

APPENDIX 1 TO ANNEX IX

ECUADOR - SCHEDULE OF SPECIFIC COMMITMENTS REFERRED TO IN ARTICLE 3.18

This Schedule of Specific Commitments is consistent with the constitutional and legal provisions governing the services sector in Ecuador and their compatibility with the undertakings made at multilateral level.

For the preparation of this schedule, account was taken of the United Nations Statistics Division's Central Products Classification (CPC), Statistical Reports, Series M, No. 77, provisional, 1991.

The list below is composed of the following elements:

- a) first column indicating the sector or sub-sector in which the commitment is assumed by Ecuador, and the scope of the commitment to which the reservations apply;
- b) a second column describing the applicable reservations, the mode of supply and the obligation affected (Access to Markets - AM, or National Treatment - NT). AM and NT commitments are independent of each other; accordingly, if no AM commitment has been made (remaining "unbound"), this does not invalidate the NT commitment.

For methodological revision and analysis purposes:

- No commitments of any kind are being made in the sectors or sub-sectors of economic activities not shown on the list.
- For the economic sub-sectors in which commitments are being maintained or new commitments are being incorporated, the amendments appear in the left-hand column headed "Sector or sub-sector".
- Reservations, conditions and exclusions relative to the rules on market access and national treatment and applied to maintained or newly- incorporated commitments appear in the right-hand column headed "Description of reservations".
- To complement the list, the same right-hand column includes any comments considered necessary on the commitment or reservation being incorporated or maintained.
- Commitments in specific sectors or sub-sectors are subject to the horizontal reservations and limitations included in the first section, which apply across the board and unconditionally to all sectors unless otherwise stated.
- The commitments do not include measures relating to requirements, licences or recognitions, procedures or processes necessary for the exercise or development of an economic activity, that apply even when not shown on the list, unless they are presented as restrictions on the rules on market access and national treatment.
- The commitments do not include measures relating to requirements, technical standards, procedures or processes necessary for the provision of a service and that apply even when not shown on the list, unless they are presented as restrictions on the rules on market access and national treatment.

Ecuador reserves the right to establish, maintain and fully implement its national legislation with the aim of attaining legitimate policy objectives in areas such as the protection of vulnerable groups, consumer protection, health and the environment among others.

In accordance with paragraph 1(b) of Article 3.3 (Definitions) of the Agreement, this schedule shall not include services provided in the exercise of governmental authority.

The rights and obligations derived from this schedule of commitments shall not be directly applicable and effective and thus do not confer directly enforceable rights on natural or legal persons.

The reservations, conditions and exclusions included in the list below shall not apply, insofar as they are inconsistent with the sub-sectors and modes committed by Ecuador in the Schedule of Specific Commitments undertaken for its WTO membership in 1996, a recast version of which can be found in document S/DCS/W/ECU of 24 January 2003, produced from the original texts of and amendments to documents GATS/SC/98/Suppl.1 and GATS/SC/98/Suppl.2, of the WTO General Agreement on Trade in Services (GATS). Accordingly, the said reservations, conditions and exclusions shall be applicable to and required for the new sectors and/or modes of supply set out in the list below.

