

APPENDIX 2 TO ANNEX XV

PANAMA - SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 4.18

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
<p>EXPLANATORY NOTES:</p> <ul style="list-style-type: none">- For the purposes of this Schedule, the term “None” indicates a services sector or sub-sector where there are no terms, limitations and conditions on market access or conditions and qualifications on national treatment. The term “Unbound” indicates that no national treatment or market access commitments have been made. The term “Unbound*” means unbound due to lack of technical feasibility.- The absence of specific reservations in a given services sector or sub-sector is without prejudice to the horizontal reservations that apply.- The level of commitments in a particular services sector shall not supersede the level of commitments undertaken with respect to any other services sector to which such service is an input for the particular service or to which it is otherwise related.- CPC numbers indicated in parenthesis are references to the United Nations Provisional Central Product Classification (Statistical Papers, Series M, N° 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991).- Attachments I and II to this Schedule form an integral part thereof.			
<p>PART I. HORIZONTAL COMMITMENTS</p>			
<p>This Part sets out those commitments that apply to trade in services in all scheduled services sectors unless otherwise specified. Those commitments that apply to trade in specific services sectors are listed in Part II.</p>			
<p>The commitments undertaken by Panama under the GATS are made part of Panama’s obligations under this Schedule and shall apply to the other Parties without being reduced by any aspects of this Schedule.</p>			

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
ALL SECTORS INCLUDED IN THIS SCHEDULE		(1) (2) (3) (4) Unbound for subsidies, tax incentives and tax credits	
	<p>(1) (2) (3) (4)</p> <p><u>Panama Canal</u></p> <p>Panama reserves the right to adopt or maintain any measure related with the management, administration, operation, maintenance, preservation, modernisation, operation, development or ownership of the Panama Canal and any juridical person that may succeed the Panama Canal Authority ("PCA") and the reverted areas, that restrict the rights of investors and foreign service providers.</p> <p>The PCA may require that an enterprise operating in the Panama Canal¹ be legally constituted under the law of Panama and enter into a joint venture or other legal entity with the PCA.</p> <p>The PCA may adopt or maintain any measure limiting the number of concessions operating in the Panama Canal.</p> <p>The PCA may impose performance requirements consistent with Article 3 of the Agreement No. 151 of November 21, 2007 as a condition for the granting and maintaining of a compatibility licence for activities in the Panama Canal Area as defined in Annex II of Law 21 of 1997.</p> <p>Preference is given to a Panamanian national over a foreign national for contractual positions in the</p>	<p>(1) (2) (3) (4)</p> <p><u>Panama Canal</u></p> <p>Unbound</p>	

¹ The Panama Canal includes the aquatic route proper, as well as its anchorages, dock berths, and entrances; lands and marine, lacustrine, and fluvial waters; locks; auxiliary dams; docks; and water control structures.

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>PCA.</p> <p>A foreign national may be hired instead of a Panamanian national, provided that the position is difficult to fill and that all channels for hiring a qualified Panamanian national have been exhausted and that it is authorised by the Canal Authority Administrator. If the only applicants for a position with the Panama Canal Authority are foreign nationals, preference is given to a foreign national with a Panamanian spouse or a foreign national who has lived in Panama for ten consecutive years.</p>		
		<p>(3)</p> <p>(a) Foreign natural or juridical persons and nationals all or part of whose capital is foreign may not acquire land situated less than 10 kilometres from the frontier nor ownership of islands within the jurisdiction of the Republic.</p> <p>(b) No foreign government, or foreign official or semi-official entity or institution may own any part of the territory of Panama, except property used for an embassy, according to the domestic law.</p> <p>(c) Panama reserves the right to adopt or maintain a measure denying to foreign investors and their investments or to foreign services providers a right or privilege granted to minorities with social or economic disadvantages or native populations in their reservation areas.</p> <p>(d) Panama reserves the right to limit the transfer or disposal of an interest held in an existing Panamanian state enterprise so that only Panamanian nationals may receive that interest.</p> <p>If Panama transfers or disposes of an interest in</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		an existing state enterprise as described in the above paragraph, Panama may adopt or maintain a measure related to the nationality of the senior management and members of the board of directors of an enterprise that receives that interest.	
	<p>(3) and (4)</p> <p>Not less than 90 percent of the ordinary workforce of any employer must consist of Panamanian workers, or foreigners with a Panamanian spouse or with 10 years of residence in the country. Foreign specialised or technical personnel may not exceed 15 percent of the total workforce.</p> <p>For specific commitments bound on mode 3, it is understood that those enterprises with fewer than 10 workers are permitted temporary entry of one person, under the conditions bound for mode 4.</p> <p>Notwithstanding, a higher proportion of foreign specialised or technical personnel may be permitted for a fixed period of time, on previous recommendation of the respective Ministry and approval of the Ministry of Labour and Social Welfare.</p>		
	<p>(4)</p> <p>Unbound, except for the measures concerning the entry and temporary stay of natural persons falling within the categories defined in paragraphs a, b, c, and subject to the provisions of the legislation relating to immigration, entry, stay and work.</p> <p>(a) Sellers of services: persons not established in Panama and not receiving remuneration from a source situated in Panama, who are engaged in activities connected with the representation</p>	<p>(4)</p> <p>Unbound, except as indicated in market access column</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>of suppliers of services for the purpose of negotiating the sale of the services of those suppliers. The period of stay is limited to a period of 90 days.</p> <p>(b) Managers, administrators and specialists who are employed by firms which supply services in Panama through a branch, subsidiary or affiliate and who have been previously in its employ for not less than six months immediately preceding the date of application of entry. The period of stay is limited to a period of one year.</p> <p>MANAGERS: Persons who occupy the highest position in the enterprise, direct the management of the enterprise or one of its departments or subdivisions, supervise and control the work of other supervisory or managerial staff, have the authority to hire and fire, and exercise discretionary authority over the general operations of the enterprise. This category does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who mainly perform functions necessary for the supply of the service.</p> <p>ADMINISTRATORS: Persons who direct the administration of the enterprise, establish its goals and policies, have wide latitude in decision-making and receive only general supervision and direction from managers, the Board of Directors or shareholders of the enterprise. Administrators do not directly perform functions connected with the supply of the enterprise's services.</p> <p>SPECIALISTS: Persons within an organisation who possess the knowledge at an</p>		

