

SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES FOR PARAGUAY

Explanatory Notes

The Schedule of Specific Commitments for individual services sectors and subsectors is identified in accordance with the classification list in document MTN.GNS/W/120 of the World Trade Organization and the corresponding numbers in the Provisional Central Product Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, CPC Prov., 1991, hereinafter referred to as "CPC".

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
Horizontal Commitments			
<p><u>PARAGUAY</u></p> <p>ALL SERVICES INCLUDED IN THIS SCHEDULE</p>	<p>Paraguay reserves the right to adopt or maintain any measure aimed at developing less privileged regions or at reducing regional inequalities, as well as those necessary to ensure social inclusion and rural development.</p> <p>The supply of certain services may depend on public concessions and the conditions thereby established.</p> <p>(3) For acquisition of land, residence requirements apply to foreign investors; unbound in border areas (50 (fifty) km in land frontiers)</p> <p>(3) The Paraguayan Civil Act (law 1183/85) establishes that an enterprise constituted abroad is governed, in relation to its existence and capacity, by the laws and regulations of the country of its domicile. The type of enterprise determines its ability to fully exercise in the Republic of Paraguay the actions and rights that correspond to the enterprise in its country of domicile. Nevertheless, for the regular</p>		

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	<p>exercise of acts included in the objectives of the enterprise, it must comply with the laws and regulations of the Republic of Paraguay.</p> <p>The domicile of a foreign enterprise is considered to be the place where its core business is. However, establishments, agencies or branch offices set up in the Republic of Paraguay are considered to be domiciled in it for the acts practiced in the territory of the Republic of Paraguay, therefore, they have to fulfil the formalities and obligations set up for the Paraguayan type of enterprise that is the most similar to the type of foreign enterprise concerned.</p> <p>The Paraguayan Civil Act establishes that for the fulfillment of the formalities mentioned, every firm set up abroad that wishes to exercise its activity in the territory of the Republic of Paraguay must:</p> <ul style="list-style-type: none"> (a) set up a representation with a specific address in the Republic of Paraguay and particular addresses of the representatives for other legal causes; (b) confirm that the firm has been set up in accordance with the laws and regulations of its country; and 		

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	<p>(c) justify in the same way, the agreement or decision to create a branch or representation, the capital to be assigned, in its case, and the designation of the representatives.</p> <p>(4) The categories assumed in this section are detailed in Appendix 11-A-3 of Chapter 11 (Movement of Natural Persons). Natural persons must fulfil requirements established in the laws and regulations of the Republic of Paraguay.</p>		
Specific Commitments			
1. BUSINESS SERVICES			
<u>A. Professional Services</u>			
a. Legal advisory and representation services in statutory procedures of quasi-judicial (CPC 86120)	<p>(1) None</p> <p>(2) None</p> <p>(3) None, except that foreign lawyers must homologate their diplomas and register before the Court.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None, except that foreign lawyers must homologate their diplomas and register before the Court.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	
b. Accounting, auditing and book-keeping services (CPC 862)	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None, this category will be subject to requirement of registration and compliance with regulations.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None, this category will be subject to requirement of registration and compliance with regulations.</p>	

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	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except as indicated in the horizontal section	
<u>B. Computer and Related Services</u>			
B. Computer and Related Services (CPC 84)	(1) Unbound (2) Unbound (3) None (4) Unbound	(1) Unbound (2) Unbound (3) None (4) Unbound	
<u>F. Other Business Services</u>			
Management Consulting Services (CPC 865)	(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.	
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633)	(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	
o) Building-cleaning services (CPC 874)	(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	
q) Packaging services (CPC 876)			

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s) Convention services (CPC 87909*)	(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	
Testing and composition and purity analysis services (CPC 86761)	(1) Unbound (2) Unbound (3) None. Subject to internal procedures for registration and authorisation. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) Unbound (3) None. Subject to internal procedures for registration and authorisation. (4) Unbound, except as indicated in the horizontal section.	
2. COMMUNICATION SERVICES			
2.C. TELECOMMUNICATION SERVICES			
<ol style="list-style-type: none"> 1. Each telecommunications service provider in the Republic of Paraguay will require a license granted by the Paraguayan State and through a transparent, non-discriminatory procedure. 2. The licenses referred to in the preceding paragraph shall be granted exclusively to legal persons incorporated in the Republic of Paraguay in accordance with the laws and regulations of the Republic of Paraguay, with a commercial office in the Paraguayan territory. 3. The present list refers to the transport of data or information, and not to the content of the data or information transported. 4. Professionals and companies that provide project, assembly, equipment, installation and maintenance services in the sectors and sub-sectors in which commitments are assumed must be registered with Comisión Nacional de Telecomunicaciones (CONATEL), in accordance with current laws and regulations. 5. To carry out an interconnection, a commercial presence of the supplier or the telecommunications service company is required in the Republic of Paraguay. 			
a. Telephone services (CPC 7521)	(1) Unbound (2) Unbound (3) None (4) Unbound, except as indicated in the	(1) None (2) None (3) None (4) Unbound	
b. Packet-switched	(4) Unbound, except as indicated in the	(4) Unbound	

