

**GENERAL AGREEMENT
ON TRADE IN SERVICES**

GATS/SC/69
15 April 1994
(94-1066)

PERU

Schedule of Specific Commitments

(This is authentic in Spanish only)

PERU - 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	Additional commitments
<p>I. HORIZONTAL COMMITMENTS</p> <p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p>	<p>3) Unbound, except:</p> <p>In the case of natural persons providing services and employed by service-providing companies in the sectors and sub-sectors included in this Schedule who are nationals of countries members of the General Agreement on Trade in Services (GATS), Peru permits entry for a period of not more than three years, which may be extended for successive periods of not more than three years. Such persons may not comprise more than 20 per cent of the total number of staff employed by the enterprise, and their remuneration may not exceed 30 per cent of the total pay roll. These percentages do not apply in the following cases:</p> <ul style="list-style-type: none"> - If the foreign supplier of services is the spouse, parent, child or sibling of a Peruvian citizen: 		

PERU (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	
	<ul style="list-style-type: none"> - In the case of personnel of foreign enterprises providing international land, air or water transport under a foreign flag and foreign registration; - In the case of foreign personnel working in multinational service enterprises or multinational banks subject to the legal regulations applicable to these specific cases; - In the case of foreign investors who keep a minimum of five tax units (Unidades Impositivas Tributarias) during the term of the contract; - In the case of artists, sportsmen or sportswomen or other suppliers of services taking part in public performances in Peru for a maximum of three months each year. <p>Employers may request exemption from the percentages concerning the number of foreign workers and their proportion in the enterprise's payroll for specialized professional or technical personnel in the following cases:</p>			

PERU (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>Managerial or administrative personnel involved in new business activities or in reconversion, specialized personnel recruited for teaching purposes, personnel of public or private enterprises with a State contract, and in any other case provided for in a Supreme Decree as a result of special expertise.</p> <p>Legislative Decree No. 662, Law on the Promotion of Foreign Investments, provides that foreign investors and enterprises in which they participate have the same rights and obligations as domestic investors and enterprises, the only exceptions being those laid down in Peru's Political Constitution and in the aforementioned Legislative Decree.</p> <p>When the foreign investment has been made, it must be registered with the competent national authority. In connection with property, Peru's Political Constitution provides that within 50 kms. of the frontier foreigners may not under any circumstances directly or indirectly purchase or own mines, land, woodland, water resources,</p>			

PERU (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>fuel or energy sources, whether individually or as a company, on penalty of transfer of the rights thus acquired to the State. In addition, Legislative Decree No. 757, Framework Law for the Promotion of Private Investment, specifies the rights, guarantees and obligations applicable to all domestic or foreign natural or legal persons owning investments in Peru in order to ensure freedom of initiative and existing or future private investment in all economic sectors and in all forms of enterprises or contracts permitted by the Constitution and legislation.</p>		
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional services			
b) Accounting, auditing and book-keeping services, Solely:			
- Financial Auditing Services (CPC 86211)			

PERU (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	Limitations on national treatment	Additional commitments
- Accounting Review Services (CPC 86212)				
- Compilation of Financial Statements Services (CPC 86213)				
- Bookkeeping Services, except Tax Returns (CPC 86220)	<ol style="list-style-type: none"> 1) Unbound 2) Unbound 3) In order to be able to provide accounting, auditing and book-keeping services foreign professionals must have their professional degrees officially recognized. They must also enrol in the relevant professional college in accordance with Article 5 of Law No. 13253 of 11 September 1959. Accounting, auditing and book-keeping services are governed by all the provisions of the College of Public Accountants. SBS (Banking and Insurance Supervision Department) Resolution 119-92 on the registration of companies for external auditing also applies. 4) Unbound, except as indicated in the horizontal section 	<ol style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 		

PERU (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	Limitations on national treatment	Additional commitments
d) Architectural services Solely:				
- Advisory and pre-design architectural services (CPC 86711)				
- Architectural design services (CPC 86712)				
- Contract administration services (CPC 86713)				
- Combined architectural design and contract administration services (CPC 86714)				

PERU (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	
e) Engineering services Solely:				
- Advisory and consultative engineering services (CPC 86721)	1) Unbound	1) Unbound		
- Engineering design services for the construction of foundations and building structures (CPC 86722)	2) Unbound	2) Unbound		
- Engineering design services for mechanical and electrical installations for buildings (CPC 86723)	3) In order to be able to provide architectural and engineering services, foreign professionals must have their professional degrees officially recognized. In case of reciprocal conventions, this requirement may be waived. They must also enrol in the relevant professional college in accordance with Article I of Law No. 24648 of 23 January 1987 which may be done on a temporary basis. There may be a difference in the amount of the enrolment dues for Peruvians and foreigners.	3) None		
- Engineering design services for the construction of civil engineering works (CPC 86724)	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section		
- Engineering design services for industrial processes and production (CPC 86725)				