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>advanced level of continuous experience and are in possession of confidential information about the services, research, equipment, techniques or administration of the enterprise.</p> <p>(c) Installers and maintainers: qualified specialists who has the technical knowledge essentials to comply with the contractual obligation of the seller or to train workers and are employee of an enterprise located outside Panama not having commercial presence in Panama, supplying installation or maintenance services for machinery or industrial equipment. The supply of that service has to occur on a fee or contractual basis (installation/maintenance contract) between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being enterprises (excluding any supply of services in connection with enterprises mentioned by CPC 872). The period of stay is limited to a period of 90 days.²</p> <p>Unbound for intrinsic professional services or those connected with the sectors included in this Schedule, other than those specified in Section 1.A. PROFESSIONAL SERVICES.</p>		

² Does not include services provided through professionals that Panamanian legislation requires nationality

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
PART II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. <u>Professional Services</u>			
(a) Legal services. - Exclusively: legal consultancy on international law (excludes Panamanian law) and consultancy on law of the jurisdiction in which the service supplier is qualified as a lawyer. Does not include appearance in courts or administrative, judicial, maritime or arbitral authorities in Panama, nor the drafting of legal documents (part of CPC 861)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(b) Accounting, auditing and bookkeeping services (CPC 862)	1) Unbound 2) None 3) Panamanian juridical persons may make agreements to add to their letterheads and signs the names of firms, corporations and juridical or natural foreign persons engaged in the services provided by a Certified Public Accountant in his country of origin, or in international co-ordination of the professional practice of public accountancy. Professional acts demanding public certification may only be provided by Panamanian Certified Public Accountants. Professional associations are unbound. 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) None, except that license to provide the services is subject to nationality condition 4) Unbound, except as indicated in Part I	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(d) Architectural services (CPC 8671)	<p>1) Only a company registered with the Technical Board will provide architectural services in Panama. To register the company must have its registered corporation in Panama, and persons employed by the company who are responsible for providing the services must be qualified to perform such services in Panama. The technical board may grant the licence to an EFTA State natural person that is licensed to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>2) None</p> <p>3) None, except that the persons responsible for the architectural works must be professionals licensed in Panama. The technical board may grant the license to an EFTA State natural person that is authorised to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>4) The hiring of a professional of an EFTA State in the field of architecture for purposes limited to that specialisation may be permitted, provided that the Engineering and Architecture Technical Council can show that there are no Panamanian professionals suitable for providing such services. If a professional of an EFTA State is hired for more than 12 months, the hiring entity must employ a Panamanian professional in order that he may receive the training necessary to enable him to replace the foreigner at the end of his contract. Authorisations to hire specialists of EFTA State for less than 12 months may not be extended.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Engineering services (CPC 8672)	<p>1) Only a company registered with the Technical Board will provide engineering services in Panama. To register the company must have its registered corporation in Panama, and persons employed by the company who are responsible for providing the services must be qualified to perform such services in Panama. The technical board may grant the licence to an EFTA State natural person that is licensed to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>2) None</p> <p>3) None, except that the persons responsible for the engineering works must be professionals licensed in Panama. The technical board may grant the license to an EFTA State natural person that is authorised to practice in a jurisdiction that allows to Panamanian nationals to provide the services, subject to the same limitations.