

LIST OF COMMITMENTS ON ESTABLISHMENT

(referred to in Article [9])

EL SALVADOR

1. The list of commitments below indicate the economic activities inscribed pursuant to Article [9] of the Agreement and, by means of reservations, the market access and national treatment reservations that apply to establishments and investors of the EU Party in those activities. 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 apply.
- (b) A second column describing the applicable reservations.

2. For the purpose of this list, the term **none** indicates economic activities 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 economic activity is without prejudice to horizontal reservations that apply.

3. Economic activities not mentioned in the list below are not committed.

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. 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 [7] and [8] 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, non-discriminatory requirement that certain activities may not be carried out in environmental protected zones or areas of particular historic and artistic interest), even if not listed, apply in any case to investors of the EC Party.

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

7. In accordance with Article [7] of the Agreement non-discriminatory requirements as regards the types of legal form of an establishment are not included in the list below.

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.

HORIZONTAL COMMITMENTS
<p>1. The airspace, subsoil, and the corresponding continental and insular shelf are owned by El Salvador. The State can grant a concession for the exploitation of the subsoil.</p> <p>2. Rural land may not be owned by a foreign person, including a branch of a foreign person, if the person is a national of a country or is organized under the law of a country that does not permit Salvadoran nationals to own rural land, except in the case of land to be used for industrial plants.</p> <p>3. An enterprise organized under Salvadoran law, a majority of whose capital is owned by foreign persons, or a majority of whose partners are foreign persons, is subject to the preceding paragraph.</p> <p>4. Only the following persons may engage in small scale commerce, industry, and the supply of services in El Salvador:</p> <p>(a) Salvadoran nationals born in El Salvador; and</p> <p>(b) Nationals of Costa Rica, Guatemala, Honduras, and Nicaragua.</p> <p>An enterprise organized under Salvadoran law, a majority of whose capital is owned by foreign persons, or a majority of whose partners are foreign persons, may not establish a small scale enterprise to engage in small scale commerce, industry, and the supply of services. Foreigners may not hold the positions of administrator, director, manager or representative of a small scale enterprise in the trade, industrial or services sector.</p> <p>For purpose of this entry, a small scale enterprise is an enterprise with a capitalization not greater than \$US 200.000.</p> <p>5. In cooperative production societies, at least 75 percent of the total number of partners must be Salvadoran persons. A branch of an enterprise that is not organized under Salvadoran law is not a Salvadoran person.</p> <p>For greater certainty, a cooperative production society exists to provide certain benefits to its members including with respect to distribution, sales, management, and technical assistance. Its functions are not only economic but also social.</p> <p>6. Every employer must employ Salvadorian nationals in a proportion of at least 90 per cent of the personnel of his enterprise. In special circumstances the Ministry of Labour and Social Security may authorize the employment of more foreigners when it is difficult or impossible to replace them with nationals, but employers remain obliged to train Salvadorian personnel under the supervision and control of the mentioned Ministry within a period of not more than five years. The amount of wages of Salvadorians can not be less</p>

than 85 per cent of the total wages paid. This percentage may be changed with the authorization of the above mentioned Ministry¹.

7. El Salvador may adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities.

8. El Salvador may adopt or maintain any measure relating to the execution of social readaptation laws and services, as well as any social services, when they are established or maintained for a public purpose.

9. Nothing in this Agreement, including the present list of specific commitments, will be interpreted in requiring a Party to privatize the supply of public services in the exercise of governmental authority.

10. The market access and national treatment limitations maintained at local governments' level are consolidated, though they are not listed. These limitations shall not be construed as nullifying the commitments taken by El Salvador in the chapter on Public Procurement.

11. El Salvador may require a concession, authorization, license, permit or any other empowerment titles, as a non-discriminatory condition to perform an economic activity or supply a service.

12. For the purpose of this list, juridical persons constituted according to the laws of El Salvador that have their legal domicile in the country, are considered to be Salvadoran. The laws and regulations established in favor of Salvadorans will be applicable to Salvadoran juridical persons whose partners or capital are, in their majority, foreigners.

13. Economic activities considered as public utilities may be subject to a public monopoly or to exclusive rights granted to natural persons or juridical persons, public or private.

14. Article 6 (Market Access) refers to non-discriminatory measures.

17. Market Access for Non-services is unbound. Any more favourable commitment on market access for non-services sectors within the meaning of Article (Market Access) resulting from an international agreement shall constitute a commitment under this Agreement as of the date of entry into force of that Agreement.