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
Modes 1, 2 and 3	<p><u>Investment and Provision of services in strategic sectors and public services</u></p> <p>The provision of public services and services in strategic sectors shall require concession rights, licences, authorisations or other forms of permission to be obtained beforehand in accordance with the relevant legislation applicable to the respective sector. Where a requirement is laid down for the provision of the services to take place in part or in full in Ecuador, a requirement may also be laid down for domiciliation of an establishment in Ecuador for legal persons incorporated under the laws of another country and whose main domicile is in another country.</p> <p>Such requirements apply to the provision of public services and those related to energy exploitation in all its forms, telecommunications, exploitation of non-renewable natural resources, transport and refining of hydrocarbons, biodiversity and genetic heritage, water and the radio spectrum.</p> <p>The total or partial acquisition of blocks of shares or any rights over the control, management or administration of companies active in the areas listed in the preceding paragraph may be subject to the approval of the competent authorities.</p> <p>The criteria for the granting of licences, authorisations and other forms of permission shall be transparent and non-discriminatory as regards the participation of service providers from the EFTA States and shall not constitute a quantitative restriction for the provision of the service.</p> <p>The specific commitments undertaken by Ecuador in the Agreement in strategic sectors and public services shall be considered as constituting the exceptional circumstances provided for in national legislation in relation to the delegation to private initiative in the provision of public services and in the strategic sectors.</p>		
Mode 3	<p><u>Legal representation</u></p> <p>The legal representatives of all domestic or foreign companies that negotiate or contract obligations in Ecuador shall have an agent or representative in the Republic who can respond to requests and comply with the relevant requirements, and who must be resident in Ecuador.</p>		
Mode 3	<p><u>Ownership of land or waters</u></p> <p>Foreign national or legal persons may not, in any capacity, acquire land or concessions in national security zones for economic exploitation purposes.</p> <p>Ecuador reserves the right to adopt or maintain measures related to the ownership of property by foreign nationals in border areas, on the national coasts or on island territory.</p>		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Modes 3 and 4	<p><u>Recruitment of foreign workers</u></p> <p>Any employer with a staff of more than 10 employees must employ Ecuadorian nationals at a proportion of not less than 90% of the staff of ordinary employees and not less than 80% of the skilled employees, specialists, administrative staff or persons in posts of responsibility. This restriction shall not apply to employers with a staff of up to 10 employees.</p> <p>When this covers the temporary entrance of persons for business purposes, it is clarified that where foreign staff are recruited for an establishment in Ecuador a written work contract, for a specified period and approved by the Ministry of Labour Relations, is required in addition to the appropriate visa.</p>		
All modes	<p><u>Essential security</u></p> <p>The manufacture, import, possession and use of chemical, biological and nuclear weapons is prohibited, as is the introduction into the national territory of nuclear waste and toxic waste.</p>		
All modes	<p><u>Social Economy</u></p> <p>In accordance with the provisions of the Constitution of the Republic, Ecuador reserves the right to establish measures granting preferential and differential treatment to the sectors that operate and pursue activities using the social economy model, including the associative and community cooperative sectors.</p>		
All modes	<p><u>Cultural heritage and natural heritage</u></p> <p>Ecuador reserves the right to adopt or maintain any measure that grants rights or preferences to local communities with regard to the support, fostering, promotion and development of expressions related to the intangible cultural heritage. Similarly, it reserves the right to adopt or maintain any measure that grants rights or preferences to local communities with regard to the protection, preservation, recovery and promotion of Ecuador's natural heritage, taken to mean all of the physical, biological and geological features of value from the environmental, scientific, cultural or landscape point of view, including the national system of protected areas and fragile and threatened ecosystems.</p>		
Modes 1, 2 and 3	<p><u>Tax Arrangements</u></p> <p>Transfers or remittances of all kinds are subject to a currency outflow tax in Ecuador, which is considered fully compatible with Article 1.7 of the Agreement.</p>		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
All modes	<p><u>Publishing industry</u></p> <p>Ecuador reserves the right to adopt or maintain any measure that grants to a natural or legal person from an EFTA State the same treatment as granted to a natural or legal person from Ecuador in the publishing sector of the latter.</p> <p>Ecuador reserves the right to adopt or maintain any measure related to publishing and printing on a fee or contract basis and to activities that are audio-visual related or present a cultural content.</p>		
Mode 4	<p><u>Mode 4:</u> Unbound, except for the following personnel categories:</p> <p>Business Services Sellers meaning natural persons who are representatives of a service supplier of an EFTA State, seeking temporary entry into Ecuador, for the purpose of negotiating the sale of services or entering into agreements to sell services for that service supplier. Business services sellers do not engage in direct sales to the general public and do not receive remuneration from a source located within Ecuador. Entry for persons named in this section is limited for a period of up to 90 days in any 12 month period.</p> <p>Contractual Services Suppliers meaning a natural person who is an employee of a juridical person established in an EFTA State which has no commercial presence in Ecuador where the services will be provided. This commitment is subject to the following conditions:</p> <ul style="list-style-type: none"> (a) natural persons must be engaged in the supply of a service on a temporary basis as employees of a juridical person which has obtained a service contract not exceeding 12 months; (b) a natural person has been an employee of the juridical person for at least one year immediately preceding his/her application for admission; (c) natural persons shall not receive remuneration for the supply of services other than the remuneration paid by the juridical person where they are employed during their stay in Ecuador; (d) access accorded under this commitment relates only to the service activity which is the subject of the contract, and does not confer entitlement to exercise the professional title of the EFTA State where the service is provided; (e) the number of persons covered by the services contract shall not be higher than necessary to fulfil the contract, as it may be established by the law, regulations and requirements of the Ecuador; (f) entry and temporary stay of natural persons concerned shall be for a cumulative period of no longer than six months in any 12-month period or for the duration of the contract, whichever is shorter. 		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Intra-corporate transferees meaning natural persons who have been employed by a juridical person or its branch or have been partners in it for at least one year and who are temporarily transferred to an establishment in Ecuador that may be a subsidiary, branch or parent company of the juridical person in an EFTA State. The natural person concerned shall belong to one of the following categories:</p> <ul style="list-style-type: none"> (a) ‘managers’ meaning persons working in a senior position within a juridical person, who primarily direct the management of the establishment, receiving general supervision or direction principally from the board of directors or from stockholders of the business or their equivalent, including: <ul style="list-style-type: none"> (i) directing the establishment or a department or sub-division thereof; (ii) supervising and controlling the work of other supervisory, professional or managerial employees (iii) having the authority personally to recruit and dismiss, or recommend recruiting, dismissing or other personnel actions; or (b) ‘specialists’ meaning persons working within a juridical person who possess uncommon knowledge essential to the activity, research equipment, techniques, processes, procedures or management of the establishment. In assessing such knowledge, account shall be taken not only of knowledge specific to the establishment, but also of whether the person has a high level of qualification referring to a type of work or trade requiring specific knowledge, including membership of an accredited profession. <p>The maximum length of stay for intra-corporate transferees is two years, renewable for an additional year.</p> <p>Business Visitors meaning natural persons who hold a higher position and who are responsible for the establishment of a commercial presence. Business visitors do not engage in direct transactions with the general public and do not receive remuneration from a source located in Ecuador. Temporary stay is authorised for a period of no more than 6 months.</p> <p>Installers and maintainers (IM) – Qualified specialists who are employees of an enterprise located outside Ecuador not having commercial presence in Ecuador, 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, both of them being enterprises (excluding any supply of services in connection with enterprises mentioned by CPC 872). Per contract, temporary entry for the abovementioned category will be granted for a single period of three months.</p>		

