

**GENERAL AGREEMENT  
ON TRADE IN SERVICES**

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GATS/SC/63  
15 April 1994  
(94-1060)

**NICARAGUA**

**Schedule of Specific Commitments**

(This is authentic in Spanish only)

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**NICARAGUA - SCHEDULE OF SPECIFIC COMMITMENTS**

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Limitations on national treatment	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>				
	<p>3) Foreign companies whose main commercial activity is carried on from Nicaragua with the majority of their capital, their board of directors and their shareholders' meeting in Nicaragua shall be considered Nicaraguan companies. Approval of foreign investment is subject to justification of economic necessity according to the following criteria:</p> <p>a) It corresponds to the objectives of stability and economic development</p> <p>b) It respects Nicaragua's moral and cultural values;</p> <p>c) It is consistent with the conservation and protection of the environment</p> <p>Authorization of foreign investment is formalised in an investment contract concluded between the Foreign Investment Committee and the foreign investor</p>	<p>1) 2) 3) 4) The tax reform of 7 January 1992 provides that payment of dividends to foreign shareholders is subject to a tax of 5 per cent and the tax withheld on royalties and payment of interest abroad is 30 per cent. These taxes are imposed on the income received by foreigners in addition to the income tax paid by both nationals and foreigners</p>		

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	<p>4) The supply of services by suppliers not resident in Nicaragua is limited to senior and specialized personnel in connection with a commercial presence and it must contribute to the training of Nicaraguan personnel in the specialized field of activity concerned. This measure applies to all sectors unless otherwise provided</p> <p>Employers must employ a minimum of 75 per cent of Nicaraguan employees. In special circumstances, the Ministry of Labour may authorize the employment of a larger number of foreigners when it is difficult or impossible to replace them by nationals, in which case the employers must train Nicaraguan personnel under the supervision and control of the Ministry for a period of not more than five years</p> <p>The supply of professional services involving the presence of natural persons for legal, accounting, auditing, engineering, architectural and medical services requires the fulfilment of the conditions and the authorizations for the exercise of that particular profession</p>	<p>4) Unbound, except for the categories of persons indicated under the heading "market access"</p>		

**NICARAGUA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES			
B. <u>Computer and related services</u>			
Consultancy services related to the installation of computer hardware (CPC 841)	1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Software implementation services (CPC 842)			
Data processing services (CPC 843)			
Data base services (CPC 844)			

Modes of supply:	1)	Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
Sector or subsector	Limitations on market access		Limitations on national treatment			Additional commitments
C. <u>Research and development services</u>						
1) Research and experimental development services on natural sciences (CPC 851)	1) None	2) Unbound	3) None	4) Unbound		
2) Research and experimental development services on social sciences and humanities (CPC 852)	1) None	2) Unbound	3) None	4) Unbound		
3) Interdisciplinary research and experimental development services (CPC 853)						

**NICARAGUA (continued)**

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	Additional commitments
<p>F. <u>Other business services</u></p> <p>Services incidental to agriculture, hunting and forestry (CPC 881)</p> <p>Services incidental to fishing (CPC 882)</p> <p>Services incidental to mining (CPC 883 + 5115)</p> <p>Services incidental to manufacturing (CPC 884 + 885)</p> <p>Secondary services for the manufacture of metal products, machinery and equipment (CPC 885)</p> <p>Repair services incidental to metal products, machinery and equipments (CPC 886)</p>	<p>1) None</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>		<p>1) None</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	

NICARAGUA (continued)

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	
			Additional commitments	
Services incidental to energy distribution (CPC 887)				
2. COMMUNICATION SERVICES				
C. <u>Telecommunication services</u>				
Public telephone services (solely cellular telephony) (CPC 7521)	1) None		1) None	
Electronic mail (CPC 7523**)	2) None		2) Unbound	
Online information and data base retrieval (CPC 7523**)	3) None		3) None	
Electronic data interchange (EDI) (CPC 7523**)	4) Unbound, except as indicated in the horizontal section		4) Unbound, except as indicated in the horizontal section	

**NICARAGUA (continued)**

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments	
Enhanced/value-added facsimile services including store and retrieve n.a. code and protocol conversion (CPC 7523**)				
Circuit-switched data transmission services (CPC 7523**)				
Private leased circuit services (CPC 7522 + 7523**)				
Telex services (CPC 7523**)				
Telegraph services (CPC 7522)				
Facsimile services (CPC 7521** + 7523**)				
Voice mail (CPC 7523**)				

NICARAGUA (continued)

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	
Online information and/or data processing (including transaction processing) (CPC 843**)				
D. <u>Audiovisual services</u>				
Motion picture and video tape production and distribution services (CPC 9611)	1) None 2) None 3) None		1) Unbound 2) Unbound 3) None	
Motion picture projection services (CPC 9612)	4) Unbound, except as indicated in the horizontal section		4) Unbound, except as indicated in the horizontal section	

**NICARAGUA (continued)**

Modes of supply: 1) Sector or subsector	2) Cross-border supply	3) Consumption abroad	4) Commercial presence	5) Presence of natural persons
	Limitations on market access	Limitations on national treatment	Additional commitments	
<p><b>7. FINANCIAL SERVICES</b></p> <p><b>B. <u>Banking and other financial services</u></b> (excluding insurance)</p> <p>Acceptance of deposits and other repayable funds from the public (CPC 81115 + 81119)</p> <p>Lending of all types, including, inter alia, consumer credit, mortgage credit and financing of commercial transactions (CPC 8113)</p> <p>All payment and money transmission services (CPC 8139**)</p> <p>Guarantees and commitments (CPC 81199**)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>		

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments	
Money market instruments (cheques, bills, certificates of deposits, etc.) (CPC 81339**)	1) Unbound 2) Unbound 3) None	1) Unbound 2) Unbound 3) None		
Foreign exchange (CPC 81333**)	1) Unbound 2) Unbound 3) None	1) Unbound 2) Unbound 3) None		
Transferable securities (CPC 81321*)	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section		
Participation in issues of all kinds of securities, including underwriting and placement as agents (whether publicly or privately) and provision of services related to such issues (CPC 8132)	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section		

**NICARAGUA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>9. TOURISM AND TRAVEL RELATED SERVICES</p> <p>A. <u>Hotels and restaurants</u> (including external contract catering services) (CPC 641 + 643)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	
<p>B. <u>Travel agencies and tour operators services</u> (CPC 7471)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	

NICARAGUA (continued)

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	
	1)	2)	3)	Additional commitments
C. <u>Tourist guides services</u> Tourist guides services (CPC 7472)	1) None 2) None 3) None 4) Unbound		1) None 2) None 3) None 4) Unbound	
11. TRANSPORT SERVICES				
C. <u>Air transport services</u>				
Maintenance and repair of aircraft (CPC 8868**)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section		1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section	
Rental of aircraft with crew (CPC 734)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section		1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section	
Supporting services for air transport (CPC 8868**)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section		1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section	

**NICARAGUA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
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E. <u>Rail transport services</u>					
Passenger transportation (CPC 7111)	1) None		1) Unbound		
Freight transportation (CPC 7112)	2) None		2) None		
Pushing and towing services (CPC 7113)	3) None		3) Unbound		
Maintenance and repair of rail transport equipment (CPC 8868**)	4) Unbound, except as indicated in the horizontal section		4) Unbound, except as indicated in the horizontal section		
Supporting services for rail transport services (CPC 743)					

\* Indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in this classification list.

\*\* Indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.