¹ For greater certainty, this clause applies to foreign workers under an employment relation and without prejudice of commitments undertaken by El Salvador under Chapter IV on Temporary Movement of Natural Persons for Business Purposes.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
Establishment in Non Services Sector	
1. AGRICULTURE, HUNTING, FORESTRY	
A. Agriculture, hunting (ISIC rev 3.1: 011, 012, 013, 014, 015) excluding advisory and consultancy services ²	<u>NATIONAL TREATMENT</u> None
B. Forestry and logging (ISIC rev 3.1: 020) excluding advisory and consultancy services ³	<u>NATIONAL TREATMENT</u> None
2. FISHING AND AQUACULTURE (ISIC rev.3.1: 0501, 0502) excluding services	<u>NATIONAL TREATMENT</u> None
3. MINING AND QUARRYING	
A. Mining of coal and lignite; extraction of peat (ISIC rev 3.1: 10)	<u>NATIONAL TREATMENT</u> None
B. Extraction of crude petroleum and natural gas⁴ (ISIC rev 3.1: 1110)	<u>NATIONAL TREATMENT</u> Investors from countries which are energy suppliers may be prohibited to obtain control of the activity.
C. Mining of metal ores (ISIC rev 3.1: 13)	<u>NATIONAL TREATMENT</u> None
D. Other mining and quarrying (ISIC rev 3.1: 14)	<u>NATIONAL TREATMENT</u> None
4. MANUFACTURING⁵	
A. Manufacture of food products and beverages (ISIC rev 3.1: 151, 152, 153, 154)	<u>NATIONAL TREATMENT</u> None

² Advisory and consultancy services related to agriculture, hunting, forestry and fishing are to be found in BUSINESS SERVICES under 6.F.f) and 6.F.g).

⁴ Does not include services incidental to mining rendered on a fee or contract basis at oil and gas fields which are to be found in ENERGY SERVICES under 18.A.

⁵ 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
B. Manufacture of tobacco products (ISIC rev 3.1: 16)	<u>NATIONAL TREATMENT</u> None
C. Manufacture of textiles (ISIC rev 3.1: 17)	<u>NATIONAL TREATMENT</u> None
D. Manufacture of wearing apparel; dressing and dyeing of fur (ISIC rev 3.1: 18)	<u>NATIONAL TREATMENT</u> None
E. Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear (ISIC rev 3.1: 19)	<u>NATIONAL TREATMENT</u> None
F. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials (ISIC rev 3.1: 20)	<u>NATIONAL TREATMENT</u> None
G. Manufacture of paper and paper products (ISIC rev 3.1: 21)	<u>NATIONAL TREATMENT</u> None
H. Publishing, printing and reproduction of recorded media⁶ (ISIC rev 3.1: 22, excluding publishing and printing on a fee or contract basis ⁷)	<u>NATIONAL TREATMENT</u> None
I. Manufacture of coke oven products (ISIC rev 3.1: 231)	<u>NATIONAL TREATMENT</u> None
J. Manufacture of refined petroleum products⁸ (ISIC rev 3.1: 232)	<u>NATIONAL TREATMENT</u> Investors from countries which are energy suppliers may be prohibited to obtain control of the activity.

⁶ The sector is limited to manufacturing activities. It does not include activities which are audiovisual related or present a cultural content.

⁷ Publishing and printing on a fee or contract basis is to be found in BUSINESS SERVICES under 6.F.p).

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
K. Manufacture of chemicals and chemical products other than explosives (ISIC rev 3.1: 24 excluding manufacturing of explosives)	<u>NATIONAL TREATMENT</u> None
L. Manufacture of rubber and plastics products (ISIC rev 3.1: 25)	<u>NATIONAL TREATMENT</u> None
M. Manufacture of other non-metallic mineral products (ISIC rev 3.1: 261)	<u>NATIONAL TREATMENT</u> None
N. Manufacture of basic metals (ISIC rev 3.1: 27)	<u>NATIONAL TREATMENT</u> None
O. Manufacture of fabricated metal products, except machinery and equipment (ISIC rev 3.1: 28)	<u>NATIONAL TREATMENT</u> None
P. Manufacture of machinery	
<u>a) Manufacture of general purpose machinery</u> (ISIC rev 3.1: 291)	<u>NATIONAL TREATMENT</u> 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)	<u>NATIONAL TREATMENT</u> None
<u>c) Manufacture of domestic appliances n.e.c.</u> (ISIC rev 3.1: 293)	<u>NATIONAL TREATMENT</u> None
<u>d) Manufacture of office, accounting and computing machinery</u> (ISIC rev 3.1: 30)	<u>NATIONAL TREATMENT</u> None
<u>e) Manufacture of electrical</u>	<u>NATIONAL TREATMENT</u>

