

**LIST OF COMMITMENTS ON KEY PERSONNEL, GRADUATE TRAINEES, AND
BUSINESS SERVICES SELLERS (referred to in Articles [17] and [18])**

Panama

1. The list of commitments below indicates the economic activities inscribed pursuant to Articles [17.2] and [18.2] and the applicable reservations and conditions on key personnel and graduate trainees. The list is composed of the following elements:

(a) A first column indicating the economic activities in which the commitment is assumed by the Party, and the scope to which the reservations and conditions apply.

(b) A second column listing the applicable reservations and conditions.

2. For the purpose of this list, the term **none** indicates an economic activities where there are no specific reservations and conditions in a given economic activities without prejudice to horizontal reservations and conditions that apply. The term **unbound** indicates that no commitments have been made.

3. Panama does not undertake any commitment on key personnel and graduate trainees in economic activities which are not inscribed.

4. In identifying individual economic activities:

(a) ISIC rev 3.1 means the International Standard Industrial Classification of all Economic Activities as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, *ISIC REV 3.1*, 2002.

(b) 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.

(c) 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. Commitments on key personnel and graduate trainees do not apply in cases where the intent or effect of their temporary presence is to interfere with or otherwise affect the outcome of any labour/management dispute or negotiation.

6. The list below does not include measures relating to qualification requirements and procedures, technical standards and licensing requirements (including any concession, permits, register and other authorization) and procedures, and measures regarding employment, work and social security conditions when they do not constitute a limitation within the meaning of Article 18 of the Agreement. Those measures (e.g. need to obtain a license, need to obtain recognition of qualifications in regulated sectors, need to pass specific examinations, including language examinations, need to have a legal domicile in the territory where the economic activity is performed, need to comply with national regulations and practices concerning minimum wages and with collective wage agreements in the host country), even if not listed, apply in any case to key personnel and graduate trainees of the EC Party.

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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 list below is without prejudice to the existence of public monopolies and exclusive rights as described in the list of commitments on establishment.
9. In those economic activities where economic needs tests are applied, their main criteria will be the assessment of the relevant market situation or the region where the service is to be provided, including with respect to the number of, and the impact on, existing services suppliers.
10. 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.

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Sector or sub-sector	Description of reservations
ALL SECTORS	<p>1. Preference is given to a Panamanian national over a foreign national for contractual positions in the Panama Canal Authority. A foreign national may be hired instead of a Panamanian national, provided that the position is difficult to fill and that all channels for hiring a qualified Panamanian national have been exhausted and that it is authorized by the Canal Authority Administrator. If the only applicants for a position with the Panama Canal Authority are foreign nationals, preference is given to a foreign national with a Panamanian spouse or a foreign national who has lived in Panama for 10 consecutive years.</p> <p>2. Only a Panamanian national can be a director of the Panama Canal Authority.</p>
ALL SECTORS	Numerical quotas and economic needs tests are required for key personnel and graduate trainees holding an employment contract with a Panamanian juridical person (main criteria: need for technical and specialized personnel).
ALL SECTORS	
B. Forestry and logging (ISIC rev 3.1: 020) excluding services	None
2. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) excluding services	None
4. MANUFACTURING ¹	
<u>A. Manufacture of food products and beverages</u> (ISIC rev 3.1: 15)	None
<u>B. Manufacture of tobacco products</u> (ISIC rev 3.1: 16)	None
<u>C. Manufacture of textiles</u> (ISIC rev 3.1: 17)	None
<u>D. Manufacture of wearing</u>	None

¹ This sector does not include advisory services incidental to manufacturing, which are to be found in BUSINESS SERVICES under 6.F.h).

