

LIST OF COMMITMENTS ON ESTABLISHMENT

(referred to in Article 114 of this Agreement)

SECTION A

COLOMBIA

1. The List of Commitments below indicates the economic activities committed by Colombia pursuant to Article 114 of this Agreement and, by means of reservations, the market access and national treatment limitations that apply to establishments and investors from the other Party in those sectors. The list is composed of the following elements:
 - (a) first column indicating the sector or sub-sector in which the commitment is assumed by the Party, and the scope of liberalization to which the reservations apply;

- (b) second column describing the applicable reservations and the obligation affected (Market Access or National Treatment). The Market Access and National Treatment commitments are independent; therefore if Market Access is not committed in a sub-sector (remains "unbound"), this does not invalidate the National Treatment commitment.

The sectors or sub-sectors which are not included in the following list are not committed.

2. In identifying individual sectors and sub-sectors:

- (a) "ISIC rev 3.1" means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 4, ISIC REV 3.1, 2002; and
- (b) "CPC" means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No 77, CPC prov, 1991.

3. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements and procedures when they do not constitute a market access or a national treatment limitation within the meaning of Articles 112 and 113 of this Agreement. Those measures (e.g. need to obtain a license, universal service obligations, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the other Party.
4. In accordance with Article 107 paragraph 3 of this Agreement, the list below does not include measures concerning subsidies or grants granted by the Parties.
5. In accordance with Article 112 of this Agreement, non-discriminatory requirements as regards the types of legal form of an establishment are not included in the list below.
6. The rights and obligations arising from this list of commitments shall have no self-executing effect and thus confer no rights directly to individual natural persons or juridical persons.

NOTES ON THE LIMITATIONS APPLIED TO SECTORIAL SPECIFIC COMMITMENTS
ON ESTABLISHMENT IN SERVICES AND NON SERVICES SECTORS

Note number 1: Colombia reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities and ethnic groups, including with respect to the communal lands held by ethnic groups in accordance with Art. 63 of the Constitución Política de Colombia. The ethnic groups in Colombia are: indigenous and Rom (gypsy) people, Afro-Colombian communities and the Raizal community of the Archipelago of San Andrés, Providencia, and Santa Catalina.

Note number 2: Colombia reserves the right to adopt or maintain any measure according rights or preferences to local communities with respect to the support and development of expressions relating to intangible cultural patrimony declared pursuant to Resolución No. 0168 de 2005.

Note number 3: If the Colombian State decides to sell all or part of its interest in an enterprise to a person other than a Colombian state enterprise or other Colombian government entity, it shall first offer such interest exclusively, and under the conditions established in articles 3 and 11 of Ley 226 de 1995, to:

- (a) current, pensioned, and former employees (other than former employees terminated for just cause) of the enterprise and of other enterprises owned or controlled by the enterprise;

- (b) associations of employees and former employees of the enterprise;
- (c) employee unions;
- (d) federations and confederations of trade unions;
- (e) employee funds ("fondos de empleados");
- (f) pension and severance funds; and
- (g) cooperative entities.

However, once such interest has been transferred or sold, Colombia does not reserve the right to control any subsequent transfer or other disposal of such interest.

Note number 4: A juridical person organized under the laws of another country, and with its principal domicile in another country, must establish as a branch in Colombia in order to develop a concession obtained from the Colombian State.

Note number 5: Only natural or juridical persons with their main office in the free port of San Andrés, Providencia, and Santa Catalina may supply services in this region.

Sector or Sub-Sector	Description of Reservations
ALL SECTORS	<p>Taxes</p> <p>National Treatment</p> <p>With regard to foreign corporations, a tax exists on remittances of profits¹.</p>
ALL SECTORS	<p>Real estate</p> <p>National Treatment</p> <p>Colombia reserves the right to adopt or maintain any measure related to ownership of real property by foreigners in border regions, national coasts, or insular territory of Colombia.</p> <p>for the purposes of this entry:</p> <p>"border region" means a zone of two kilometers in width, parallel to the national border line;</p> <p>"national coast" means a zone of two kilometers in width, parallel to the line of the highest tide; and</p> <p>"insular territory" means islands, islets, keys, headlands, and shoals that are part of the territory of Colombia.</p>

¹ Colombia considers that this tax is in conformity with the provisions of Article XIV of the GATS, in particular with the footnote of paragraph d) and therefore it is not specified or scheduled in this list.

Sector or Sub-Sector	Description of Reservations
ALL SECTORS	<p>Investment</p> <p>Market Access and National Treatment</p> <p>Foreign investment is allowed in all sectors of the economy except for investment projects in activities relating to national defense and the processing and disposal of toxic, hazardous or radioactive waste not produced in Colombia.</p>
1. AGRICULTURE, HUNTING, FORESTRY	
A. Agriculture, hunting (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding advisory and consultancy services ²	None, except as indicated in notes number 1, 2 and 3 of this Section.
B. Forestry and logging (ISIC rev 3.1: 020) excluding advisory and consultancy services ³	None, except as indicated in notes number 1, 2 and 3 of this Section.

² Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

³ Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

Sector or Sub-Sector	Description of Reservations
2. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) excluding advisory and consultancy services ⁴	<p>Market Access and National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Only Colombian nationals may engage in artisanal fishing.</p> <p>A foreign-flagged vessel may engage in fishing and related activities in Colombian territorial waters only in association with a Colombian enterprise that owns a permit. The costs of the permit and fishing license are higher for foreign-flagged vessels than for Colombian-flagged vessels.</p> <p>If the flag of a foreign-flagged vessel is that of a country that is a party to another bilateral agreement with Colombia, the terms of that other bilateral agreement shall determine whether or not the requirement to associate with a Colombian enterprise that owns a permit applies.</p>
3. MINING AND QUARRYING	
A. Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10)	None, except as indicated in notes number 1, 2 and 3 of this Section.
B. Extraction of crude petroleum and natural gas ⁵ (ISIC rev 3.1: 1110)	None, except as indicated in notes number 1, 2 and 3 of this Section.
C. Mining of metal ores (ISIC rev 3.1: 13)	None, except as indicated in notes number 1, 2 and 3 of this Section.