PERU (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	
- Engineering design services n.e.c. (CPC 86726)				
- Other engineering services (during the construction and installation phases (CPC 86727)				
k) Other, only management consulting services for advice, guidance and operational assistance related to development of tourism (CPC 86509)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section 	<ol style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section 		

PERU (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
E. <u>Rental/leasing services without operators</u>				
c) Rental/leasing services relating to other transport equipment without operators, solely:	1) Unbound 2) Unbound		1) Unbound 2) Unbound	
- Leasing or rental services concerning private cars without operator, without option to buy (CPC 83101)	3) None 4) Unbound, except as indicated in the horizontal section		3) None 4) Unbound, except as indicated in the horizontal section	
F. <u>Other business services</u>				
a) Advertising services				
- Solely:				
- Sale or leasing of advertising space or time (CPC 87110)	1) Unbound 2) Unbound		1) Unbound 2) Unbound	

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments		
- Planning, creating and placement services of advertising (CPC 87120)	3) Commercial advertising produced or created outside Peru transmitted by any communication media must pay the appropriate duties. For the purposes of assessing and applying the tariffs, such advertising will be treated as cinematographic films for showing in Peru, as appropriate. Commercial advertising transmitted or created outside Peru shall require guarantees of payment of the appropriate duties.	3) None			
s) Services provided as assemblies or conventions (CPC 87909*)	4) Unbound, except as indicated in the horizontal section 1) Unbound 2) Unbound 3) None 4) None	4) Unbound, except as indicated in the horizontal section 1) Unbound 2) Unbound 3) None 4) None			

PERU (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>2. COMMUNICATIONS SERVICES</p>								
<p>C. <u>Telecommunication services</u> Solely:</p>								
<ul style="list-style-type: none"> - Electronic message and information service (CPC 75232) 	<p>1) The limits indicated in 3) below</p>				<p>1) None</p>			
<p>Only includes:</p>	<p>2) Unbound</p>				<p>2) Unbound</p>			
<ul style="list-style-type: none"> - Facsimile, storage and retransmission of fax - Videotext - Teletext - Teleaction - Remote control - Tele-alarm - Storage and retrieval of data - Teleprocessing and data processing 	<p>3) The installation and operation of a private network, in such cases as is strictly necessary and only as a complement to the public network which it uses for its basic support for the exclusive supply of added-value services, requires the prior granting of a special authorization equivalent to granting of a private radio communication service, issued by the competent national authority. Such authorization shall not be granted if in the place where the private network is to be installed, there are public carrier or teleservices which can meet the</p>				<p>3) None</p>			

PERU (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		
<ul style="list-style-type: none"> - Interpersonal messaging - Voice messaging - Advice service - Packet switched data service 	<p>requirements of supplying the value-added services. The definition of value added telecommunication services included in this schedule can be found in Article 102 of D.S. 06-94-TCC. The competent national authority is authorized to suspend the supply of value-added services when the operation interferes with the telecommunication network.</p> <p>Natural or legal persons who wish to supply value-added services must enrol in the Register of Suppliers of Value-Added Services, such enrolment to take place prior to commencement of the respective service</p>	<p>4) Unbound, except as indicated in the horizontal section</p>	<p>4) Unbound, except as indicated in the horizontal section</p>		

PERU (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	
4. DISTRIBUTION SERVICES				
B. Wholesale trade services				
Solely:				
- Wholesale trade services of grain, oilseeds and oleaginous fruits, seeds and animal feed (CPC 62211)				
- Wholesale trade services of flowers and plants (CPC 62212)				
- Wholesale trade services of unmanufactured tobacco (CPC 62213)				
- Wholesale trade services of live animals (CPC 62214)				

PERU (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
- Wholesale trade services of hides and skins and of leather (CPC 62215)				
- Wholesale trade services of agricultural raw materials (CPC 62219)				
- Wholesale trade services of fruit and vegetables (CPC 62221)				
- Wholesale trade services of dairy products, eggs and edible oils and fats (CPC 62222)				
- Wholesale trade services of meat, poultry and game (CPC 62223)				
- Wholesale trade services of fishery products (CPC 62224)				

PERU (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	
- Wholesale trade services of sugar, sugar and flour confectionery and bakery products (CPC 62225)				
- Wholesale trade services of beverages (CPC 62226)				
- Wholesale trade services of coffee, tea, cocoa and spices (CPC 62227)				
- Wholesale trade services of tobacco products (CPC 62228)				
- Wholesale trade services of food products (CPC 62229)				
- Wholesale trade services of textiles (CPC 62231)				

