

Draft Translation Non-Official

LIST OF COMMITMENTS ON CROSS-BORDER SUPPLY OF SERVICES
(referred to in Article [15])

NICARAGUA

1. The list of commitments below indicates the services sectors or sub-sectors inscribed pursuant to Article [15] of the Agreement and, by means of reservations, the market access and national treatment reservations that apply to services and services suppliers of the EU Party in those sectors or sub-sectors. The list is composed of the following elements:

- (a) A first column indicating the sector or sub-sector in which the commitment is assumed by the Party, and the scope to which the reservations apply.
- (1)
- (b) A second column describing the applicable reservations.
- (2)

2. For the purpose of this list, the term **none** indicates a sector or sub-sector where there are no reservations to national treatment or market access. The term **unbound** indicates that no national treatment or market access commitments have been made.

For greater certainty, the absence of specific reservations in a given sector or sub-sector is without prejudice to horizontal reservations that apply.

3. Cross-border supply of services in sectors or sub-sectors not mentioned in the list below are not committed.

4. In identifying individual sectors or sub-sectors:

- (a) CPC means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC prov*, 1991.
- (b) CPC ver. 1.0 means the Central Products Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 77, *CPC ver 1.0*, 1998.

5. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permit, register and other authorization) and procedures when they do not constitute a market access or a national treatment reservation within the meaning of Articles [13] and [14] of the 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), even if not listed, apply in any case to services and services suppliers of the EU Party.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

6. The list below is without prejudice to the feasibility of Mode 1 in certain services sectors or sub-sectors and without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.

7. In accordance with Article [1(3)] of the Agreement, the list below does not include measures concerning subsidies granted by the Parties.

8. 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.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>Horizontal Commitments</u>	
All Sectors included in this Schedule	<p>Nicaragua reserves the right to adopt or maintain any measure granting rights or preferences to socially or economically disadvantaged minorities and indigenous peoples.</p> <p>Public utility: Economic activities or services considered as public services or public utilities are subject to a public monopoly. These economic activities or services include: electric energy supply including transmission and distribution, supply or sewage and water services which include drinkable water, recollection, treatment and evacuation and sewage, residual and pluvial water, as well as the installation, operation, and maintenance of hydrant services, development of maps, establishment, operation, and administration of international airport, administration of lotteries, public communication services as well as the issuance, finance and marketing of postal stamps, the usage of franking machine and other analogous systems, the administration and operation of the existing ports of national interest (Corinto, Sandino, San Juan del Sur, Cabezas, el Rama and El Bluff), which are reserved to the Empresa Portuaria Nacional (EPN) and any other services that, given their importance for the sustainable development of the country, are recognized and regulated as such by the Legislative Assembly.</p> <p>Nothing in this Agreement limits the rights of Nicaragua to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, as well as any social services established or maintained for a public purpose, such as: income security on insurance, social security on insurance, social welfare, public education, public training, health, child care, public sewage services and water supply services.</p> <p>Applies to all Professional Services</p> <p>Foreign professional may practice <u>in Nicaragua</u> in a form and subject to the same conditions that are permitted for Nicaraguans in the country of origin of such professional.</p> <p>Nicaragua agrees that if a jurisdiction in a foreign country allows Nicaraguan nationals to apply for and receive the licenses or certificates necessary to practice a profession in such jurisdiction, a foreign national with a license or certificate to practice the profession in such jurisdiction shall</p>

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	<p>also be allowed to apply for and receive any license or certificate necessary to practice in Nicaragua. As requirements for granting such licenses before referring the government of Nicaragua shall require that the foreign professional submit its license or certificate issued by the authorities in their jurisdiction that authorizes the practice of their profession.</p> <p>In addition, the relevant professional association in Nicaragua will recognize a license granted by a foreign jurisdiction, and allow the holder of that license to register with the association and practice the profession in Nicaragua based on the foreign license, in the following cases:</p> <p>a) no academic institution in Nicaragua offers a course of study that would allow the practice of the profession in Nicaragua;</p> <p>b) the holder of the license is a recognized expert in the profession; or</p> <p>c) allowing the professional to practice in Nicaragua will, through training, demonstration, or other such opportunity, further the development of the profession in Nicaragua.</p> <p>The supply of professional services through natural or legal persons, require the compliance of requirements and authorization for the supply of such services, in accordance with the provisions of <i>Ley de Colegiación y del Ejercicio Profesional, Ley No. 588</i></p>
1. BUSINESS SERVICES	
<u>A. Professional Services</u>	
a) Legal Services (CPC 861) excluding legal advisory and legal documentations and certification services provided by legal professionals entrusted with public functions, such as notaries.	<p><u>For Mode 1</u></p> <p>None, except that except that legal services in respect of Nicaraguan law is subject to nationality requirement.</p> <p><u>For Mode 2</u></p> <p>None</p>