⁴ Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

⁵ Does not include services incidental to mining rendered on a fee or contract basis at oil and gas fields which are to be found in ENERGY SERVICES under 18.A.

Sector or Sub-Sector	Description of Reservations
D. Other mining and quarrying (ISIC rev 3.1: 14)	None, except as indicated in notes number 1, 2 and 3 of this Section.
4. MANUFACTURING ⁶	
A. Manufacture of food products and beverages (ISIC rev 3.1: 15)	None, except as indicated in notes number 1, 2 and 3 of this Section.
B. Manufacture of tobacco products (ISIC rev 3.1: 16)	None, except as indicated in notes number 1, 2 and 3 of this Section.
C. Manufacture of textiles (ISIC rev 3.1: 17)	None, except as indicated in notes number 1, 2 and 3 of this Section.
D. Manufacture of wearing apparel; dressing and dyeing of fur (ISIC rev 3.1: 18)	None, except as indicated in notes number 1, 2 and 3 of this Section.
E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear (ISIC rev 3.1: 19)	None, except as indicated in notes number 1, 2 and 3 of this Section.
F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials (ISIC rev 3.1: 20)	None, except as indicated in notes number 1, 2 and 3 of this Section.

⁶ This sector does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

Sector or Sub-Sector	Description of Reservations
G. Manufacture of paper and paper products (ISIC rev 3.1: 21)	None, except as indicated in notes number 1, 2 and 3 of this Section.
H. Publishing, printing and reproduction of recorded media ⁷ (ISIC rev 3.1: 22), excluding publishing and printing on a fee or contract basis ⁸	None, except as indicated in notes number 1, 2 and 3 of this Section.
I. Manufacture of coke oven products (ISIC rev 3.1: 231)	None, except as indicated in notes number 1, 2 and 3 of this Section.
J. Manufacture of refined petroleum products (ISIC rev 3.1: 232)	None, except as indicated in notes number 1, 2 and 3 of this Section.
K. Manufacture of chemicals and chemical products other than explosives (ISIC rev 3.1: 24 excluding manufacturing of explosives)	None, except as indicated in notes number 1, 2 and 3 of this Section.
L. Manufacture of rubber and plastics products (ISIC rev 3.1: 25)	None, except as indicated in notes number 1, 2 and 3 of this Section.

⁷ The sector is limited to manufacturing activities. It does not include activities which are audiovisual related or present a cultural content.

⁸ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

Sector or Sub-Sector	Description of Reservations
M. Manufacture of other non-metallic mineral products (ISIC rev 3.1: 26)	None, except as indicated in notes number 1, 2 and 3 of this Section.
N. Manufacture of basic metals (ISIC rev 3.1: 27)	None, except as indicated in notes number 1, 2 and 3 of this Section.
O. Manufacture of fabricated metal products, except machinery and equipment (ISIC rev 3.1: 28)	None, except as indicated in notes number 1, 2 and 3 of this Section.
P. Manufacture of machinery	
a) Manufacture of general purpose machinery (ISIC rev 3.1: 291)	None, except as indicated in notes number 1, 2 and 3 of this Section.
b) Manufacture of special purpose machinery other than weapons and munitions (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None, except as indicated in notes number 1, 2 and 3 of this Section.
c) Manufacture of domestic appliances n.e.c. (ISIC rev 3.1: 293)	None, except as indicated in notes number 1, 2 and 3 of this Section.

Sector or Sub-Sector	Description of Reservations
d) Manufacture of office, accounting and computing machinery (ISIC rev 3.1: 30)	None, except as indicated in notes number 1, 2 and 3 of this Section.
e) Manufacture of electrical machinery and apparatus n.e.c. (ISIC rev 3.1: 31)	None, except as indicated in notes number 1, 2 and 3 of this Section.
f) Manufacture of radio, television and communication equipment and apparatus (ISIC rev 3.1: 32)	None, except as indicated in notes number 1, 2 and 3 of this Section.
Q. Manufacture of medical, precision and optical instruments, watches and clocks (ISIC rev 3.1: 33)	None, except as indicated in notes number 1, 2 and 3 of this Section.
R. Manufacture of motor vehicles, trailers and semi-trailers (ISIC rev 3.1: 34)	None, except as indicated in notes number 1, 2 and 3 of this Section.
S. Manufacture of other (non-military) transport equipment (ISIC rev 3.1: 35 excluding manufacturing of warships, warplanes and other transport equipment for military use)	None, except as indicated in notes number 1, 2 and 3 of this Section.

Sector or Sub-Sector	Description of Reservations
T. Manufacture of furniture; manufacturing n.e.c. (ISIC rev 3.1: 361, 369)	None, except as indicated in notes number 1, 2 and 3 of this Section.
U. Recycling (ISIC rev 3.1: 37)	None, except as indicated in notes number 1, 2 and 3 of this Section.
5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER (EXCLUDING NUCLEAR BASED ELECTRICITY GENERATION)	
A. Production of electricity; transmission and distribution of electricity on own account (part of ISIC rev 3.1: 4010) ⁹	<p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>Only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (comercialización) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power.</p>

⁹ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

Sector or Sub-Sector	Description of Reservations
B. Manufacture of gas; distribution of gaseous fuels through mains on own account (part of ISIC rev 3.1: 4020) ¹⁰	None, except as indicated in notes number 1, 2 and 3 of this Section.
C. Production of steam and hot water; distribution of steam and hot water on own account (part of ISIC rev 3.1: 4030) ¹¹	None, except as indicated in notes number 1, 2 and 3 of this Section.
6. BUSINESS SERVICES	
A. Professional Services	
a) Legal Services (CPC 861) Only locally qualified lawyers can supply services in respect of domestic law.	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.

