

## APPENDIX 2 TO ANNEX X

### BRAZIL – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>General conditions</u></p> <p>This Schedule of Specific Commitments was elaborated taking into account the disciplines and principles of the GATS, which recognise, among other elements, the flexibility to adopt specific commitments that are differentiated in terms of sectors and modes of supply.</p> <p>This Schedule of Specific Commitments shall not be interpreted as limitations of domestic regulation or to the introduction of new regulation with a view to achieving national policy objectives, in accordance with the Fourth Paragraph of the Preamble to the GATS and the main goals of the Agreement.</p> <p>This Schedule of Specific Commitments is elaborated on the basis of a positive list approach and individual sectors and sub-sectors are identified in accordance with the classification list in Document MTN.GNS/W/120 of the WTO and corresponding CPC preliminary version numbers.</p> <p>Where no reference is made for a specific sector or sub-sector, it should be interpreted that Brazil is not taking any commitments for that specific sector or sub-sector.</p> <p>For the purposes of interpretation of Brazil's commitments, the cross-border supply of services through electronic means, including the internet, will be limited to mode 1.</p> <p>Any commitments in mode 1 digitally delivered services are conditional to the other State Party sourcing at least 67% on average, in the previous 3 (three) calendar years, of its total domestic electricity production from low carbon emission energy sources<sup>1</sup>. If, after the entry into force of the Agreement, the total domestic electricity production from that other State Party does not meet the average of at least 67%<sup>2</sup> from low carbon emission energy sources in the previous 3 (three) calendar years, concessions in mode 1 digitally delivered services automatically enter into the agenda of the next Joint Committee meeting and may be suspended after such a meeting. Once the aforementioned percentage has been met again by that other State Party in a calendar year, Brazil's suspended commitments towards that State Party shall be reinstated with immediate effect. In line with the objectives</p>			

<sup>1</sup> Low carbon emissions energy sources include solar, wind, water (hydropower), nuclear, biomass and its derivatives, geothermal and hydrogen.

<sup>2</sup> The electricity production percentages will be determined according to national statistics of the State Party concerned.