</p> <p>4) The hiring of a professional of an EFTA State in the field of engineering for purposes limited to that specialisation may be permitted, provided that the Engineering and Architecture Technical Council can show that there are no Panamanian professionals suitable for providing such services. If a foreign professional is hired for more than 12 months, the hiring entity must employ a Panamanian professional in order that he may receive the training necessary to enable him to replace the foreigner at the end of his contract. Authorisations to hire foreign specialists for less than 12 months may not be extended.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(f) Integrated engineering services (CPC 8673)	<p>1) Only a company registered with the Technical Board will provide engineering services in Panama. To register the company must have its registered corporation in Panama, and persons employed by the company who are responsible for providing the services must be qualified to perform such services in Panama. The technical board may grant the licence to an EFTA State natural person that is licensed to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>2) None</p> <p>3) None, except that the persons responsible for the engineering works must be professionals licensed in Panama. The technical board may grant the licence to an EFTA State natural person that is authorised to practice in a jurisdiction that allows to Panamanian nationals to provide the services, subject to the same limitations.</p> <p>4) The hiring of a professional of an EFTA State in the field of engineering for purposes limited to that specialisation may be permitted, provided that the Engineering and Architecture Technical Council can show that there are no Panamanian professionals suitable for providing such services. If a foreign professional is hired for more than 12 months, the hiring entity must employ a Panamanian professional in order that he may receive the training necessary to enable him to replace the foreigner at the end of his contract. Authorisations to hire foreign specialists for less than 12 months may not be extended.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(g) Urban planning and landscape architectural services (CPC 8674)	<p>1) Only a company registered with the Technical Board will provide architectural services in Panama. To register the company must have its registered corporation in Panama, and persons employed by the company who are responsible for providing the services must be qualified to perform such services in Panama. The technical board may grant the licence to an EFTA State natural person that is licensed to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>2) None</p> <p>3) None, except that the persons responsible for the architectural works must be professionals licensed in Panama. The technical board may grant the licence to an EFTA State natural person that is authorised to practice in a jurisdiction that allows Panamanian nationals to provide the services, subject to the same limitations.</p> <p>4) The hiring of a professional of an EFTA State in the field of architecture for purposes limited to that specialisation may be permitted, provided that the Engineering and Architecture Technical Council can show that there are no Panamanian professionals suitable for providing such services. If a professional of an EFTA State is hired for more than 12 months, the hiring entity must employ a Panamanian professional in order that he may receive the training necessary to enable him to replace the foreigner at the end of his contract. Authorisations to hire specialists of EFTA State for less than 12 months may not be extended.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(h) Medical and dental services (including psychologists), (CPC 9312 and part of CPC 85201)	1) Unbound 2) None 3) None, except that professional licence (<i>idoneidad</i>) to provide the service is subject to nationality conditions 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	
(i) Veterinary services (CPC 932)	1) Unbound 2) None 3) None, except that professional licence (<i>idoneidad</i>) to provide the service is subject to nationality conditions 4) Unbound	1) Unbound 2) None 3) Veterinarians with licence (<i>idoneidad</i>) will have priority for the technical leadership of juridical persons engaged in veterinarian activities. 4) Unbound	
B. <u>Computer and Related Services</u>			
(a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None. Does not include retail sale of hardware 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(b) Software implementation services (CPC 842)			
(c) Data processing services. Exclusively: input preparation services; data processing services; time sharing services (CPC 84310, 84320, 84330)			
(d) Data base services (CPC 844)			
(e) Maintenance and repair of hardware (CPC 845)			