¹⁰ Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

¹¹ Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.

Sector or Sub-Sector	Description of Reservations
b) 1. Accounting and Bookkeeping Services (CPC 862)	<p>National Treatment</p> <p>Registration as an accountant is required, for which it is necessary to be a Colombian national having the exercise of civil rights or a foreigner domiciled in Colombia for at least three years prior to the application. Evidence of accounting experience of not less than one (1) year, acquired in Colombia either during or upon completion of studies in public accountancy.</p> <p>Market Access</p> <p>None</p>
c) Taxation Advisory Services (CPC 863)	None
d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
i) Veterinary services (CPC 932)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access Unbound.
k) Retail sales of pharmaceuticals and retail sales of medical and orthopedically goods (CPC 63211) and other services supplied by pharmacists – Provisions set out for Sector 9. Distribution Services apply	National Treatment None. Market Access None.

Sector or Sub-Sector	Description of Reservations
B. Computer and Related Services (CPC 84)	<p>For CPC 841, CPC 842, CPC 843 and CPC 844 None</p> <p>For CPC 845+849 Market Access: None, except as indicated in note number 1 of this Section.</p> <p>For CPC 845+849 National Treatment: None except as indicated in notes number 1, 2 and 3 of this Section.</p>
C. Research and Development Services	Notes number 1, 2 and 3 of this Section apply as limitations to National Treatment on this sector.
a) Research and experimental development services on physical sciences (CPC 85101)	<p>National Treatment</p> <p>None, except that mechanisms and incentives are established to encourage transfer of technology and appropriation of knowledge by local firms, with the involvement, where possible, of recognized research groups and centres.</p> <p>Market Access</p> <p>Unbound</p>
b) Research and experimental development services on social sciences and humanities (CPC 852)	<p>National Treatment</p> <p>None, except that mechanisms and incentives are established to encourage transfer of technology and appropriation of knowledge by local firms, with the involvement, where possible, of recognized research groups and centres.</p> <p>Market Access</p> <p>Unbound</p>

Sector or Sub-Sector	Description of Reservations
c) Interdisciplinary Research and Development services (CPC 853)	<p>National Treatment</p> <p>None, except that mechanisms and incentives are established to encourage transfer of technology and appropriation of knowledge by local firms, with the involvement, where possible, of recognized research groups and centres.</p> <p>Market Access</p> <p>Unbound</p>
D. Real Estate Services	
a) Involving Own or Leased Property (CPC 821)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
b) On a Fee or Contract Basis (CPC 822)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
E. Rental/Leasing Services without Operators	
a) Relating to Ships (CPC 83103)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
b) Relating to Aircraft (CPC 83104)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	None
d) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
e) Relating to personal and household goods (CPC 832)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
f) Telecommunications equipment rental (CPC 7541)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
F. Other Business Services	
b) Market Research and Opinion Polling (CPC 864)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
c) Management Consulting Services (CPC 865)	None

Sector or Sub-Sector	Description of Reservations
d) Services Related to Management Consulting (CPC 866)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
e) Technical Testing and Analysis Services (CPC 8676)	None
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
<p>g) Advisory and Consulting Services Relating to Fishing (part of CPC 882)</p>	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Only Colombian nationals may engage in artisanal fishing.</p> <p>The costs of the permit and fishing license are higher for foreign-flagged vessels than for Colombian-flagged vessels.</p> <p>If the flag of a foreign-flagged vessel is that of a country that is a party to another bilateral agreement with Colombia, the terms of that other bilateral agreement shall determine whether or not the requirement to associate with a Colombian enterprise that owns a permit applies</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p> <p>A foreign-flagged vessel may engage in fishing and related activities in Colombian territorial waters only in association with a Colombian enterprise that owns a permit.</p>
<p>h) Advisory and Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885, not including those part of CPC 88442)</p>	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
i) Placement and Supply Services of Personnel (CPC 872)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
k) Related Scientific and Technical Consulting Services (CPC 8675)	None
l) 1. Maintenance and repair of vessels (part of CPC 8868)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
l) 3. Maintenance and Repair of motor vehicles, motorcycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
l) 4. Maintenance and Repair of Aircraft and parts thereof (CPC 8868)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
l) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.

Sector or Sub-Sector	Description of Reservations
m) Building-Cleaning Services (CPC 874)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
o) Packaging Services (CPC 876)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
p) Printing and Publishing (CPC 88442)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
q) Convention Services (CPC 87909)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
r) 1. Translation and Interpretation Services (CPC 87905)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
r) 2. Interior Design and other Specialty Design Services (CPC 87907) It does not include jewelry design nor handicrafts design	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.

Sector or Sub-Sector	Description of Reservations
r) 3. Collection Agency Services (CPC 87902)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
r) 4. Credit reporting services (CPC 87901)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
r) 5. Duplicating services (CPC 87904) ¹²	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

¹² Does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

Sector or Sub-Sector	Description of Reservations
r) 6. Telecommunications consulting services (CPC 7544)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
r) 7. Telephone answering services (CPC 87903)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
7. COMMUNICATION SERVICES	
<p>A. Postal and courier services</p> <p>Services relating to the handling¹³ of postal items¹⁴ according to the following list of sub-sectors, whether for domestic or foreign destinations:</p>	<p>National Treatment</p> <p>None, except as indicated in notes 1, 2, and 3 of this Section</p> <p>Only juridical persons established under Colombian law whose main corporate purpose is the provision of postal services may supply postal services and courier services in Colombia</p> <p>Market access:</p> <p>None, except as indicated in note 1 of this Section.</p> <p>In Colombia, the postal services indicated in i) to iv) are provided exclusively by the official postal operator.</p>

¹³ The term "handling" should be taken to include clearance, sorting, transport and delivery.