⁸ The horizontal limitation on public utilities applies.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
<u>machinery and apparatus</u> <u>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)	<u>NATIONAL TREATMENT</u> None
Q. Manufacture of medical, precision and optical instruments, watches and clocks (ISIC rev 3.1: 33)	<u>NATIONAL TREATMENT</u> None
R. Manufacture of motor vehicles, trailers and semi-trailers (ISIC rev 3.1: 34)	<u>NATIONAL TREATMENT</u> None
S. Manufacture of other (non-military) transport equipment (ISIC rev 3.1: 351, 352, 359 excluding manufacturing of warships, warplanes and other transport equipment for military use)	<u>NATIONAL TREATMENT</u> None
T. Manufacture of furniture; manufacturing n.e.c. (ISIC rev 3.1: 361, 369)	<u>NATIONAL TREATMENT</u> None
U. Recycling (ISIC rev 3.1: 371)	<u>NATIONAL TREATMENT</u> None
5. PRODUCTION; TRANSMISSION AND DISTRIBUTION ON OWN ACCOUNT OF ELECTRICITY, GAS, STEAM AND HOT WATER⁹ (EXCLUDING NUCLEAR BASED ELECTRICITY GENERATION)	
A. Production of electricity; transmission and distribution of electricity on own account (part of ISIC rev 3.1: 4010) ¹⁰	<u>NATIONAL TREATMENT</u> Investors from countries which are energy suppliers may be prohibited to obtain control of the activity.
B. Manufacture of gas; distribution of gaseous fuels through mains on	<u>NATIONAL TREATMENT</u> Investors from countries which are energy suppliers may be

⁹ The horizontal limitation on public utilities applies.

¹⁰ Does not include operation of electricity transmission and distribution systems on a fee or contract basis, which are to be found in ENERGY SERVICES.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
own account (part of ISIC rev 3.1: 4020) ¹¹	prohibited to obtain control of the activity.
C. Production of steam and hot water; distribution of steam and hot water on own account (part of ISIC rev 3.1: 4030) ¹²	<u>NATIONAL TREATMENT</u> Investors from countries which are energy suppliers may be prohibited to obtain control of the activity.
ESTABLISHMENT IN SERVICES	
6. BUSINESS SERVICES	
A. Professional Services	
a) Legal Services (CPC 861) Excluding legal documentations and certification services that are provided by legal professionals entrusted with public functions, such as notaries. Exclusively: legal consultancy and legal information services (86190**)	None
b) 1. Accounting and Bookkeeping Services (CPC 86212 other than "auditing services", CPC 86213, CPC 86219 and CPC 86220) excluding public accounting	Nationality condition applies to the exercise of the profession of public accountant; only public accountant can exercise the profession of external auditor. Salvadoran participation required in auditing and bookkeeping enterprises. None for financial auditing services (CPC 86211), accounting review services (CPC 86212) and bookkeeping services, except for tax returns (86302).
b) 2. Auditing services (CPC 86211 and 86212 other than accounting services) excluding public auditing	
c) Taxation Advisory Services (CPC 863) ¹³ excluding public accounting and	None, except that taxation enterprises must have Salvadoran participation.

¹¹ Does 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.

¹² 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.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
auditing	
d) Architectural services and e) Urban planning and landscape architectural services (CPC 8671 and CPC 8674)	Registry in the Registro Nacional requires residency, except for advisory and pre-design architectural services (CPC 86711) and architectural design services (CPC 86712), which have none. Draftsmen are subject to nationality condition. El Salvador establishes a residency requirement to exercise architect or urban planning services.
f) Engineering services and g) Integrated engineering services (CPC 8672 and CPC 8673)	Registry in the Registro Nacional requires residency, except for advisory and consultative engineering services (CPC 86721) which have none. Draftsmen are subject to nationality condition.
h) Medical (including psychologists) and Dental services (CPC 9312 and part of CPC 85201)	Permanent permit granted by the Junta de Vigilancia is subject to residency requirement. El Salvador establishes a nationality requirement to exercise these services.
i) Veterinary services (CPC 932)	
j) 1. Midwives services (part of CPC 93191)	
j) 2. Services provided by Nurses, Physiotherapists and Paramedical Personnel (part of CPC 93191)	
k) Retail sales of pharmaceuticals and retail sales of medical and orthopaedical goods (CPC 63211)	None
k.1) services supplied by pharmacists	An authorization is required in order to supply these services. El Salvador establishes a nationality requirement to exercise these services.
Custom Agents and special customs representatives	El Salvador establishes a nationality requirement to exercise these services.