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
b) 1. Accounting and Bookkeeping Services (CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220)	<p><u>For Mode 1</u></p> <p>None, except that foreign public accounting firms, auditors and accountants, either as individuals or enterprises, may exercise the profession in Nicaragua, or other relevant activity through an authorized public accounting firm or association.</p> <p>Foreign accounting's report must be approved by an authorized Nicaraguan public accounting firm or association.</p> <p><u>For Mode 2</u></p> <p>None</p>
b) 2. Auditing services (CPC 86211 and 86212 other than accounting services)	<p><u>For Mode 1</u></p> <p>Foreign accounting's report must be approved by an authorized Nicaraguan public accounting firm or association.</p> <p><u>For Mode 2</u></p> <p>None</p>
c) Taxation Advisory Services (CPC 863) ¹	<p><u>For Mode 1</u></p> <p>None</p> <p><u>For Mode 2</u></p> <p>None</p>
d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	<p><u>For Mode 1</u></p> <p>None, except that the planning and landscape made by the foreign architects must be guaranteed through an authorized architect in Nicaragua.</p> <p><u>For Mode 2</u></p> <p>None .</p>

¹ Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a). Legal services.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	<u>For Mode 1</u> None., except that the planning and landscape made by the foreign architects must be guaranteed through an authorized architect in Nicaragua. <u>For Mode 2</u> None
h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
i) Veterinary services (CPC 932)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
j) 1. Midwives services (part of CPC 93191)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
k) Retail sales of pharmaceuticals and retail sales of medical and	<u>For Mode 1</u> None

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
orthopaedical goods (CPC 63211) and other services supplied by pharmacists	<u>For Mode 2</u> None.
<u>B. Computer and Related Services</u> (CPC 841, 842, 843, 844)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
<u>C. Research and Development Services²</u>	
a) R & D services on natural sciences (CPC 851)	<u>For Mode 1 and 2</u> None, except that to engage in scientific activities related to natural resources a foreign national must have a legal representative in Nicaragua during the entire time the research is being conducted.
b) R & D services on Social Sciences and Humanities (CPC 852 excluding psychologists services) ³	<u>For Mode 1</u> None. <u>For Mode 2</u>
c) Interdisciplinary R & D services (CPC 853)	None.
<u>D. Real Estate Services⁴</u>	
a) Involving Own or Leased Property (CPC 821)	<u>For Mode 1</u> None <u>For Mode 2</u>

² The horizontal limitation on public utilities applies.

³ Part of CPC 85201 which is to be found under 1.A.h - Medical and dental services.

⁴ The service involved relates to the profession of real estate agent and does not affect any rights and/or restrictions on natural and juridical persons purchasing real estate.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	None.
b) On a Fee or Contract Basis (CPC 822)	<u>For Mode 1</u> None. <u>For Mode 2</u> None.
<u>E. Rental/Leasing Services without Operators</u>	
a) Relating to Ships (CPC 83103)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
b) Relating to Aircraft (CPC 83104)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
d) Relating to Other Machinery and Equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
e) Relating to personal and household goods (CPC 832)	<u>For Mode 1</u> None <u>For Mode 2</u> None
f) Telecommunications	<u>For Mode 1</u>

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
equipment rental (CPC 7541)	Unbound. <u>For Mode 2</u> None.
<u>F. Other Business Services</u>	
a) Advertising (CPC 871)	<u>For Mode 1</u> None <u>For Mode 2</u> None
b) Market Research and Opinion Polling (CPC 864)	<u>For Mode 1</u> None <u>For Mode 2</u> None
c) Management Consulting Services (CPC 865)	<u>For Mode 1</u> None. <u>For Mode 2</u> None.
d) Services Related to Management Consulting (CPC 866)	<u>For Mode 1</u> None. <u>For Mode 2</u>

