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Council for Trade in Services

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**NOTIFICATION OF URUGUAY'S PREFERENTIAL TREATMENT TO SERVICES
AND SUPPLIERS OF LEAST DEVELOPED COUNTRIES¹**

The following notification from the delegation of Uruguay, dated 12 January 2016, is being circulated to the Members of the Council for Trade in Services.

The Permanent Mission of Uruguay to the World Trade Organization and other International Economic Agencies with headquarters in Geneva has the honour to notify to the World Trade Organization's Council for Trade in Services the preferential treatment that Uruguay is making available to services and service suppliers of least developed countries¹ in accordance with the decision adopted by Ministers at the WTO's Eighth Ministerial Conference entitled *Preferential Treatment to Services and Service Suppliers of Least Developed Countries* (WT/L/847) of 17 December 2011, and the decision adopted by Ministers at the WTO's Ninth Ministerial Conference entitled *Operationalization of the Waiver concerning Preferential Treatment to Services and Service Suppliers of Least Developed Countries* (WT/L/918).

The preferential treatment is given in various sectors and modes of supply, particularly in areas that are of particular export interest to least developed countries, as set out in the *Collective Request Pursuant to the Bali Decision on the Operationalization of the Waiver concerning Preferential Treatment to Services and Service Suppliers of Least Developed Countries* (S/C/W/356), and will take effect on 1 January 2016.

Uruguay proposes to maintain these preferences for the period of the waiver.

¹ This notification is not subject to Annex 2 to the WTO Agreement: *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

1 HORIZONTAL MEASURES

1.1 Movement of natural persons

The following categories have been added to those included in the horizontal section of Uruguay's current schedule of commitments (GATS/SC/91):

a. Contractual service suppliers - Employees of juridical persons

Employees of a company based in the territory of an LDC Member, who enter Uruguayan territory temporarily in order to supply a service under one or more contracts concluded between their employers and one or more consumers of the service in Uruguayan territory:

- (1) restricted to employees of foreign-based companies with no commercial presence in Uruguay;
- (2) the juridical person has obtained a contract for the provision of a service in Uruguayan territory;
- (3) the employees of such foreign-based companies receive their remuneration from their employer;
- (4) the employees have appropriate educational and professional qualifications relevant to the service to be provided.

Duration of stay: Persons having obtained a contract or an invitation specifying the nature of the activity to be carried out and, where appropriate, the remuneration to be received abroad, may enter and remain in Uruguayan territory for a 15-day period, extendable for a further 15 days. Persons having obtained a service contract or providing remunerated services, who enter to provide services to a natural or juridical person established in Uruguay, may enter and remain in Uruguayan territory for a one-year period, extendable for a further year as long as the person retains the status of contracted employee.

b. Professionals and specialists:

Natural persons from least developed countries entering Uruguay for limited periods to carry out activities linked to their profession or specialization, under a contract between them and a client located in the country: scientists, researchers, teaching staff, professionals, academics, technical personnel, journalists, sportsmen and women, and artists:

- (1) the natural person supplies the service as a self-employed person;
- (2) the natural person has obtained a service contract in Uruguay;
- (3) any remuneration for the contract is to be paid solely to the natural person;
- (4) the natural person possesses appropriate educational and other qualifications relevant to the service to be provided.

Duration of stay: Persons having obtained a contract or providing remunerated services, who enter to provide services to a natural or juridical person established in Uruguay, may remain in the country for a period of up to two years, extendable for a further two-year period.

2. **SECTORAL MEASURES**

The following preferential treatment is made available with respect to the application of the measures described in Article XVI of the General Agreement on Trade in Services, subject to the limitations set out in the "Horizontal commitments" section of Uruguay's Schedule of Specific Commitments (GATS/SC/91) and any future amendments which may affect these limitations.

1. <u>BUSINESS SERVICES</u>	
A. <u>Professional services</u>	Natural persons seeking to provide professional services must have a qualification that is recognized in Uruguay and establish legal domicile in the country. The Uruguayan authorities will regulate the practice of these professions in the future. Legal domicile does not imply residence in Uruguay.
b. Accounting, auditing and bookkeeping services (862)	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section and the note on professional services.
d. Architectural services (8671)	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section and the note on professional services.
e. Engineering services (8672)	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section and the note on professional services.
F. <u>Other business services</u>	
o. Building-cleaning services (874)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
s. Convention services (87909*)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
3. <u>CONSTRUCTION SERVICES</u>	
B. <u>General construction work for civil engineering (513)</u>	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.