Sector or sub-sector	Description of reservations
<u>apparel; dressing and dyeing of fur</u> (ISIC rev 3.1: 18)	
<u>E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear</u> (ISIC rev 3.1: 19)	None
<u>F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials</u> (ISIC rev 3.1: 20)	None
<u>G. Manufacture of paper and paper products</u> (ISIC rev 3.1: 21)	None
<u>I. Manufacture of coke oven products</u> (ISIC rev 3.1: 231)	None
<u>J. Manufacture of refined petroleum products</u> (ISIC rev 3.1: 232)	None
<u>K. Manufacture of chemicals and chemical products other than explosives</u> (ISIC rev 3.1: 24 excluding manufacturing of explosives)	None
<u>L. Manufacture of rubber and plastics products</u> (ISIC rev 3.1: 25)	None
<u>M. Manufacture of other nonmetallic</u>	None

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Sector o sub-sector	Description of reservations
<u>mineral products</u> (ISIC rev 3.1: 26)	
<u>N. Manufacture of basic metals</u> (ISIC rev 3.1: 27)	None
<u>O. Manufacture of fabricated metal products, except machinery and equipment</u> (ISIC rev 3.1: 28)	None
<u>P. Manufacture of machinery</u>	
<u>a) Manufacture of general purpose machinery</u> (ISIC rev 3.1: 291)	None
<u>b) Manufacture of special purpose machinery other than weapons and munitions</u> (ISIC rev 3.1: 2921, 2922, 2923, 2924, 2925, 2926, 2929)	None
<u>c) Manufacture of domestic appliances n.e.c.</u> (ISIC rev 3.1: 293)	None
<u>d) Manufacture of office, accounting and computing machinery</u> (ISIC rev 3.1: 30)	None
<u>e) Manufacture of electrical machinery and apparatus n.e.c.</u> (ISIC rev 3.1: 31)	None
<u>f) Manufacture of radio, television and communication equipment and apparatus</u> (ISIC rev 3.1: 32)	None

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Sector or sub-sector	Description of reservations
<u>Q. Manufacture of medical, precision and optical instruments, watches and clocks</u> (ISIC rev 3.1: 33)	None
<u>R. Manufacture of motor vehicles, trailers and semitrailers</u> (ISIC rev 3.1: 34)	None
<u>S. Manufacture of other (nonmilitary) transport equipment</u> (ISIC rev 3.1: 35 excluding manufacturing of warships, warplanes and other transport equipment for military use)	None
<u>T. Manufacture of furniture; manufacturing n.e.c.</u> (ISIC rev 3.1: 361, 369)	None
<u>U. Recycling</u> (ISIC rev 3.1: 37)	None
5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER (EXCLUDING NUCLEAR BASED ELECTRICITY GENERATION)	
<u>A. Production of electricity; transmission and distribution of electricity on own account</u> (part of ISIC rev 3.1: 4010) ²	None
<u>B. Manufacture of gas;</u>	None

² Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

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Sector or sub-sector	Description of reservations
<u>distribution of gaseous fuels through mains on own account</u> (part of ISIC rev 3.1: 4020) ³	
<u>C. Production of steam and hot water; distribution of steam and hot water on own account</u> (part of ISIC rev 3.1: 4030) ⁴	None
1. BUSINESS SERVICES	
<u>A. Professional Services</u>	
a) Legal Services (part of CPC 861) Exclusively: legal consultancy on international law (excludes Panamanian law) and consultancy on law of the jurisdiction in which the service supplier is qualified as a lawyer. Does not include appearance in courts or administrative, judicial, maritime or arbitral authorities in Panama, nor the drafting of legal documents.	None
<u>E. Rental/Leasing Services without Operators</u>	
a) Relating to Ships (CPC 83103)	None
b) Relating to Aircraft (CPC 83104)	None
c) Relating to Other Transport Equipment	None

³Does not include transportation of natural gas and gaseous fuels via pipelines, transmission and distribution of gas on a fee or contract basis and sales of natural gas and gaseous fuels, which are to be found in ENERGY SERVICES.

⁴ Does not include transmission and distribution of steam and hot water on a fee or contract basis and sales of steam and hot water, which are to be found in ENERGY SERVICES.