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
C. <u>Research and Development Services</u>			
(a) R&D services on natural sciences (CPC 851)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(b) R&D services on social sciences and humanities (CPC 852 excluding psychologists services)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(c) Interdisciplinary R & D services (CPC 853)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
E. <u>Rental/Leasing Services without Operators</u>			
(a) Relating to ships (CPC 83103)	1) None 2) None 3) None 4) Unbound in relation to the ship crew and key personnel employed in connection with a commercial presence except as indicated in Part I	1) None 2) None 3) None 4) Unbound in relation to the ship crew and key personnel employed in connection with a commercial presence except as indicated in Part I	
(b) Relating aircraft (CCP 83104)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
(c) Relating to other transport equipment. Exclusively: rental of cars without driver (CPC 83101)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(d) Relating to other machinery and equipment (CPC 83106, 83107, 83108)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(e) Relating to personal and household goods (CPC 832)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
F. <u>Other Business Services</u>	Economic activities or services considered as public services or public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private. The majority of the capital of a private enterprise engaged in public utilities that operate in Panama shall be owned by a Panamanian person, except where provided by domestic law.		
(a) Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) Unbound 3) Unbound 4) Unbound, except as indicated in Part I	
(b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(f) Services incidental to agriculture, hunting and forestry (part of CPC 881). Except services providing agricultural, machinery with operators, harvesting and related services and labour contracting services	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(g) Services incidental to fishing (CPC 882)	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
(h) Services incidental to mining (CPC 883)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(i) Services incidental to manufacturing (CPC 884 + 885) except 88442	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(k) Placement and supply services of personnel	1) None	1) None	
(k) 1.Executive search (CPC 87201)	2) None	2) None	
(k) 2.Placement services (CPC 87202)	3) None	3) None	
	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(k) 3.Supply services of office support (CPC 87203)	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(k) 4.Model agency services (CPC 87209)	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(m) Related scientific and technical consultancy services	1) None	1) None	
(m)1.Geological, geophysical and other scientific	2) None	2) None	
prospection services (CPC 86751)	3) None, except that the engineers have to be licensed in Panama	3) None	
(m)2.Underground topography services (CPC86752)	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(m)3.Surface topography services (CPC 86753)			
(o) Building-cleaning services (CPC 874)	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(p) Photographic services (CPC 875)	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	

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
(r) Printing, publishing (CPC 88442)	1) None 2) None 3) None, except an enterprise producing a print publication that is part of the Panamanian communications mass media, such as a newspaper or magazine must be a hundred percent owned (directly or indirectly) by a Panamanian national and its managers (including its publishers, editors-in-chief, deputy directors and assistant managers) must be Panamanian nationals 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(s) Convention services (part of CPC 87909)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(t) Others			
(t) 1.Credit reporting services (CPC 87901)	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in Part I	
(t) 2.Telephone answering services (87903)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(t) 3.Translation and interpretation services (CPC 87905) except for official translation and interpretation	1) None 2) None 3) None 4) Unbound except as indicated in Part I	1) None 2) None 3) None 4) Unbound except as indicated in Part I	

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
(t) 5.Duplicating services. Does not include printing services (CPC 87904)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
2. COMMUNICATION SERVICES	Economic activities or services considered as public services or public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private. The majority of the capital of a private enterprise engaged in public utilities that operate in Panama shall be owned by a Panamanian person, except where provided by domestic law.		
B. Courier services - express delivering services(part of CPC 7512) ³	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I	

³ Express delivery services do not include (i) air transport services, (ii) services supplied in the exercise of governmental authority, or (iii) maritime transport services.

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Sector or subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>C. <u>Telecommunications Services</u></p> <p>For the purpose of the commitments below, telecommunications services are the transmission and reception of signals by any electromagnetic means, including by photonic means,⁴ excluding broadcasting⁵</p>			
<p><u>Public Telecommunication Services</u></p> <p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet/switched data transmission (part of CPC 7523)</p> <p>(c) Circuit/switched data transmission (part of CPC 7523)</p> <p>(d) Telex services (part of CPC 7523)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (part of CPC 7521+7529)</p> <p>(g) Private leased circuit services (part of CPC 7522+7523)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) Cellular mobile telephone services are provided exclusively by four operators who have been granted the concessions by the State.</p> <p>4) Unbound, except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except that an enterprise that is directly or indirectly owned or controlled by a foreign government or in which a foreign government is a partner may not supply telecommunications services in the territory of Panama.</p> <p>4) Unbound, except as indicated in Part I</p>	<p>Panama undertakes additional commitments as contained in Attachment I of this Schedule.</p>

⁴ The sector of telecommunications services does not cover the economic activity consisting of content provision.

⁵ Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio program signals to the general public, but does not cover contribution links between operators.

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
<u>Value added telecommunications</u>			
(h) Electronic mail (part of CPC 7523)	1) None	1) None	
(i) Voice mail (part of CPC 7523)	2) None	2) None	
(j) On-line information and data base retrieval (part of CPC 7523)	3) None	3) None, except that an enterprise that is directly or indirectly owned or controlled by a foreign government or in which a foreign government is a partner may not supply telecommunications services in the territory of Panama	
(k) Electronic data interchange (EDI) (part of CPC 7523)	4) Unbound, except as indicated in Part I	4) Unbound, except as indicated in Part I	
(l) Enhanced/value-added facsimile services (including store and retrieve)(part of CPC 7523)			
(m) Code and protocol conversion			
(n) On-line information and/or data processing (including transaction processing) (part of CPC 843)			
(o) Other.			