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services	For the purposes of exercising most professional services in Ecuador, professional qualifications obtained abroad must be recognized by the national competent authority, which generally requires residence in Ecuador before it can grant such recognition.		
a) Legal services (CPC 861) Only advisory services in foreign legislation and international law (excluding advisory services, legal representation and notarial services under national law)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None Unbound, except as indicated in the horizontal section.	
b) Accounting, auditing and bookkeeping services (CPC 862);	1) Unbound 2) None 3) None, except that accounting associations or companies may, for the joint exercise of the profession, consist solely of Ecuadorian nationals, or of Ecuadorian nationals and foreigners, in which case they shall consist of at least two-thirds Ecuadorian accountants, with any capital to respect the same proportions. Such associations or companies must be entered in the National Register of Accountants. 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) None, except that accounting associations or companies may, for the joint exercise of the profession, consist solely of Ecuadorian nationals, or of Ecuadorian nationals and foreigners, in which case they shall consist of at least two-thirds Ecuadorian accountants, with any capital to respect the same proportions. Such associations or companies must be entered in the National Register of Accountants. 4) Unbound, except as indicated in the horizontal section.	
c) Taxation services (CPC 863)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
d) Architectural services (CPC 8671)	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) Engineering services (CPC 8672)	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.	
f) Integrated engineering services (CPC 8673)	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.	
g) Urban Planning and Landscape Architectural Services (CPC 8674)	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.	
h) Medical and dental services (CPC 9312)	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Computer and Related Services			
a) Consulting services related to the installation of computer hardware (CPC 841)	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) Software implementation services (CPC 842)	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) Data processing services (CPC 843)	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.	
d) Data base services (CPC 844)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
e) Other			
- Maintenance and repair services of office equipment including computers (CPC 845)	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.	
- Other computer services (CPC 849).	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. Real Estate Services			
b) Real Estate services on a fee or contract basis (CPC 822)	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	
E. Rental/Leasing Services without Operators			
a) Leasing or rental services concerning private cars without operator (CPC 83101)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
b) Leasing or rental services concerning vessels without crew (CPC 83103)	1) None 2) None 3) None save that national waterborne or cabotage transport is reserved exclusively for merchant vessels flying the Ecuadorian flag. International maritime transport of hydrocarbons is reserved for vessels owned by Ecuadorian state undertakings. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None, save that national waterborne or cabotage transport is reserved exclusively for merchant vessels flying the Ecuadorian flag. International maritime transport of hydrocarbons is reserved for vessels owned by Ecuadorian state undertakings. 4) Unbound, except as indicated in the horizontal section.	
F. Other Business Services	For services incidental to agriculture, hunting and forestry (CPC 881), Ecuador reserves the right to adopt or maintain any measure related to advisory and consultancy services.		
b) Market research and public opinion polling services (CPC 864)	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.	
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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
e) Technical testing and analysis services (CPC 8676)	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.	
h) Services incidental to mining (CPC 883)	Ecuador reserves the right to adopt or maintain any measure related to services incidental to mining rendered on a fee or contract basis at oil and gas fields.		
	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..	
i) Services incidental to manufacturing, except to the manufacture of metal products, machinery and equipment CPC 884 (only for consulting and advisory services)	1) None 2) None 3) None 4) Unbound, except as indicates in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicates in the horizontal section	
j) Services incidental to energy distribution (CPC 887) (only for consulting and advisory services)	1) None 2) None 3) None 4) Unbound, except as indicates in the horizontal section	1) None 2) None 3) None 4) Unbound, except as indicates in the horizontal section	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
k) Personnel placement and supply services (CPC 872)	1) None 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal section.	
m) Related scientific and technical consulting services (CPC 8675), excluding services procured by the State	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.	
n) Maintenance and repair services of metal products, of machinery, and equipment, and of electrical machinery (part of CPC 8861 – 8866)	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.	
o) Building-cleaning services	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.	
q) Packaging services (CPC 876)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
2. COMMUNICATION SERVICES			
<p>C. Telecommunications Services</p> <p>Including the services listed below, excluding broadcasting</p> <p>These services do not cover the economic activity consisting of the provision of content which requires telecommunications services for its transport.</p>	<p>The State reserves the right to determine future cases which may require a license or authorisation certificate to provide some services.</p> <p>Ecuador reserves the right to adopt or maintain measures to ensure preferential assignment of radio spectrum to its public operators (National Telecommunications Corporation) to guarantee provision of the universal telecommunications service in isolated rural areas, marginal urban sectors, and to persons on lower incomes, under conditions that do not affect the supply of that scarce resource for access to and participation in the commercial market by private operators.</p>		
<p>h) Electronic mail (part of CPC 7523)</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> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
<p>i) Voice mail (part of CPC 7523)</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> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
<p>j) On-line and date base retrieval (part of CPC 7523)</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> <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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
k) Electronic data interchange (EDI) (part of CPC 7523)	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) Enhanced/value added facsimile services (part of CPC 7523)	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.	
m) Code and protocol conversion	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.	
n) On-line information and/or data processing (part of CPC 843)	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.	
o) Others	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.	