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Sector o sub-sector	Description of reservations
(CPC 83101, CPC 83102 and CPC 83105)	
d) Relating to Other Machinery and Equipment (CPC 83106, CPC 83107, CPC 83108 and CPC 83109)	None
e) Relating to personal and household goods (CPC 832)	None
f) Telecommunications equipment rental (CPC 7541)	None
<u>F. Other Business Services</u>	
h) Advisory and Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885)	None
i) Placement and Supply Services of Personnel	
i) 1. Executive search (CPC 87201)	None
i) 2. Placement Services (CPC 87202)	None
i) 3. Supply Services of office support personnel (CPC 87203)	None
i) 4 Model agency Services (part of CPC 87209)	None

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Sector or sub-sector	Description of reservations
l) 1. Maintenance and repair of vessels (part of CPC 8868)	None
l) 2. Maintenance and Repair of Rail Transport Equipment (part of CPC 8868)	None
l) 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)	None
l) 5. Maintenance and Repair services of metal products, of (non office) machinery, of (non transport and non office) equipment and of personal and household goods⁵ (CPC 633, CPC 7545, CPC 8861, CPC 8862, CPC 8864, CPC 8865 and CPC 8866)	None
m) Building-Cleaning Services (CPC 874)	None
n) Photographic Services (CPC 875)	None
o) Packaging Services (CPC 876)	None

⁵ Maintenance and repair services of transport equipment (CPC 6112, 6122, 8867 and CPC 8868) are to be found under 6.F. l) 1 to 6.F.l) 4.
Maintenance and repair services of office machinery and equipment including computers (CPC 845) are to be found under 6.B. Computer services.

Sector or sub-sector	Description of reservations
q) Convention Services (part of CPC 87909)	None
r) 2. Interior Design and other Specialty Design Services (CPC 87907)	None
r) 3. Collection Agency Services (CPC 87902)	None
r) 4. Credit reporting services (CPC 87901)	None
r) 5. Duplicating services⁶ (CPC 87904)	None
r) 6. Telecommunications consulting services (CPC 7544)	None
7. COMMUNICATION SERVICES	
A. Courier Services	None
B. Telecommunications Services These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport.	None
a) All services consisting of the transmission and reception of signals by any electromagnetic means⁷, excluding broadcasting⁸	None

⁶ Does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

⁷ 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.

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Sector o sub-sector	Description of reservations
b) Satellite broadcast transmission services⁹	None
4.DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material) All sub-sectors mentioned below	
<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 6121)	None
b) Other Commission Agents' Services (CPC 621)	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)	None
b) Wholesale Trade Services of telecommunication terminal equipment	None

⁸ 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.

⁹ 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.

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Sector o sub-sector	Description of reservations
(part of CPC 7542)	
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ¹⁰)	None
7. FINANCIAL SERVICES	
<u>B. Banking and other financial services (excluding insurance)</u>	1. The branches of foreign banks must designate at least 2 general proxies. Both of these proxies must be natural persons with residence in Panama and at least one of them must be a Panamanian national. 2. The General Manager, Assistant General Manager and Director or Deputy Director of the Board of Directors of the Caja de Ahorros must be Panamanian nationals by birth or naturalization, who have resided in Panama for at least 10 years. 3. The General Manager, Legal Representative and Director of the Board of Directors of the <i>Banco Nacional de Panama</i> must be Panamanian nationals.
9. TOURISM AND TRAVEL RELATED SERVICES	
<u>A. Hotel and Catering excluding catering in air transport services¹¹</u> (CPC 641, CPC 642 and CPC 643)	None
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)	
<u>D. Sporting services</u> (CPC 9641)	None
<u>E. Recreation park and beach Services</u> (CPC 96491)	None

¹⁰ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 18.D.

¹¹ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Ground handling services.

Sector o sub-sector	Description of reservations
11. TRANSPORT SERVICES	
A. Maritime transport a) International passenger transportation (CPC 7211 less national cabotage transport). b) International freight transportation (CPC 7212 less national cabotage transport) ¹²	None
<u>B. Internal Waterways Transport</u>	
a) Passenger transportation (CPC 7221) b) Freight transportation (CPC 7222)	None
<u>C. Rail Transport</u>	
a) Passenger transportation (CPC 7111) b) Freight transportation (CPC 7112)	None
12. SERVICES AUXILIARY TO TRANSPORT¹³	
<u>A. Services auxiliary to Maritime Transport</u> a) Maritime Cargo Handling Services b) Storage and warehousing Services	None

¹² Includes feeding services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

¹³ 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.