PERU (continued)

Mode 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
- Wholesale trade services of household linens (CPC 62232)			
- Wholesale trade services of articles of clothing (CPC 62233)			
- Wholesale trade services of fur articles (CPC 62234)			
- Wholesale trade services of footwear (CPC 62235)			
- Wholesale trade services of clothing accessories (CPC 62236)			
- Wholesale trade services of household furniture (CPC 62241)			

PERU (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
- Wholesale trade services of household appliances (CPC 62242)				
- Wholesale trade services of cutlery, domestic metalware and lighting articles and equipment (CPC 62243)				
- Wholesale trade services of radio and television equipment, musical instruments and records, music scores and tapes (CPC 62244)				
- Wholesale trade services of glassware, china and pottery (CPC 62245)				

PERU (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
- Wholesale trade services of wickerwork, cork goods, cooper's ware and other wooden ware (CPC 62246)				
- Wholesale trade services of wallpaper and floor coverings (CPC 62247)				
- Wholesale trade services of household appliances, articles and equipment (CPC 62249)				
- Wholesale trade services of pharmaceutical and medical goods (CPC 62251)				

PERU (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	Additional commitments
- Wholesale trade services of surgical and orthopaedic instruments and devices (CPC 62252)				
- Wholesale trade services of perfumery, cosmetics and soaps (CPC 62253)				
- Wholesale trade services of printing and paper board (CPC 62261)				
- Wholesale trade services of books, magazines, newspapers and stationery (CPC 62262)				
- Wholesale trade services of photographic and optical goods (CPC 62263)				

PERU (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
- Wholesale trade services of games and toys (CPC 62264)				
- Wholesale trade services of watches, clocks and jewellery (CPC 62265)				
- Wholesale trade services of sports goods (including bicycles) (CPC 62266)				
- Wholesale trade services of leather goods and travel accessories (CPC 62267)				
- Wholesale trade services of cleaning materials (CPC 62268)				
- Wholesale trade services of miscellaneous consumer goods (CPC 62269)				

PERU (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		Limitations on national treatment		Additional commitments	
<ul style="list-style-type: none"> - Wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271) 								
<ul style="list-style-type: none"> - Wholesale trade services of metal ores and metal in primary forms (CPC 62272) 								
<ul style="list-style-type: none"> - Wholesale trade services of wood in the rough and products of primary processing of wood (CPC 62273) 								
<ul style="list-style-type: none"> - Wholesale trade services of paints, varnishes and lacquers (CPC 62274) 								

PERU (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			Additional commitments
<ul style="list-style-type: none"> - Wholesale trade services of construction materials, fittings and fixtures and flat glass (CPC 62275) 				
<ul style="list-style-type: none"> - Wholesale trade services of basic industrial chemicals, fertilizers, synthetic resins and plastic materials in primary forms (CPC 62276) 				
<ul style="list-style-type: none"> - Wholesale trade services of textile fibres (CPC 62277) 				
<ul style="list-style-type: none"> - Wholesale trade services of intermediate products, other than agricultural (CPC 62279) 				

PERU (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) Unbound	1) Unbound	1) Unbound	1) Unbound	Additional commitments
2) Unbound	2) Unbound	2) Unbound	2) Unbound	
3) None	3) None	3) None	3) None	
4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section	
C. <u>Retail trade services</u>				
Solely				
- Retail sales of fruit and vegetables (CPC 53101)				
- Retail sales of dairy products and eggs (CPC 63102)				
- Retail sales of meat (including poultry) and meat products (CPC 63103)				
- Retail sales of fish and other sea foods (CPC 63104)				
- Retail sales of bread and flour confectionery (CPC 63105)				

PERU (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	
- Retail sales of sugar confectionery (CPC 63106)				
- Retail sales of beverages not consumed on the spot (CPC 63107)				
- Retail sales of tobacco products (CPC 63108)				
- Specialized retail sales of food products (CPC 63109)	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		

PERU (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
7. FINANCIAL SERVICES					
A. <u>All insurance and insurance-related services</u>					
a) Life, accident and health insurance services					
Solely:					
- Life insurance services (CPC 81211)	1) Unbound	1) Unbound	1) Unbound		
	2) Unbound	2) Unbound	2) Unbound		
	3) The following limits apply as appropriate to all the insurance activities included in the present offer:	3) None			
	The General Law on Banking, Financial and Insurance Institutions, approved by Legislative Decree No. 769 states that the opening of branches and agencies by enterprises or entities in the financial system requires an authorization by the Banking and Insurance Supervision Department in conformity with the general procedures it establishes. The transfer and				