¹³ Does not include legal advisory and legal representational services on tax matters, which are to be found under 1.A.a). Legal services.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
B. Computer and Related Services (CPC 84)	None
C. Research and Development Services ^{14 15}	
a) R & D services on natural sciences (CPC 851)	None
b) R & D services on Social Sciences and Humanities (CPC 852 excluding psychologists services) ¹⁶	None
c) Interdisciplinary R & D services (CPC 853)	
D. Real Estate Services ¹⁷	
a) Involving Own or Leased Property (CPC 821)	None
b) On a Fee or Contract Basis (CPC 822)	None
E. Rental/Leasing Services without Operators	
a) Relating to Ships (CPC 83103)	None
b) Relating to Aircraft (CPC 83104)	None
c) Relating to Other Transport Equipment (CPC 83101, CPC 83102 and CPC 83105)	None
d) Relating to Other Machinery and Equipment (CPC 83106, CPC 83107,	None

¹⁴ The horizontal limitation on public utilities applies.

¹⁵ For all these sectors, El Salvador will administer these concessions in accordance to their national biodiversity protection plans. Additionally, El Salvador reserves the right to participate in, and acquaint with, the studies and results that are derived from the supply of these services.

¹⁶ Part of CPC 85201 which is to be found under 6.A.h - Medical and dental services.

¹⁷ 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.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
CPC 83108 and CPC 83109)	
e) Relating to personal and household goods (CPC 832)	None
f) Telecommunications equipment rental (CPC 7541)	None
F. Other Business Services	
a) Advertising (Part of CPC 871, for 87110, 87120 and 87190)	El Salvador requires a minimum of Salvadoran content in the production and recording of any commercial advertisement for use in El Salvador's public communications media. All suppliers of these services must be incorporated in El Salvador.
b) Market Research and Opinion Polling (CPC 864)	None
c) Management Consulting Services (CPC 865)	None
d) Services Related to Management Consulting (CPC 866)	None
e) Technical Testing and Analysis Services¹⁸ (CPC 8676)	None
f) Advisory and Consulting services incidental to Agriculture, Hunting and Forestry (part of CPC 881)	None
g) Advisory and Consulting Services Relating to Fishing (part of CPC 882)	None
h) Advisory and	None

¹⁸ 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).

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
Consulting Services incidental to Manufacturing (part of CPC 884 and part of CPC 885)	
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
j) 1. Investigation Services (CPC 87301)	An authorization is required in order to supply these services. A maximum amount of personnel, proportion of weapons, ammunitions, equipment and materials in general for private security services may be established.
j) 2. Security Services (CPC 87302, CPC 87303, CPC 87304 and CPC 87305)	
k) Related Scientific and Technical Consulting Services¹⁹ (CPC 8675)	None
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)	Request CEPA (Comision Ejecutiva Portuaria Autonoma) the concession or license for the supply of these services.
l) 3. Maintenance and Repair of motor vehicles,	None

¹⁹ The horizontal limitation on public utilities applies to certain activities related to mining (minerals, oil, gas, etc.).

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
motorcycles, snowmobiles and road transport Equipment (CPC 6112, CPC 6122, part of CPC 8867 and part of CPC 8868)	
l) 4. Maintenance and Repair of Aircraft and parts thereof (part of CPC 8868)	A concession or license is required for the supply of these services. El Salvador establishes reciprocity requirements for the recognition or validation of licenses, certificates, and permits issued by foreign air transport authorities
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 goods²⁰ (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)	The supply of specialty air services requires prior authorization, is subject to reciprocity, and must take into account national air transport policy.
o) Packaging Services (CPC 876)	None
p) Printing and Publishing (CPC 88442)	None
q) Convention Services (part of CPC 87909)	None
r) 1. Translation and Interpretation Services (CPC 87905)	None
r) 2. Interior Design and other Specialty Design	None