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Sector o sub-sector	Description of reservations
<p>(part of CPC 742)</p> <p>d) Container Station and Depot Services</p> <p>e) Maritime Agency Services</p> <p>f) Maritime Freight Forwarding Services</p> <p>g) Rental of Vessels with Crew</p> <p>(CPC 7213)</p> <p>h) Pushing and towing services (CPC 7214)</p> <p>i) Supporting services for maritime transport</p> <p>(part of CPC 745)</p> <p>j) Other supporting and auxiliary services (including catering)</p> <p>(part of CPC 749)</p>	
<p><u>B. Services auxiliary to internal waterways transport</u></p> <p>a) Cargo-handling services</p> <p>(part of CPC 741)</p> <p>b) Storage and warehouse services</p> <p>(part of CPC 742)</p> <p>c) Freight transport agency services</p> <p>(part of CPC 748)</p> <p>d) Rental of Vessels with Crew</p> <p>(CPC 7223)</p> <p>e) Pushing and towing services</p> <p>(CPC 7224)</p> <p>f) Supporting services for internal waterway transport</p>	<p>None</p>

Sector o sub-sector	Description of reservations
<p>(part of CPC 745)</p> <p>g) Other supporting and auxiliary services</p> <p>(part of CPC 749)</p>	
<p><u>C. Services auxiliary to rail transport</u></p> <p>a) Cargo-handling services</p> <p>(part of CPC 741)</p> <p>b) Storage and warehouse services</p> <p>(part of CPC 742)</p> <p>c) Freight transport agency services</p> <p>(part of CPC 748)</p> <p>d) Pushing and towing services</p> <p>(CPC 7113)</p> <p>e) Supporting services for rail transport services</p> <p>(CPC 743)</p> <p>f) Other supporting and auxiliary services</p> <p>(part of CPC 749)</p>	None
<p><u>D. Services auxiliary to road transport</u></p> <p>a) Cargo-handling services</p> <p>(part of CPC 741)</p> <p>b) Storage and warehouse services</p> <p>(part of CPC 742)</p> <p>c) Freight transport agency services</p>	None

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Sector o sub-sector	Description of reservations
(part of CPC 748) e) Supporting services for road transport equipment (CPC 744) f) Other supporting and auxiliary services (part of CPC 749)	
<u>D. Services auxiliary to air transport services</u>	
a) Ground handling services (including catering)	None
b) Storage and warehouse services (part of CPC 742)	None
e) Sales and Marketing	None
f) Computer Reservations System	None
<u>E. Services auxiliary to pipeline transport of goods other than fuel</u>¹⁴ a) Storage and warehouse services of goods other than fuel transported by pipelines (part of CPC 742)	None
18. ENERGY SERVICES	
A. Services Incidental to Mining ¹⁵	

¹⁴ Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES. Under 18.C.

¹⁵ 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 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 8. CONSTRUCTION SERVICES.

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Sector or sub-sector	Description of reservations
(CPC 883)	None
<u>B. Pipeline Transportation of fuels.</u> (CPC 7131)	None
<u>C. Wholesale trade services of solid, liquid and gaseous fuels and related products</u> (CPC 62271)	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>	None
<u>G. Services incidental to energy distribution</u> (CPC 887)	None
19. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing services (CPC 9701)	None
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022) d) Other beauty treatment	None

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Sector o sub-sector	Description of reservations
services n.e.c (CPC 97029) e) Spa services and non therapeutical massages, to the extent that they are provided as relaxation physical well-being services and not for medical or rehabilitation¹⁶ purposes (CPC ver. 1.0 97230)	
g) Telecommunications connection services (CPC 7543)	None

¹⁶ Therapeutical massages and thermal cure services are to be found under 6.A.h) Medical services, 6.A.j)
2 Services provided by nurses, physiotherapists and para-medical personnel and health services (13.A and
13 C).