PERU (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>closing of offices of enterprises and entities in the financial system which provide services to the public also requires an authorization by the Banking and Insurance Supervision Department, in accordance with the general procedures it establishes. Representatives of financial or reinsurance enterprises not established in Peru must be authorized by the Banking and Insurance Supervision Department.</p> <p>Insurance enterprises not working in the reinsurance field are not authorized to appoint representatives in Peru. Such representatives must confine their activities to reinsurance.</p> <p>The Banking and Insurance Supervision Department keeps a register of foreign reinsurance enterprises and entry in the Register is free of charge. An enterprise wishing to be included in the Register must submit an application indicating the date on which it was authorized to operate accompanied by:</p>			

PERU (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>a) an authenticated copy of its current statutes;</p> <p>b) a copy of its latest annual report showing its financial statement duly audited by external auditors; and</p> <p>c) a copy of the Power of Attorney appointing a Peruvian resident to represent it with full powers.</p> <p>The enterprise must prove that:</p> <p>a) it has been legally established in its country of origin and has capacity to reinsure risks ceded from abroad;</p> <p>b) it has a minimum capital, established in accordance with the conditions laid down by the competent national authority; and</p> <p>c) that it is in a position to meet its financial obligations in freely convertible currency under reinsurance contracts concluded abroad, in conformity with the legislation of its country of origin.</p> <p>In addition, foreign financial services enterprises may not make claims through diplomatic channels in respect of business or operations carried out in Peru, on the basis of rights derived from their nationality.</p>			

PERU (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 market access	Limitations on national treatment	Additional commitments
b) Non-life insurance services, excluding reinsurance - Accident and health insurance services (CPC 81291) - Motor vehicle insurance services (CPC 81292) - Marine, aviation and other transport insurance services (CFC 81293) - freight insurance services (CPC 81294)	Peruvian creditors and foreigners domiciled in Peru have priority rights over the assets of a foreign financial services enterprise. 4) Unbound	4) Unbound	4) Unbound	

PERU (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	
- Fire and other property damage insurance services (CPC 81295)	1) Unbound	1) Unbound		
- Pecuniary loss insurance service (CPC 81296)	2) Unbound	2) Unbound		
- General liability insurance services (CPC 81297)	3) The same limitations as indicated in 3) above	3) None		
c) Reinsurance and retrocession, Solely:	4) Unbound	4) Unbound		
- Reinsurance services (CPC 81299*)	1) The same limitations as indicated in 3) above	1) None		
	2) The same limitations as indicated in 3) above	2) None		
	3) The same limitations as indicated in 3) above	3) None		
	4) Unbound, except as indicated in the horizontal section. Natural persons are not authorized to provide reinsurance services.	4) Unbound, except as indicated in the horizontal section. Natural persons are not authorized to provide reinsurance services		

PERU (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></p> <p>Hotel and other lodging services, Solely:</p> <ul style="list-style-type: none"> - Hotel lodging services (CPC 64110) - Motel lodging services (CPC 64120) - Children's holiday camp services (CPC 64191) - Holiday centre and holiday home services (CPC 64192) 					

PERU (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	
<ul style="list-style-type: none"> - Letting services of furnished accommodation (CPC 64193) 				
<ul style="list-style-type: none"> - Youth hostel and mountain shelter services (CPC 64194) 				
<ul style="list-style-type: none"> - Camping and caravanning site services (CPC 64195) 				
<ul style="list-style-type: none"> Food serving services 				
<ul style="list-style-type: none"> - Meal serving services with full restaurant service (CPC 64210) 				

PERU (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	
<ul style="list-style-type: none"> - Meal servicing services in self-service facilities (CPC 64220) - Caterer services, providing meals to outside (CPC 64230) 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Supreme Decree No. 006-73-IC/DS lays down the requirements which must be fulfilled in relation to classification of lodging establishments in Peru, concerning their placement in categories 5, 4, 3, 2 and 1 stars for lodging establishments. Likewise, any supplier of services who intends to operate a lodging establishment must request an operating licence from the Directorate General of Tourism, together with the licence to which the Police Special Licences Regulations refer. Only five or 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 		

PERU (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>four-star lodging establishments may establish gaming casinos on their premises. Supreme Decree No. 021-93-ITINCI of 15 September 1993 regulates restaurant services in Peru, including their classification as establishments in the first category (5 and 4 forks), second category (3 and 2 forks) and third category (1 fork). Gaming casinos may only be established in 5-fork tourist restaurants and in buildings declared to be historic monuments following authorization of the National Institute of Culture.</p> <p>Likewise, any supplier of services who intends to operate a lodging and/or restaurant establishment must apply for enrolment in the Unified Register to which Supreme Decree No. 118-90-PDM refers.</p>		