²⁰ 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
Services (CPC 87907)	
r) 3. Collection Agency Services (CPC 87902)	None
r) 4. Credit reporting services (CPC 87901)	None
r) 5. Duplicating services (CPC 87904) ²¹	None
r) 6. Telecommunications consulting services (CPC 7544)	None
r) 7. Telephone answering services (CPC 87903)	None
7. COMMUNICATION SERVICES	
A. Courier services including express delivery services ²² (CPC 75121)	None
B. Telecommunications Services	
a) All services consisting of the transmission and reception of signals by any electromagnetic means ²³ , excluding broadcasting ²⁴	None
b) Satellite broadcast transmission services ²⁵	None

²¹ Does not include printing services, which fall under CPC 88442 and are to be found under 6.F p).

²² 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.

²³ 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.

²⁴ 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.

²⁵ 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.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
8. CONSTRUCTION AND RELATED ENGINEERING SERVICES²⁶ (CPC 511, CPC 512, CPC 513, CPC 514, CPC 515, CPC 516, CPC 517 and CPC 518)	<p>Contractual association with an enterprise established in El Salvador is required to participate in design activities, consulting, consulting and management of engineering or architectural projects, or any type of work or study relating to such projects' construction.</p> <p>Foreign enterprise must have a resident representative in El Salvador.</p> <p>Participation of Salvadoran nationals, including enterprises, is required in all engineering or architectural projects.</p> <p>Participation of Salvadoran nationals as workers and participation of Salvadoran enterprises, as partners in the joint venture is required in all engineering or architectural projects. Builders and electrical installation technicians must be Salvadoran nationals in order to be inscribed in the <i>Registro Nacional de Arquitectos, Ingenieros, Proyectistas y Constructores</i>.</p>
9.DISTRIBUTION SERVICES (excluding distribution of arms, munitions, explosives and other war material)	
A. Commission Agents' Services	
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
B. Wholesale Trade Services	
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	None

²⁶ For greater certainty, horizontal commitment number 15 applies to this sector.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
6121)	
b) Wholesale Trade Services of telecommunication terminal equipment (part of CPC 7542)	None
c) Other wholesale trade services (CPC 622 excluding wholesale trade services of energy products ²⁷)	None
C. Retailing Services ²⁸ Retailing Services of motor vehicles, motorcycles and 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)	None
Food retailing services (CPC 631) (Retailing services of other (non-energy) goods, except retail sales of pharmaceutical, medical and orthopaedic goods ²⁹ (CPC 632 excluding CPC 63211 and 63297)	None
D. Franchising (CPC 8929)	None
10. EDUCATIONAL SERVICES (only privately funded services)	

²⁷ These services, which include CPC 62271, are to be found in ENERGY SERVICES under 18.D.

²⁸ Does not include maintenance and repair services, which are to be found in BUSINESS SERVICES under 6.B. and 6.F.I). Does not include retailing services of energy products which are to be found in ENERGY SERVICES under 18.E and 18.F.

²⁹ Retail sales of pharmaceutical, medical and orthopaedic goods are to be found under PROFESSIONAL SERVICES in 1.A.k).

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
A. Primary Education Services (CPC 921) B. Secondary Education Services (CPC 922) C. Higher Education Services (CPC 923) D. Adult Education Services (CPC 924)	El Salvador establishes a nationality requirement for the teaching of national history and the Constitution.
E. Other education services (CPC 929)	None
11. ENVIRONMENTAL SERVICES³⁰	
A.) Waste Water Services (CPC 9401) ³¹ B. Solid/hazardous waste management, excluding cross-border transport of hazardous waste a) Refuse Disposal Services (CPC 9402) b) Sanitation and Similar Services (CPC 9403) C. Protection of ambient air and climate (CPC 9404) ³² D. Remediation and clean up of soil and waters	A concession or permit may be required for the supply of these services.

³⁰ The horizontal limitation on public utilities applies.

³¹ Corresponds to sewage services.