Modes of supply:      1) Cross-border supply              2) Consumption abroad              3) Commercial presence              4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
of the Paris Agreement, the threshold may be increased in accordance with Article 8.19 (Modification of Schedules) of the Agreement.			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>ALL SERVICES SECTORS INCLUDED IN THIS SCHEDULE</b>	<p>3)</p> <p>(a) Foreign service suppliers and investors wishing to supply services and conduct investment activities as a juridical person in Brazil shall adopt one of the types of legal entity in accordance with Brazil's domestic laws and regulations.</p> <p>(b) In border strips (areas within 150 km from national boundaries) and in some areas (the Amazon Basin, the Mata Atlântica, the Serra do Mar and the Pantanal of Mato Grosso), authorisation is required for some activities, including the following:</p> <p>(i) installation and operation of media aiming at the exploitation of services of sound broadcasting or sound and image broadcasting;</p> <p>(ii) establishment and exploitation of industrial plants of particular interest for national security;</p> <p>(iii) establishment and operation of companies involved in the</p>	<p>1), 2), 3), 4)</p> <p>(i) Brazil reserves the right to adopt or maintain any measure aimed at reducing regional inequalities, promoting equitable access to development opportunities across regions in its territory, as well as ensuring social inclusion and rural development.</p> <p>(ii) This Schedule of Specific Commitments shall not be construed as to impose any obligations regarding subsidies or grants provided by Brazil, including loans, guarantees and insurances.</p> <p>iii) Brazil reserves the right to adopt or maintain incentives in favour of its services and service suppliers, with the purpose of fostering technological development, technology transfer, scientific research and the development of standards and norms in Brazil. This reservation includes, for instance, tax measures and preferences for Brazilian</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>prospecting, extraction and exploitation of mineral resources and in the supply of hydraulic energy; and (iv) establishment of companies involved in rural settlement.</p> <p>In the case of (ii), (iii) and (iv), the respective companies must fulfil the following requirements, among others: 51% of the company's capital must be of Brazilian nationals; management must be by Brazilian nationals, who should be the majority. In case such activities are carried out by only one individual, only Brazilian nationals may be granted special authorisation. In the case of (i), the company's capital must be totally owned by Brazilian nationals.</p> <p>(c) The acquisition or lease of rural property or the acquisition of any other real estate right over rural property by foreign natural persons, foreign juridical persons or Brazilian juridical persons with foreign participation is subject to specific conditions, limitations and</p>	<p>services and service suppliers.</p> <p>3) Foreign capital in Brazil must be registered under a declaratory and electronic procedure with the Central Bank of Brazil.</p> <p>4) Temporary working contracts shall be approved by the Brazilian authorities in charge of labour immigration.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>authorisation established under Brazil's domestic laws and regulations. Unless otherwise provided under Brazil's domestic laws and regulations, the donation of real estate of the Union or of the States to foreigners, whether natural or juridical persons, is forbidden.</p> <p>3) and 4) In enterprises with 3 (three) or more employees, two thirds of the work force must consist of Brazilian nationals who shall account for two thirds of the payroll. Members of the Fiscal Council and of the board of directors of publicly-held companies and their managers shall reside in Brazil. In the case of "intra-corporate transferees", appointment of executives and managers depends on proof of investment by the foreign service supplier. In the case of "contractual service suppliers", working permissions depend on the presentation of a training programme for Brazilian employees.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>4) Unbound, except for measures related to the following categories:</p> <p><b>A) Key Personnel:</b></p> <p><u>1. Intra-Corporate Transferees (ICT)</u></p> <p>Definition: Employees of a company/partnership/firm established in an EFTA State who are transferred temporarily for the supply of a service through commercial presence (either through a representative office, branch, subsidiary or affiliate) in Brazil.</p> <p>There must exist an associate link between the service supplier in Brazil and its headquarters abroad. There must exist vacancy of the position.</p> <p>Juridical persons must obey the proportionality of at least two Brazilian nationals for 3 (three) employees.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>The employees refer to:</p> <p>(a) Executives</p> <p>Definition: Executives are those who primarily direct the management of the organisation and exercise wide latitude in decision making.</p> <p>Appointment of each Executive or Director must be related to:</p> <p>(i) investment amounting to, at least, US\$ 50 000, provided that the company creates ten new jobs during the first 2 (two) years after its establishment or entry of the Executive or Director; or</p> <p>(ii) the company must have invested a minimum amount of US\$ 200 000 in Brazil.</p> <p>Duration of stay: up to 3 (three) years.</p> <p>(b) Managers</p> <p>Definition: Managers are those who primarily direct the</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>organisation/department/subdivision and exercise supervisory and control function over other supervisory, managerial or professional staff.</p> <p>Appointment of a Manager or Administrator must be related to:</p> <p>(i) investment amounting to, at least, US\$ 50 000, provided that the company creates ten new jobs during the first 2 (two) years after its establishment or entry of the Manager or Administrator; or</p> <p>(ii) the company must have invested a minimum amount of US\$ 200 000 in Brazil.</p> <p>Duration of stay: up to 3 (three) years.</p> <p>(c) Specialists</p> <p>Definition: Specialists are those who possess knowledge at an advanced level of expertise essential to the establishment/provision of the service and/or possess proprietary knowledge of the organisation.</p>		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>The pertinent contract must be approved by the Brazilian authorities in charge of labour immigration. Approval of contracts of specialised technicians and highly qualified professionals takes into account the compatibility of their qualifications with the area of business in which the company is engaged, and their professional experience of at least 3 (three) years. The company must justify the need to contract such professionals and technicians in relation to similar professionals and technicians available in Brazil.</p> <p>Duration of stay: up to 1 (one) year.</p> <p><u>2. Business Visitors</u></p> <p>(a) Service sellers</p> <p>Definition: Representatives of a service supplier who enter Brazil temporarily for the sale of services or entering into agreements for such sale for that services supplier.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Representatives of such service suppliers will not be engaged in making direct sales to the general public or in supplying services themselves. Such representatives will not receive any remuneration from a source located within Brazil.</p> <p>Duration of stay: up to 90 days.</p> <p>(b) Persons responsible for setting up a commercial presence</p> <p>Definition: Employees of a juridical person for the purpose of setting up a commercial presence of that juridical person in Brazil.</p> <p>Employees of such juridical persons will not be engaged in making direct sales to the general public or in supplying services themselves.</p> <p>Refers only to employees of a juridical person not already having commercial presence in Brazil. Such employee will not receive any remuneration from a source located within Brazil.</p> <p>In order to set up a commercial presence, Business Visitors must</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>appoint as representative a person resident in Brazil.</p> <p>Duration of stay: up to 90 days.</p> <p><b>B) Contractual service suppliers</b></p> <p>Definition: Employees of a foreign-based company/partnership/firm who enter Brazil temporarily in order to perform a service pursuant to a contract between their employer and a service consumer in Brazil.</p> <p>Restricted to employees of foreign-based enterprises with no commercial presence in Brazil. Employees of such foreign-based enterprise receive their remuneration from their employer. Employees have appropriate educational and professional qualifications relevant to the service to be provided.</p> <p>A juridical person from an EFTA State has to obtain a service contract for the provision of the service in Brazil.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>The service consumer must be a juridical person established in Brazil.</p> <p>There must be a contract for technical assistance or transfer of technology between the company from an EFTA State and the service consumer in Brazil.</p> <p>For each foreign professional covered by the contract there must be:</p> <p>a) justification of the need for the services of that professional in view of professionals available in Brazil; and</p> <p>(b) proof of previous experience of at least 3 (three) years.</p> <p>In the case the company from an EFTA State has no Brazilian professionals, it must present a training programme contemplating Brazilian professionals.</p> <p>Duration of stay: up to 1 (one) year.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><b>C) Installers and maintainers (IM)</b></p> <p>Definition: Qualified specialists who are employees of an enterprise located in an EFTA State not having commercial presence in Brazil, supplying installation or maintenance services for machinery or industrial equipment. The supply of that service has to occur on a fee or contractual basis (installation/maintenance contract) between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being enterprises (excluding any supply of services in connection with enterprises mentioned by CPC 872).</p> <p>Restricted to employees of foreign based enterprises with no commercial presence in Brazil. Employees of such foreign based enterprise receive their remuneration from their employer. Employees have appropriate educational and professional qualifications relevant to the service</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>to be provided.</p> <p>A juridical person from an EFTA State has to obtain a service contract for the provision of the service in Brazil.</p> <p>The service consumer must be a juridical person established in Brazil.</p> <p>There must be a contract for technical assistance or transfer of technology between the company from an EFTA State and the service consumer in Brazil.</p> <p>For each foreign professional covered by the contract there must be:</p> <p>a) justification of the need for the services of that professional in view of professionals available in Brazil; and</p> <p>(b) proof of previous experience of at least 3 (three) years.</p> <p>In the case the company from an EFTA State has no Brazilian</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>professionals, it must present a training programme contemplating Brazilian professionals.</p> <p>Duration of stay: up to 1 (one) year.</p> <p><b>For all categories:</b></p> <p>All other requirements, pursuant to domestic laws and regulations</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	regarding the entry, stay and work shall continue to apply. The work permit shall be conditioned to the performance of the function to which the work permit is attached, authorised by the Brazilian authorities in charge of labour immigration.		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
<b>1. BUSINESS SERVICES</b>			
<b>1.A. Professional services</b>			
(a) Legal Services (CPC 861, only legal advisory on international and foreign law)	1) Unbound 2) None 3) Firms providing legal advisory on international and foreign law must be established under Brazil's domestic laws and regulations, limiting their business purposes solely to advisory on international and foreign law. All the firms' partners must be advisors on international and foreign law. 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(b) Accounting, auditing and bookkeeping services (CPC 862)	1) Unbound 2) None 3) It is necessary to establish a non-anonymous legal entity, in which at least 51% of the ownership is of	1) None 2) None 3) Special registration requirements for accountants who wish to audit such companies as financial	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Taxation services, including tax preparation, planning and review services (CPC 863, excluding legal services)	<p>dually registered professionals that will answer for the technical responsibility of the provision of service.<sup>3</sup></p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) It is necessary to establish a non-anonymous legal entity, in which at least 51% of the ownership is of dully registered professionals that will answer for the technical</p>	<p>institutions and savings and loans associations. Brazilian accounting and auditing standards must be followed. The technical staff empowered to sign audit reports on behalf of specialised firms must have exercised financial audits within Brazil's territory for a period of not less than 5 (five) years, consecutive or not, as of the date of registration as an accountant in the Regional Accounting Council.</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) The participation of non-residents in juridical persons controlled by Brazilian nationals is not allowed.</p>	

<sup>3</sup> Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Architectural services (CPC 8671)	responsibility of the provision of service. <sup>4</sup>  4) Unbound, except as indicated in the horizontal section.  1) Unbound  2) None  3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>5</sup>  4) Unbound, except as indicated in the horizontal section.	4) Unbound, except as indicated in the horizontal section.  1) Unbound  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	
(e) Engineering services (CPC 8672)	1) Unbound  2) None  3) For the purpose of legal and technical liability, any service	1) Unbound  2) None  3) None	

<sup>4</sup> Non-discriminatory market access condition, scheduled for transparency purposes

<sup>5</sup> Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(f) Integrated engineering services (CPC 8673)	<p>supplier must be dully registered in Brazil.<sup>6</sup></p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil.<sup>7</sup></p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(g) Urban planning and landscape architectural services (CPC 8674)	<p>1) Unbound</p> <p>2) None</p> <p>3) For the purpose of legal and technical liability, any service</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	

