

ORGANIZATION

(95-2236)

Trade in Services

BRAZIL

Schedule of Specific Commitments

Supplement 1

(This is authentic in English only)

—————

This text replaces the Financial Services section contained in pages 18 to 20 of document GATS/SC/13.

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
7. FINANCIAL SERVICES			
<p><u>A. All Insurance and Insurance-Related Services</u></p> <p>Insurance on freight (CPC 81293)</p>	<p>Imports can only be insured with established</p> <p>Unbound</p> <p>The formation of a specific type of legal entity is <i>sociedade Anônima</i>, with registered stocks. The and subsidiaries of foreign insurance companies, as well as the participation of foreign persons and firms in insurance institutions with headquarters in Brazil,</p> <p>Unbound except as indicated in the horizontal</p>	<p>Unbound</p> <p>Unbound</p> <p>None</p> <p>Unbound except as indicated in the horizontal</p>	<p>Brazil will introduce into its schedule commitments relating to the participation of foreign capital in the Brazilian insurance market, within two years after the adoption by the National Congress of legislation permitting such participation.</p>
<p>Life insurance (CPC 81211)</p>	<p>Unbound</p> <p>Unbound</p> <p>Same conditions as in insurance on freight.</p> <p>Unbound except as indicated in the horizontal</p>	<p>Unbound</p> <p>Unbound</p> <p>None</p> <p>Unbound except as indicated in the horizontal</p>	

BRAZIL (continued)

<p>Medical care (CPC 81291)</p>	<p>Unbound Unbound Same conditions as in insurance on freight. Unbound except as indicated in the horizontal</p>	<p>Unbound Unbound None Unbound except as indicated in the horizontal</p>	
<p>Property insurance (CPC 81292, CPC 81294, CPC 81295, CPC 81296)</p>	<p>Unbound Unbound Same conditions as in insurance on freight. Unbound except as indicated in the horizontal</p>	<p>Unbound Unbound None Unbound except as indicated in the horizontal</p>	
<p>Liability insurance (CPC 81297)</p>	<p>Unbound Unbound Same conditions as in insurance on freight. Unbound except as indicated in the horizontal</p>	<p>Unbound Unbound None Unbound except as indicated in the horizontal</p>	
<p>Reinsurance and retrocession services (CPC 81299)</p>	<p>Unbound Unbound It is of the competence of the Brazilian Institute of pt mandatory or facultative reinsurance, in Brazil or y insurance institutions of parts of reinsurance not its competence. Unbound except as indicated in the horizontal</p>	<p>Unbound Unbound Unbound Unbound</p>	<p>Brazil will introduce into its schedule commitments relating to the participation of foreign capital in the Brazilian reinsurance market, within two years after the adoption by the National Congress of legislation permitting such participation.</p>

BRAZIL (continued)

<p>Auxiliary services - agencies and brokers (CPC 81401)</p>	<p>Unbound Unbound Foreign nationals may establish themselves as presence of foreign capital in domestic brokerage firms directly to 50 per cent of the total capital of the d of its voting capital. This rule does not apply to July 1986. Unbound except as indicated in the horizontal</p>	<p>Unbound Unbound None Unbound except as indicated in the horizontal</p>	<p>Brazil will introduce into its schedule commitments relating to the participation of foreign capital in the Brazilian insurance brokerage firms, two years after the adoption by the National Congress of legislation permitting such participation.</p>
<p>Auxiliary services - consultancy, actuarial and surveys (CPC 81402, CPC 81404)</p>	<p>None None None Unbound except as indicated in the horizontal</p>	<p>None None None Unbound except as indicated in the horizontal</p>	

BRAZIL (continued)

<u>B. Banking and Other Financial Institutions</u>			
<p>These commitments cover only those activities performed by financial institutions, classified as multiple banks, commercial banks, investment banks, consumer finance companies, housing finance companies, financial leasing companies, brokers and dealers, and each may perform only those activities permitted by the Conselho Monetário Nacional, the Banco Central de Brasil and/or the Comissão de Valores Mobiliários. Multiple banks may be formed with a minimum of any two of the following portfolios, each corresponding to a commercial bank, an investment bank, a consumer finance company, a housing finance company or a financial leasing company, and one of the portfolios must correspond to either a commercial bank or an investment bank. Financial instruments, such as securities, futures and options, when registered for negotiation on an exchange, may not be negotiated in an over-the-counter market. All senior level management must be permanent residents in Brazil.</p>			
<p>-Acceptance of the following funds from the public, on a wholesale or retail basis:</p> <p>(i) demand deposits (ii) time deposits (iii) savings deposits destined for housing finance</p>	<p>Unbound Unbound</p>	<p>Unbound Unbound</p>	<p>Brazil will introduce into its schedule commitments relating to the participation of foreign capital in Brazilian financial institutions, within two years after the adoption by National Congress of legislation permitting such participation.</p>

BRAZIL (continued)

<p>- Lending of all types by financial institutions, including:</p> <p>(i) consumer credit</p> <p>(ii) mortgage credit</p> <p>(iii) financing of commercial transactions</p> <p>-Financial leasing</p> <p>-Payment and money transmission services carried out by financial institutions</p> <p>-Guarantees and commitments</p>	<p>The establishment of new branches and financial institutions, as well as increases in the number of foreign nationals and institutions in the financial institutions, is not permitted, except in the privatization programme of public sector financial institutions. The establishment of branches in Brazil of all foreign banks and of foreign nationals and institutions is currently limited to October 1988, except for the branches of privatized institutions subject to this limitation.</p>	<p>None</p>	<p>National treatment shall be granted to suppliers, established in Brazil, of service activities listed in the Annex on Financial Services that are not performed by financial institutions and are not recognized as financial services according to domestic regulations, at such time as these service activities be subjected to specific legislation adopted by the National Congress, therein classified as financial services.</p>
---	---	-------------	--

BRAZIL (continued)

<p>- Trading for own account or for the account of customers, whether on an exchange or in an over-the-counter market, of the following:</p> <ul style="list-style-type: none">(i) money market instruments(ii) foreign exchange(iii) futures and options(iv) exchange rate and interest rate instruments(v) transferable securities(vi) other negotiable instruments and financial assets, including bullion			
--	--	--	--

BRAZIL (continued)

<ul style="list-style-type: none"> - Participation in public issues of all kinds of securities, including underwriting and placement as agent, and provision of services related to such issues -Brokerage of foreign exchange -Portfolio management and custodial and depository services -Research and advice on investments and portfolios 			
---	--	--	--