³² Corresponds to Cleaning Services of Exhaust Gases.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
<p>a) Treatment, remediation of contaminated/polluted soil and water (part of CPC 9406)³³</p> <p>E. Noise and vibration abatement (CPC 9405)</p> <p>F. Protection of biodiversity and landscape</p> <p>a) Nature and landscape protection services (part of CPC 9406)</p> <p>G. Other environmental and ancillary services (CPC 9409)</p>	
12. FINANCIAL SERVICES	
<p>El Salvador reserves the right to adopt or maintain non discriminatory measures requiring the incorporation in El Salvador of foreign financial institutions, other than those seeking to operate as banks or insurance companies within El Salvador</p> <p>For greater certainty, juridical persons supplying financial services and constituted under the laws of El Salvador are subject to non-discriminatory limitations on juridical form.</p> <p>El Salvador may treat Panama as a Central American Party for the purposes of its obligations for Financial Services</p>	
<p>A. Insurance and Insurance-Related Services</p>	<p>Insurance companies that are legally constituted abroad may also operate in the country by setting up a branch office as of one year from the date of entry into force of this Agreement.</p> <p>For an enterprise to be established under Salvadoran law, at least 75 percent of its shares must be owned jointly or severally by:</p> <p>(a) Salvadoran natural persons or natural persons of Guatemala, Nicaragua, Honduras or Costa Rica;</p> <p>(b) legal persons organized under Salvadoran law whose majority, shareholders or partners are Salvadoran natural</p>

³³ Corresponds to parts of Nature and Landscape Protection Services.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
	<p>persons or natural persons of Guatemala, Nicaragua, Honduras or Costa Rica;</p> <p>(c) Guatemalan, Nicaraguan, Honduran, Costa Rican insurance or reinsurance companies; or</p> <p>(d) foreign insurance and reinsurance companies with a first rate Classification by an internationally recognized classification Institution (e.g. Moody's, A.M. Best or S&P.)</p>
<p>B. Banking and other financial services (excluding insurance)</p>	<p>Banks that want to be incorporated in El Salvador have to do so as corporations with fixed capital broken down into registered shares and with no fewer than ten partners. Savings and credit institutions and cooperatives must be incorporated in El Salvador.</p> <p>At least 51 percent of the shares in banks legally incorporated in El Salvador must be owned by any of the following types of investor:</p> <p>(a) nationals of El Salvador or another Central American country;</p> <p>(b) legal persons organized under the laws of El Salvador whose majority shareholders or partners are: (i) nationals of El Salvador or a Central American country or (ii) other legal persons organized under the laws of El Salvador whose majority shareholders or partners are nationals of El Salvador or another Central American country;</p> <p>(c) banks established under the laws of a Central American country that (i) are subject to prudential regulation and supervision in that country, in accordance with relevant international practice, (ii) have been approved by internationally recognized risk classification entities; and (iii) that fully comply with the legal provisions and guidelines in force in those countries; or</p> <p>(d) banks and other foreign financial service suppliers that have been approved by internationally recognized risk classification entities as first-rate financial service suppliers and which meet other applicable requirements.</p> <p>Holding companies and other foreign financial service suppliers that fulfil these requirements are also covered by this subparagraph.</p> <p>To operate in El Salvador, a foreign bank branches must be part of a bank meeting the requirements of subparagraph (c) or (d). The operations of foreign branches in El Salvador are limited by their capital in El Salvador.</p>

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
	<p>A bank organized under the laws of El Salvador in which over 50 percent of the shares are owned by foreign banks or financial conglomerates shall only share names, assets or infrastructure or offer joint services to the public with other companies of the same foreign conglomerate.</p> <p>Savings and credit institutions shall be subject to the same ownership requirements as set forth for banks in the preceding paragraph regarding the banking services subsector. Savings and credit institutions and cooperatives must be incorporated in El Salvador. The share ownership limit set forth in the preceding paragraphs shall not apply to foreign non-profit foundations and associations with legal personality extended.</p> <p>Stock exchanges and brokerage firms must be incorporated in El Salvador.</p> <p>The directors or administrators of stock exchanges and the members of the boards of directors of brokerage firms must, in addition to satisfying prudential requirements, be nationals of El Salvador or a Central American country or in the case of other foreigners have resided in the country for at least three years.</p> <p>Bureaux de change must be incorporated in El Salvador. The shares of the bureaux de change shall be the property of national financial institutions or nationals of El Salvador or legal persons comprising exclusively Salvadorans.</p> <p>Financial service suppliers that manage pension funds must be incorporated in El Salvador as corporations with fixed capital broken down into registered shares and with no fewer than ten partners.</p> <p>The shares of such service suppliers, must be owned by the following persons who, severally or jointly, shall account for at least 50 percent of the capital: (a) nationals of El Salvador or a Central American country; (b) legal persons organized under the laws of El Salvador whose majority shareholders are natural persons described in subparagraph (a); (c) foreign pension fund managers with three years experience in the field; (d) international financial entities and related investment service suppliers in which the Banco Central de Reserva has holdings; and (e) Holding company with an exclusive purpose (sociedades controladoras de finalidad exclusiva) regulated by the Ley de Bancos, only if the patrimonial and fiscal matter conditions are met.</p> <p>El Salvador does not require the <i>Banco de Fomento Agropecuario</i> to be a member of the <i>Instituto de Garantía de Depósitos</i>.</p>