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	None
e) Technical Testing and Analysis Services⁵ (CPC 8676)	<u>For Mode 1</u> None <u>For Mode 2</u> None
f) services incidental to Agriculture, Hunting and Forestry (CPC 881)	<u>For Mode 1</u> <u>None</u> <u>For Mode 2</u> None
g) Services Relating to Fishing (CPC 882)	<u>For Mode 1</u> None <u>For Mode 2</u> Unbound
h) Services incidental to Manufacturing (884 and 885)	<u>For Mode 1</u> None. <u>For Mode 2</u> None
i) Placement and Supply Services of Personnel	
i) 1. Executive search (CPC 87201)	<u>For Mode 1</u> None <u>For Mode 2</u> None
i) 2. Placement Services	<u>For Mode 1</u>

⁵ The horizontal limitation on public utilities applies to technical testing and analysis services compulsory for the granting of marketing authorisations of for utilisation authorisations (e.g. car inspection, food inspection).

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
(CPC 87202)	None. <u>For Mode 2</u> None
i) 3. Supply Services of office support personnel (CPC 87203)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None
j) 1. Investigation Services (CPC 87301)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None
k) Related Scientific and Technical Consulting Services⁶ (CPC 8675)	<u>For Mode 1</u> None. <u>For Mode 2</u> None
l) 1. Maintenance and repair of vessels (part of CPC 8868)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
l) 2. Maintenance and Repair of Rail Transport Equipment	<u>For Mode 1</u>

⁶ The horizontal limitation on public utilities applies to certain activities related to mining (minerals, oil, gas, etc.).

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
(part of CPC 8868)	None. <u>For Mode 2</u> None
I) 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)	<u>For Mode 1</u> None <u>For Mode 2</u> None
I) 4. Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)	<u>For Mode 1</u> None, except that only Nicaraguan technical personnel may engage in remunerated repair and maintenance services or specialty air services in Nicaragua. In an absence of such personnel, the Instituto Nicaraguense de Aeronautica Civil may allow foreign pilots or other technical personnel to engage in such activities, in which case the Instituto Nicaraguense de Aeronautica Civil must grant preference to nationals of other Central American countries. <u>For Mode 2</u> None
I) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods⁷ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	<u>For Mode 1</u> None <u>For Mode 2</u> None

⁷ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 1.F. I) 1 to 1.F.I) 4.
Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 1.B. Computer services.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
m) Building-Cleaning Services (CPC 874)	<u>For Mode 1</u> None <u>For Mode 2</u> None
n) Photographic Services (CPC 875) except for CPC 87504.	<u>For Mode 1</u> None <u>For Mode 2</u> None.
o) Packaging Services (CPC 876)	<u>For Mode 1</u> None <u>For Mode 2</u> None
p) Printing and Publishing (CPC 88442)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
q) Convention Services (part of CPC 87909)	<u>For Mode 1</u> None <u>For Mode 2</u> None
r) 1. Translation and Interpretation Services (CPC 87905)	<u>For Mode 1</u> None except that authorization for the exercise of the profession is subject to the same conditions and requirements as provided for Nicaraguan nationals in the EU country of nationality of the foreign service provider. <u>For Mode 2</u> Unbound.
r) 2. Interior Design and other Specialty Design	<u>For Mode 1</u>

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
Services (CPC 87907)	None <u>For Mode 2</u> None.
r) 3. Collection Agency Services (CPC 87902)	<u>For Mode 1</u> None <u>For Mode 2</u> None
r) 4. Credit reporting services (CPC 87901)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> Unbound.
r) 5. Duplicating services (CPC 87904) ⁸	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> Unbound.
r) 6. Telecommunications consulting services (CPC 7544)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None
2. COMMUNICATION SERVICES	
Horizontal notes only for Telecommunications Sector	
To provide telecommunications services or make use of radio spectrum or other means of transmission, it is required an enabling document (concessions, licenses, registrations or permits) granted by TELCOR, regulator body, which may only be issued to natural or legal Nicaraguans persons or foreign legal person who maintain representation in the country, that	

⁸ Does not include printing services, which fall under CPC 88442 and are to be found under 1.F p).

