

ANNEX III
Quantitative Restrictions
(Chapter 11)

Annex III

1. The Schedule of a Party sets out the non-discriminatory quantitative restrictions maintained by that Party pursuant to Article 11.6.
2. Each entry sets out the following elements:
 - (a) **Sector** refers to the general sector in which the quantitative restriction is maintained;
 - (b) **Sub-sector** refers to the specific sector in which the quantitative restriction is maintained;
 - (c) **Industry Classification** refers, where applicable, to the activity covered by the quantitative restriction according to CPC or domestic industry classification codes. The CPC has only an illustrative character.
 - (d) **Measure** identifies the measures under which the quantitative restriction is maintained; and
 - (e) **Description** sets out the scope of the sector, sub-sector or activities covered by the quantitative restriction.

Annex III
Schedule of Chile

Sector:	Communications
Sub-sector:	Postal Services
Industry Classification:	CPC 7511 Postal Services
Measures:	<i>Decreto con Fuerza de Ley 10 del Ministerio de Transportes y Telecomunicaciones, Diario Oficial, enero 30, 1982</i>
Description:	According to Chilean law, <i>Empresa de Correos de Chile</i> is the company in charge of postage and delivery of both domestic and international postal services.

Sector: Communications

Sub-sector: Radio communications

Industry Classification: CPC 752 Telecommunications Services

Measures: *Ley 18.168*, Diario Oficial, octubre 2, 1982

Description: A concession granted by *Decreto Supremo* or a permit issued by the *Subsecretaría de Telecomunicaciones* (Telecommunications Superintendency) is required for the installation, operation and exploitation of telecommunication services. The use of radiotransmission systems will be authorized according to the spectrum availability and the respective policies.

Sector:	Energy
Sub-sector:	Electricity Transmission
Industry Classification:	CPC 887 Services Incidental to Energy Distribution
Measures:	<p><i>Decreto con Fuerza de Ley 1 del Ministerio de Minería</i>, Diario Oficial, septiembre 13, 1982</p> <p><i>Ley 18.410</i>, Diario Oficial, mayo 22, 1985</p> <p><i>Ley 19.474</i>, Diario Oficial, septiembre 30, 1996, <i>Ley Orgánica del Ministerio de Obras Públicas</i></p>
Description:	<p>The installation, operation and exploitation of electric distribution public service facilities may require a final concession granted by the <i>Ministerio de Economía</i> (Ministry of Economy) and a provisional concession granted by the <i>Superintendencia de Electricidad y Combustibles</i> (Electricity and Fuel Superintendency). The provisional concession is not a necessary requirement for the granting of a final concession. The installation of hydraulic power plants, electric substations and power transmission lines will be subject to the abovementioned procedures.</p> <p>The use of streets, electricity lines and national public goods related to transport and distribution lines of electric energy that are not under a concession, are subject to an authorization granted by the corresponding Municipality.</p> <p>Generation, transmission and distribution of electricity cannot be provided without prior communication to the <i>Superintendencia de Electricidad y Combustibles</i>.</p>

Sector: Environmental Services

Sub-sector:

Industry Classification: CPC 9409 Other Environmental Protection Services
n.e.c.

Measures: *Ley 18.302*, Diario Oficial, mayo 2, 1984

Description: The *Comisión Chilena de Energía Nuclear* (Chilean Commission on Nuclear Energy) determines the number of persons with special authorization for working in each nuclear or radioactive facility, and in each plant, center, laboratory or nuclear equipment.

Sector:	Professional Services
Sub-sector:	Legal Services
Industry Classification:	CPC 861 Legal Services
Measures:	<i>Código Orgánico de Tribunales</i>
Description:	The number of public notaries (<i>notarios públicos</i>), archivists (<i>archiveros</i>), superior court attorneys, process servers and supplementary judges (<i>procuradores del número, receptores judiciales y abogados integrantes</i>), as well as the number of real estate registrars (<i>conservadores de bienes raíces</i>), commerce registrars (<i>registros de comercio</i>), mining rights registrars (<i>registros de minas</i>), registrars of shareholders of mining corporations (<i>registros de accionistas de sociedades propiamente mineras</i>), water rights registrars (<i>registros de aguas</i>), channel associations registrars (<i>registros de asociaciones de canalistas</i>), registrars of chattel mortgage on farm machinery and livestock (<i>registros de prenda agraria</i>), registrars of chattel mortgage in industry products equipment (<i>registros de prenda industrial</i>), registrars of special chattel mortgages (<i>registros especiales de prenda</i>) will be determined by law or by the President of the Republic as provided by law.

Sector: Telecommunications

Sub-sector:

Industry Classification: CPC 752 Telecommunications Services

Measures: *Ley 18.168*, Diario Oficial, octubre 2, 1982

Description: Maritime and aeronautic telecommunications are authorized, installed, operated and controlled by the Armada de Chile (Chilean Navy) and the Dirección General de Aeronáutica Civil (Civil Aeronautic General Directorate), respectively.

