

WORLD TRADE ORGANIZATION

RESTRICTED

S/FIN/W/12/Add.54

12 December 1997

(97-5480)

Committee on Trade in Financial Services

Original: Spanish

COMMUNICATION FROM COLOMBIA

Initial Offer on Financial Services

Addendum

The following communication is circulated at the request of Colombia to Members of the Committee on Trade in Financial Services.

Colombia reserves the right to modify or withdraw all or part of the specific commitments and to include MFN exemptions, conditional upon the outcome of the negotiations on financial services. It also reserves the right to make technical modifications and correct possible errors and omissions.

COLOMBIA

SCHEDULE OF SPECIFIC COMMITMENTS

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 FINANCIAL SERVICES	(3) The Government may make an authorization for domestic and foreign financial entities to operate in Colombia subject to an economic needs test. For this purpose, factors such as the public interest and local and general economic and financial conditions are taken into account.	(3) In the disposal of State holdings in enterprises, special conditions are offered exclusively to Colombian natural or legal persons.		
	(3) The establishment of suppliers of financial services from abroad is only permitted in the form of affiliated companies or subsidiaries. Other forms, particularly branches, are excluded. The supply of the service must correspond to the purpose specifically authorized for the affiliated company or subsidiary, which must adopt the corporate form required by Colombian legislation. Agencies of foreign financial entities may not provide financial services in Colombia			
	(3) The supply of financial services in Colombia requires prior Government authorization. Such authorization is granted in accordance with the relevant requirements in Colombian legislation and with the regulatory principles generally accepted at the international level.			

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) <u>Insurance and insurance-related services</u> (a) Direct insurance (including co-insurance) other than life insurance	In particular, the authorization permitting suppliers of financial services to operate in Colombia is subject to verification by the respective Supervisory Department of the character, responsibility and qualifications of persons participating in the operation as owners, directors or managers. In addition, the relevant Supervisory Department verifies that the applicant entities have satisfactory controls to prevent the laundering of assets and to manage risks, and that they have consolidated supervision in conformity with generally accepted principles in this respect at the international level.			
	(1) Unbound, except for insurance related to foreign trade operations, exclusively for external journeys, i.e. those which begin or end in a Colombian port.	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) None	(3) None		
	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		

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) Reinsurance and retrocession	(1) None	(1) None		
	(2) None	(2) None		
	(3) None	(3) None		
	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(c) Insurance intermediation such as brokerage and agency	(1) None	(1) None		
	(2) None	(2) None		
	(3) None	(3) None		
	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(d) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	(1) None	(1) None		
	(2) None	(2) None		
	(3) None	(3) None		
	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		

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. <u>Banking and other financial services, excluding insurance</u>				
(a) Acceptance of deposits and other repayable funds from the public	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(b) Lending of all types, including consumer credit, mortgage credit, factoring by financial institutions, and financing of commercial transactions	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		

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) Financial leasing services	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(d) Guarantees and commitments	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(e) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market of the instruments mentioned in subparagraphs (X) (C), (E) and (F) of paragraph 5 of the Annex on financial services.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		

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) 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.	(1) Unbound	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) None	(3) None		
	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(g) Money broking	(1) Unbound	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) None	(3) None		
	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		
(h) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	(1) Unbound	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) None	(3) None		
	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		

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) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (a) to (h), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.	(1) Unbound (2) Unbound (3) None (4) Unbound, except has indicated in the horizontal section of Colombia's commitments in the Uruguay Round.		