¹⁴ "Postal item" refers to items handled by any type of commercial operator, whether public or private.

Sector or Sub-Sector	Description of Reservations
i) Handling of addressed written communications on any kind of physical medium ¹⁵ , including -Hybrid mail service -Direct mail ii) Handling of addressed parcels and packages ¹⁶ iii) Handling of addressed press products ¹⁷ , iv) Handling of the items referred to in i) to (ii) above as registered or insured mail v) Express delivery services ¹⁸ for items referred to in (i) to (iii) above, vi) Handling of non-addressed items, vii) Exchange of documents ¹⁹	

¹⁵ E.g. letter, postcards.

¹⁶ Books, catalogues are included hereunder.

¹⁷ Journals, newspapers, periodicals.

¹⁸ Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

¹⁹ Provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between users subscribing to this service. Postal item refers to items handled by any type of commercial operator, whether public or private.

Sector or Sub-Sector	Description of Reservations
B. Telecommunications Services ²⁰ These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport.	
a. All services consisting of the transmission and reception of signals by any electromagnetic means ²¹ excluding broadcasting ²²	National Treatment None, except that <i>Colombia Telecomunicaciones S.A. E.S.P.</i> provides long-distance basic public switched telephony services under the same regulatory conditions as the other operators, other than the initial licence payment and duration of licence validity. Market access None
b. Satellite broadcast transmission services	National Treatment None Market access None

²⁰ In Colombia the provision of networks and telecommunications services, which is a public service entrusted to the state, is widespread and must be paid for by a contribution to the Information Technology and Telecommunications Fund. (Article 10 Law 1341)

²¹ These services do not include information online and/or data processing (including processing of transactions) included in Section 1.B. Computer Services.

²² Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

Sector or Sub-Sector	Description of Reservations
8. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	<p>For CPC 511, CPC 512, CPC 513, CPC 514, CPC 515 and CPC 516: None</p> <p>For CPC 517 and 518: National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>For CPC 517 and 518: Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
9. DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material)	<p>These commitments do not include sectors in which the government establishes a monopoly, pursuant to Article 336 of the <i>Constitución Política</i> de Colombia, with revenue to be dedicated for public or social services²³. This limitation does not affect National Treatment.</p> <p>These commitments do not include distribution or sale of books, magazines, periodical publications, or printed or electronic newspapers; of recordings of movies or videos; of music recordings in audio or video format; of printed music scores or scores readable by machines; and of handicrafts.</p> <p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

²³ At the date of the signature of this Agreement, Colombia has in place monopolies only with respect to liquor and games of chance.

Sector or Sub-Sector	Description of Reservations
A. Commission Agents' Services	
a) Commission Agents' Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Other Commission Agents' Services (CPC 621)	None.
B. Wholesale Trade Services	
a) Wholesale Trade Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (part of CPC 61111, part of CPC 6113 and part of CPC 6121)	None.
b) Wholesale Trade Services of telecommunication terminal equipment (part of CPC 7542)	None.
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products)	None.

Sector or Sub-Sector	Description of Reservations
C. Retailing Services	
a) Retailing Services of motor vehicles, motorcycles and snowmobiles and parts and accessories thereof (CPC 61112, part of CPC 6113 and part of CPC 6121)	None.
b) Retailing Services of telecommunication terminal equipment (part of CPC 7542)	None.
c) Food retailing services (CPC 631)	None.
d) Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods (CPC 632 excluding CPC 63211 and 63297)	None.
D. Franchising (CPC 8929)	None.

Sector or Sub-Sector	Description of Reservations
10. EDUCATIONAL SERVICES (only privately funded services)	
D. Adult Education Services (CPC 924 ²⁴)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
11. ENVIRONMENTAL SERVICES	<p>These commitments do not include public services whether owned and operated or contracted out by local, regional or central government.</p> <p>Sewage services, refuse disposal services and sanitation and similar services must be supply by a domiciliary public service enterprise, which must be organized under the "<i>Empresas de Servicios Públicos</i>" or "<i>ESP</i>" regime, must be domiciled in Colombia and organized under Colombian law as a share company (<i>sociedad por acciones</i>).</p> <p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

²⁴ Colombia understands regular education system to mean the formal education system provided for in its legislation.

Sector or Sub-Sector	Description of Reservations
A. Waste Water Services (CPC 9401)	<p>National Treatment</p> <p>None, except that an enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p> <p>Market Access</p> <p>None, except services established or maintained for a public purpose.</p>
B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste	
a) Refuse Disposal Services (CPC 9402)	<p>National Treatment</p> <p>None, except that an enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p> <p>Market Access</p> <p>None, except services established or maintained for a public purpose.</p>

Sector or Sub-Sector	Description of Reservations
b) Sanitation and Similar Services (CPC 9403)	<p>National Treatment</p> <p>None, except that an enterprise in which a locally organized community holds a controlling interest shall be given a preference over enterprises with otherwise equivalent bids in the granting of a concession or license for the provision of domiciliary public services to that community.</p> <p>Market Access</p> <p>None, except services established or maintained for a public purpose.</p>
C. Protection of ambient air and climate (CPC 9404) ²⁵	<p>National Treatment</p> <p>None.</p> <p>Market Access</p> <p>None, except services established or maintained for a public purpose.</p>
D. Remediation and clean up of soil and waters	
a) Treatment, remediation of contaminated/polluted soil and water (part of CPC 9406)	<p>National Treatment</p> <p>None.</p> <p>Market Access</p> <p>None, except services established or maintained for a public purpose.</p>

²⁵ Corresponds to Cleaning Services of Exhaust Gases .