<sup>6</sup> Non-discriminatory market access condition, scheduled for transparency purposes

<sup>7</sup> Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(h) Veterinary services (CPC 932)	<p>supplier must be dully registered in Brazil.<sup>8</sup></p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil.<sup>9</sup></p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	

<sup>8</sup> Non-discriminatory market access condition, scheduled for transparency purposes

<sup>9</sup> Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>1.B. Computer and related services</b> (CPC 84, except for time-stamping services and digital certification services) <sup>10</sup>	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) Unbound 4) Unbound, except as indicated in the horizontal section.	
<b>1.C. Research and development services</b>  (a) Research and development services on natural sciences (CPC 851)	1) Mineral research can only be performed by Brazilian natural and juridical persons who have been authorised or granted concessions for that purpose by the Union, considering national interests. 2) None 3) No authorisation shall be granted to a foreign natural person or legal entity, or to a legal entity under	1) Brazil reserves the right to limit, within its territory, field activities and scientific research that imply displacement of human and material resources, with the objective of collecting data, materials, biological and mineral specimen, parts of native culture and popular culture. 2) None	

<sup>10</sup> The following shall be considered as computer and related services, regardless of whether they are delivered via a network, including the Internet: (a) consulting, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, support, technical assistance, or management of or for computers or computer systems; (b) computer programmes defined as the sets of instructions required to make computers work and communicate (in and of themselves), plus consulting, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, adaptation, maintenance, support, technical assistance, management or use of or for computer programs; (c) data processing, data storage, data hosting or database services; (d) maintenance and repair services for office machinery and equipment, including computers; and (e) training services for staff of clients, related to computer programmes, computers or computer systems, and not elsewhere classified. For greater certainty, services enabled by computer and related services shall not necessarily be regarded as computer and related services in themselves.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>foreign control, to carry out research, exploration, removal or demolition of things or property sunk, submerged, stranded or lost in waters under national jurisdiction or in coastal areas. Authorisations will only be granted for research and scientific research by foreigners (natural persons or legal entities, governmental or private organisations) or by international organisations when resulting from contracts or agreements with Brazilian institutions, unless no Brazilian entity is interested in making these commitments. Marine scientific research on the continental shelf and in the exclusive economic zone may only be conducted by foreigners with prior consent of the Brazilian Government. Mineral research can only be performed by Brazilian natural and juridical persons who have been authorised or granted concessions for that purpose by the Union, considering national interests.</p> <p>4) Unbound, except as indicated in</p>	<p>3) Foreign ships authorised to conduct scientific research in Brazilian jurisdictional waters shall have on board a representative appointed by the Brazilian Navy, unless otherwise decided; and inform the Command of Naval Operations, daily, about their position and intended course in the following 24 hours. If requested by the Brazilian government, ships must have on board a crew member who speaks Portuguese, to serve as interpreter. Scientific research activities on the continental shelf and in waters under Brazilian jurisdiction, when carried out by foreigners or international organisations, shall be inspected by representatives specifically appointed by the Brazilian Navy and by observers from other Ministries or institutions.</p> <p>4) Unbound, except as indicated in</p>	

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
	the horizontal section.	the horizontal section.	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Research and development services on social sciences and humanities (CPC 852)	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(c) Interdisciplinary research and development services (CPC 853)	1) Unbound* 2) None 3) None. Limitations indicated in sub-sector 1.C.(a) apply in the case of interdisciplinary research and development activities involving research and development on natural sciences. 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	