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
are registered in the respective registry, are subject to the jurisdiction of the Courts of the Republic of Nicaragua and subject to all provisions of laws, regulations, rules, resolutions and administrative arrangements applicable to the telecommunications sector.	
<u>A. Courier Services including express delivery services⁹</u> (CPC 7512 except for the services reserved to the State and its enterprises in accordance with the national legislation)	<u>For Mode 1 and 2:</u> None, except that legal representative must be appointed and resident in Nicaragua and services suppliers are subject to relevant national legislation.
<u>B. Telecommunications Services</u>	
a) All services consisting of the transmission and reception of signals by any electromagnetic means¹⁰, excluding broadcasting¹¹	
- Local ¹² or Public local Telephone Service (CPC 75211)	<u>For Mode 1</u> None
- Public long distance telephone services ¹³ (CPC 75212)	<u>For Mode 2</u>
- International long Distance Telephone Services (CPC 7521**)	None.
Mobile telephone services (CPC 75213)	<u>For Mode 1</u>

⁹ For purposes of this Agreement, express delivery services means the collection, transport, and delivery, of documents, printed matter, parcels, goods, or other items on an expedited basis, while tracking and maintaining control of these items throughout the supply of the service. Express delivery services do not include (i) air transport services, (ii) services supplied in the exercise of governmental authority, or (iii) maritime transport services.

¹⁰ These services do not include on-line information and/or data processing (including transaction processing) (part of CPC 843) which is to be found under 1.B. Computer services.

¹¹ 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.

¹² The Local area geographical unit will be defined by the Regulatory body

¹³ The National Long Distance service is that supplied between a terminal connection located in a local area and any other connection point terminal located in another local area within the territory of the Republic of Nicaragua.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	<p>None</p> <p><u>For Mode 2</u></p> <p>None.</p>
<p>b) Electronic Mail (CPC 7523)</p> <p>c) Online information and data base (CPC 7523**)</p> <p>d) Electronic Data Interchange (IED) (CPC 7523 **)</p> <p>e) Data processing (CPC 843**)</p>	<p><u>For Mode 1</u></p> <p>None</p> <p><u>For Mode 2</u></p> <p>None.</p>
<p>f) Circuit-switched data transmission services (CPC 7523**)</p> <p>g) Telex Services (CPC 7523**)</p> <p>h) Telegraph Services (CPC 7522)</p> <p>i) Enhanced/value-added facsimile services including store and retrieve n.a. code and protocol conversion (CPC 7521** + CPC 7529**)</p> <p>j) Private leased circuit services (CPC 7522** + CPC 7523**)</p> <p>k) Voice mail (CPC 7521**, CPC 7523**)</p>	<p><u>For Mode 1</u></p> <p>None</p> <p><u>For Mode 2</u></p> <p>None.</p>
<p>l) package-switched data transmission services (CPC 7523**)</p> <p>m) Paging Services (CPC 75291)</p> <p>n) Teleconferencing services (CPC 75292)</p> <p>o) Internet Acces Services (CPC</p>	<p><u>For Mode 1</u></p> <p>None</p> <p><u>For Mode 2</u></p> <p>None.</p>

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
7523**) <p>p Mobile data Services (CPC 7523**)</p>	
b) Satellite broadcast transmission services¹⁴	<p><u>For Mode 1</u></p> <p>None, except that service providers in this sector may be subject to obligations to safeguard general interest objectives related to the conveyance of content through their network in line with the Nicaraguan regulatory framework for electronic communications. Services suppliers are subject to national legislation regarding licensing and other regulations, including that the legal representative be resident in Nicaragua.</p> <p><u>For Mode 2</u></p> <p>None.</p>
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	<p><u>For Mode 1</u></p> <p>Unbound.</p> <p><u>For Mode 2</u></p> <p>None</p>
4.DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material)	
<u>A. Commission Agents' Services</u>	
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	<p><u>For Mode 1</u></p> <p>None.</p> <p><u>For Mode 2</u></p> <p>None</p>