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
1) Cellular mobile telephone services (CPC 75213)	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.	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. General construction work for buildings (CPC 512), excluding CPC 5121, 5122 and 5127	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. General construction work for civil engineering (CPC 513), excluding services procured by the State	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. Others (CPC 511 + 515 + 518)	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
4. DISTRIBUTION SERVICES			
A. Commission agents' services (CPC 621)	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. Wholesale Trade Services (CPC 622)	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.	
C. Retailing Services (CPC 631+ 632 + 6111 + 6113 + 6121)	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. Franchising (CPC 8929)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
6. ENVIRONMENTAL SERVICES			
A. Sewage services (CPC 9401)	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. Refuse disposal services (CPC 9402)	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.	
C. Sanitation and similar services (CPC 9403)	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. Other - Cleaning services of exhaust gases (CPC 9404) - Noise abatement services (CPC 9405) - Nature and landscape protection services (CPC 9406) - Other (CPC 9409)	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.	

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Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
7. FINANCIAL SERVICES	<p>Modes 1 and 2: The provision of cross-border financial services in Ecuador, including insurance and insurance-related services, does not imply that the providers of such services may conduct or advertise business in Ecuador. Ecuador may define the terms “conduct business” and “advertise”, wherever such definitions are not inconsistent with the commitments made by Ecuador for modes 1 and 2.</p>		
	<p>Ecuador may require written evidence of the authorisation granted by a competent authority of the other Party for the providers of cross-border financial services and for the financial products and instruments they offer in Ecuador.</p> <p>Without prejudice to other means of prudential regulation of the cross-border supply of financial services, Ecuador may require the registration or authorisation of cross-border suppliers of financial services of EFTA States and of financial instruments.</p> <p>Insurance enterprises may contract reinsurance abroad, as long as the reinsurance enterprises are classified in accordance with international standards, and subjected to the rules laid down by the <i>Superintendency of Banking, Superintendency of Companies, Values, and Insurance (SB y SCVS - Superintendencia de Banca y Superintendencia de Compañías, Valores y Seguros)</i>.</p> <p>For greater transparency, if the insurance enterprises contract reinsurances directly, they should do it with enterprises included in the SCVS reinsurance registry.</p> <p>The auxiliary services of the financial services related to the provision and transfer of financial information and the processing of financial data shall be registered in accordance with the rules laid down by the Superintendency of Banking, Insurance and Private Pension Fund Administrators. The said auxiliary services may not collect, maintain and deliver credit information. For greater transparency, financial information services or the processing of financial data shall be subject to the Ecuadorian provisions regulating the protection of such information.</p> <p>For greater transparency, the mandatory risk ratings for financial institutions incorporated under Ecuadorian law require the foreign risk-rating agencies to first register with the Ecuadorian Superintendency of Banking, Insurance and Private Pension Fund Administrators.</p> <p>On the securities market, Ecuador will accept the risk rating by an agency recognised by the European Securities and Markets Authority (ESMA) as a “Nationally Recognized Statistical Rating Organisation – RSRO”, in the event of a secondary public offering on the Ecuadorian securities market, securities issued abroad or a primary public offering on the Ecuadorian securities market by multilateral issuers recognised as local issuers.</p> <p>Ecuador reserves the right to adopt or maintain measures that restrict the acquisition of obligatory insurance outside of Ecuador, or that require that obligatory insurance be purchased from suppliers established in Ecuador such as the Seguro Obligatorio de Accidentes de Tránsito (SOAT, Obligatory Traffic Accident Insurance). Ecuador reserves the right to adopt or maintain measures that restrict the acquisition of reinsurance and/or retrocession relating to such obligatory insurance outside of Ecuador, or that require that the services be acquired from providers established in Ecuador.</p>		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Mode 3: Under Ecuadorian legislation, it is not permitted to open parent or operating offices of institutions in the social economy financing sector, such as: savings and credit cooperatives, mutual or associative entities, communal funds and banks, savings banks and any other legal form or denomination existing in the country of origin and corresponding to this sector.