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
13. HEALTH SERVICES AND SOCIAL SERVICES³⁴ (only privately funded services)	
<u>A. Hospital Services</u> (CPC 9311) <u>B. Ambulance Services</u> (CPC 93192) <u>C. Residential health facilities other than hospital services</u> (CPC 93193) <u>D. Social Services</u> (CPC 933)	Unbound
14. TOURISM AND TRAVEL RELATED SERVICES	
<u>A. Hotel, Restaurants and Catering</u> (CPC 641, CPC 642 and CPC 643) excluding catering in air transport services³⁵	None
<u>B. Travel Agencies and Tour Operators Services</u> (including tour managers) (CPC 7471)	None
<u>C. Tourist Guides Services</u> (CPC 7472)	None
15. 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)	Foreign artist that give paid performances must seek authorization of the <i>Ministerio de Gobernación</i> , and must pay fees, in advance, or pay an adequate amount as a security deposit to the <i>Sindicato Gremial de Músicos</i> ,

³⁴ The horizontal limitation on public utilities applies.

³⁵ Catering in air transport services is to be found in SERVICES AUXILARY TO TRANSPORT SERVICES under 17.D.a) Ground handling services.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
	<p><i>Cantantes y Bailarines Salvadoreños, Sindicato Gremial de Artista del Espectáculo and the Sindicato de Artistas Circenses, when applicable.</i></p> <p>Foreign circuses or other similar shows must pay to the relevant circus union a performance fee and must be authorized by the appropriate Ministry.</p> <p>Foreign circuses must also pay an additional fee based on the gross income earned from ticket sales for each performance, as well as the total earnings from sales to the audience of flags, caps, tee shirts, balloons, photographs and other paraphernalia. The foreign circus is required to pay an adequate amount as a security deposit.</p> <p>Limitation on the number performances of foreign artists and circuses in El Salvador.</p> <p>Minimum requirement of Salvadoran participation <i>vis – à-vis</i> foreigners in the case of public performances involving the live participation of artists.</p>
B. News and Press Agencies Services (CPC 962)	None
C. Libraries, archives, museums and other cultural services ³⁶ (CPC 963)	None
D. Sporting services (CPC 964) Exclusion: Gambling (CPC 96492)	None
E. Recreation park and beach Services (CPC 96491)	None
16. TRANSPORT SERVICES	
A. Maritime transport ³⁷ a) International passenger transportation (CPC 7211 <u>less</u> national	None

³⁶ The horizontal limitation on public utilities applies.

³⁷ The horizontal limitation on public utilities applies to port services and other maritime transport services requiring the use of the public domain.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
cabotage transport). b) International freight transportation (CPC 7212 less national cabotage transport) ³⁸	
B. Internal Waterways Transport ³⁹ a) Passenger transportation (CPC 7221)	None
b) Freight transportation (CPC 7112)	Request CEPA (Comisión Ejecutiva Portuaria Autonoma) the concession or license for the supply of these services.
C. Rail Transport ⁴⁰ a) Passenger transportation (CPC 7111) b) Freight transportation (CPC 7112) c) Pushing and towing services (CPC 7113)	Request CEPA (Comisión Ejecutiva Portuaria Autonoma) the concession or license for the supply of these services.
D. Road Transport ⁴¹ a) Passenger Transportation (CPC 7121 and CPC 7122)	Nationality requirement for the supply of passenger transportation services Public passenger land transportation concessions for a specific route are subject to an economic needs test. A free public passenger land transportation concession is limited to one vehicle.

³⁸ Includes feedering services and movement of equipment by international maritime transport suppliers between ports located in same State when no revenue is involved.

³⁹ The horizontal limitation on public utilities applies to port services and other internal waterway transport services requiring the use of the public domain.

⁴⁰ The horizontal limitation on public utilities applies to rail transport services requiring the use of the public domain.