Sector: Transportation

Sub-sector: Air Transportation

Industry Classification: CPC 746 Supporting Services for Air Transport

Measures: *Decreto con Fuerza de Ley 241 del Ministerio de Hacienda*, Diario Oficial, abril 6, 1960

Description: The *Junta de Aeronáutica Civil* (Civil Aeronautic Board) determines the general plan related to quantitative restrictions, on airports and airfields, as well as the facilities needed to assist and protect air traffic. An authorization issued by the *Junta de Aeronáutica Civil* is required to build, to operate or to maintain airports and airfields or any other aeronautic stations.

Sector: Transportation

Sub-sector: Air Transportation Specialized Air Services

Industry Classification: CPC 86753 Surface Surveying Services

Measures: *Decreto con Fuerza de Ley 2.090 del Ministerio de Defensa Nacional, Diario Oficial, septiembre 6, 1930*

Description: The *Instituto Geográfico Militar* (Geographical Army Institute) and the *Departamento de Navegación e Hidrografía de la Armada* (Navy Department of Navigation and Hydrography) are exclusively entitled to draw all official maps and charts of the national territory.

Sector: Water and Sewage Services

Sub-sector:

Industry Classification: CPC 940 Sewage and Refuse Disposal, Sanitation and Other Environmental Protection Services

Measures: *Decreto con Fuerza de Ley 382 del Ministerio de Obras Públicas, Diario Oficial, junio 21, 1989*

Description: The installation, construction and exploitation of public works intended for the supply and distribution of potable water, and the collection and disposal of sewage requires a concession granted by Decreto Supremo of the *Ministerio de Obras Públicas* (Ministry of Public Works) and is subject to the previous approval of the *Superintendencia de Servicios Sanitarios* (Superintendency of Water and Sewage Services).

Annex III
Schedule of Korea

Sector:	Business Services
Sub-Sector:	Engineering Services
Industry Classification:	CPC 86729 Other Engineering Services
Measure:	<i>Law No. 6608 Article 8 of the Special Act on the Safety Control of Public Structures, Jan. 14, 2002</i> <i>Presidential Decree No. 17728 Article 10 of the Enforcement Decree of the Special Act on the Safety Control of Public Structures, Sept. 6, 2002</i>
Description:	<p>Precision safety diagnosis of the following facilities, in accordance with Article 8 of the <i>Special Act on the Safety Control of Public Structures</i> and Article 10 of its <i>Enforcement Decree</i>, shall be performed by the Korea Infrastructure Safety and Technology Corporation:</p> <ul style="list-style-type: none">(a) special bridges among road infrastructures (refers to suspension bridges, banked bridges, arch bridges, and bridges with a maximum span measuring over 50 meters in length) and tunnels extending longer than 1,000 meters;(b) truss bridges among railroad infrastructures and tunnels extending longer than 1,000 meters;(c) floodgates;(d) multi-purpose dams, power generation dams, and water storage dams with capacity of more than 20 million tons;(e) estuary dikes and sluice gates of river located within jurisdictions of special metropolitan cities; and(f) metropolitan waterworks and their secondary facilities, and industrial use waters (applies to those with supply capacity of more than one million tons) and their secondary facilities.

Sector:	Communication
Sub-sector:	Broadcasting
Industry Classification:	CPC 7524 Programme Transmission Services CPC 753 Radio and Television Cable Services CPC 96113 Motion Picture or Video Tape Distribution Services
Measure:	<i>Law No. 6139 Article 9 of the Broadcasting Act, Jan. 12,2000</i>
Description:	<p>To carry out terrestrial broadcasting business or satellite broadcasting business, a person must first receive a recommendation from the Korea Broadcasting Commission, and then obtain authorization from the Minister of Information and Communication pursuant to the <i>Radio Waves Act</i>.</p> <p>To carry out cable television broadcasting business or cable relay broadcasting business, a person must obtain authorization from the Minister of Information and Communication, after receiving a recommendation from the Korea Broadcasting Commission and installing the facilities and technologies satisfying the standards set out by the Presidential Decree.</p> <p>Authorization from the Korean Broadcasting Commission is required to operate a business that provides general and specialized programming of news reports or product presentation.</p> <p>Authorization from the Korean Broadcasting Commission is required to conduct a satellite broadcasting business by using a foreign satellite's wireless station (limited to those whose signals can be received within the Korean territory).</p>