</p> <p>For greater transparency, for the establishment in Ecuador of undertakings dedicated to insurance, reinsurance and related services and the provision of banking services, other financial services and securities services in all their forms, express authorisation and compliance with all of the provisions laid down in the laws in force related to such activities are required.</p> <p>Creditors of the branches in Ecuador of a foreign financial institution shall enjoy preferential rights over the assets held in the country by that institution in the event of the liquidation of its parent office or the winding-up of its business affairs in Ecuador for any reason.</p> <p>For greater transparency, the branches of foreign financial institutions, including insurance and reinsurance companies, must be established in Ecuador with minimum capital equal to that required for national financial institutions.</p> <p>Foreign financial institutions that propose to open representation offices to serve as information centres for their clients or to place funds in the country in the form of lending or investments shall be required to obtain prior authorisation from the respective control body and may not perform any of the financial intermediation services provided for by the law. Furthermore, they shall refrain from providing information or advertising or providing any management or processing services related to operations of this type. They may not solicit funds or deposits in Ecuador for investment in another country, neither may they offer or invest in Ecuador securities issued in another country.</p> <p>For greater transparency, the auxiliary services of the financial services related to the provision and transfer of financial information and the processing of financial data shall be registered in accordance with the rules laid down by the Superintendency of Banking, Superintendency of Companies, Value and Insurance.</p> <p>The Superintendency of Banks will be in charge of the Credit Data Registry, which may provide it by itself or through third parties. If it does so through a third party, it will carry out a bidding process that includes national and foreign legal entities of acknowledged experience in the matter. Financial information services or the processing of financial data shall be subject to the Ecuadorian provisions regulating the protection of such information.</p> <p>For greater transparency, legal persons who provide financial services, including insurance, auxiliary services and securities, shall be established in accordance with the legal form of legal liability companies or persons in conformity with Ecuadorian law and are subject to non-discriminatory legal restrictions and to the allocation of minimum capital.</p>		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For greater transparency, institutions in the private financing system, their directors and main shareholders who are persons with patrimonial property with influence, may not, either directly or indirectly, hold shares and interest in undertakings or commercial companies outside the financial sector, with presence or activity in the Ecuadorian market, including those regulated by the Securities Market Act or the General Insurance Law.</p> <p>This prohibition also applies to shareholders of a financial institution that, even if individually considered are not persons with patrimonial property with influence, at the discretion of the control body maintains economic, corporate and/or family business ties and together exceed 6% or more of the subscribed and paid-in capital or of the share capital; or shares or units for an amount greater than or equal to six hundred basic fractions exempt from income tax.</p> <p>In the interests of greater clarity, the providers of banking financial services in Ecuador through the set up of financial bodies or the total or partial acquisition of the shares of an existing financial body may not acquire or maintain a shareholding in bodies dedicated to the provision of insurance services or insurance-related services, securities services or securities-related services.</p> <p>For greater transparency financial institutions in Ecuador and those non-financial entities that grant credits, may be regulated on the orientation and direction of credit operations. The following aspects will be considered for this purpose: segments, interest rates, guarantees and credit limits, but in no case will it be possible to intervene in the definition of the natural or legal person receiving credit operations.</p> <p>For greater transparency, the Ecuadorian legal framework empowers the Monetary and Financial Policy and Regulation Board to establish moratoria for the constitution of new financial, securities and insurance entities.</p> <p>A financial group in Ecuador consists of a bank that owns financial or auxiliary services companies and the subsidiaries within or outside Ecuador of any one of these, as provided for in the Organic Monetary and Financial Code in its version in force on September 12th 2014.</p> <p>Regardless of its composition, a financial group may not be made up of more than one bank, nor may it own more than one financial or auxiliary services company dedicated to the same activity.</p>		