Modes of supply:      1) Cross-border supply              2) Consumption abroad              3) Commercial presence              4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>1.D. Rental estate services</b>  (a) Involving own or leased property (CPC 821)  (b) On a fee or contract basis (CPC 822)	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.  1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.  1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	
<b>1.E. Rental/leasing services without operators</b>  (a) Relating to ships (CPC 83103)	1) None  2) None	1) None  2) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Relating to aircraft (CPC 83104)	<p>3) Leasing companies must adopt the legal form of public limited companies (S.A.).</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p>	<p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p>	
(c) Relating to other transport equipment (CPC 83101+83102+83105)	<p>3) Leasing companies must adopt the legal form of public limited companies (S.A.).</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) Leasing companies must adopt the legal form of public limited companies (S.A.).</p> <p>4) Unbound, except as indicated in</p>	<p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Relating to other machinery and equipment (CPC 83106-83109)	<p>the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) Leasing companies must adopt the legal form of public limited companies (S.A.).</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(e) Other (CPC 832)	<p>1) None</p> <p>2) None</p> <p>3) Leasing companies must adopt the legal form of public limited companies (S.A.).</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>1.F. Other business services</b>			
(a) Advertising services (CPC 871) Does not include advertising audiovisual works	1) Unbound  2) Unbound  3) Foreign participation is limited to 49% of the capital of companies established in Brazil. Leadership must remain with Brazilian partners. Professionals are subject to the Brazilian Code of Ethics of Advertising Professionals.  4) Unbound except as indicated in the horizontal section.	1) Unbound  2) Unbound  3) None  4) Unbound except as indicated in the horizontal section.	
(b) Market research and public opinion polling services (CPC 864)			
(b.1) Market research services (CPC 86401)	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b.2) Public opinion polling services (CPC 86402)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(e) Technical testing and analysis services (CPC	1) None	1) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
8676)	2) None	2) None	
	3) None	3) None	
	4) Unbound, except as indicated in the horizontal section.	4) Unbound, except as indicated in the horizontal section.	
(f) Services incidental to agriculture, hunting and forestry (CPC 881)	1) Unbound*	1) Unbound*	
	2) None	2) None	
	3) In areas next to national frontiers, acts regarding colonization and rural “loteamentos” are forbidden. If and when authorised, 51% of those service suppliers’ capital must be held by Brazilian nationals and the board must be established, in its majority, by Brazilian nationals, who must have dominant power. A foreigner residing in Brazil and a foreign juridical person authorised to work in Brazil can only purchase rural real state according to Brazil’s domestic laws and regulations.	3) None	
	4) Unbound, except as indicated in the horizontal section.	4) Unbound, except as indicated in the horizontal section.	
(g) Services incidental to	1) Unbound*	1) Unbound*	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
fishing (CPC 882) (not including the property of fishing boats)	<p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(h) Services incidental to mining (CPC 883+5115)	<p>1) Exploration and mining of mineral resources and the use of hydroelectric power potentials may only be carried out by Brazilian nationals or companies which are established under Brazil's domestic laws and regulations and have their headquarters and administration in Brazil.</p> <p>2) None</p> <p>3) Foreign service suppliers may only carry out activities in the national territory provided that they are associated with Brazilian service suppliers through consortia. The Brazilian partner must maintain the leadership.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(i) Services incidental to manufacturing (CPC 884+885, except 88442)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(k) Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
(l) Investigation and security (CPC 873, except 87309)	1) Unbound 2) None 3) The property and administration of specialised suppliers of investigation and security services is forbidden to foreigners.	1) Unbound 2) None 3) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861-8866, except 63309)	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(o) Building-cleaning services (CPC 874)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(p) Photographic services (CPC 875, except 87504 and 87509)	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(q) Packaging services (CPC 876)	4) Unbound, except as indicated in the horizontal section.  1) Unbound*  2) None  3) None	4) Unbound, except as indicated in the horizontal section.  1) Unbound*  2) None  3) None	
(s) Convention services (CPC 87909*)	4) Unbound, except as indicated in the horizontal section.  1) None  2) None  3) None	4) Unbound, except as indicated in the horizontal section.  1) None  2) None  3) None	
(t) Other: translation and interpretation services (except official translators) (CPC 87905)	4) Unbound, except as indicated in the horizontal section.  1) None  2) None	4) Unbound, except as indicated in the horizontal section.  1) None  2) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	3) None  4) Unbound, except as indicated in the horizontal section.	3) None  4) Unbound, except as indicated in the horizontal section.	
<b>2. COMMUNICATION SERVICES</b>  <b>2.A. Postal services</b>  (except the activities reserved for the Brazilian designated operator, which comprise pick-up, receiving, handling, transport and delivery of letters, postcards and grouped correspondence, whether to domestic or foreign destinations, including any form of consignment, whether priority, non-priority, urgent, express, etc., as well as the issuance of stamps and other postage payments) (CPC 7511)	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	1) None  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><b>2.C. Telecommunication services</b></p> <p>(a) “Telecommunication services” means the transport of electronic magnetic signals, sound, data, image and any combination thereof, excluding broadcasting.</p> <p>(b) The Federal Constitution of Brazil guarantees all acquired rights of service suppliers already established in Brazil. Brazil reserves the right to adopt or maintain limits to foreign participation in the capital of telecommunications service providers.</p> <p>(c) All service suppliers in order to supply a telecommunication service in Brazil need to obtain a licence from Anatel. Licences shall be granted only to suppliers duly established according to Brazil’s domestic laws and regulations, which requires head office and management located in the Brazilian territory, and ownership of the majority of the voting shares by natural persons resident in Brazil or companies duly established according to Brazil’s domestic laws and regulations, which requires head office and management located in the Brazilian territory.</p> <p>(d) This Schedule of Specific Commitments does not include any commitment related to the activities which have their content transported by a telecommunication service. The content and treatment of those activities are regulated under the respective sectors.</p> <p>(e) Telecommunication service suppliers must use Brazilian satellites, whenever they offer technical, operational or commercial conditions equivalent to foreign satellites. A Brazilian satellite is one that uses the orbital resources and radio spectrum notified by the country to the ITU, or distributed or assigned to it, and whose control and monitoring station is installed in Brazilian territory. The use of a foreign satellite will only be permitted by contracting a company established under Brazilian law and headquartered and managed in the country, as the legal representative of the foreign operator. The regulatory decisions on this regard are based on a transparent, objective process and on a reciprocity basis.</p> <p>(f) No limits shall be applied to the quantity of licences that can be granted for the supply of telecommunications services, except in cases of technical impossibility, such as spectrum availability, or to avoid impairment to the supply of specific modalities of public interest services.</p> <p>(g) Value Added Services are not defined as telecommunication services in Brazil’s domestic laws and regulations.</p> <p>(h) Suppliers of telecommunications services of collective interest established in Brazil according to Brazil’s domestic laws and regulations shall have the right to use physical facilities (posts, ducts, conducts, servitudes) owned or controlled by other suppliers of telecommunications services or other services of public interest in a non-discriminatory manner and under fair and reasonable prices and conditions. The regulating agency responsible for the facilities to be used shall define the conditions for the adequate fulfilment of this provision.</p>			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(i) Authorisations for the supply of telecommunications services of restricted interest can be granted to juridical persons established according to Brazil's domestic laws and regulations and having its head office and administration in Brazil and to other juridical or natural persons that are established or resident in Brazil.			
<p>Local, long distance and international services, for public and non-public use, provided with the use of any network technology (cable, satellite, etc.)</p> <p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet-switched data transmission services (CPC 7523**)</p> <p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(f) Facsimile services (CPC 7521**+7529**)</p> <p>(g) Private leased circuit services (CPC 7522**+7523**)</p>	<p>1) Unbound. Foreign companies are allowed to interconnect on a cross-border basis with operators established in Brazil which are authorised to supply long distance international services according with Brazil's domestic laws and regulations. Other forms of cross-border supply, including call-back services, are not allowed. Brazilian consumers shall have commercial or legal relationships exclusively with companies established in Brazil which are authorised to operate according to Brazil's domestic laws and regulations.</p> <p>2) Unbound</p> <p>3) None, except as indicated in the horizontal section to this sub-sector and in the horizontal section.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound. Foreign companies are allowed to interconnect on a cross-border basis with operators established in Brazil which are authorised to supply long distance international services according with Brazil's domestic laws and regulations. Other forms of cross-border supply, including call-back services, are not allowed. Brazilian consumers shall have commercial or legal relationships exclusively with companies established in Brazil which are authorised to operate according to Brazil's domestic laws and regulations.</p> <p>2) Unbound</p> <p>3) None, except as indicated in the horizontal section to this sub-sector and in the horizontal section.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1. Brazil understands that its commitments in Sector 2.C (Telecommunication Services) under Mode 1 (cross-border supply) do not grant any rights to juridical persons not established in its territory other than those provided for in Brazil's domestic laws and regulations.</p> <p>2. For the purposes of the Agreement, the supply of telecommunication services under Mode 1 shall not include carriage of signals originating and ending in the same country, even if such carriage is performed by means of a satellite operated from another country.</p> <p>3. Where spectrum is to be allocated for the supply of telecommunications services, the competent authority of a State Party shall provide for a transparent and competitive process for the allocation of spectrum which would include the following:</p> <p>(a) a public consultation process on the allocation process;</p> <p>(b) sufficient detail of the process in order</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>(o) Other basic telecommunication services</p> <p>Mobile services</p> <p>Analog/Digital cellular services</p> <p>Global mobile satellite services</p> <p>Paging services</p> <p>Trunking services (460 MHz, 800 MHz, 900 MHz)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None, except as indicated in the horizontal section to this sub-sector and in the horizontal section.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None, except as indicated in the horizontal section to this sub-sector and in the horizontal section.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>to apply for and bid for the spectrum, including providing sufficient reasonable time for all applicants to review and examine the requirements and to prepare their submissions;</p> <p>(c) the detailed selection principles and criteria for choosing among applicants; and</p> <p>(d) a transparent and objective method for determining eligibility for award of the spectrum.</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
<b>3.A. General construction work for buildings (CPC 512)</b>	1) Unbound* 2) None 3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>11</sup> 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
<b>3.B. General construction work for civil engineering (CPC 513)</b>	1) Unbound* 2) None 3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>12</sup> 4) Unbound, except as indicated in	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in	