Sector or Sub-Sector	Description of Reservations
E. Noise and vibration abatement (CPC 9405)	National Treatment None. Market Access None, except services established or maintained for a public purpose.
F. Protection of biodiversity and landscape	
a) Nature and landscape protection services (part of CPC 9406)	National Treatment None. Market Access None, except services established or maintained for a public purpose.
G. Other environmental and ancillary services (CPC 94090)	National Treatment None. Market Access None, except services established or maintained for a public purpose.

Sector or Sub-Sector	Description of Reservations
12. FINANCIAL SERVICES	
All financial services	<p data-bbox="595 260 2056 316">Except for reinsurance and retrocession, nothing in these commitments applies to financial services forming part of a statutory system of social security or public retirement plans.</p> <p data-bbox="595 352 1957 376">In the disposal of State holdings in enterprises, special conditions are offered exclusively to Colombian natural or legal persons.</p> <p data-bbox="595 413 2063 501">The establishment of suppliers of financial services from abroad is only permitted in the form of affiliated companies or subsidiaries. The supply of financial services must correspond to the purpose specifically authorized, which must adopt the corporate form required by Colombian legislation. Agencies of foreign financial entities may not supply financial services in Colombia.</p> <p data-bbox="595 537 2074 593">In the case of Banks and Insurances Companies and no later than four (4) years after the entry into force of this Agreement, Colombia will allow the establishment through branches</p>

Sector or Sub-Sector	Description of Reservations
	<p>Colombia reserves the right to choose how to regulate such forms of establishment of branches, including among others, their characteristics, structure, relationship to their parent company, capital requirements, technical reserves, and obligations regarding risk patrimony and their investments.²⁶. Other modalities are excluded.</p> <p>For that purpose, Colombia may require that the capital assigned to the branches of banks of the other Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of banks of the other Party shall be limited by the capital assigned and brought into Colombia.</p> <p>The supply of financial services in Colombia requires prior Government authorization. Such authorization is granted in accordance with the relevant requirements in Colombian legislation and with the regulatory principles generally accepted at the international level.</p>

²⁶ Colombia may establish the following requirements, among others:

- (a) require branches to comply with the same obligations currently required or that may be required in the future of banks established under Colombian law;
- (b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular bank of the other Party from the financial supervisory and/or regulatory authorities of that other Party before permitting the establishment of a branch by that bank;
- (c) require a bank that seeks to establish through a branch to demonstrate that it fulfills the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- (d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of banks of the other Party established in Colombia be subject to Colombian law and authorities;
- (e) issue regulations for the branches, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors;
- (f) require that all subsequent capitalization have the same treatment as the branch's initial capital;
- (g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of the other Party be liable for the obligations contracted by its branch in Colombia;
- (h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- (i) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in their solvency margin nor a deficit in other capital requirements contemplated in local regulations.

Sector or Sub-Sector	Description of Reservations
	<p>In particular, the authorization permitting suppliers of financial services to operate in Colombia is subject to verification by the Finance Superintendence (Superintendencia Financiera de Colombia) of the character, responsibility and qualifications of persons participating in the operation as owners, directors or managers.</p> <p>In addition, the Finance Superintendence verifies that the applicant entities have satisfactory controls to prevent the laundering of assets and to manage risks, and that they have consolidated supervision in conformity with generally accepted principles in this respect at the international level.</p> <p>No later than four (4) years after the entry into force of this Agreement, Colombia will allow banks and insurance companies of the other Party to establish in its territory by way of branches.</p>

Sector or Sub-Sector	Description of Reservations
A. Insurance and insurance-related services	
1. direct insurance (including co-insurance)	<p>None, except that Colombia reserves the right to choose how to regulate the establishment of branches, including among others, their characteristics, structure, relationship to their parent company, the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors; capital requirements, technical reserves, and obligations regarding risk patrimony and their investments²⁷.</p> <p>For that purpose, Colombia may require that the capital assigned to the branches of insurance companies of the other Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of insurance companies of the other Party shall be limited by the capital assigned and brought into Colombia</p>

²⁷ Colombia may establish the following requirements, among others:

- (a) require branches to comply with the same obligations currently required or that may be required in the future of insurance companies established under Colombian law;
- (b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular insurance company of the other Party from the financial supervisory and/or regulatory authorities of that other Party before permitting the establishment of a branch by that insurance company;
- (c) require an insurance company that seeks to establish through a branch to demonstrate that it fulfills the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- (d) require that the acts undertaken in Colombia and contracts entered into in Colombia by branches of insurance companies of the other Party established in Colombia be subject to Colombian law and authorities;
- (e) require that any subsequent capitalization or reserve increase have the same treatment as the branch's initial capital and reserves;
- (f) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of the other Party be liable for the obligations contracted by its branch in Colombia;
- (g) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- (h) allow branches established in Colombia to make transfers of their net profits, provided that there is no deficit in the investment of their technical reserves that could constitute a breach of their contractual obligations, nor a deficit in their solvency margin or technical reserves that constitutes insufficient coverage from the claims rate deviation reserve and other risks that may arise in their operation, nor a deficit in other capital requirements contemplated in local regulations.