¹⁴ These services cover the telecommunications service consisting of the transmission and reception of radio and television broadcast by satellite (the uninterrupted chain of transmission via satellite required for the distribution of TV and radio programme signals to the general public). This covers selling use of satellite services, but does not include the selling of television programme packages to households.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
6121)	
b) Other Commission Agents' Services (CPC 621)	<u>For Mode 1</u> None. <u>For Mode 2</u> None
<u>B. Wholesale Trade Services</u>	
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)	<u>For Mode 1</u> None <u>For Mode 2</u> None
b) Wholesale Trade Services of telecommunication terminal equipment (part of CPC 7542)	<u>For Mode 1</u> None <u>For Mode 2</u> None
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ¹⁵)	<u>For Mode 1</u> None. <u>For Mode 2</u> None
<u>C. Retailing Services</u>¹⁶ Retailing Services of motor vehicles, motorcycles and	<u>For Mode 1</u> None.

¹⁵ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 13.D.

¹⁶ Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 1.B. and 1.F.I).
Does not include retailing services of energy products which are to be found in ENERGY SERVICES under 13.E and 13.F.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
snowmobiles and parts and accessories thereof (CPC 61112, part of CPC 6113 and part of CPC 6121) Retailing Services of telecommunication terminal equipment (part of CPC 7542) Food retailing services (CPC 631) Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods¹⁷ (CPC 632 excluding CPC 63211 and 63297)	<u>For Mode 2</u> None
<u>D. Franchising</u> (CPC 8929)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
10. EDUCATIONAL SERVICES (only privately funded services)	
<u>A. Primary Education Services</u> (CPC 921) <u>B. Secondary Education Services</u> (CPC 922) <u>C. Higher Education Services</u> (CPC 923)	<u>For Mode 1</u> Unbound. (CAFTA minus) <u>For Mode 2</u> None.

¹⁷ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under PROFESSIONAL SERVICES in 1.A.k).

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>D. Adult Education Services</u> (CPC 924)	
<u>E. Other education services</u> (CPC 929)	<p><u>For Mode 1</u></p> <p>Unbound. (CAFTA minus).</p> <p><u>For Mode 2</u></p> <p>None.</p>
6. ENVIRONMENTAL SERVICES¹⁸	
<u>A.) Waste Water Services</u> (CPC 9401) ¹⁹	<p><u>For Mode 1</u></p> <p>Unbound, except for consulting services.</p> <p><u>For Mode 2</u></p> <p>Unbound.</p>
<p><u>B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste</u></p> <p>a) Refuse Disposal Services (CPC 9402)</p> <p>b) Sanitation and Similar Services (CPC 9403)</p>	<p><u>For Mode 1</u></p> <p>Unbound, except for consulting services.</p> <p><u>For Mode 2</u></p> <p>Unbound.</p>
<u>C. Protection of ambient air and climate</u> (CPC 9404) ²⁰	<p><u>For Mode 1</u></p> <p>Unbound except for consulting services</p> <p><u>For Mode 2</u></p>

¹⁸ The horizontal limitation on public utilities applies.

¹⁹ Corresponds to sewage services.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	Unbound.
<u>D. Remediation and clean up of soil and waters</u> Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060) ²¹	For Mode 1 Unbound. except for consulting services. For Mode 2 Unbound.
<u>E. Noise and vibration abatement</u> (CPC 9405)	For Mode 1 Unbound. except for consulting services For Mode 2 Unbound.
<u>F. Protection of biodiversity and landscape</u> Nature and landscape protection services (part of CPC 9406)	For Mode 1 Unbound. except for consulting services For Mode 2 Unbound.
<u>G. Other environmental and ancillary services</u> (CPC 94090)	For Mode 1 Unbound. except for consulting services (CAFTA minus). For Mode 2 Unbound.
7. FINANCIAL SERVICES	
In addition to horizontal notes and only for Financial Services Sectors: Nicaragua reserves the right to accord benefits to financial service suppliers or public entities wholly or majority owned by the State that supply financial services and are established with a public interest purpose, including but not limited to agriculture production finance, housing credits for low income families, and credits for small and midsize enterprises.	

²⁰ Corresponds to Cleaning Services of Exhaust Gases.