PERU (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	
<p>B. <u>Travel agency and tour operator services</u>, solely:</p> <ul style="list-style-type: none"> - travel agency services (CPC 74710) - travel agency and tour operator services (CPC 74710) 	<p>4) Unbound, except as indicated in the horizontal section</p> <ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) In conformity with Supreme Decree No. 021-92-ICTI, travel and tourist agencies may operate as wholesalers, retailers or both. Wholesalers are agencies which provide tourist services and packages to retail agencies, but cannot offer their products directly to the user. Retailers are agencies which may market the product directly to the user or consumer, but may not offer their products to other agencies. It is possible for the same enterprise to carry on both types of activities. 		<p>4) Unbound, except as indicated in the horizontal section</p> <ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 	

PERU (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>In order to commence their activities, travel and tourist agencies must register in the Unified Register, and submit a joint, irrevocable and unconditional bond, which is executed automatically and permanently in force issued by a financial and/or insurance company in favour of and to the satisfaction of the Ministry of Industry, Tourism, Integration and International Commercial Negotiations. The bonds shall be in an amount equivalent to 20 Tax Units (Unidades Impositivas Tributarias) in the case of wholesalers and 10 tax units in the case of retailers. When an enterprise engages in both types of activity simultaneously, the fidelity bond shall be in the amount of 25 tax units.</p> <p>4) Unbound except as indicated in the horizontal section</p>		<p>4) Unbound except as indicated in the horizontal section</p>	

PERU (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	Additional commitments
<p>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</p> <p>A. <u>Entertainment services</u> Solely:</p> <ul style="list-style-type: none"> - Theatrical producer, singer group, band and orchestra entertainment services (CPC 96191) - Services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192) - Ancillary theatrical services n.e.c. (CPC 96193) 				

PERU (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>- Circus, amusement park and similar attraction services (CPC 96194)</p> <p>- Ballroom, discotheque and dance instructor services (CPC 96195)</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) In the case of live entertainment, the relevant legislation is Decree Law No. 19479 and Supreme Decree No.13-87-ED. In any artistic production or entertainment given in a public place in Peru the proportion of Peruvian performers shall not be less than 80 per cent of the total. The remaining 20 per cent may consist of foreign artists provided they have a contract concluded prior to their entry, possess an artist's visa and the corresponding inter-union permit. These percentages do not apply in the case of performances given by foreign casts hired as such outside Peru and whose performance constitutes the entire work of entertainment. The relevant provisions of the National Cultural Institute also apply.</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None</p>		

PERU (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>D. <u>Sporting and other recreational services</u> Solely:</p> <ul style="list-style-type: none"> - Sports event promotion services (CPC 96411) - Sports event organization services (CPC 96412) - Sports facility operation services (CPC 96413) - Gambling and betting services (CPC 96492) 	<p>4) The same limitations as in 3) above</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>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>		

PERU (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>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime transport services</u> Solely:</p> <ul style="list-style-type: none"> - Passenger transportation by ferries <u>exclusively for internal tourist services</u> (CPC 72111) - Other passenger transportation <u>exclusively for internal tourist services</u> (CPC 72119) <p>B. <u>Internal waterways transport</u> Solely:</p> <ul style="list-style-type: none"> - Passenger transportation by ferries <u>exclusively for internal tourist services</u> (CPC 72211) 				

PERU (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>Other passenger transportation <u>exclusively for internal tourist services</u> (CPC 72219)</p>	<p>1) The same limitations as in 3) below</p> <p>2) Unbound</p> <p>3) In accordance with Supreme Resolution No. 0011-78 TC/DS of 6 February 1978, all legal persons constituted for the purpose of operating tourist transport services must request prior authorization from the Directorate General for Tourism or The Regional Directorate of the Ministry of Industry and Tourism, of its company constitution. These bodies may approve or reject the application. In addition, companies whose constitution is authorized must request an operating licence from the respective Directorates General of the Ministry of Transport and Communications in the case of enterprises carrying on activities within the national territory or abroad. Enterprises carrying on local or regional activities must request an operating licence from the appropriate Regional Directorate of the Ministry of Transport and Communications.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>		

PERU (continued)

Codes 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>Tourist transport enterprises may provide services in the following ways: transfers, local visits, excursions, round trips, tours and rental of vehicles without operators.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>4) Unbound, except as indicated in the horizontal section</p>		