Sector or Sub-Sector	Description of Reservations
2. reinsurance and retrocession 3. insurance inter-mediation, such as brokerage and agency 4. services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	None.
B. Banking and other financial services (excluding insurance)	

Sector or Sub-Sector	Description of Reservations
1. acceptance of deposits and other repayable funds from the public 2. lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction 3. financial leasing	<p>None, except that Colombia reserve the right to choose how to regulate the establishment of bank branches including among others, their characteristics, structure, relationship to their parent company, the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; responsibility vis-à-vis local creditors; capital requirements, technical reserves, and obligations regarding risk patrimony and their investments²⁸.</p> <p>For that purpose, Colombia may require that the capital assigned to the branches of banks of the other Party in Colombia be effectively brought into Colombia and converted into local currency, in accordance with Colombian law. The operations of branches of banks of the other Party shall be limited by the capital assigned and brought into Colombia.</p>

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Colombia may establish the following requirements, among others:

- (a) require branches to comply with the same obligations currently required or that may be required in the future of banks established under Colombian law;
- (b) ensure that mechanisms exist to ensure the availability to Colombia of information pertaining to a particular bank of the other Party from the financial supervisory and/or regulatory authorities of that other Party before permitting the establishment of a branch by that bank;
- (c) require a bank that seeks to establish through a branch to demonstrate that it fulfills the regulatory and prudential supervision requirements in its country of origin, in accordance with international practices;
- (d) require that the acts undertaken and contracts entered into in Colombia by branches of banks of the other Party established in Colombia be subject to Colombian law and authorities;
- (e) issue regulations for the branches referred to in this commitments, which may relate to the following aspects of their operation, among others: the licensing regime; accounting; the responsibility of administrators; the authorized operations, including operations with the central bank; and responsibility vis-à-vis local creditors;
- (f) require that any subsequent capitalization have the same treatment as the branch's initial capital;
- (g) require that, for the purposes of transactions between a branch established in Colombia and its parent company or other related companies, each one of these entities be considered as an independent institution and that, without prejudice to the foregoing, a financial institution of the other Party be liable for the obligations contracted by its branch in Colombia;
- (h) require the owners and representatives of branches established in Colombia to comply with the solvency and moral integrity requirements established by law in Colombia that must be complied with by the shareholders of financial entities organized in Colombia; and
- (i) Allow branches established in Colombia to make transfers of their net profits, provided that no deficiencies arise in the solvency margin and other capital requirements contemplated in local regulations.

Sector or Sub-Sector	Description of Reservations
<p>4. all payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts</p> <p>5. guarantees and commitments</p> <p>6. trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p>(a). money market instruments (including cheques, bills, certificates of deposits);</p> <p>(b) foreign exchange;</p>	

Sector or Sub-Sector	Description of Reservations
<p>(c) derivative products including, but not limited to, futures and options;</p> <p>(d). exchange rate and interest rate instruments, including products such as swaps, forward rate agreements;</p> <p>(e). transferable securities; and</p> <p>(f). other negotiable instruments and financial assets, including bullion.</p> <p>7. 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</p> <p>8. money broking</p>	

Sector or Sub-Sector	Description of Reservations
<p>9. asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services, excluding pension funds, management and severance payment funds management (Sociedades Administradoras de Fondos de Pensiones y Cesantias) and other assets management relating to the social security system.</p>	<p>None, excluding: custodial services, unless they are related to managing a collective investment scheme; trustee services, but not excluding the holding in trust of investments by a collective investment scheme established as a trust; and; execution services, unless they are related to managing a collective investment scheme.</p>
<p>10. settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments</p> <p>11. provision and transfer of financial information, and financial data processing and related software.</p>	<p>None.</p>

Sector or Sub-Sector	Description of Reservations
12. advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs 1 through 11, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	
14. TOURISM AND TRAVEL RELATED SERVICES	
A. Hotel, Restaurants and Catering (CPC 641, CPC 642 and CPC 643)	<p>For CPC 641</p> <p>None.</p> <p>For CPC 642 and CPC 643 National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>For CPC 642 and CPC 643 Market Access None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
B. Travel Agencies and Tour Operators Services (CPC 7471)	None.
C. S Tourist Guides Services (CPC 7472)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
15. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)	
A. Entertainment Services	
Circus, amusement park and similar attraction services (CPC 96194)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>

Sector or Sub-Sector	Description of Reservations
Ballroom, discotheque and dance instructor services (CPC 96195)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p>
B. News and Press Agencies Services (CPC 962)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p> <p>The director or general manager of a newspaper published in Colombia that focuses on Colombian politics must be a Colombian national.</p>
C. Libraries, archives museums and other cultural services (only privately funded services) (CPC 963)	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>Unbound.</p>

Sector or Sub-Sector	Description of Reservations
D. Sporting services (CPC 9641)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access Unbound.
E. Recreation park and beach Services (CPC 96491)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
16. TRANSPORT SERVICES	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in note number 1 of this Section.
A. Maritime transport	Colombia undertakes commitments according Maritime Transport Services List.
B. Internal Waterways Transport	
a) Passenger transportation (CPC 7221)	None.
b) Freight transportation (CPC 7222)	None.

Sector or Sub-Sector	Description of Reservations
C. Rail Transport	
a) Passenger transportation (CPC 7111)	National Treatment None. Market Access None, except restrictions on the number of concessions and the total number of operations.
b) Freight transportation (CPC 7112)	National Treatment None. Market Access None, except restrictions on the number of concessions and the total number of operations.
D. Road Transport	
a) Passenger Transportation (CPC 7121 and CPC 7122)	National Treatment None. Market Access None, except restrictions on the number of concessions and the total number of operations.
b) Freight Transportation (CPC 7123, excluding transportation of mail on own account)	None.

