

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

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Group of Negotiations on Services

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COMMUNICATION FROM BOLIVIA

Conditional Offer of Bolivia Concerning Initial Commitments

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

Introduction

Successful conclusion of the Uruguay Round of Multilateral Trade Negotiations is of particular importance for Bolivia, which accordingly is giving special attention to the achievement of an international agreement on trade in services that would promote the interests of the countries concerned on mutually advantageous bases.

In the context of its economic policy, Bolivia maintains broad openness and furthermore has adopted various legislative measures designed to liberalize and promote foreign investment in general; many of these measures are applicable to services sectors.

Horizontal measures

1. The principal legal provisions governing the delivery of services in Bolivia are the following:

- Political Constitution of Bolivia, Article 25.
- National Trade Code.
- General Labour Law, promulgated on 8 December 1942.
- Migration Law.
- Investment Law No. 1182, promulgated on 17 September 1990, which has the following objectives:
 - To stimulate and guarantee domestic and foreign investment by simplifying the process and the rules for engaging in economic activity and investing in Bolivia. This includes important aspects of marketing and likewise questions of establishment.
 - To grant egalitarian treatment to both foreign and domestic investment, without any limitations other than those established by law.

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- To guarantee a liberalized régime for foreign exchange matters, there being no restrictions for the inflow and outflow of capital nor for remittances abroad of dividends, interest and royalties for the transfer of technology.
- To allow foreign investors to have a shareholding of up to 100 per cent, the only requirement being that of registration which is solely for statistical purposes.

Bolivia is a beneficiary of the Multilateral Investment Guarantee Agency (MIGA) and the World Bank guarantees investments of the countries that are members.

Other considerations

- The present offer will not require any amendment of Bolivia's existing laws, rules and regulations.
- This offer covers exclusively the sectors mentioned in the present document and in general is based on the sectoral classification circulated in document MTN.GNS/W/120.
- The international agreements, conventions and treaties that Bolivia has signed and brought into effect relating to trade in the services included in this offer will have prevalence.
- The legislative provisions mentioned in the present offer are not to be seen as constituting an exhaustive list of all the laws, decrees and other regulations affecting the services sector in Bolivia.
- The present offer is conditional on the satisfactory and multilaterally advantageous conclusion of the negotiations in this area.
- Bolivia reserves the right to review, maintain, modify, reduce or withdraw this offer at any time prior to the entry into force of the Multilateral Agreement. It likewise reserves the right to make any modifications of a technical character that it considers relevant.

Explanatory notes:

1. Bound. - means the binding of the existing regulations on market access and national treatment.
2. None. - means that no limitation, condition or qualification exists that would restrict market access or grant more favourable treatment to nationals than to foreigners. Notwithstanding the existence of laws or regulations governing the activity concerned.
3. Not bound. - means that the Government of Bolivia is not taking on any commitment concerning one or more modes of delivery relating to market access and national treatment.

Modes of delivery:

1. Cross-border supply. - a service provided from the territory of one country to that of another country without movement of the suppliers or their representatives or employees.
2. Movement of consumers. - a service provided in the territory of a country to a consumer from another country.
3. Commercial presence. - a service provided by a supplier from one country in the territory of another country through the establishment of an entity in the latter territory.
4. Movement of personnel. - the physical movement of persons from the territory of one country to that of another country for the purpose of providing a service.

<u>TOURISM SERVICES</u>	Limitations and conditions on market access	Conditions and qualifications on national treatment
Travel agencies	(1) None	None
	Not bound	Bound
	(2) None	None
	Bound	Bound
Hotels	(3) (*)	None
	Not bound	Bound
	(4) (**)	(**)
	(1) None	None
Restaurants	Bound	Bound
	(2) None	None
	Bound	Bound
	(3) None	None
Hospital services	Registration for statistical purposes	Bound
	(4) (**)	(**)
	(1) Not applicable or None	Not applicable or None
	(2) None	None
	Bound	Bound
	(3) None (*)	None
	Bound	Bound
	(4) (**)	(**)

<u>HEALTH RELATED AND SOCIAL SERVICES</u>	Limitations and conditions on market access	Conditions and qualifications on national treatment
Social services	(1) None Not bound	None Not bound
	(2) None Bound	None Bound
	(3) None Bound	None Bound
	(4) None	None
<u>RECREATIONAL, CULTURAL AND SPORTING SERVICES</u>		
Entertainment services (including theatre, live bands and circus services)	(1) None Bound	None Bound
	(2) None Bound	None Bound
	(3) None (*) Bound	None Bound
	(4) (**)	(**)
Libraries, archives, museums and other cultural services	(1) None Bound	None Bound
	(2) None	None
	(3) None (*) Bound	None Bound
	(4) (**)	(**)
Sporting and other recreational services	(1) None Bound	None Bound
	(2) None Bound	None Bound
	(3) None (*)	None
	(4) (**)	(**)

(*) National Trade Code plus statistical purposes

(**) General Labour Law

(**) Migration Law