Sector:	Communication
Sub-sector:	Broadcasting
Industry Classification:	CPC 9613 Radio and Television Services
Measure:	<i>Law No. 6139</i> Articles 71, 78 of the <i>Broadcasting Act</i> , Jan12, 2000 <i>Presidential Decree No. 17156 of the Enforcement Decree of the Act</i> Articles 53, 57, March 20, 2001
Description:	<p>Terrestrial broadcasters must program the domestically produced broadcast programs not less than the ratio publicly notified by the Korea Broadcasting Commission, within the limit of 80 per cent of the total broadcasting hours every month.</p> <p>Terrestrial television broadcasters must program domestically produced movies, animations and popular music not less than the ratio publicly notified by the Korea Broadcasting Commission, within the limit referred to in the following:</p> <ul style="list-style-type: none"> (a) movies: not less than 20 per cent but not more than 40 per cent of the total broadcasting hours for movies; (b) animations: not less than 30 per cent but not more than 50 per cent of the total broadcasting hours for animations; and (c) popular music: not less than 50 per cent but not more than 70 per cent of the total broadcasting hours for popular music. <p>Broadcasting business except for terrestrial broadcasting business must program domestically produced broadcast programs not less than the ratio publicly notified by the Korea Broadcasting Commission, within the limit of 50 per cent of the total broadcasting hours every month.</p> <p>Broadcasting business except for terrestrial broadcasting business must program domestically produced movies, animations and popular music not less than the ratio publicly notified by the Korea Broadcasting Commission, within the limit referred to in the following subparagraphs:</p>

- (a) movies: not less than 30 per cent but not more than 50 per cent of the total broadcasting hours for movies;
- (b) animations: not less than 40 per cent but not more than 60 per cent of the total broadcasting hours for animations; and
- (c) popular music: not less than 50 per cent but not more than 80 per cent of the total broadcasting hours for popular music.

A cable television system operator and a satellite broadcasting operator must, in case where they intend to receive and retransmit the broadcasts conducted by a foreign broadcasting business operator, including those who are not granted a license, authorization, or not registered under this Act, obtain authorization of the Korean Broadcasting Commission.

Foreign broadcasts cannot exceed 10 per cent of the total number of channels managed by a cable television system operator or satellite broadcasting operator.

Sector: Communications

Sub-Sector: Postal Services

Industry Classification: CPC 7511 Postal Services

Measure: *Law No. 6196 Article 2 of the Postal Law, Jan. 21, 2000*

Description: The Minister of Information and Communication is entrusted with the postage and delivery of both domestic and international postal services.

Sector:	Real Estate Services
Sub-Sector:	Real Estate Services on a Fee or Contract Basis
Industry Classification:	CPC 8220 Real Estate Services on a Fee or Contract Basis
Measure:	<i>Law No. 6237 Article 19 of the Public Notice of Values and Appraisal of Land Act, Jan. 28, 2000 Presidential Decree No. 16814, Articles 30, 31 of its Enforcement Decree, May 16, 2000 Ordinance of the Ministry of Construction and Transportation No. 239, Article 14 of its Enforcement Regulations, May 27, 2000</i>
Description:	A person that holds a public appraisal license issued in Korea and intends to establish a real estate appraisal services in the form of a legal entity is subject to approval from the Minister of Construction and Transportation.

Sector: Sports and Recreational Services

Sub-Sector: Horse Racing Operation (including horse-racing broadcast on the Internet and other electronic media, and operation of pari-mutuel betting operations)

Industry Classification: CPC 96520 Sports and Recreational Sports Facility
Operation Services
CPC 96920 Gambling and Betting Services
KSIC 88313 Racetracks
KSIC 88994 Gambling

Measure: *Law No. 6572* Articles 3, 48 of the *Korea Racing Association Law*, Dec. 31, 2001

Description: The Korea Racing Association is exclusively entitled to horse racing operations (including pari-mutuel betting operations) in Korea.

Sector:	Transport Services
Sub-Sector:	Rail Transport Services
Industry Classification:	CPC 711 Transport Services by Railway
Measure:	<p><i>Law No. 5903 Article 5 of the Railroad Act, Feb. 8, 1999</i></p> <p><i>Presidential Decree No. 15598 Article 3 of the Enforcement Decree for the Licensing of Private Railroad and Exclusive-use Railroad, Dec. 31, 1997</i></p> <p><i>Law No. 5982 Article 6 of the Special Act on the Operation of State-Owned Railway, May 24, 1999</i></p> <p><i>Law No. 6622 Article 43 of the Government Organization Act, Jan. 19, 2002</i></p>
Description:	<p>A license for providing rail transportation services is granted, on the basis of, <i>inter alia</i>, public welfare, national industrial development and economic feasibility test, by the Minister of Construction and Transportation.</p> <p>Rail transport service business owned by the State shall be operated by the railway administration organized under the Minister of Construction and Transportation.</p>

Sector:	Transport Services
Sub-Sector:	Road Transport Services
Industry Classification:	CPC 7121 Other Scheduled Passenger Transportation CPC 7122 Other Non-Scheduled Passenger Transportation
Measure:	<i>Law No. 6655 Articles 5, 6 of the Passenger Transport Service Act, Feb. 4, 2002</i>
Description:	<p>A license for providing road passenger transportation services is granted by the head of the metropolitan city/province where the principle office is to be located. In the case of express bus transport services, however, a license is granted by the Minister of Construction and Transportation.</p> <p>The license is granted on the basis of, <i>inter alia</i>, an economic needs test.</p>