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
A. ALL INSURANCE AND INSURANCE RELATED SERVICES	<p>In order to be able to operate in Ecuador, non-resident insurance and reinsurance companies, intermediaries and providers of auxiliary insurance services must register and renew their registration in accordance with the rules laid down in national legislation.</p> <ol style="list-style-type: none"> 1. Ecuador reserves the right to adopt measures geared towards assigning the provision of specific services associated with the management of public resources to insurance or reinsurance companies that are partially or totally owned by the State of Ecuador. 2. Foreign insurance and reinsurance companies and intermediaries of foreign insurance and reinsurance companies may not open representation offices. 		
1) Non-life insurance	<ol style="list-style-type: none"> 1) Unbound, except: <ol style="list-style-type: none"> (a) insurance of risks relating to: <ol style="list-style-type: none"> (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 2) Unbound, except: <ol style="list-style-type: none"> (a) insurance of risks relating to: <ol style="list-style-type: none"> (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees. 	<ol style="list-style-type: none"> 1) Unbound, except: <ol style="list-style-type: none"> (a) insurance of risks relating to: <ol style="list-style-type: none"> (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 2) Unbound, except: <ol style="list-style-type: none"> (a) insurance of risks relating to: <ol style="list-style-type: none"> (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees. 	

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
2) Reinsurance and retrocession	1) Unbound 2) Unbound 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	Unbound Unbound None Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	
3) Insurance intermediation, such as brokerage and agency	1) Unbound, except: (a) insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 2) Unbound, except: (a) insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	1) Unbound, except: (a) insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 2) Unbound, except: (a) insurance of risks relating to: (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and (ii) goods in international transit. 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
4) Services auxiliary to insurance for risk assessment (risk inspector), claim settlement (loss adjuster) and actuarial services	1) Unbound 2) Unbound 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	1) Unbound 2) Unbound 3) None 4) Unbound, except where specified in horizontal commitments. In the foreign insurance companies at least 50% of the total amount of salaries must correspond to Ecuadorian employees.	
B. BANKING AND OTHER FINANCIAL SERVICES (excluding insurance)	Ecuador reserves the right to adopt measures geared towards assigning the provision of specific services associated with the management of public resources to financial institutions that are partially or totally owned by the State of Ecuador. Branches are not permitted in the securities market institutions.		
a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)	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) Lending of all types, including consumer credit, mortgage credit, factoring by financial institutions, and financing of commercial transactions (CPC 8113)	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.	
c) Financial leasing services (CPC 8112)	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
d) Payment and money transmission services: credit, charge and debit cards, travellers' cheques and bankers' drafts (CPC 81339)	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) Guarantees and commitments (CPC 81199)	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.	
f) Trading for own account or for account of customers, whether on an exchange or in an over-the-counter market, the following: <ul style="list-style-type: none"> - money market instruments (cheques, bills, certificate of deposits etc.) (part of CPC 81339) - foreign exchange (CPC 81333) - derivative products: futures and options (part of CPC 81339) - exchange rate and interest rate instruments, swaps and forward rate agreements. (part of CPC 81339) - transferable securities (CPC 81321) - other negotiable instruments and financial assets, including bullion (part of CPC 71339) 	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
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 (CPC 8132)	1) None 2) None 3) None; except that registration of the issuer and of the securities to be issued is required 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
h) Money broking (CPC 81339)	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.	
i) Asset management: cash or portfolio management, collective investment management, custodial, depository and trust services. (CPC 8119 + 81323)	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.	
j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments. (CPC 81339 or 81319)	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
k) Advisory and other auxiliary financial services on all the activities listed under the heading banking and other financial services (excluding insurance): credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring (CPC 8131 or 8133)	1) Unbound for services involving the collection, maintenance and delivery of credit information. 2) None, except for services involving the collection, maintenance and delivery of credit information. 3) None, except for services involving the collection, maintenance and delivery of credit information. 4) Unbound, except as indicated in the horizontal section.	1) Unbound for services involving the collection, maintenance and delivery of credit information. 2) None, except for services involving the collection, maintenance and delivery of credit information. 3) None, except for services involving the collection, maintenance and delivery of credit information. 4) Unbound, except as indicated in the horizontal section.	