<sup>11</sup> Non-discriminatory market access condition, scheduled for transparency purposes

<sup>12</sup> Non-discriminatory market access condition, scheduled for transparency purposes



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	the horizontal section.	the horizontal section.	
<b>3.C. Installation and assembly work (CPC 514+516)</b>	1) Unbound* 2) None 3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>13</sup> 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
<b>3.D. Building completion and finishing work (CPC 517)</b>	1) Unbound* 2) None 3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>14</sup> 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	

<sup>13</sup> Non-discriminatory market access condition, scheduled for transparency purposes

<sup>14</sup> Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>3.E. Other (CPC 511+515+518)</b>	1) Unbound* 2) None 3) For the purpose of legal and technical liability, any service supplier must be dully registered in Brazil. <sup>15</sup> 4) Unbound, except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
<b>4. DISTRIBUTION SERVICES</b> <b>4.A. Commission agents' services (CPC 621, except 62118)</b>  <b>4.B. Wholesale trade services (CPC 622, except 62271)</b>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.  1) None 2) None	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.  1) None 2) None	

<sup>15</sup>

Non-discriminatory market access condition, scheduled for transparency purposes

Modes of supply:      1) Cross-border supply              2) Consumption abroad              3) Commercial presence              4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	3) None  4) Unbound, except as indicated in the horizontal section.	3) None  4) Unbound, except as indicated in the horizontal section.	
<b>4.C. Retailing services (CPC 631, 6113, 6121, 632, except 63297)</b>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
<b>4.D. Franchising (CPC 8929)</b>	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>6. ENVIRONMENTAL SERVICES</b>			
<b>6.A. Sewage services (CPC 9401)</b>	1) Unbound due to lack of technical feasibility  2) None  3) None, except that supply requires a licence by the public authorities, which can set specific conditions.  4) Unbound, except as indicated in horizontal section	1) Unbound due to lack of technical feasibility.  2) None  3) None  4) Unbound, except as indicated in horizontal section.	
<b>6.B. Refuse disposal services (CPC 9402)</b>	1) Unbound due to lack of technical feasibility.  2) None  3) None, except that supply requires a licence by the public authorities, which can set specific conditions.  4) Unbound, except as indicated in horizontal section.	1) Unbound due to lack of technical feasibility.  2) None  3) None  4) Unbound, except as indicated in horizontal section.	
<b>6.C. Sanitation and similar services (CPC 9403)</b>	1) Unbound due to lack of technical feasibility.	1) Unbound due to lack of technical feasibility.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>6.D. Other</b>  Cleaning services of exhaust gases (CPC 9404)  Noise abatement services (CPC 9405)  Remediation and cleaning-up of soil and water services (CPC 9406)  Other environmental protection services not classified elsewhere (CPC 9409)	2) None  3) None, except that supply requires a licence by the public authorities, which can set specific conditions.  4) Unbound, except as indicated in horizontal section.  1) Unbound due to lack of technical feasibility.  2) None  3) None, except that supply requires a licence by the public authorities, which can set specific conditions.  4) Unbound, except as indicated in horizontal section.	2) None  3) None  4) Unbound, except as indicated in horizontal section.  1) Unbound due to lack of technical feasibility.  2) None  3) None  4) Unbound, except as indicated in horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>7. FINANCIAL SERVICES</b>			
<p>(a) Brazil reserves the right to adopt or maintain any type of prudential measure that is not applied as an arbitrary or unjustifiable discrimination against financial services or financial service suppliers of another State Party or as a disguised restriction on trade in financial services.</p> <p>(b) Financial service suppliers shall be organised as a “sociedade anônima” (publicly-held company), unless otherwise specified.</p> <p>(c) Financial service suppliers of banking services shall be authorised by Presidential decree in order to be incorporated under Brazil’s domestic laws and regulations.</p> <p>(d) Business service sellers, contractual service suppliers and independent professionals are not allowed to supply financial services in Brazil.</p> <p>(e) There are regulatory requirements for the acquisition of foreign financial services by Brazilian financial institutions</p> <p>(f) Transfer of information, including personal information, into and out of Brazil’s territory by electronic or other means for the conduct of business within the scope of the license, authorisation, or registration granted by a Brazilian financial authority to a financial service supplier of an EFTA State must be undertaken in accordance with terms and conditions set forth in Brazil’s domestic laws and regulations.</p> <p>(g) Financial services supplied by an offshore financial service supplier<sup>16</sup> are not covered by this list.</p>			

<sup>16</sup> Offshore financial service supplier means a financial service supplier, set up in accordance with the domestic laws and regulations of a State Party, which is owned or controlled by non-residents of any State Party and whose activities are mostly related to non-residents, generally on a scale out of proportion to the size of the economy of the host State. These non-resident-owned or -controlled institutions, if considered as a juridical person of a State Party, could benefit from the Agreement in a way they would not if its transactions were done from the owner or controller country of origin.  
<http://www.imf.org/external/pubs/ft/eds/Eng/Guide/file6.pdf>.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><b>7.A. Insurance and insurance-related services</b></p> <p>(a) Insurance defined as mandatory by law can only be placed in Brazil.</p> <p>(b) Reinsurers domiciled abroad must be registered before the insurance supervisor as occasional reinsurer without representative office or as admitted reinsurer with representative office in Brazil and meet specific prudential requirements.</p> <p>(c) Reinsurers domiciled in countries or jurisdictions where corporate income is either not taxed or taxed at a rate lower than 20% or whose domestic laws and regulations impose secrecy on the ownership of corporations are not allowed to register as occasional reinsurers. However, registration is possible for the supply of reinsurance services as admitted reinsurers.</p> <p>(d) Admitted reinsurers must hold a minimum amount deposit in a foreign currency account in Brazil, bound to the insurance supervisor.</p> <p>(e) Reinsurance for endowment life insurance, pension plans and other products with cash value savings features can only be placed in Brazil.</p> <p>(f) Cross-border reinsurance is subject to the condition that 40% of each cession has to be first offered to local reinsurers with right of first refusal, provided they offer similar conditions to the international market.</p> <p>(g) Technical representatives of insurance, reinsurance and retrocession service suppliers, as well as related service suppliers, shall have permanent residency in Brazil.</p> <p>(h) Direct insurance (including co-insurance) and Insurance and Retrocession – with the exception of CPC 81299 and CPC 8140 – can only be provided by juridical persons.</p>			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>7.A.1. Direct insurance (including co-insurance)</b>  (a) Life (except closed pension funds) (CPC 8121)	1) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance to the provisions defined horizontally in this sub-sector.  2) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.  3) None, except that pension plan suppliers are not allowed to engage in other business activities, including other non-life insurance services; life insurance suppliers are allowed to supply non-life insurance, but not to engage in other business activities; horizontal provisions apply.  4) Insurance can only be provided	1) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.  2) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.  3) None  4) Insurance can only be provided by juridical persons.	3) The establishing of foreign companies' branches without the need of incorporation as a Brazilian juridical person can be individually allowed by a Presidential authorisation.