²¹ Corresponds to parts of Nature and Landscape Protection Services.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
Such benefits shall not disadvantage the core operations of commercial competitors and include, but are not limited to: extension of State guarantees, tax exemptions, exceptions to the usual juridical form requirements, and the legal requirements to begin operations.	
A. Insurance and insurance-related services 1. direct insurance (including co-insurance): (a) life; (b) non-life; 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 ²² .	For Modes 1 and 2 Unbound for direct insurance services except for: (i) maritime shipping, commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following; the goods being transported, the vehicle transporting the goods and any liability arising therefrom and (ii) goods in international transit.
B. Banking and other financial services (excluding insurance)	
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; 4. all payment and money transmission services, including credit, charge and debit cards,	For Modes 1 and 2: Unbound except for: - the provision and transfer of financial information as described in subpar. 11 of the definition of financial service - financial data processing as described in subpar. 11 of the definition of financial service, subject to prior authorisation

²² For greater certainty, it is understood that these auxiliary services will only be provided to an insurance supplier.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<p>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> <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;</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> <p>9. asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services;</p> <p>10. settlement and clearing services for financial assets, including securities derivative products, and other negotiable instruments;</p>	<p>from the relevant regulator, as required; and</p> <p>- advisory and other auxiliary financial services described in subpar. 12 of the definition of financial services²³, excluding intermediation and credit reference and analysis.</p>

²³ It is understood that advisory services includes portfolio management advice but not other services related to portfolio management, and that auxiliary services does not include those services referred to in subpar.1 through 11 of the definition of financial service.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
11. provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and 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.	
8. HEALTH SERVICES AND SOCIAL SERVICES²⁴ (only privately funded services)	
<u>A. Hospital Services</u> (CPC 9311) <u>C. Residential health facilities other than hospital services</u> (CPC 93193) <u>D. Social Services</u> (CPC 933)	<u>For Mode 1</u> Unbound. (CAFTA minus). <u>For Mode 2</u> None.
9. TOURISM AND TRAVEL RELATED SERVICES In order to supply tourism services in Nicaragua an enterprise must be organized under Nicaraguan law, and a foreign national must reside in Nicaragua or appoint a legal representative Nicaragua. It does not apply to the supply of tourism services during a cruise	
<u>A. Hotel, Restaurants and Catering</u> (CPC 641, CPC 642 and CPC 643) excluding catering in air transport services²⁵	<u>For Mode 1</u> None <u>For Mode 2</u> None.

²⁴ The horizontal limitation on public utilities applies.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
<u>C. Tourist Guides Services</u> (CPC 7472)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services) (only privately funded services)	
<u>A. Entertainment Services</u> (including Theatre, Live Bands, Circus and Discotheque Services) (CPC 9619)	<u>For Mode 1</u> Unbound. (CAFTA minus). <u>For Mode 2</u> None
<u>B. News and Press Agencies Services</u> (CPC 962)	<u>For Mode 1</u> Unbound. (CAFTA minus). <u>For Mode 2</u> None
<u>C. Libraries, archives, museums and other cultural services</u> ²⁶ (CPC 963)	<u>For Mode 1</u> None. <u>For Mode 2</u> None
<u>D. Sporting services</u>	<u>For Mode 1</u>

²⁵ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 12.D.a) Ground handling services.

²⁶ The horizontal limitation on public utilities applies.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
(CPC 964)	None . <u>For Mode 2</u> None.
<u>E. Recreation park and beach Services</u> (CPC 96491)	<u>For Mode 1</u> None <u>For Mode 2</u> None.
11. TRANSPORT SERVICES	
<u>A. Maritime transport</u> ²⁷ a) International passenger transportation (CPC 7211 <u>less</u> national cabotage transport). b) International freight transportation (CPC 7212 <u>less</u> national cabotage transport) ²⁸	<u>For Mode 1</u> None. <u>For Mode 2</u> None.
<u>B. Internal Waterways Transport</u> ²⁹ a) Passenger transportation (CPC 7221) b) Freight transportation (CPC 7222)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.

²⁷ The horizontal limitation on public utilities applies to port services and other maritime transport services requiring the use of the public domain.