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
<p>D. <u>Audiovisual Services</u></p> <p>(a) Motion pictures and video tape production and wholesale distribution services (CPC 96112)</p> <p>(b) Motion picture projection service (CPC 96121), and</p> <p>(c) Radio and television services (CPC 9613). Exclusively: arrangements for the showing and screening of EFTA audiovisual services, provided that the medium for showing these services is limited to Panamanians providers.</p> <p>(e) Sound recording</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in Part I</p>	
<p>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</p> <p>A. <u>General construction work for buildings</u>(CPC 512)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except that the persons responsible for the engineering and architectural works must be professionals in the field licensed in Panama.</p> <p>4) Unbound, except as indicated in Part I</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound, except as indicated in Part I</p>	

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
B. <u>General construction work for civil engineering</u> (CPC 513)	1) Unbound* 2) None 3) None, except that the persons responsible for the engineering and architectural works must be professionals in the field licensed in Panama. 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
C. <u>Installation and assembly work</u> (CPC 514 and 516)	1) Unbound* 2) None 3) None, except that the persons responsible for the engineering and architectural works must be professionals in the field licensed in Panama. 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
D. <u>Building completion and finishing work</u> (CPC 517)	1) Unbound* 2) None 3) None, except that the persons responsible for the engineering and architectural works must be professionals in the field licensed in Panama. 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
4. DISTRIBUTION SERVICES (excluding the distribution of weapons, ammunition, explosives and other war materials)			
A. <u>Commission agents services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
B. <u>Wholesale trade services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
D. <u>Franchising</u> (CPC 8929)	1) None, except that services of the franchise operation provided at the retail level are limited to citizens of Panama. 2) None 3) None, except that services of the franchise operation provided at the retail level are limited to citizens of Panama. 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
5. EDUCATIONAL SERVICES	Panamanian government may intervene in private teaching establishments to ensure the fulfilment of national and social objectives as regards the education and intellectual, moral, civic and physical training of students. Panama reserves the right to adopt or maintain a measure for a public purpose such as public education.		
A. <u>Primary education services</u> (CPC 921)	1) None 2) None 3) Educational establishment must be approved and inspected by the Ministry of Education. 4) Unbound, except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
B. <u>Secondary education services</u> (CPC 922)	1) None 2) None 3) Educational establishment must be approved and inspected by the Ministry of Education 4) Unbound, except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I. In addition, history of Panama and citizenship must be taught by Panamanians.	
C. <u>Higher education services</u> (CPC 923)	1) None 2) None 3) Higher education establishment must be approved by the Ministry of Education and inspected by the Universidad de Panama 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
D. <u>Adult education services</u> (CPC 924)	1) None 2) None 3) Educational establishment must be approved by the Ministry of Education and inspected by the Universidad de Panama 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
E. <u>Other education services</u> (CPC 929)	1) None 2) None 3) Educational establishment must be approved by the Ministry of Education 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
6. ENVIRONMENTAL SERVICES	Economic activities or services considered as public services or public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private. The majority of the capital of a private enterprise engaged in public utilities that operate in Panama shall be owned by a Panamanian person, except where provided by domestic law.		
D. Exclusively: cleaning services of exhaust gases; noise abatement services (CPC 94040 and 94050). Commitments will be limited to the following activities: implementation and installation of new or existing cleaning systems, remedial, preventive and monitoring services; consulting services in these fields.	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
E. Nature and landscape protection services (part of CPC 94060) Exclusively: services for conducting studies on the relation between the environment and climate, including services of evaluation of natural disaster and reduction of their consequences.	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in Part I	
7. FINANCIAL SERVICES Other horizontal commitments specific for financial services	(4) Unbound for services sales persons, brokers or stock agents		
A. <u>Insurance and Insurance Related Services</u> (i) Direct insurance (aa) Life	1) Persons domiciled in the Republic of Panama must insure all property and persons located in Panama with insurance companies that are authorised to operate in Panama. The Superintendency of Insurance and Reinsurance, having verified that an insurance policy cannot be obtained from insurance carriers authorised to operate in Panama, may grant authorisation to obtain them in EFTA States and will record this authorisation in the pertinent register. 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
(bb) Non life insurance services excluding transportation	1) Persons domiciled in the Republic of Panama must insure all property and persons located in Panama with insurance companies that are authorised to operate in Panama. The Superintendency of Insurance and Reinsurance, having verified that such insurance policies cannot be obtained from insurance carriers authorised to operate in Panama, may grant authorisation to obtain them in EFTA States and will record this authorisation in the pertinent register. 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
- Transportation insurance (CPC 81293)	1) None with respect to maritime shipping and commercial aviation and space launching and freight (including satellites) 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. ⁶ 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(ii) Reinsurance and retrocession (CPC 81299)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None, except that the insurance companies authorised to operate must designate at least two general proxies. Both of these proxies must be a natural person with residence in Panama and at least one of them must be a Panamanian national. 2) None 3) None 4) Unbound, except as indicated in Part I	

⁶ Without prejudice of register requirements.