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>(b) Non-life (CPC 8129)</p> <p>(b.1) Health insurance services (except pre-paid systems) (CPC 81291)</p> <p>(b.2) Freight insurance services (maritime, aeronautical and terrestrial and others) (CPC 81294)</p>	<p>by juridical persons.</p> <p>1) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>2) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>3) None other than horizontally indicated in this section.</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None for exported goods. Unbound for imported goods, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p>	<p>1) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>2) Unbound, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>3) None</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None for exported goods. Unbound for imported goods, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b.3) Hull, machinery and civil liability insurance services for vessels (CPC 81293)	<p>2) None for exported goods. Unbound for imported goods, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>3) None other than horizontally indicated in this section.</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None for vessels registered in the Brazilian Special Register ("Registro Especial Brasileiro" – REB) if the insurance is not offered in Brazil or if domestic prices differ from international ones. Unbound for vessels not registered in the REB.</p> <p>2) None for vessels registered in the Brazilian Special Register ("Registro Especial Brasileiro" – REB) if the insurance is not offered in Brazil or if domestic prices differ from international ones. Unbound</p>	<p>2) None for exported goods. Unbound for imported goods, except for insurance covering risks for which there is no insurance available in Brazil, in accordance with the provisions defined horizontally in this sub-sector.</p> <p>3) None</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None for vessels registered in the Brazilian Special Register ("Registro Especial Brasileiro" – REB) if the insurance is not offered in Brazil or if domestic prices differ from international ones. Unbound for vessels not registered in the REB.</p> <p>2) None for vessels registered in the Brazilian Special Register ("Registro Especial Brasileiro" – REB) if the insurance is not offered in Brazil or if domestic prices differ from international ones. Unbound for vessels not registered</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>7.A.2. Reinsurance and retrocession</b>	<p>for vessels not registered in the REB.</p> <p>3) None other than horizontally indicated in this section.</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None, in accordance with the terms and conditions applicable to reinsurance and retrocession as defined horizontally in the sub-sector, but subject to limits of premiums ceded in reinsurance/retrocession to non-resident providers.</p> <p>2) None, in accordance with the terms and conditions applicable to reinsurance and retrocession as defined horizontally in the sub-sector, but subject to limits of premiums ceded in reinsurance/retrocession to non-resident providers.</p> <p>3) None, in accordance with the terms and conditions applicable to</p>	<p>in the REB.</p> <p>3) None</p> <p>4) Insurance can only be provided by juridical persons.</p> <p>1) None, in accordance with the terms and conditions applicable to reinsurance and retrocession as defined horizontally in the sub-sector.</p> <p>2) None, in accordance with the terms and conditions applicable to reinsurance and retrocession as defined horizontally in the sub-sector.</p> <p>3) None, in accordance with the terms and conditions applicable to</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Insurance and reinsurance inter-mediation, such as brokerage and agency (CPC 81299)	<p>reinsurance and retrocession as defined horizontally in the sub-sector.</p> <p>4) Reinsurance and retrocession can only be provided by juridical persons.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None, except that the brokerage service supplier must be organised in the form of either a sociedade anônima or a sociedade ltda (corporation or limited partnership) and, for reinsurance inter-mediation, its sole business purpose must be to act as intermediary in reinsurance and retrocession contracting.</p> <p>4) None</p>	<p>reinsurance and retrocession as defined horizontally in the sub-sector.</p> <p>4) Reinsurance and retrocession can only be provided by juridical persons.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None, except that, for insurance inter-mediation, the technical representative and technical director (or managing partner) must be a permanent resident in Brazil.</p> <p>4) None</p>	
(d) Services auxiliary to insurance, such as consultancy, actuarial, risk	<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