⁴¹ The horizontal limitation on public utilities applies.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
b) Freight Transportation ⁴² (CPC 7123)	Unbound
E. Pipeline transport of goods other than fuel ^{43 44} (CPC 7139)	Unbound
17. SERVICES AUXILIARY TO TRANSPORT ⁴⁵	
A. Services auxiliary to Maritime Transport ⁴⁶ a) Maritime Cargo Handling Services b) Storage and warehousing Services (part of CPC 742) c) Customs Clearance Services 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)	Unbound for maritime cargo handling services, otherwise none. Central America establishes a nationality requirement to exercise "Customs Agents" and "Special Customs Representative" services.

⁴² The horizontal limitation on public utilities applies.

⁴³ Pipeline transportation of fuels is to be found in ENERGY SERVICES under 18.B.

⁴⁴ The horizontal limitation on public utilities applies.

⁴⁵ Does not include maintenance and repair services of transport equipment, which are to be found in BUSINESS SERVICES under 6.F.I) 1 to 6.F.I) 4.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
j) Other supporting and auxiliary services (including catering) (part of CPC 749)	
B. Services auxiliary to internal waterways transport⁴⁷ 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 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)	Unbound

⁴⁶ 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.

⁴⁷ 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.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
<u>C. Services auxiliary to rail transport⁴⁸</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) 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)	Unbound
<u>D. Services auxiliary to road transport⁴⁹</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	Unbound

⁴⁸ The horizontal limitation on public utilities applies when the services require the use of the public domain.

⁴⁹ The horizontal limitation on public utilities applies when the services require the use of the public domain.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
Operators (CPC 7124)	
e) Supporting services for road transport equipment (CPC 744)	
f) Other supporting and auxiliary services (part of CPC 749)	
D. Services auxiliary to air transport services	
a) Ground handling services (including catering)	Unbound except for catering
b) Storage and warehouse services (part of CPC 742) ⁵⁰	Unbound
c) Freight transport agency services (part of CPC 748)	Unbound
d) Rental of aircraft with crew (CPC 734)	None
e) Airport management ⁵¹	Unbound
f) Sales and Marketing	None
g) Computer Reservations System	None
E. Services auxiliary to pipeline transport of goods other than fuel ⁵²	Unbound
a) Storage and warehouse services of goods other than fuel transported by pipelines ⁵³ (part of CPC 742)	

⁵⁰ The horizontal limitation on public utilities applies.

⁵¹ The horizontal limitation on public utilities applies.

⁵² Services auxiliary to pipeline transportation of fuels are to be found in ENERGY SERVICES under 18.C.

⁵³ The horizontal limitation on public utilities applies.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
18. ENERGY SERVICES	
A. Services incidental to Mining⁵⁴ (CPC 883) ⁵⁵	Unbound
B. Pipeline Transportation of fuels⁵⁶ (CPC 7131)	None
C. Storage and warehouse services of fuels transported through pipelines⁵⁷ (part of CPC 742)	None
D. Wholesale trade services of solid, liquid and gaseous fuels and related products⁵⁸ (CPC 62271)	None
E. Retailing Services of motor fuel (CPC 613) F. Retail sales of fuel oil, bottled gas⁵⁹	None
G. Services incidental to	Unbound except for consultancy services, where: None

⁵⁴ The horizontal limitation on public utilities applies.

⁵⁵ 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.

⁵⁶ The horizontal limitation on public utilities applies.

⁵⁷ The horizontal limitation on public utilities applies.

⁵⁸ The horizontal limitation on public utilities applies.

⁵⁹ The horizontal limitation on public utilities applies.

SECTOR OR SUB-SECTOR	DESCRIPTION OF RESERVATIONS
energy distribution ⁶⁰ (CPC 887)	
19. OTHER SERVICES NOT INCLUDED ELSEWHERE	
a) Washing, Cleaning and Dyeing services (CPC 9701)	None
b) Hairdressing services (CPC 97021)	None
c) Cosmetic treatment, manicuring and pedicuring services (CPC 97022)	None
d) Other beauty treatment services n.e.c (CPC 97029)	None
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 rehabilitation purposes ^{61 62} (CPC ver. 1.0 97230)	None
g) Telecommunications connection services (CPC 7543)	None
h) Domestic services (CPC 980)	None

⁶⁰ Except for consulting services, the horizontal limitation on public utilities applies.

⁶¹ 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).

⁶² 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.