²⁸ Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

²⁹ The horizontal limitation on public utilities applies to port services and other internal waterway transport services requiring the use of the public domain.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>C. Rail Transport</u> ³⁰	<u>For Mode 1</u>
a) Passenger transportation (CPC 7111)	Unbound <u>For Mode 2</u>
b) Freight transportation (CPC 7112)	None.
c) Pushing and towing services (CPC 7113)	
<u>D. Road Transport</u> ³¹	<u>For Mode 1</u>
a) Passenger Transportation (CPC 7121 and CPC 7122)	Unbound. <u>For Mode 2</u> None.
b) Freight Transportation ³² (CPC 7123)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
<u>E. Pipeline transport of goods other than fuel</u> ^{33 34} (CPC 7139)	<u>For Mode 1</u> Unbound <u>For Mode 2</u> None

³⁰ The horizontal limitation on public utilities applies to rail transport services requiring the use of the public domain.

³¹ The horizontal limitation on public utilities applies.

³² The horizontal limitation on public utilities applies.

³³ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 13.B.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
12. SERVICES AUXILIARY TO TRANSPORT³⁵	
<u>A. Services auxiliary to Maritime Transport³⁶</u>	<u>For Mode 1</u>
a) Maritime Cargo Handling Services	None for maritime agency services, maritime freight forwarding services, supporting services for maritime transport (part of CPC 745) and other supporting auxiliary services, including catering (part of CPC 749).
b) Storage and warehousing Services (part of CPC 742)	<u>For Mode 2</u>
c) Customs Clearance Services	None.
d) Container Station and Depot Services	
e) Maritime Agency Services	
f) Maritime Freight Forwarding Services	
g) Rental of Vessels with Crew (CPC 7213)	
h) Pushing and towing services (CPC 7214)	
i) Supporting services for maritime transport (part of CPC 745)	
j) Other supporting and auxiliary services (including catering) (part of CPC 749)	

³⁴ The horizontal limitation on public utilities applies.

³⁵ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 1.F.I) 1 to 1.F.I) 4.

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>B. Services auxiliary to internal waterways transport</u> ³⁷	<u>For Mode 1</u> Unbound.
a) Cargo-handling services (part of CPC 741)	<u>For Mode 2</u> None.
b) Storage and warehouse services (part of CPC 742)	
c) Freight transport agency services (part of CPC 748)	
d) Rental of Vessels with Crew (CPC 7223)	
e) Pushing and towing services (CPC 7224)	
f) Supporting services for internal waterway transport (part of CPC 745)	
g) Other supporting and auxiliary services (part of CPC 749)	
<u>C. Services auxiliary to rail transport</u> ³⁸	<u>For Mode 1</u> Unbound
a) Cargo-handling services (part of CPC 741)	<u>For Mode 2</u>
b) Storage and warehouse	

³⁶ The horizontal limitation on public utilities applies to port services, to other auxiliary services requiring the use of the public domain and to pushing and towing services.

³⁷ The horizontal limitation on public utilities applies to port services, to other auxiliary services requiring the use of the public domain and to pushing and towing services.

³⁸ The horizontal limitation on public utilities applies when the services require the use of the public domain.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Pushing and towing services (CPC 7113) e) Supporting services for rail transport services (CPC 743) f) Other supporting and auxiliary services (part of CPC 749)	None.
<u>D. Services auxiliary to road transport³⁹</u> a) Cargo-handling services (part of CPC 741) b) Storage and warehouse services (part of CPC 742) c) Freight transport agency services (part of CPC 748) d) Rental of Commercial Road Vehicles with Operators (CPC 7124) e) Supporting services for road transport equipment (CPC 744)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.