<b>Sector or sub-sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
assessment and claims settlement services (CPC 8140)	<p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) None other than horizontally indicated in the general section for advisory services.</p>	<p>3) None other than horizontally indicated.</p> <p>4) None other than horizontally indicated.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>7.B. Banking and other financial services (excluding insurance)</b>  Horizontal sub-sector provisions:  (a) For commitments under mode 3): The establishment of financial institutions, such as, any type of banks, consumer or real estate/mortgage finance companies, credit cooperatives or companies, leasing companies, brokers and dealers, as well as increases in the participation of foreign persons (individual or firms) in the capital of financial institutions incorporated under Brazil's domestic laws and regulations, needs a specific authorisation granted on a case-by-case basis by the Executive Branch, by means of a Presidential decree. Specific conditions may be required. Institutions authorised to perform financial activities may perform only authorised activities, according to domestic laws and regulations. Representative offices may not engage in commercial business.  (b) All members of senior level management of financial service suppliers must be permanent residents in Brazil. Domicile in Brazil is needed, but this concept is non-discriminatory, as it is currently extendable to non-resident foreigners. In practice, only an address in Brazil is needed to register, working address admitted.  (c) For the purposes of interpretation, the cross-border supply of services through electronic means, including the Internet, it will always be considered to be Mode 1.			
(a) Acceptance of deposits and other repayable funds from the public	1) Unbound  2) Unbound  3) None other than horizontally indicated in this subsection and section.  4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound  2) Unbound  3) None  4) Unbound, as indicated horizontally in this subsection and section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	1) Unbound 2) Unbound 3) None other than horizontally indicated in this subsection and section. Unbound for factoring. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound 3) Unbound 4) Unbound, as indicated horizontally in this subsection and section.	
(c) Financial leasing	1) Unbound 2) Unbound, except for the financial leasing of capital goods, including vessels and aircraft, in accordance with the import conditions for internalisation of such goods in Brazil. 3) None other than horizontally indicated in this subsection and section. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound, except for the financial leasing of capital goods, including vessels and aircraft, in accordance with the import conditions for internalisation of such goods in Brazil. 3) None 4) Unbound, as indicated horizontally in this subsection and section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts	1) Unbound 2) Unbound 3) None other than horizontally indicated in this subsection and section. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound 3) None 4) Unbound, as indicated horizontally in this subsection and section.	
(e) Guarantees and commitments	1) Unbound 2) Unbound 3) None other than horizontally indicated in this subsection and section. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound 3) None 4) Unbound, as indicated horizontally in this subsection and section.	
(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market	1) Unbound 2) Unbound, except for the acquisition of depository receipts of	1) Unbound 2) Unbound, except for the acquisition of depository receipts	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>or otherwise, the following:</p> <ul style="list-style-type: none"> <li>- money market instruments (including cheques, bills, certificates of deposits);</li> <li>- foreign exchange;</li> <li>- derivative products including, but not limited to, futures and options;</li> <li>- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements;</li> <li>- transferable securities; or</li> <li>- other negotiable instruments and financial assets, including bullion.</li> </ul> <p>(g) 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>Brazilian securities traded abroad.</p> <p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p> <p>1) Unbound</p> <p>2) Unbound.</p> <p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	<p>of Brazilian securities traded abroad.</p> <p>3) None</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p> <p>1) Unbound</p> <p>2) Unbound.</p> <p>3) None</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(h) Money broking	1) Unbound 2) Unbound. 3) None other than horizontally indicated in this subsection and section. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound. 3) None 4) Unbound, as indicated horizontally in this subsection and section.	
(i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services	1) Unbound 2) Unbound 3) None other than horizontally indicated in this subsection and section. 4) Unbound, as indicated horizontally in this subsection and section.	1) Unbound 2) Unbound 3) None 4) Unbound, as indicated horizontally in this subsection and section.	
(j) Settlement and clearing services for financial assets, including securities, derivative products, and	1) Unbound 2) Unbound, except for the acquisition of depository receipts of	1) Unbound 2) Unbound, except for the acquisition of depository receipts	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
other negotiable instruments	<p>Brazilian securities traded abroad.</p> <p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	<p>of Brazilian securities traded abroad.</p> <p>3) None</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	
(k) Advisory, intermediation and other auxiliary financial services on all the activities listed in items (a) through (j) and item (l), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	
(l) Provision and transfer of financial information, and financial data processing	<p>1) Unbound</p> <p>2) Unbound.</p>	<p>1) Unbound</p> <p>2) Unbound.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
and related software by suppliers of other financial services	<p>3) None other than horizontally indicated in this subsection and section.</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	<p>3) None</p> <p>4) Unbound, as indicated horizontally in this subsection and section.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
<b>9.A. Hotels and restaurants (including catering) (CPC 641-643)</b>	1) None 2) None 3) None	1) None 2) None 3) Brazilian services suppliers operating in the Amazon and North-Eastern regions benefit from certain tax credit incentives. Other incentives are limited to firms with majority of capital held by Brazilian nationals or legal entities. 4) Unbound, except as indicated in the horizontal section.	
<b>9.B. Travel agencies and tour operator services (CPC 7471)</b>	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section.	
<b>9.C. Tourist guide services</b>	1) Unbound	1) Unbound	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(CPC 7472)	2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section.	2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section.	
<b>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)</b>  <b>10.D. Sporting and other recreational services (CPC 9641, except CPC 96419)</b>	1) Unbound  2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section.	1) Unbound  2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>11. TRANSPORT SERVICES</b>			

#### **11.A. Maritime transport services**

##### **Definitions:**

1. “Other forms of commercial presence for the supply of international maritime transport services” means the ability for international maritime transport service suppliers of other State Parties to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. These activities include:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated services;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of Annex XIII (Telecommunications Services));
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency; and
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>2. “Maritime cargo handling services” means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:</p> <p>(a) the loading/discharging of cargo to/from a ship;</p> <p>(b) the lashing/unlashing of cargo; or</p> <p>(c) the reception/delivery and safekeeping of cargoes before shipment or after discharge.</p> <p>3. Maintenance and repair of vessels (CPC 8868).</p> <p>4. Tower and tug services (CPC 7214).</p> <p><b>Note on maritime transport services:</b></p> <p>1. Maritime cabotage passenger or freight transport service includes all maritime passenger or freight transportation services rendered between a port or point located in Brazil and another port or point located in Brazil, including the so-called feeder services, and movements of equipment.</p> <p>2. Cargoes whose transportation are reserved to the Brazilian flag are described in Brazil’s domestic laws and regulations, including the transportation of government acquisition cargoes, and the transportation of crude oil and its by-products.</p> <p>3. This Schedule of Specific Commitments is also subject to international agreements to which Brazil is a party.</p>			
<p>(a) Passenger transportation (CPC 7211, not including cabotage transport services)</p> <p>International maritime</p>	<p>1) Unbound</p>	<p>1) Foreign vessels are subject to paying the Tariff for the Use of Lighthouses (TUF), except for vessels flying the flag of the following countries: Germany,</p>	<p>The following port services are made available to international maritime transport suppliers under reasonable and non-discriminatory terms and conditions, in accordance with Brazil’s domestic laws and</p>