1) Provision and transfers of financial information, financial data processing and related software by providers of other financial services. (CPC 8131)	1) None 2) None 3) None, except than to collect the credit information. 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
8. HEALTH AND SOCIAL SERVICES (except those listed under 1.A h-j of the Classification W120)			
A. Hospital services (CPC 9311)	1) None 2) None 3) None, except that the services offered by health and prepaid medical care companies must be provided by joint stock companies, whether national or foreign. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
9. TOURISM AND TRAVEL RELATED SERVICES	Before starting any tourist activity as described in the Tourism Act, all natural or legal persons, undertakings or companies must obtain the relevant registration, namely registration of the tourism services provider in the public register of tourism entrepreneurs and establishments, in the Ministry of Tourism of Ecuador.		
A. Hotels and Restaurants (Including Catering) (CPC 641- 643);	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. Travel Agencies and Tour Operators Services (CPC 7471) Travel agencies and tour operators (including tour managers)	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. Entertainment Services (including theatre, live bands and circus services) (CPC 9619)	<p>1) None</p> <p>2) None</p> <p>3) None, save that impresarios, natural or legal persons who contract foreign artistes, musical groups or orchestras shall be required to present national artistes as part of the same show, with such artistes to make up 60% of the artistic performance.</p> <p>The wages paid to Ecuadorian artistes shall be no lower than 50% of those paid to the foreign artiste(s).</p> <p>The provisions of the two preceding indents shall not apply in the cases of performances by foreign artistes, musical groups or orchestras sponsored by their respective governments or by national or international public bodies or organisations, or to those in which it is not possible to include the corresponding Ecuadorian counterparts because of the special artistic nature of the performance.</p> <p>Foreign artistic performances sponsored by governments of other countries or by national or international public bodies or organisations must obtain the approval of the Ministry of Labour, via the Directorate of Employment and Human Resources in consultation with FENARPE (the Ecuadorian National Federation of Professional Artistes).</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None, save that impresarios, natural or legal persons who contract foreign artistes, musical groups or orchestras shall be required to present national artistes as part of the same show, with such artistes to make up 60% of the artistic performance.</p> <p>The wages paid to Ecuadorian artistes shall be no lower than 50% of those paid to the foreign artiste(s).</p> <p>The provisions of the two preceding indents shall not apply in the cases of performances by foreign artistes, musical groups or orchestras sponsored by their respective governments or by national or international public bodies or organisations, or to those in which it is not possible to include the corresponding Ecuadorian counterparts because of the special artistic nature of the performance.</p> <p>Foreign artistic performances sponsored by governments of other countries or by national or international public bodies or organisations must obtain the approval of the Ministry of Labour, via the Directorate of Employment and Human Resources in consultation with FENARPE (the Ecuadorian National Federation of Professional Artistes).</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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
C. Libraries, archives, museums and other cultural services (CPC 963)	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. Sporting and other recreational services (CPC 964)	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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES			
A. Maritime Transport	<p>The crews of the ships of Ecuadorian flag will be conformed by Officers and Crew Members of Ecuadorian nationality. However, the General Directorate of the Merchant Navy may authorise the hiring of foreign personnel for justified technical or operational reasons.</p> <p>Ecuadorian flag vessels shall be commanded only by Captains of Ecuadorian nationality, except for yachts or recreational or pleasure boats that may be commanded by foreigners, if they are their owners, provided they are authorised by the General Directorate of the Merchant Marine.</p> <p>Foreign flagged ships over 50 TRBs operating in Ecuadorian waters under an association agreement, charter contract for more than six months or in the process of nationalization, shall carry on board the Minimum Security Enforcement Document issued by the National Maritime Authority, and for that purpose must be manned by Ecuadorian maritime personnel in not less than fifty percent (50%) of the same; and, in the case of ships under bareboat charter contract in not less than seventy percent (70%), to hold functions according to the minimum security endowment document. In both cases the captain may be a foreigner.</p>		
a) Passenger transportation (CPC 7211), excluding national cabotage transport.	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
b) Freight transportation (CPC 7212), excluding national cabotage transport. Includes movement of empty containers as long as no revenue is generated for the provider.	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.	
C. Air Transport Services			
- Airline computer reservation systems	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.	