Sector or Sub-Sector	Description of Reservations
E. Pipeline transport of goods other than fuel (CPC 7139)	<p>National Treatment</p> <p>None.</p> <p>Market Access</p> <p>None, except restrictions on the number of concessions and the total number of operations.</p>
17. SERVICES AUXILIARY TO TRANSPORT	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p> <p>Unbound respecting the number of concessions and the total number of operations.</p>
A. Services auxiliary to Maritime Transport	
g) Rental of Vessels with Crew (CPC 7213)	None.
h) Pushing and towing services (CPC 7214)	<p>National Treatment and Market Access</p> <p>None, except that the holder of a concession to supply port services must be organized under Colombian law as a corporation (<i>sociedad anónima</i>) whose corporate objective is the construction, maintenance, and administration of ports.</p>

Sector or Sub-Sector	Description of Reservations
j) Other supporting and auxiliary services (part of CPC 749)	None.
B. Services auxiliary to internal waterways transport	
a) Cargo-handling services (part of CPC 741)	None.
b) Storage and warehouse services (part of CPC 742)	None.
c) Freight transport agency services (part of CPC 748)	None.
d) Rental of Vessels with Crew (CPC 7223)	None.
e) Pushing and towing services (CPC 7224)	National Treatment and Market Access None, except that the holder of a concession to supply port services must be organized under Colombian law as a corporation (<i>sociedad anónima</i>) whose corporate objective is the construction, maintenance, and administration of ports.
g) Other supporting and auxiliary services (part of CPC 749)	None.
C. Services auxiliary to rail transport	
a) Cargo-handling services (part of CPC 741)	None.
b) Storage and warehouse services (part of CPC 742)	None.

Sector or Sub-Sector	Description of Reservations
c) Freight transport agency services (part of CPC 748)	None.
d) Pushing and towing services (CPC 7113)	None.
e) Supporting services for rail transport services (CPC 743)	None.
f) Other supporting and auxiliary services B (part of CPC 749)	None.
Customs Clearance Services (as defined in point 5 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment</p> <p>None, except that in order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services ("<i>intermediación para servicios postales</i>") and <i>mensajería especializada</i> (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users ("<i>Usuarios Aduaneros Permanentes</i>") or Highly Exporting Users ("<i>Usuarios Altamente Exportadores</i>").</p> <p>Market Access</p> <p>None²⁹, except restrictions on the number of concessions for these type of services.</p>

²⁹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Sector or Sub-Sector	Description of Reservations
D. Services auxiliary to road transport	
a) Cargo-handling services (part of CPC 741)	None.
b) Storage and warehouse services (part of CPC 742)	None.
c) Freight transport agency services (part of CPC 748)	None.
d) Rental of Commercial Road Vehicles with Operators (CPC 7124)	None.
e) Supporting services for road transport equipment (CPC 744)	None.
f) Other supporting and auxiliary services (part of CPC 749)	None.

Sector or Sub-Sector	Description of Reservations
Customs Clearance Services (as defined in point 5 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment</p> <p>None, except that in order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services ("<i>intermediación para servicios postales</i>") and <i>mensajería especializada</i> (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users ("<i>Usuarios Aduaneros Permanentes</i>") or Highly Exporting Users ("<i>Usuarios Altamente Exportadores</i>").</p> <p>Market Access</p> <p>None³⁰, except restrictions on the number of concessions for these type of services.</p>
E. Services auxiliary to air transport services	
a) Ground handling services	None.
b) Storage and warehouse services (part of CPC 742)	None.
c) Freight transport agency services (part of CPC 748)	None.
e) Sales and Marketing	None, except provisions on commissions and/or payments that transporters apply to travel agents and to intermediaries in general.
f) Computer Reservations System	None.
g) Airport management	None.

³⁰ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Sector or Sub-Sector	Description of Reservations
Customs Clearance Services (as defined in point 5 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment</p> <p>None, except that In order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services ("<i>intermediación para servicios postales</i>") and <i>mensajería especializada</i> (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users ("<i>Usuarios Aduaneros Permanentes</i>") or Highly Exporting Users ("<i>Usuarios Altamente Exportadores</i>").</p> <p>Market Access</p> <p>None³¹, except restrictions on the number of concessions for these type of services.</p>
F. Services auxiliary to pipeline transport of goods other than fuel	
a) Storage and warehouse services of goods other than fuel transported by pipelines, (part of CPC 742)	None.
18. ENERGY SERVICES	
A. Services Incidental to Mining (CPC 883)	None

³¹ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Sector or Sub-Sector	Description of Reservations
B. Transportation of petroleum and natural gas (CPC 71310)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in notes number 1, 2 and 3 of this Section. Unbound respecting the number of concessions and the total number of operations.
C. Storage and warehouse services of fuels transported through pipelines (part of CPC 742) Bulk storage services of liquids or gases (CPC 74220)	National Treatment None, except as indicated in notes number 1, 2 and 3 of this Section. Market Access None, except as indicated in notes number 1, 2 and 3 of this Section.
D. Wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271) and wholesale trade services of electricity, steam and hot water It applies what is set out in Sector 9. Distribution Services	National Treatment None. Market Access None, except that only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (<i>comercialización</i>) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power.

Sector or Sub-Sector	Description of Reservations
<p>E. Retailing Services of motor fuel (CPC 613)</p> <p>It applies what is set out in Sector 9. Distribution Services</p>	<p>None.</p>
<p>F. Retail sales of fuel oil, bottled gas, coal and wood (CPC 63297)</p> <p>and retailing services of electricity, (non bottled gas), steam and hot water</p> <p>It applies what is set out in Sector 9. Distribution Services</p>	<p>National Treatment</p> <p>None.</p> <p>Market Access</p> <p>None, except that only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (<i>comercialización</i>) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power.</p>
<p>G. Services incidental to energy distribution (including the operation of transmission /distribution of electricity) (CPC 887)</p>	<p>National Treatment</p> <p>None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p>Market Access</p> <p>None, except as indicated in note number 1 of this Section.</p> <p>Only enterprises organized under Colombian law before July 12, 1994, may engage in marketing (<i>comercialización</i>) and transmission of electrical power or engage in more than one of the following activities at the same time: generation, distribution, or transmission of electrical power.</p> <p>Unbound in respect of the establishment of exclusive areas for services incidental to energy distribution in order to ensure universal service</p>