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>transport between a maritime port located in Brazil and a maritime port located in Argentina or Uruguay is reserved for vessels flying the flag of one of those countries, except for the bulk transportation of mineral ores and wheat as well as the repositioning of empty containers. This reservation shall cease to apply no later than 10 (ten) years from the entry into force of the Agreement with regard to international maritime transport of containerized freight.</p> <p>Cabotage maritime transport between ports in the national territory is reserved for vessels flying the national flag.</p>	<p>2) None</p> <p>3) None, except: supply of transport services: commercial presence requires the constitution of a Brazilian shipping company (EBN) in conformity with Brazil's domestic laws and regulations, implying <i>inter alia</i> the ownership of at least one vessel, and capital resources adequate to the trade to be exploited. To fly the Brazilian flag, vessels must be registered in accordance to domestic laws and regulations, holding a National Registry or a Especial National Registry (REB).</p> <p>4) None other than horizontally indicated. After 31 days of</p>	<p>Algeria, Argentina, Bulgaria, China, USA, France, Poland, Portugal, Romania, Russia and Uruguay. This limitation shall cease to apply no later than two years after the entry into force of the Agreement for vessels flying the flag of an EFTA State.</p> <p>2) None</p> <p>3) None</p> <p>4) None, except as indicated in the horizontal section.</p>	<p>regulations:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling, and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Port captain services;</li> <li>6. Navigation aids;</li> <li>7. Shore-based operational services, including communications, water, and electrical supplies;</li> <li>8. Emergency repair; and</li> <li>9. Anchorage, berth, and berthing services.</li> </ol>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>(b) Freight transportation (CPC 7212, not including cabotage transport services)</p> <p>International maritime transport between a maritime port located in Brazil and a maritime port located in Argentina or Uruguay is reserved for vessels flying the flag of one of those countries, except for the bulk transportation of mineral ores and wheat as well as the repositioning of empty containers. This reservation shall cease to apply no later than 10 (ten) years from the entry into force of the Agreement with regard to international maritime transport of containerized freight.</p>	<p>operation within Brazilian jurisdictional waters, the foreign tourist vessel must have at least 25 percent of its crew of Brazilian nationals, in various technical levels, as defined by the ship owner or their representative.</p> <p>1) None, except for cargo whose transport is reserved to the national flag, according to domestic laws and regulations and occasional exceptions established therein (see Note)</p> <p>2) None</p> <p>3) None, except: other forms of commercial presence (as described in item 1 of Definitions): none, except (i) as indicated in the horizontal commitments; (ii) occupancy of areas of public</p>	<p>1) Foreign vessels are subject to paying the Tariff for the Use of Lighthouses (TUF), except for vessels flying the flag of the following countries: Germany, Algeria, Argentina, Bulgaria, China, USA, France, Poland, Portugal, Romania, Russia and Uruguay. This limitation shall cease to apply no later than two years from the entry into force of the Agreement for vessels flying the flag of an EFTA State.</p> <p>2) None</p> <p>3) None</p>	<p>The following port services are made available to international maritime transport suppliers under reasonable and non-discriminatory terms and conditions, in accordance with domestic laws and regulations:</p> <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling, and watering;</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Port captain services;</li> <li>6. Navigation aids;</li> <li>7. Shore-based operational services, including communications, water, and electrical supplies;</li> <li>8. Emergency repair; and</li> <li>9. Anchorage, berth, and berthing services.</li> </ol>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Cabotage maritime transport between ports in the national territory is reserved for vessels flying the national flag.	<p>domain in ports is subject to availability and concession procedures or public call for tender.</p> <p>4) None, other than horizontally indicated, and: in vessels flying the Brazilian flag and holding a National Registry the captain, the engineer, and two thirds of the crew must be Brazilian nationals. In case the vessel holds an Especial National Registry (REB) only its captain and engineer must be a Brazilian national."</p>	4) None, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Rental of vessels with crew (CPC 7213)	<p>1) Brazilian shipping companies may rent foreign vessels in cases of: a) unavailability of Brazilian vessels, b) public interest, and c) replacement of vessel under construction at a national shipyard.</p> <p>2) None</p> <p>3) The rental of Brazilian vessels mortgaged to the Merchant Marine Fund by companies based in Brazil to foreign firms or companies requires authorisation from the competent authority.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
(d) Maintenance and repair of vessels (CPC 8868**)	<p>1) None</p> <p>2) None</p> <p>3) None, except for the establishment of a legal entity registered under Brazilian law in Brazil subject to the conditions as are required by domestic laws and regulations.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(e) Pushing and towing services (CPC 7214)	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Supply of these services is reserved for Brazilian navigation companies authorised by the competent navigation authority. Foreign vessels may only participate in support navigation when chartered by a Brazilian shipping company.</p> <p>2) None</p> <p>3) None, except that commercial presence requires the establishment of a Brazilian shipping company (EBN) in conformity with domestic laws and regulations, implying <i>inter alia</i> the ownership of at least one vessel, and capital resources adequate to the trade to be exploited. To fly the Brazilian flag, vessels must be registered in accordance with domestic laws and regulations, holding a National Registry or a Especial National Registry (REB).</p> <p>4) Unbound, except as indicated in</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>Auxiliary services to maritime transport</b>  (a) Maritime cargo handling services (CPC 741)	the horizontal section.  1) Unbound  2) None  3) None, except for the establishment of a legal entity registered under Brazilian law in Brazil subject to the conditions as are required by domestic law.  4) Unbound, except as indicated in the horizontal section.	the horizontal section.  1) Unbound  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	
(b) Storage and warehouse services (CPC 742)	1) Unbound  2) None  3) None, except for the establishment of a legal entity registered under Brazilian law in Brazil subject to the conditions as are required by domestic law.  4) Unbound, except as indicated in the horizontal section.	1) Unbound  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(c) Freight transport agency services (as in item 5 – Definitions) (CPC 748)	1) None 2) None 3) None, except: occupancy of areas of public domain in ports is subject to availability and concession procedures or public call for tender. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
Container station and depot services (as in item 4 – Definitions)	1) Unbound* 2) None 3) None, except: occupancy of areas of public domain in ports is subject to availability and concession procedures or public call for tender. 4) Unbound, except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound, except as indicated in the horizontal section	
Freight Forwarding Services (as in item 6 – Definitions)	1) None 2) None	1) None 2) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>11.C. Air transport services</b>  (d) Maintenance and repair of aircraft (CPC 8868**)	3) None, except: occupancy of areas of public domain in ports is subject to availability and concession procedures or public call for tender.  4) Unbound, except as indicated in the horizontal section.  1) Unbound  2) Maintenance and repair services of Brazilian aircraft abroad require certification of the foreign service provider by Brazilian authorities.  3) None. Suppliers must be established under Brazil's domestic laws and regulations and be authorised by ANAC.  4) Unbound, except as indicated in the horizontal section.	3) None  4) Unbound, except as indicated in the horizontal section.  1) Unbound  2) None  3) None  4) Unbound, except as indicated in the horizontal section.	
(e) Computer reservation systems	1) Suppliers must be established in Brazil.  2) None	1) None  2) None	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>11.E. Rail transport services</b>  (b) Freight transportation (CPC 71121, 71123 and 71129)	3) None  4) Unbound, except as indicated in the horizontal section.	3) None  4) Unbound, except as indicated in the horizontal section.	
<b>11.F. Road transport services</b>  (b) Freight transportation (CPC 71231, CPC 71233, CPC 71234) (specific commitments include limitations arising from	1) Unbound  2) Unbound  3) Governmental authorisation required. The granting of new authorisations is discretionary. The number of service suppliers may be limited.  4) Unbound except as indicated in the horizontal section.	1) Unbound  2) Unbound  3) None  4) Unbound except as indicated in the horizontal section.	
	1) Unbound  2) Unbound  3) Foreign participation is limited to	1) Unbound  2) Unbound  3) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>bilateral road transport agreements to which Brazil is a party).</p> <p><b>11.G. Pipeline transport</b></p> <p>(b) Transportation of other goods (CPC 7139 excluding hydrocarbon products)</p> <p><b>11.H. Services auxiliary to all modes of transport (except maritime transport)</b></p> <p>(a) Cargo-handling services (CPC 741)</p>	<p>one fifth of the voting shares of Brazilian companies engaged in this activity.</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Storage and warehouse services (CPC 742)	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
<b>ENERGY RELATED SERVICES</b>			
<b>A. Geothermal exploration services</b>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
<b>B. Geothermal development services</b>	<p>1) Unbound</p>	<p>1) Unbound</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>C. Geothermal drilling (services)</b>  Site formation and clearance services (CPC 5113) (including geothermal drilling services)	2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section  1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section.	2) Unbound  3) None  4) Unbound, except as indicated in the horizontal section.  1) Unbound 2) Unbound 3) None 4) Unbound, except as indicated in the horizontal section.	