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data transmission services (CPC 7523) c. Circuit-switched data transmission services (CPC 7523) d. Telex services (CPC 7523)	horizontal section.		
e. Telegraph services (CPC 7522) f. Facsimile services (CPC 7521 + 7529)	(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.	
h. Electronic mail (CPC 7523)	(1) None (2) None (3) None (4) Unbound, except for measures concerning the entry, permanence and work of natural persons with a temporary contract with companies that carry out direct foreign investment.	(1) None (2) None (3) None (4) Unbound, except for measures concerning the entry, permanence and work of natural persons with a temporary contract with companies that carry out direct foreign investment.	
g. Private leased circuit services (CPC 7522 + 7523) i. Voice mail	(1) Unbound (2) Unbound (3) None (4) Unbound, except for measures concerning the entry, permanence and work of natural	(1) Unbound (2) Unbound (3) None (4) Unbound, except for measures concerning the entry, permanence and work of natural	

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<p>(CPC 7523)</p> <p>j. On-line information and database retrieval (CPC 7523)</p> <p>k. Electronic data interchange services (CPC 7523)</p> <p>l. Enhanced/value-added facsimile services (including store and forward, store and retrieve) (CPC 7523)</p>	<p>persons with a temporary contract with companies that carry out direct foreign investment.</p>	<p>persons with a temporary contract with companies that carry out direct foreign investment.</p>	
<p>o) Other</p> <p>o.1 Mobile services (CPC n.d.)</p> <p>o.2 Personal communications (CPC n.d.)</p> <p>o.3 Paging services (CPC n.d.)</p> <p>o.4 Trunking services (CPC n.d.)</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound, except for measures concerning the entry, permanence and work of natural persons with a temporary contract with companies that carry out direct foreign investment.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound, except for measures concerning the entry, permanence and work of natural persons with a temporary contract with companies that carry out direct foreign investment.</p>	

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4. DISTRIBUTION SERVICES			
(1) (2) (3) Subject to current domestic regulation.			
WHOLESALE TRADE SERVICES (CPC 622, not including CPC 62271)	(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.	
RETAILING SERVICES (CPC 632)	(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.	
FRANCHISING (CPC 8929)	(1) None (2) None (3) None (4) Unbound	(1) None (2) None (3) None (4) Unbound	
5. EDUCATIONAL SERVICES			
A. Primary education services (CPC 921) (only for private companies)	(1) Unbound (2) None (3) None (4) Unbound	(1) Unbound (2) Unbound (3) Unbound (4) Unbound	
B. Higher education services (CPC 92310) Post-secondary technical and vocational education services	(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	
6. ENVIRONMENTAL SERVICES			

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>(3) Suppliers of environmental services wishing to set up operations in the Republic of Paraguay require prior authorisation (such as licenses) from the competent authorities. These services suppliers will be subject to the limitations laid down in the existing laws and regulations for the entities controlled by the competent authorities. The licenses granted in the past allow exclusive rights for exploitation to private companies.</p> <p>(3) They are also required to have prior authorisation in accordance with municipal legislation and the conditions approved by the Municipal Board in each case.</p>			
Sewage services (CPC 9401)	(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.	
Sanitation and similar services (CPC 9403)	(1) Unbound* (2) Unbound (3) None (4) Unbound	(1) Unbound* (2) Unbound (3) None (4) Unbound	
<p>7. FINANCIAL SERVICES</p> <p>(1) and (2) The firms that are not legally set up in the Republic of Paraguay are not authorised to market in the domestic territory. The commitments taken under mode 2 do not give rights to the consumers to complain to the authorities of the Republic of Paraguay.</p> <p>(3) Suppliers of financial services wishing to set up operations in the Republic of Paraguay require prior authorisation from the competent authorities. These service suppliers will be subject to the limitations laid down in the existing laws and regulations for the entities controlled by the Central Bank.</p>			
A. <u>Insurance</u> Insurance (excluding	(1) Unbound (2) Unbound (3) None	(1) Unbound (2) Unbound (3) None	

