

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

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Group of Negotiations on Services

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**COMMUNICATION FROM THE REPUBLIC OF CUBA**

**Schedule of Specific Commitments on Trade in Services of Cuba**

The following communication is circulated at the request of Cuba to the members of the Group of Negotiations on Services.

**HORIZONTAL COMMITMENTS APPLICABLE TO THE SECTORS LISTED IN THE  
SECTORAL PART OF THE SCHEDULE**

**Article XVI (market access)**

Service transactions are subject to Cuba's exchange policy which provides the following.

As a general rule, foreigners must pay commercial service transactions in convertible currency however the services are supplied, unless otherwise authorized.

**Consumption abroad**

Consumption abroad will be subject to all measures, including exchange regulations, which are applicable at any particular moment to the movement of Cuban consumers or consumers living in Cuba and to the consumption of services abroad by those consumers.

At present, acquisition of convertible currency by national residents for the consumption of services abroad is regulated.

**Commercial presence**

As a general rule, foreign investment in the capital of joint enterprises can be up to 49 per cent of the stock; however, in certain cases the competent bodies may authorize a higher level of investment.

**Presence of natural persons**

Not bound, except for measures on the entry and temporary residence of natural persons in the senior and specialist categories when related to commercial presence under the terms and conditions agreed upon, provided that this personnel is not available in Cuba. Foreign personnel must help to train Cuban personnel in their respective areas of expertise.

Article XVII (national treatment)

Applicable to all forms of international supply of services.

Taxes and charges on the supply of services by foreigners are paid in local currency, but there must be an equivalent amount in convertible currency, unless otherwise authorized.

Consumption abroad

Consumption abroad will be subject to all measures, including exchange regulations, which are applicable at any particular moment to the movement of Cuban consumers or consumers living in Cuba and to the consumption of services abroad by those consumers.

At present, acquisition of convertible currency by national residents for the consumption of services abroad is regulated.

Commercial presence

Joint enterprises and partners in other types of economic association with foreign participation are subject to taxes and charges under Cuban legislation:

- (a) on net annual profits; the amount of profit reinvested in Cuba is deducted from the taxable net profit; the same applies to profits invested in the workers' economic promotion fund, including the reserve funds to cover contingencies;
- (b) on total salaries and other income received by Cuban workers for whatever motive, except those received under the workers' economic promotion fund, including social security contributions;
- (c) on documents (taxes and duties for application for, issue or renewal of specified documents).

Presence of natural persons

Foreign workers may only remit abroad in convertible currency the percentage of their salaries determined by the National Bank of Cuba.

SPECIFIC COMMITMENTS ON SECTORS AND SUB-SECTORS

Methods of supply

The horizontal measures indicated in the previous section apply provided that there is nothing to the contrary in any method of supply in a specific sector.

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

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>1. BUSINESS SERVICES</b>		
1.B. Computer and related services		
1.B.b. Software implementation services		
(CPC 84210) Systems and software consulting services	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 84220) Systems analysis services	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 84240) Programming services	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 84250) Systems maintenance services	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>1.C. Research and development services</b>		
<b>1.C.c. Interdisciplinary research and development services</b>  (CPC 85300)	(1) Not bound (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>1.F. Other business services</b>		
<b>1.F.c. Management consulting services</b>  (CPC 8650)	(1) Not bound (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>2. COMMUNICATION SERVICES</b>		
<b>2.B. Courier services</b>  (CPC 75121)	(1) Not bound (2) Not bound (3) Not bound. The competent authority reserves the right to approval subject to economic needs. (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
(CPC 75129) Other courier services	(1) Not bound (2) Not bound (3) Not bound. The competent authority reserves the right to approval subject to economic needs. (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>2.C. Telecommunications services</b>		
Include:		
2.C.a. (CPC 7521)	Voice telephone services	(1) Not bound (2) Not bound (3) Not bound. The competent authority reserves the right to approval subject to economic needs.
2.C.e. (CPC 7522)	Telegraph services	(1) Not bound (2) Not bound (3) None
2.C.b. and c. (CPC 7523)	Data transmission services	(4) Not bound, except to the extent indicated in the section on horizontal measures
2.C.d. (CPC 7523)	Telex services	(4) Not bound, except to the extent indicated in the section on horizontal measures
2.C.f. (CPC 7251 + 7529)	Facsimile services	
(CPC 75290)	Other telecommunications services	