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
(iii) Insurance intermediation, such as brokerage and agency	1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
(iv) Services auxiliary to insurance (exclusively actuarial, and average and loss adjustment services (CPC 81403 and 81404)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
B. <u>Banking and Other Financial Services (excluding insurance, financial enterprises, and saving and loan associations)</u>	<p>The branches of foreign banks must designate at least two general proxies. Both of these proxies must be a natural person with residence in Panama and at least one of them must be a Panamanian national.</p> <p>The General Manager, Assistant General manager and Director or Deputy Director of the Board of Directors of the <i>Caja de Ahorros</i> must be Panamanian nationals by birth or naturalisation, who has resided in Panama for at least 10 years.</p> <p>The General Manager, Legal Representative and Director of the Board of Directors of the <i>Banco Nacional de Panama</i> must be Panamanian nationals.</p>		
(v) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(vii) Financial leasing with option to purchase (Exclusively: movable goods) (CPC 8112)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
(viii) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (does not include local transmission services)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(ix) Guarantees (banking guarantees) and commitments;	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: <ul style="list-style-type: none"> - money market instruments (including cheques, bills, certificates of deposits) ; - foreign exchange; - derivative products including, but not limited to, futures and options; - exchange rate and interest rate instruments, including products such as swaps, forward rate agreements; - transferable securities; - other negotiable instruments and financial assets, including bullion. 	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) Unbound 4) Unbound, except as indicated in Part I	

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
(xi) Participation in issues of all kinds of securities, including underwriting (Does not include agents)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(xii) Money broking	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(xiv) Settlement and clearing services for financial assets, including securities, derivative products	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
(xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services;	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
(xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
8. HEALTH RELATED AND SOCIAL SERVICES (other than those listed under 1.A.h-j of document GNS/W/120) (only wholly funded services)	Panama reserves the right to adopt or maintain a measure for the following services, provided that they are social services established or maintained for a public purpose.		
A. <u>Hospital services (CPC 9311)</u>	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	
B. <u>Other human Health services</u>			
(a) Ambulance services (CPC 93192)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	
(b) Residential health facilities other than hospital services (CPC 93193)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	

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
9. TOURISM AND TRAVEL RELATED SERVICES			
A. <u>Hotels and restaurants (including catering) (CPC 641, 642 and 643)</u>	1) Unbound*, except none for catering 2) None 3) No licence for the operation of a bar (including restaurants and establishment that the principal activity is to sale spirit for consumption in the local) will be granted in any district in Panama when the number of existing bars in such district exceeds the proportion of one per one thousand inhabitants according to the latest official population census. 4) Unbound, except as indicated in Part I	1) Unbound* except none for catering 2) None 3) None 4) Unbound, except as indicated in Part I	
B. <u>Travel agencies and tour operators services (CPC 7471)</u>	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
C. <u>Tourist guides services (CPC 7472)</u>	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) None 4) Unbound, except as indicated in Part I	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)			
A. <u>Entertainment services (including theatre, live bands and circus services) (CPC 9619)</u>	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in Part I	

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
B. <u>News agency services</u> (CPC 962)	1) None 2) None 3) A company producing a print publication that is part of the Panamanian communications mass media, such as a newspaper or magazine must be a hundred percent owned (directly or indirectly) by a Panamanian national and its managers (including its publishers, editors-in-chief, deputy directors and assistant managers), must be Panamanian nationals. 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
D. <u>Sporting services</u> (CPC 9641)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
E. <u>Recreation park and beach services</u> (CPC 96491)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	

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
11. TRANSPORT SERVICES	<p>Economic activities or services considered as public services or 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>The majority of the capital of a private enterprise engaged in public utilities that operate in Panama shall be owned by a Panamanian person, except where provided by domestic law.</p>		
<p>A. <u>Maritime transport</u>⁷</p> <ul style="list-style-type: none"> - international transport freight and passengers (CPC 7211 and 7212) - Rental of vessels with crew (CPC 7213) - Maritime towing and pushing services (CPC 7214) less cabotage transport (1)⁸ - Maintenance and repair of vessels (CPC 8868) 	<ul style="list-style-type: none"> 1) None, except unbound for towing and pushing services 2) None 3) None 4) Unbound, in relation to the ship crew and key personnel employed in connection with a commercial presence except as indicated in Part I 	<ul style="list-style-type: none"> 1) None, except unbound for towing and pushing services 2) None 3) None 4) Unbound, in relation to the ship crew and key personnel employed in connection with a commercial presence except as indicated in Part I 	<p>The following port services are made available to international maritime transport suppliers on non discriminatory conditions:</p> <ul style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling, watering 4. Garbage collecting, ballast waste disposal 5. Captains services inspector 6. navigation aids 7. shore-based operational services essential to ship operations, including communications, water, electrical supplies 8. Emergency repair facilities 9. anchorage, berth, berthing services <p>Where the road, rail, coastal shipping and related auxiliary</p>

⁷ See Attachment II "Notes to Maritime Transport"

⁸ International maritime transport services suppliers of the other Party can operate between ports of Panama for the purposes of pre and onward carriage of their own international cargo.