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reinsurance and retrocession) (CPC 812)	(4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	(4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	
Reinsurance and retrocession (CPC 81299)	(1) None (2) None (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	(1) None (2) None (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	
Marine, aviation and other transport insurance services (81293)	(1) Unbound (2) Unbound (3) None (4) Unbound, except for superior personnel and specialists	(1) Unbound (2) Unbound (3) None (4) Unbound, except for superior personnel and specialists	
Insurance intermediation: Agencies and insurance brokers services (excluding pension fund) (CPC 81401)	(1) Unbound (2) Unbound (3) None (4) Unbound	(1) Unbound (2) Unbound (3) None (4) Unbound	
Agencies and reinsurance and retrocession broker services	(1) Unbound (2) None, except in the case of foreign companies, these companies must appoint an attorney by a Power of Attorney (POA) granting the said attorney broad administrative and judicial powers, including being summoned in a lawsuit; the said attorney must have a domicile in the	(1) Unbound (2) None, except in the case of foreign companies, these companies must appoint an attorney by a Power of Attorney (POA) granting the said attorney broad administrative and judicial powers, including being summoned in a lawsuit; the said attorney must have a domicile in the	

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	<p>Republic of Paraguay where all notifications shall be valid.</p> <p>(3) None, except that administrators and legal representatives must have permanent or temporary residence in the Republic of Paraguay.</p> <p>(4) None, except that individuals must have permanent residence in the Republic of Paraguay.</p>	<p>Republic of Paraguay where all notifications shall be valid.</p> <p>(3) None</p> <p>(4) None</p>	
<p>Claims settlement services (CPC 81403)</p>	<p>(1) Unbound, except when in consortium with a Paraguayan service provider according to Article 88 of the Insurance Law.</p> <p>(2) None, except when in consortium with a Paraguayan service provider according to Article 88 of the Insurance Law.</p> <p>(3) None, except that administrators and legal representatives must have permanent or temporary residence in the Republic of Paraguay.</p> <p>(4) None, except that individuals must have permanent or temporary residence in the Republic of Paraguay.</p>	<p>(1) Unbound</p> <p>(2) None, except when in consortium with a Paraguayan service provider according to Article 88 of the Insurance Law.</p> <p>(3) None</p> <p>(4) None</p>	
<p><u>B. Banking services</u></p> <p>Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees</p>	

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Lending of all types, including consumer credit, mortgage credit, etc.(CPC 8113)	(1) Unbound (2) Unbound (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	(1) Unbound (2) Unbound (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	
Other services auxiliary to financial intermediation (CPC 81331-81334)	(1) None (2) None (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	(1) None (2) None (3) None (4) Unbound, except for senior personnel and specialists included in the category of intra-corporate transferees	
8. HEALTH RELATED AND SOCIAL SERVICES			
Welfare services provided to elderly and handicapped (CPC 93311)	(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	
9.TOURISM SERVICES			
(3) All persons or companies should be registered and approved by Secretaría Nacional de Turismo (SENATUR). (4) The foreign directors and manager must present permanent residence in the Republic of Paraguay.			
A. <u>Hotels and restaurants</u> (CPC 641-643)	(1) None (2) None (3) None (4) Unbound, except for senior managerial personnel included in the category of intra-corporate transferees as indicated in the	(1) None (2) None (3) None (4) Unbound, except for senior managerial personnel included in the category of intra-corporate transferees as indicated in the	

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	horizontal section, with staff training programmes.	horizontal section, with staff training programmes. Partners, managing directors and officers must have permanent residence in the Republic of Paraguay.	
<u>B. Travel agencies and tour operators services</u> (CPC 7471)	(1) None (2) None (3) None. Except it must be incorporated in the Republic of Paraguay, have a license to provide services granted by SENATUR and the main objective of the company must be the provision of tourist services. (4) Unbound, except for senior managerial personnel included in the category of intra-corporate transferees as indicated in the horizontal section, with staff training programmes.	(1) None (2) None (3) Unbound (4) Unbound, except for senior managerial personnel included in the category of intra-corporate transferees as indicated in the horizontal section, with staff training programmes. Partners, managing directors and officers must have permanent residence in the Republic of Paraguay.	
<u>C. Tourist guide services</u> (CPC 7472)	(1) None (2) None (3) None (4) Unbound, except for intra-corporate transferees/ specialists ¹	(1) None (2) None (3) None (4) Unbound, except for intra-corporate transferees/ specialists ¹	

1 Specialists are those suitable persons exercising the profession of tourist guide.