³⁹ The horizontal limitation on public utilities applies when the services require the use of the public domain.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
f) Other supporting and auxiliary services (part of CPC 749)	
<u>E. Services auxiliary to air transport services</u>	
a) Ground handling services (including catering)	<u>For Mode 1</u> Unbound <u>For Mode 2</u> None
b) Storage and warehouse services (part of CPC 742)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
c) Freight transport agency services (part of CPC 748)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
d) Rental of aircraft with crew (CPC 734)	<u>For Mode 1</u> None <u>For Mode 2</u> None
e) Sales and Marketing	<u>For Mode 1</u> None. <u>For Mode 2</u> None.
f) Computer Reservations System	<u>For Mode 1</u>

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
	None <u>For Mode 2</u> None
g) Airport management⁴⁰	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> Unbound.
<u>F. Services auxiliary to pipeline transport of goods other than fuel⁴¹</u> a) Storage and warehouse services of goods other than fuel transported by pipelines⁴² (part of CPC 742)	<u>For Mode 1</u> Unbound <u>For Mode 2</u> None.
13. ENERGY SERVICES	
<u>A. Services Incidental to Mining⁴³</u> (CPC 883) ⁴⁴	<u>For Mode 1</u> Unbound <u>For Mode 2</u> None

⁴⁰ The horizontal limitation on public utilities applies.

⁴¹ Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES. under 13.C.

⁴² The horizontal limitation on public utilities applies.

⁴³ The horizontal limitation on public utilities applies.

⁴⁴ Includes the following service rendered on a fee or contract basis: advisory and consulting services relating to mining, on land site preparation, on land rig installation, drilling, drilling bits services, casing and tubular services, mud engineering and supply, solids control, fishing and downhole special operations, wellsite geology and drilling control, core taking, well testing, wireline services, supply and

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>B. Pipeline Transportation of fuels</u> ⁴⁵ (CPC 7131)	For Mode 1 Unbound. For Mode 2 None
<u>C. Storage and warehouse services of fuels transported through pipelines</u> ⁴⁶ (part of CPC 742)	For Mode 1 Unbound. For Mode 2 None
<u>D. Wholesale trade services of solid, liquid and gaseous fuels and related products</u> (CPC 62271) <u>and wholesale trade services of electricity, steam and hot water</u> ⁴⁷	For Mode 1 None . For Mode 2 None
<u>E. Retailing Services of motor fuel</u> (CPC 613) <u>F. Retail sales of fuel oil, bottled gas, coal and wood</u> (CPC 63297) <u>and retailing services of electricity, (non bottled) gas, steam and hot water</u> ⁴⁸	For Mode 1 None For Mode 2 None

operation of completion fluids (brines) supply and installation of completion devices, cementing (pressure pumping), stimulation services (fracturing, acidising and pressure pumping), workover and well repair services, plugging and abandoning of wells.

Does not include direct access to or exploitation of natural resources.

Does not include site preparation work for mining of resources other than oil and gas (CPC 5115), which is to be found under 3. CONSTRUCTION SERVICES.

⁴⁵ The horizontal limitation on public utilities applies.

⁴⁶ The horizontal limitation on public utilities applies.

⁴⁷ The horizontal limitation on public utilities applies.

⁴⁸ The horizontal limitation on public utilities applies.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
<u>G. Services incidental to energy distribution</u> ⁴⁹ (CPC 887)	<u>For Mode 1</u> None <u>For Mode 2</u> Unbound.
14. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing services (CPC 9701)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
b) Hairdressing services (CPC 97021)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
d) Other beauty treatment services n.e.c (CPC 97029)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
e) Spa services and non therapeutical massages, to	<u>For Mode 1</u>

⁴⁹ Except for consulting services, the horizontal limitation on public utilities applies.

The present Schedule is a Draft, and Nicaragua reserves the right to modify it total or partially, during the negotiation process

**NI RESTRICTED
STILL UNDER NEGOTIATION
6 MAY, 2010**

Draft Translation Non-Official

Sector or sub-sector	Description of reservations
the extent that they are provided as relaxation physical well-being services and not for medical or rehabilitation purposes ^{50 51} (CPC ver. 1.0 97230)	Unbound. <u>For Mode 2</u> None.
g) Telecommunications connection services (CPC 7543)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> None.
h) Domestic services (CPC 980)	<u>For Mode 1</u> Unbound. <u>For Mode 2</u> Unbound.

⁵⁰ Therapeutical massages and thermal cure services are to be found under 1A.h) Medical services, 1.A.j) 2 Services provided by nurses, physiotherapists and para-medical personnel and health services (8.A and 8.C).

⁵¹ The horizontal limitation on public utilities applies to Spa services and non therapeutical massages provided in domains of public utility such as certain water sources.