Sector or Sub-Sector	Description of Reservations
COMMUNITY, SOCIAL AND PERSONAL SERVICES OTHER SERVICES	
Funeral, cremation and undertaking services (CPC 97030)	<p data-bbox="593 319 806 343">National Treatment</p> <p data-bbox="593 379 1310 403">None, except as indicated in notes number 1, 2 and 3 of this Section.</p> <p data-bbox="593 440 757 464">Market Access</p> <p data-bbox="593 501 1209 525">None, except as indicated in note number 1 of this Section.</p> <p data-bbox="593 561 2083 616">The supply of funeral services can be done by entities of cooperative or mutual nature, nonprofit entities (<i>entidades sin ánimo de lucro</i>) and corporations (<i>sociedades comerciales</i>), referred to in Article 86 of Law 1328 of 2009, independent of who are their shareholders.</p>

LIST OF MARITIME TRANSPORT SERVICES

NOTES TO THE LIST OF INTERNATIONAL MARITIME TRANSPORT SERVICES

Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this list, a multimodal transport operator (defined in point 3 of the definitions of the notes to the list of international maritime transport services of this Section) shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to, and use of, these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.

"Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations and this additional commitment, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date.

DEFINITIONS

1. In the case of Colombia, due to its geographical location, "cabotage" is the one realized between Colombian continental ports or Colombian insular ports, in accordance to Article 143 of Decree 2324 of 1984³² and Article 2 of Decree 804 of 2001³³.
2. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

³² DECREE 2324 OF 1984: (...)."ARTICLE 143.- INTERNATIONAL AND CABOTAGE TRANSPORT: Maritime transport services can be international or of cabotage. The international services are supplied between foreign ports and Colombian ports, and the cabotage services between Colombian ports.

PARÁGRAFO [PARAGRAPH]:-When in a transport cabotage operation the cargo is loaded/discharged or passengers are laded/unladed in a foreign port, it will be consider, for all the effects, as international transport."

³³ DECREE 804 OF 2001: "Article 2: Definitions: (...) Cabotage maritime transport: It is the one realized between Colombian continental ports or Colombian insular ports"

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the Section 4, Chapter 5, Title IV of this Agreement);

- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

3. "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.

4. "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.
5. "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of the other 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.
 6. "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.
 7. "Maritime agency services" means 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.
8. "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.
 9. Movement of equipment. International maritime transport suppliers may move / relocate equipments (empty containers, flatbeds, etc.) in their ships between Colombian ports³⁴.

³⁴ According to Colombian legislation, these activities do not include *cabotaje*.

Sector or Sub-Sector	Description Reservations
TRANSPORT SERVICES	
MARITIME TRANSPORT SERVICES	
International Transport (freight and passengers) CPC 7211 and 7212 less cabotage transport (as defined in point 1 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>(a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment</p> <p>National Treatment</p> <p>Unbound</p> <p>Market Access</p> <p>Unbound</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined in point 2 of the definitions of the notes to the list of international maritime transport services of this Section):</p> <p>National Treatment</p> <p>None</p> <p>Market Access</p> <p>None</p> <p>The following services at the port are made available to international maritime transport suppliers on reasonable and non discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and the tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services

Sector or Sub-Sector	Description Reservations
Maritime auxiliary services	
Maritime Cargo Handling Services (as defined in point –4 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment None, except that the holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p> <p>Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year.</p> <p>Market Access None²³³, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p>
Storage and Warehousing Services (CPC 742)	<p>National Treatment None, except that the holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports..</p> <p>Only Colombian flag vessels may supply port services in Colombian waters. However, in exceptional cases, the Dirección General Marítima may authorize supply of such services by foreign flag vessels if no Colombian vessel has the capacity to supply such service. The authorization will be issued for six months, but may be extended up to one year.</p> <p>Market Access None²³⁴, except restrictions on the number of concessions and the total number of operations for these type of services.</p> <p>The holder of a concession to supply port services must be organized under Colombian law as a corporation (sociedad anónima) whose corporate objective is the construction, maintenance, and administration of ports.</p>

²³³ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

²³⁴ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

Sector or Sub-Sector	Description Reservations
Customs Clearance Services (as defined in point 5 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment None, except that in order to perform the following customs services, a person must be domiciled in Colombia or have a domiciled representative legally responsible for their activities in Colombia: customs intermediation, intermediation for postal services ("intermediación para servicios postales") and mensajería especializada (including express delivery), deposit of merchandise, transportation of merchandise under the customs control, or international cargo services, or to act as Permanent Customs Users ("Usuarios Aduaneros Permanentes") or Highly Exporting Users ("Usuarios Altamente Exportadores").</p> <p>Market Access None²³⁵, except restrictions on the number of concessions and the total number of operations for these type of services.</p>
Container Station and Depot Services (as defined in point 6 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment None</p> <p>Market Access None²³⁶, except restrictions on the number of concessions and the total number of operations for these type of services.</p>
Maritime Agency Services (as defined –in point 7 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment None</p> <p>Market Access None, except restrictions on the number of concessions and the total number of operations for these type of services.</p>
Maritime Freight Forwarding Services (as defined in point 8 of the definitions of the notes to the list of international maritime transport services of this Section)	<p>National Treatment None</p> <p>Market Access None, except restrictions on the number of concessions and the total number of operations for these type of services.</p>

²³⁵ Public utility concession or licensing procedures may apply in case of occupation of the public domain.

²³⁶ Public utility concession or licensing procedures may apply in case of occupation of the public domain.