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
			services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent, hire or charter trucks, railway carriages and relate equipment, for the purpose of onward forwarding of international cargoes carried by sea, or have access to and use of these forms of transport services for the purpose of providing multimodal transport services.
Domestic freight transportation (part of CPC 7212), limited to the following services: <ul style="list-style-type: none"> - Transport feeder services related to international cargo - Transport of empty containers for international trade - Maritime transport servicing offshore petroleum exploration and production 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Ships have to be registered in Panama, according to the applicable law of Panama. To obtain the register is required to fly the Panamanian flag. The competent authority may refuse to register a ship for technical reasons or strategic market. 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Ships have to be registered in Panama, according to the applicable law of Panama. To obtain the register is required to fly the Panamanian flag. 4) Unbound 	
Domestic maritime towing and pushing services, including anchor handling, servicing petroleum exploration and production (part of CPC 7214)	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Ships have to be registered in Panama, according to the applicable law of Panama. To obtain the register is required to fly the Panamanian flag. The competent authority may refuse to register a ship for technical reasons or strategic market. 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Ships have to be registered in Panama, according to the applicable law of Panama. To obtain the register is required to fly the Panamanian flag. 4) Unbound 	

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
C. <u>Air Transport Services</u>			
(d) Maintenance and repair of aircraft (CPC 8868)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
F. <u>Road Transport</u>			
(b) Freight transportation (CPC 7123)	1) Unbound 2) None 3) Providers shall use vehicles with national registration 4) Unbound, except as indicated in Part I	1) Unbound 2) None 3) Providers shall use vehicles with national registration 4) Unbound, except as indicated in Part I	
H. <u>Services auxiliary to all modes of transport</u>			
H.1 <u>Services auxiliary to Maritime Transport</u> ⁹			
- Maritime Cargo Handling Services (CPC 741) (as defined in Attachment II definition n° 3)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	
- Storage and warehousing Services (CPC 742)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	
- Customs Clearance Services (as defined in Attachment II definition n° 4)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I. Brokers shall be Panamanian nationals.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	

⁹ See Attachment II “Notes to Maritime Transport”

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
- Container Station and Depot Services (as defined in Attachment II definition n°5)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	
- Maritime Agency Services (as defined in Attachment II definition n°6)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
- Freight Forwarding Services (as defined in Attachment II definition n°7)	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	1) None 2) None 3) None 4) Unbound, except as indicated in Part I	
- Other supporting auxiliary transport services (as defined in Attachment II definition n°8)	1) Unbound, except none for bill auditing and freight rate information services 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound, except none for bill auditing and freight rate information services 2) None 3) None 4) Unbound, except as indicated in Part I	
H.2 <u>Services auxiliary to rail transport</u>			
(a) Cargo handling services (part of CPC 741)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	
(b) Storage and warehouse services (part of CPC 742)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in Part I	

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
<p>H.3 <u>Services auxiliary to air transport</u></p> <p>(a) Cargo-handling services (part of CPC 741)</p> <p>(b) Storage and warehouse services (part of CPC 742)</p> <p>(c) Freight transport agency services (part of CPC 748)</p> <p>(d) Other. Sales and marketing</p>	<p>1) Unbound</p> <p>2) None, except Cargo-handling services</p> <p>3) Only a person of Panama with a base of operations in Panama may hold a certificate of exploitation to supply air transportation services in Panama. To obtain a certificate referred to in the previous paragraph, an enterprise of Panama must also establish before the <i>Autoridad de Aeronáutica Civil</i> that the substantial property and effective control of the enterprise is owned by a Panamanian national. At least 51 percent of the subscribed and paid-in capital of a society is represented with nominative stocks owned by a Panamanian national. For domestic transport, the percentage referred to in paragraph 2 is a minimum of 60 percent. During the validity of a certificate referred to in paragraph 1 the title holder must maintain the minimum percentage of ownership by a Panamanian national set out in paragraph 2 or 3.</p> <p>4) Unbound, except as indicated in Part I</p>	<p>1) Unbound</p> <p>2) None, except for Cargo-handling services</p> <p>3) Only a person of Panama with a base of operations in Panama may hold a certificate of exploitation to supply air transportation services in Panama. To obtain a certificate referred to in the previous paragraph, an enterprise of Panama must also establish before the <i>Autoridad de Aeronáutica Civil</i> that the substantial property and effective control of the enterprise is owned by a Panamanian national. At least 51 percent of the subscribed and paid-in capital of a society is represented with nominative stocks owned by a Panamanian national. For domestic transport, the percentage referred to in paragraph 2 is a minimum of 60 percent. During the validity of a certificate referred to in paragraph 1 the title holder must maintain the minimum percentage of ownership by a Panamanian national set out in paragraph 2 or 3.</p> <p>4) Unbound, except as indicated in Part I</p>	

