Including Catering) (CPC 641-643);</b>	1) MA; NT: None 2) MA; NT: None
<b>B) Travel Agencies and Tour Operators Services (CPC 7471) B. Travel agencies and tour operators (including tour managers)</b>	1) MA; NT: None 2) MA; NT: None
<b>C) Tourist Guides Services (CPC 7472)</b>	1) MA; NT: None 2) MA; NT: None
<b>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>	1) MA; NT: None 2) MA; NT: None
<b>A) Entertainment Services (including theatre, live bands and circus services) (CPC 9619)</b>	1) MA; NT: None 2) MA; NT: None
<b>B) News and Press Agency Services (CPC 962)</b>	1) MA; NT: None 2) MA; NT: None
<b>C) Libraries, archives, museums and other cultural services (CPC 963)</b>	1) MA; NT: None 2) MA; NT: None
<b>D) Sporting and other recreational services</b>	1) MA; NT: None 2) MA; NT: None
<b>11. TRANSPORT SERVICES<sup>4</sup></b>	
<b>A. Maritime Transport</b>	1) MA; NT: None
<b>a. Passenger transportation (CPC 7211)</b>	2) MA; NT: None
<b>b) Freight transportation</b>	

<sup>4</sup> Where references in this sector are marked as "Unbound\*\*", this means that a binding commitment is not possible because the supply or provision of the service is not technically feasible.

Sector or sub-sector	Description of reservations
(CPC 7222) excluding national cabotage transport. Includes movement of equipment as long as no revenue is generated for the provider.	
<p>A. Internal Waterways Transport</p> <p>a) Passenger transportation (CPC 7221)</p> <p>b) Freight transportation (CPC 7222) Excluding national cabotage transport. Includes movement of equipment as long as no revenue is generated for the provider.</p>	<p>1) MA; NT: None</p> <p>2) MA; NT: None</p>
<p>B. Rail Transport</p> <p>a) Passenger transportation (CPC 7111)</p> <p>b) Freight transportation (CPC 7112)</p>	<p>1) MA; NT: Unbound</p> <p>2) MA; NT: None</p>
<p>D) Road Transport Services</p> <p>a) Passenger transport services</p> <p>b) Freight transport services</p> <p>c) Hire of commercial vehicles with driver</p> <p>(CPC 7121+ 7122+ 7123+ 7124)</p>	<p>1) MA; NT: Unbound</p> <p>2) MA; NT: None</p>
<p>12. SERVICES AUXILIARY TO TRANSPORT</p>	
<p>A. Services auxiliary to Maritime Transport</p> <p>a) Maritime Cargo Handling Services</p> <p>b) Storage and warehousing services (part of CPC 742)</p> <p>c) Customs clearance</p>	<p>1) MA; None, save that the provision of auxiliary transport services in public ports is subject to concessions or other forms of permission. The loading, unloading and storage of hydrocarbons shall be assigned exclusively to national, State-owned or mixed shipping companies of which the State holds at least 51% of the share capital.</p>

Sector or sub-sector	Description of reservations
services d) Container station and depot services e) Maritime agency services f) Maritime freight forwarding services g) Rental of vessels without 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 (part of CPC 749)	NT: Unbound 2) MA; NT: None
B. Services auxiliary to internal waterways transport a) Cargo-handling services (part of CPC 741) b) Storage and warehousing services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of vessels with crew (CPC 7223) e) Pushing and towing services (CPC 7224) f) Supporting services for internal waterway transport (part of CPC 745) g) Other supporting and auxiliary services (part of CPC 749)	1) MA; None, save that the provision of auxiliary transport services in public ports is subject to concessions or other forms of permission. The loading, unloading and storage of hydrocarbons shall be assigned exclusively to national, State-owned or mixed shipping companies of which the State holds at least 51% of the share capital. NT: Unbound 2) MA; NT: None
C. Services auxiliary to rail transport a) Cargo-handling services (part of CPC 741)	1) MA; NT: Unbound 2) MA; NT: None

Sector or sub-sector	Description of reservations
b) Storage and warehousing services (Part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Pushing and towing services (CPC 7113) e) Supporting services for rail transport services (CPC 743) f) Other supporting and auxiliary services (part of CPC 749)	
D. Services auxiliary to road transport a) Cargo-handling services (part of CPC 741) b) Storage and warehousing services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of commercial road vehicles with operator (CPC 7124) e) Supporting services for road transport services (CPC 744) f) Other supporting and auxiliary services (part of CPC 749)	1) MA; NT: Unbound 2) MA; NT: None
E. Services auxiliary to air transport services	
a) Ground handling services (including catering)	1) MA; NT: Unbound 2) MA; NT: None
b) Storage and warehousing services (Part of CPC 742)	1) MA, NT: Unbound*, 2) MA; NT: None
c) Freight transport agency services (part of CPC 748)	1) MA, NT: None 2) MA; NT: None

Sector or sub-sector	Description of reservations
d) Rental of aircraft with crew (CPC 734)	1) MA, NT: None 2) MA; NT: None
e) Sales and Marketing	1) MA, NT: None 2) MA; NT: None
f) Computer Reservations System	1) MA, NT: None 2) MA; NT: None
13. ENERGY SERVICES	In order to conclude exploration and production contracts, foreign undertakings must establish a branch or set up a company in accordance with the Companies Act, establish a location in Ecuador and appoint an agent or legal representative resident in Ecuador. Foreign nationals must be entered in the public registers and appoint a legal representative of Ecuadorian nationality and resident in Ecuador.
A. SERVICES INCIDENTAL TO EXPLORATION AND PRODUCTION	
<p>related scientific and technical consulting services; (CPC 8675) excluding services procured by the State</p> <p>Services incidental to mining (CPC 883)</p> <p>Maintenance and repair services of metal products, of machinery and equipment, and of electrical machinery (part of CPC 8861-8866)</p> <p>Engineering services (CPC 8672), excluding services procured by the State</p> <p>Integrated engineering services (CPC 8673), excluding services procured by the State</p> <p>Management consulting services (CPC 865)</p>	1) MA; NT: None 2) MA; NT: None

Sector or sub-sector	Description of reservations
Services related to management consulting services (CPC 866) Technical testing and analysis services (CPC 8676)	