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ARGENTINA

Initial Offer

The following initial offer was received from the Delegation of the Argentine Republic on 8 April 2003 with the request that it be circulated to Members of the Council for Trade in Services.

This initial offer is not a legal text and is submitted solely for the purpose of negotiation in the context of paragraphs 47 and 49 of the Doha Ministerial Declaration, especially in the light of the need to achieve an overall balance in the outcome of all World Trade Organization (WTO) negotiations. This offer is conditional and the Argentine Republic may therefore modify or withdraw it at any time during the course of the negotiations.

The contents of this initial offer should be understood as subject to any horizontal disciplines agreed upon in the framework of the ongoing negotiations of the Working Party on GATS Rules and the Working Party on Domestic Regulation and may therefore be revised on the basis of the outcome of these negotiations.

The Argentine Republic is submitting this offer as proof of its commitment to make a major contribution to the multilateral system for trade in services. Given the high level of the commitments undertaken by Argentina during both the Uruguay Round and the extended negotiations on basic telecommunications and financial services, this offer is a significant contribution to the negotiations.

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
	<ul style="list-style-type: none"> • providing services to a natural or legal person established in Argentina (as permanent employees or freelancers). Duration of stay: one year, extendable indefinitely for further one-year periods for as long as the person retains the status of contracted employee. <p>III. Intra-corporate transfers: for Mangers, Executives and Specialists, as defined hereunder:</p> <p><u>Senior personnel</u></p> <ul style="list-style-type: none"> • Managers: persons in an enterprise or organization who primarily direct a department or subdivision. They supervise and control the work of other supervisory, professional or managerial staff. <p>They have the authority to hire or dismiss personnel, recommend their hiring or dismissal or take other personnel action, such as promotion or leave authorization. They exercise discretionary authority over day-to-day activities. Does not include first-line supervisors unless those supervised are professionals, nor employees who primarily perform tasks required for the provision of the service.</p>		<p>Possibility of multiple entries being granted.</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
	<ul style="list-style-type: none"> • Executives: persons in the organization who primarily direct the management of the organization. They exercise wide latitude in decision-making and receive only supervision or direction from high-level executives, the board of directors or stockholders. They do not directly perform tasks related to the provision of the service(s) of the organization. • Specialists: persons in an enterprise or organization who possess knowledge at an advanced level of expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques or management. Independent professionals may be included in this category. <p>Managers, executives or specialists entering Argentina to provide services as permanent employees or freelancers to a natural or legal person established in Argentina are entitled to an initial duration of stay of one year, extendable indefinitely for further one-year periods for as long as they retain the status of contracted employee.</p>		<p>Possibility of multiple entries being granted.</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>IV. Representatives of foreign enterprises: persons entering Argentina as representatives of enterprises established abroad and who receive their remuneration from abroad may not provide services in the country under an employment or civil contract which links them to an enterprise established in Argentina. Duration of stay: one year, extendable for further one-year periods for as long as the person retains the status of contracted employee.</p>		<p>Possibility of multiple entries being granted.</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
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. <u>Professional Services</u>	1), 3), 4) Persons seeking to provide professional services must obtain recognition of their professional degree, enrol in the relevant college and establish legal domicile in Argentina.		
	Legal domicile: does not involve residence requirement.		
a) Legal services (CPC 861)	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) Accounting, auditing and bookkeeping services (CPC 862)	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) 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.	

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>B <u>Computer and Related Services</u></p> <p>a) Consultancy services related to the installation of computer hardware (CPC 841)</p> <p>b) Software implementation services (CPC 842)</p> <p>c) Data-processing services (CPC 843)</p> <p>d) Database services (CPC 844)</p> <p>e) Other (CPC 845 and 849)</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>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>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>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>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
F. <u>Other Business Services</u>			
a) Advertising services (CPC 871)	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) 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.	
h) Services incidental to mining (CPC 883 and 5115)	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
o) Building-cleaning services (CPC 874)	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.	
s) Convention services (CPC 87909*)	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.	
t) Other (CPC 8790)	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
<p>2. COMMUNICATION SERVICES</p> <p>B. <u>Courier services</u> (CPC 7512)</p> <p>2.C. TELECOMMUNICATION SERVICES¹ All subsectors</p> <p>The services included in this column may be supplied by any technological means (e.g. fibre optics, radio links, satellites, cable), except as otherwise stated in the limitations in the market access column.</p> <p>- Local and domestic long-distance basic telephone services (CPC 7521)</p>	<p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p> <p>This offer does not include the provision of satellite facilities of geostationary artificial satellites for the Fixed Satellite Service.</p> <p>1) None from 8 November 2000. 2) None 3) None from 8 November 2000. 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> <p>1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.</p>	<p>See Annex.</p>

¹ Argentina considers the cable or broadcast distribution of radio or television programming to be outside the scope of this Schedule in accordance with paragraph 2(b) of the GATS Annex on Telecommunications.

All or part of the Schedule of the Argentine Republic can enter into full effect only after approval by the National Congress and ratification by the Executive Power, in accordance with the constitutional provisions in force.