ATTACHMENT I

ADDITIONAL COMMITMENTS ON TELECOMMUNICATIONS

Article 1

Scope and Definitions

1. The following are definitions and principles on the regulatory framework for the public telecommunications services.
2. For the purpose of this Attachment:
 - (a) “public telecommunications services” means any telecommunication service to be offered to the public generally, typically involving customer-supplied information between two or more points without any end-to-end change in the form or content of the customer's information, but does not include information services.
 - (b) “public telecommunications network” means the public telecommunications infrastructure which permits telecommunications services between and among two or more defined network termination points.
 - (c) “regulatory authority” means the body responsible for the regulation of telecommunications in relation to the issues mentioned in this Attachment;
 - (d) “essential facilities” means facilities of a public telecommunications network or service that:
 - i. are exclusively or predominantly provided by a single or limited number of suppliers; and
 - ii. cannot feasibly be economically or technically substituted in order to supply a service; and
 - (e) “major supplier” means a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for telecommunications services as a result of:
 - i. control over essential facilities; or
 - ii. the use of its position in the market.

Article 2

Competitive Safeguards

1. Appropriate measures shall be maintain for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.
2. The anti-competitive practices referred to in paragraph 1 shall include, in particular:
 - (a) engaging in anti-competitive cross-subsidisation;
 - (b) using information obtained from competitors with anti-competitive results; and
 - (c) not making available to other service suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to supply services.¹⁰

Article 3

Interconnection

1. This Article applies to linking with suppliers providing public telecommunications networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services supplied by another supplier, where specific commitments are undertaken.
2. Where suppliers are unable to resolve disputes regarding the negotiation of an interconnection agreement with a major supplier within a reasonable time, it is ensured that they will have recourse to assistance from an independent domestic body, which may be the regulatory authority as referred to in Article 6, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time.

Article 4

Universal Service

1. Panama has the right to define the kind of universal service obligation it wishes to have.
2. Such obligations will not be regarded as anti-competitive per se, provided they are administered in a transparent, non-discriminatory and competitively neutral manner

¹⁰ This subparagraph shall apply without prejudice of the applicable legislation with regard to confidential information.

and are not more burdensome than necessary for the kind of universal service defined by Panama.

Article 5

Licensing and other authorisations procedures

1. Where a licence, concession, permit, registration, or other type of authorisation is required for the supply of a telecommunications service, the competent authority of Panama shall make the following publicly available:

- (a) its terms and conditions; and
- (b) the period of time normally required to reach a decision concerning an application for it.

2. The reasons for the denial of a licence, concession, permit, registration, or other type of authorisation will be made known to the applicant upon request.

Article 6

Regulatory Authority

1. The regulatory authority for telecommunications services shall be separate from, and not accountable to, any supplier of public telecommunications services.

2. It is ensured that decisions of, and the procedures used by Panama's regulatory authority are impartial with respect to all market participants.

3. Suppliers affected by the decision of the regulatory authority will have recourse to an administrative body or a court, independent of any supplier, in accordance with its laws and regulations.

Article 7

Scarce Resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available.¹¹

¹¹ For the purpose of this Article, it is understood that it does not require to make publicly available detailed identification of frequencies allocated for specific government uses.

ATTACHMENT II

NOTES TO MARITIME TRANSPORT

"International Maritime Transport" covers door to door and multi-modal transport operations, which is the carriage of goods using more than one mode of transport, involving a sea-leg, under a single transport document, and to this effect includes the right for international maritime transport suppliers to contract directly with providers of other modes of transport.

1. **"Cabotage"** transportation of passengers or goods between a port located in Panama and a traffic originating and terminating in the same port located in Panama provided that this traffic remains within Panama's territorial waters.

2. **"Multimodal transport operator"** means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

3. **"Maritime cargo handling services"** means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

4. **"Customs clearance services"** (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another Party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

5. **"Container station and depot services"** means activities consisting in storing containers, whether in a port area or inland, with a view to their stuffing/stripping, repairing, and making them available for shipments.

6. **"Maritime agency services"** means the activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;

- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

7. **"Freight forwarding services"** means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

8. **"Other supporting and auxiliary transport services"** means freight brokerage services; bill auditing and freight rate information services; transportation document preparation services; packing and crating and unpacking and de-crating services; freight inspection, weighing and sampling services; and freight receiving and acceptance services (including local pick-up and delivery).