- Aircraft repair and maintenance services (part of 8868)	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.	
F. Road Transport Services			
a) Passenger transport services (CPC 7121 + 7122) b) Freight transport services (CPC 7123) c) Rental of commercial vehicles with operator (CPC 7124)	1) Unbound 2) None 3) None, save that Ecuador reserves the right to adopt or maintain any measure in relation to international land passenger or freight transport operations in border areas. 4) Unbound, except as indicated in the horizontal section.	1) Unbound 2) None 3) None, save that Ecuador reserves the right to adopt or maintain any measure in relation to international land passenger or freight transport operations in border areas. 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
12. SERVICES AUXILIARY TO TRANSPORT			
A. Services auxiliary to Maritime Transport	The holders of concessions and other forms of authorisations to provide port services must be constituted or domiciled in Ecuador and hold the corresponding authorisation. They must have as their main corporate purpose the provision of such services or the performance of other activities related to the operation or administration of ports.		
<ul style="list-style-type: none"> a) Maritime Cargo Handling Services b) Storage and warehousing services (part of CPC 742) c) Customs clearance services d) Container station and depot services e) Maritime agency services f) Maritime freight forwarding services, excluding national cabotage transport g) Rental of vessels without crew (CPC 7213) h) Pushing and towing services (CPC 7214) i) Supporting services for maritime transport (part of CPC 745) j) Other supporting and auxiliary services (part of CPC 749) 	<ul style="list-style-type: none"> 1) None, save that the provision of auxiliary transport services in public ports is subject to concessions or other forms of permission. The loading, unloading and storage of hydrocarbons shall be assigned exclusively to national, State- owned or mixed shipping companies of which the State holds at least 51% of the share capital 2) None 3) None, save that the loading, unloading and storage of hydrocarbons shall be assigned exclusively to national, State-owned or mixed shipping companies of which the State holds at least 51% of the share capital. 4) Unbound, except as indicated in the horizontal section. 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None, save that the loading, unloading and storage of hydrocarbons shall be assigned exclusively to national, State-owned or mixed shipping companies of which the State holds at least 51% of the share capital. 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>13. ENERGY RELATED SERVICES: RENEWABLE ENERGY</p>	<p>To enter into concession contracts for the development of generation projects in the electricity sector, foreign undertakings must establish a branch or set up a company in accordance with the Companies Act, establish a location in Ecuador and appoint an agent or legal representative resident in Ecuador. Foreign nationals must be entered in the public registers and appoint a legal representative of Ecuadorian nationality and resident in Ecuador.</p> <p>Ecuador reserves the right to define the cases in which it may require a concession or other form of permission to provide such services.</p> <p>The electricity generation activity will be carried out by public companies, mixed economy companies; and, by other private juridical persons and of popular and solidary economy, duly authorised by the granting authority to exercise such activity.</p> <p>Its operations will be subject to the provisions of its respective enabling title, as well as the constitutional, legal, regulatory and regulatory standards that are established, under its sole responsibility, and observing principles of transparency, efficiency, continuity and quality. The development of new generation projects will be based on the sectoral policies established in the sectoral plans and in the National Development Plan (Art.40 - LOSPEE).</p> <p>The activity of transmission of electricity at the national level will be carried out by the State through the respective public company.</p> <p>The Ministry of Electricity and Renewable Energy may authorise mixed companies, and exceptionally private companies or popular economy and solidarity, specializing in electric transmission, construction and operation of electricity transport systems that are included in the Master Plan of Electricity.</p> <p>Notwithstanding the provisions of the article, the Ministry of Electricity and Renewable Energy may authorise a generator, self-generator, distributor, large consumer or end user to build a transmission network, at its sole cost, to meet their own needs (Art.42 - LOSPEE).</p>		
<p>A. SERVICES RELATED TO THE GENERATION OF RENEWABLE ENERGY</p>			
<p>Maintenance and repair services of metal products, of machinery and equipment, and of electrical machinery (part of CPC 8861-8866) Engineering services (CPC 8672)</p>	<p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Integrated engineering services (CPC 8673) Technical testing and analysis services (CPC 8676)			
B. SERVICES INCIDENTAL TO THE CONSTRUCTION OF ENERGY INFRASTRUCTURE (Except services procured by the State)			
Construction of energy infrastructure - Long distance pipelines, communication and power lines (cables) (CPC 51340) - Urban pipelines and cables; ancillary works (CPC 51350)	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. GEOTHERMAL EXPLORATION AND DEVELOPMENT	1) Unbound, except for advisory or consultancy services. Limitations on professional services also apply. 2) None 3) Unbound, except as indicated in the horizontal section. 4) Unbound, except as indicated in the horizontal section.	1) Unbound, except for advisory or consultancy services. Limitations on professional services also apply. 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	