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
- International telephone services (CPC 7521)	1) None from 8 November 2000. 2) None 3) None from 8 November 2000 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
- Domestic data services (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.	
- Domestic telex services (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.	
- Domestic facsimile services, store-and-forward (CPC 7521** and 7529**)	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.	See Annex

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
- International data services (CPC 7523**)	1) None from 8 November 2000 2) None 3) None from 8 November 2000 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
- International telex services (CPC 7523**)	1) None from 8 November 2000 2) None 3) None from 8 November 2000 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
- International facsimile services, store-and-forward (CPC 7521** and 7529**)	1) None 2) None 3) None, except that up to 8 November 2000 the links used for supplying these services must belong to the enterprise holding the exclusive rights to provide international connections. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
- Leased telephone circuits	1) None 2) None 3) None, except that up to 8 November 2000 the present basic telephone service licence holders have a preferential installation period of 60 days inside basic tariff areas or 180 days outside those areas. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	See Annex

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
Leased circuits for international voice and data	1) None 2) None 3) None, except that up to 8 November 2000 the international operator has a preferential installation period of 120 days. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section.	
Mobile services: Mobile Telephone Services (MTS) Personal Communication Services (PCS) Paging SMR trunking Mobile data services	1) None 2) None 3) None MTS are supplied under a duopolistic regime, the available spectrum being assigned in all the service areas. In the case of PCS, the administrative authority will decide on a number of suppliers per operating area in the light of present and future needs. 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) Electronic mail (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.	
i) Voice mail (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.	

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
j) On-line information and database retrieval (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.	
k) Electronic data interchange (EDI) (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, including store-and-forward, store-and-retrieve (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 (including transaction processing) (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) Other	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
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>General construction work for buildings</u> (CPC 512)	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. <u>Assembly and erection of prefabricated constructions</u> (CPC 514 and 516)	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. <u>Building completion and finishing work</u> (CPC 517)	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. Other (CPC 511, 515 and 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.	
4. DISTRIBUTION SERVICES			
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.	

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. Retail trade services (CPC 631 and 632) 6111 and 6113 and 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. <u>Franchising</u> (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.	
7. FINANCIAL SERVICES ¹			
A. All insurance and insurance-related services			
a) Life, accident and health insurance services (CPC 8121)	1) Unbound 2) Unbound 3) Authorization of the establishment of new entities is suspended. 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) - Non-life insurance services (CPC 8129)	1) Unbound 2) Unbound 3) Authorization of the establishment of new entities is suspended. 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 Processed data must remain in the country so as to be available for consultation by the competent authority. This measure does not prevent the data from also being transferred abroad.

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
- Maritime and air transport insurance services (CPC 81293)	1) None 2) None 3) Authorization of the establishment of new entities is suspended. 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) Reinsurance and retrocession (CPC 81299*)	1) None 2) None 3) Authorization of the establishment of new entities is suspended. 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 <u>Banking and other financial services</u> (excluding insurance)	<p>Financial operations by the Government and State-owned enterprises are excluded from the conditions specified in this Schedule; they may carry out operations through their own designated entities.</p> <p>A requirement for engaging in stock market transactions is membership of and a shareholding in the Securities Exchange.</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) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)	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.	
b) Lending of all types, including, _____, consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 81113)	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) Financial leasing (CPC 8112)	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) All payment and money transmission services (CPC 81339**)	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
e) Guarantees and commitments (CPC 81199**)	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) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: <ul style="list-style-type: none"> <li data-bbox="168 651 481 802">- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339**) <li data-bbox="168 834 481 986">- foreign exchange (CPC 81333) <li data-bbox="168 1018 481 1169">- derivative products including, but not limited to, futures and options (CPC 81339**) <li data-bbox="168 1201 481 1353">- exchange rate and interest rate instruments, such as swaps, forward rate agreements, etc. (CPC 81339*) 	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
- transferable securities (CPC 81321*)	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.	
- other negotiable instruments and financial assets, including bullion (CPC 81339**)	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.	
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) 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.	
h) Money broking (CPC 81339**)	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.	
i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services (CPC 8119** and 81323*)	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
j) Settlement and clearing services for financial assets, including securities, derivative products and other negotiable instruments (CPC 81339** and 81319**)	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.	
k) Advisory and other auxiliary financial services for all activities listed in Article 1B of MTN.TNC/W/50, including credit reference and analysis, investment and portfolio research and advice and advice on acquisitions and on corporate restructuring and strategy (CPC 8131 or 8133)	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) Provision and transfer of financial information and financial data processing and related software by providers of other financial services (CPC 8131) New financial services	1) None 2) None 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.	1) None 2) None 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 subsector	Limitations on market access	Limitations on national treatment	Additional commitments
9. TOURISM AND TRAVEL-RELATED SERVICES			
A. <u>Hotels and restaurants</u> (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. <u>Travel agency and tour operator services</u> (CPC 7471)	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. <u>Tourist guide services</u> (CPC 7472)	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. <u>Other</u>	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.	

ANNEX

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean the functions and elements of a public telecommunications network or service that:

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A dominant supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a dominant supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to the access provided between suppliers in order to allow access to clients, users, services or elements of a network.

2.2 Interconnection to be ensured

Interconnection with a dominant supplier will be ensured at any technically feasible point in the network. Such interconnection is provided:

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a dominant supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a dominant supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a dominant supplier will have recourse, either:

- (a) at any time, or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body to resolve disputes regarding terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence, and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independence of the Regulatory Body

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by the regulatory body shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

ARGENTINA – LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or sub-sector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
2.C. Telecommunications services	The provision of satellite facilities of geostationary satellites operating fixed satellite services will be authorized under conditions of reciprocity.	All	Indefinite	Development of domestic satellite systems.