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>  (CPC 512)		
3.A. General construction for building  (CPC 512)	(1) Not bound* (2) Not bound* (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) Not bound* (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
3.B. General construction work for civil engineering  (CPC 513)	(1) Not bound* (2) Not bound* (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) Not bound* (3) Not bound (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>7. FINANCIAL SERVICES</b>		
7.A. <u>All insurance and insurance-related services</u>		
7.A.a Life, accident and health insurance services  (CPC 8121)	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
7.A.b. Non-life insurance services  (CPC 8129)	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
7.A.c. (CPC 81299) Reinsurance and retrocession	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
7.A.d. (CPC 81401) Services auxiliary to insurance (including broking and agency services)	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 81403) Average and loss adjustment services	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 81404) Actuarial services	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>7.B. <u>BANKING AND OTHER FINANCIAL SERVICES</u></b>		
7.B. <u>Commercial banking</u>	<p>(1) Not bound            (2) Not bound            (3) The establishment of economic associations in the banking system is allowed. A banking institution set up under the system of Cuban-foreign economic associations may function under the private banking régime with joint capital and may form part of the Cuban banking system, subject to national legislation and regulations and supervision by the Banco Nacional De Cuba.</p> <p>To operate within the banking system it is necessary to apply for and obtain a licence from the Banco Nacional De Cuba and be entered in the General Register of Banks.</p>	<p>(1) Not bound            (2) Not bound            (3) Licensing requirements for operating as a bank are applicable to all non-State participants in the national banking system.</p> <p>Licences for associations set up in the banking sector on the basis of foreign and national capital permit commercial banking activities related to operations in freely convertible currencies.</p> <p>The establishment of representative offices of foreign banking interests must follow the same procedure and they may not lend or accept deposits.</p> <p>Licences for the creation of private banks with joint capital are only granted for carrying out operations in freely convertible currencies, consistent with the functions of commercial and investment banks, with entities in Cuba and on international markets.</p>

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
	Investment funds must come from abroad and the licences restrict the possibilities of attracting investment in Cuba.  The establishment of subsidiaries of foreign banks in Cuba is not permitted.	(4) Not bound, except to the extent indicated in the section on horizontal measures  (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>		
<b>9.A. Hotels and restaurants</b>		
(CPC 641) Hotel and other lodging services	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 642) Food serving services	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 643) Beverage serving services for consumption on the premises	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>9.B. Travel agency and tour operator services</b>  (CPC 747)      Travel agency, tour operator and tourist guide services	(1) None (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>  10.D. Sporting and other recreational services  (CPC 964)	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound (2) Not bound (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>11. TRANSPORT SERVICES</b>  11.A. Maritime transport services  11.A.a. Passenger transportation  (CPC 7211)	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
11.A.b. (CPC 7212)  Freight transportation (excluding transportation in coastal waters)	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) None for the establishment of subsidiaries, representative offices etc., for the supply of international maritime transportation freight services, however, it is not permitted for foreign companies to register ships to be operated under the Cuban flag.</p> <p>(4) No bound, except to the extent indicated in the section on horizontal measures</p>	<p>(1) Not bound</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Not bound, except to the extent indicated in the section on horizontal measures</p>
11.A.d.  <u>Maintenance and repair of vessels</u>	<p>(CPC 88680) Repair services of other transport equipment, on a fee or contract basis (only includes the repair of containers)</p> <p>(1) Not bound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Not bound, except to the extent indicated in the section on horizontal measures</p>	<p>(1) Not bound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Not bound, except to the extent indicated in the section on horizontal measures</p>
	<p>(CPC 88680) Repair services of other transport equipment, on a fee or contract basis (only includes the repair and maintenance of small vessels in the Port of Cabanás)</p> <p>(1) Not bound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Not bound, except to the extent indicated in the section on horizontal measures</p>	<p>(1) Not bound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Not bound, except to the extent indicated in the section on horizontal measures</p>

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
<b>11.A.f. Supporting services for maritime transport</b>		
(CPC 74110) Container handling services (only includes use of the container terminal in the port of Havana and in the port of Mariel as trans-shipment points)	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 74190) Other cargo handling services (only includes trans-shipment operations at terminals specializing in the handling of fertilizers)	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
(CPC 74250) Other storage or warehousing services (warehouses for the consignment of inputs for maritime transport)	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) Not bound* (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
<b>11.C. Air transport services</b>		
<b>11.C.d. Maintenance and repair of aircraft</b>		
(CPC 88680) Repair services of other transport equipment, on a fee or contract basis	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment
11.C.e. <u>Supporting services for air transport</u>		
(CPC 7469)		
Other supporting services for air transport, including:	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures
Computer reservation system (CRS); and		
Sale or marketing of air transport services	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures	(1) None (2) None (3) None (4) Not bound, except to the extent indicated in the section on horizontal measures