

WORLD TRADE ORGANIZATION

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Trade in Services

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MEXICO

Schedule of Specific Commitments

Supplement 3

(This is authentic in Spanish only)

This text replaces the financial services section contained in document
GATS/SC/56/Suppl.1/Rev.1

MEXICO

LIST 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
7. FINANCIAL SERVICES							
A. All insurance and insurance-related services							
(a)	Life, accident and health insurance services (CPC 8121)	(1)	Unbound				
(b)	Non-life insurance services (CPC 8129)	(2)	Unbound				
		(3)	Foreign investors may hold up to 40 per cent of the paid-up capital and up to 30 per cent of non-voting paid-up capital. Foreign investment by governments and official agencies is not allowed. The limit on individual holdings by foreign investors is 10 per cent of paid-up capital or up to 20 per cent of paid-up capital with authorization from the Ministry of Finance and Public Credit (SHCP). Effective control of the enterprise by the Mexican shareholders is required.				
		(4)	Unbound				

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) Reinsurance and retrocession services (CPC 81299*)		(1)	Foreign reinsurance companies may participate in reinsurance operations. According to the applicable regulations, such companies are required to register with the SHCP, which may authorize or refuse registration.	(1) None	
		(2)	Unbound	(2) Unbound	
		(3)	This activity may be carried out by insurance institutions. Foreign investors may hold up to 40 per cent of the paid-up capital and up to 30 per cent of non-voting paid-up capital. Foreign investment by governments and official agencies is not allowed. The limit on individual holdings by foreign investors is 10 per cent of paid-up capital or up to 20 per cent of paid-up capital with authorization from the Ministry of Finance and Public Credit (SHCP). Effective control of the enterprise by the Mexican shareholders is required.	(3) None	
		(4)	Unbound	(4) Unbound	

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
(d) Services auxiliary to insurance such as: - insurance broking and agency services (CPC 8140)	(1) Unbound	Foreign investors may hold up to 40 per cent of the paid-up capital and up to 30 per cent of non-voting paid-up capital. Foreign investment by governments and official agencies is not allowed. The limit on individual holdings by foreign investors is 10 per cent of paid-up capital or up to 20 per cent of paid-up capital with authorization from the Ministry of Finance and Public Credit (SHCP). Effective control of the enterprise by the Mexican shareholders is required.	(1) Unbound		
	(2) Unbound		(2) Unbound		
	(3)		(3) None		
	(4) Unbound		(4) Unbound		
B. Banking and other financial services (excluding insurance).					
Mexican financial intermediaries in which foreign investment is allowed include: multiple banking institutions (commercial banks), securities firms, securities specialists, limited-purpose financial institutions, financial factoring companies, financial leasing companies, general deposit warehouses, foreign exchange firms, investment companies, managing companies of investment companies, guarantee institutions (bonding companies) and pension fund management companies.					
Foreign financial institutions such as banks and securities firms may establish representative offices in the country with the prior authorization of the SHCP. Representative offices may not act as financial intermediaries, nor promote acceptance of funds by the firms they represent, but solely engage in placement.					
In accordance with the applicable legislation, foreign investment is not permitted in credit unions, savings and loan companies, or development banking institutions.					

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	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) This activity is restricted to multiple banking institutions. Foreign investors may hold up to 40 per cent of common stock capital and up to 100 per cent of the additional capital representing 40 per cent of non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of capital stock or up to 20 per cent of capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		
	(4) Unbound In accordance with the applicable financial legislation, representative offices of banking institutions are excluded from this activity.	(4) Unbound		

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)	Lending of all types, including consumer credit, mortgage credit, factoring and financing of financial transactions (CPC 8113)	(1) Unbound	(1) Unbound		
		(2) Unbound	(2) Unbound		
		(3) Multiple banking institutions may carry out lending activities of all types, including consumer and mortgage credit, credit discounting and financing of commercial transactions. Foreign investors may hold up to 40 per cent of common stock capital and up to 100 per cent of the additional capital stock representing 40 per cent of non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of capital stock or up to 20 per cent of capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		

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>Limited purpose financial institutions may carry out only one of the financing activities such as personal credit, consumer credit, mortgage credit or commercial credit. Foreign investors may hold up to 49 per cent of capital stock. Foreign investment by artificial persons exercising governmental functions is not allowed. Effective control of the enterprise by the Mexican shareholders is required</p> <p>Financial factoring companies may carry out factoring activities. Foreign investors may hold up to 49 per cent of the paid-up capital and up to 30 per cent of non-voting paid-up capital.</p> <p>Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of paid-up capital. Effective control of the enterprise by the Mexican shareholders is required</p>			
	(4) Unbound	(4) Unbound		

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 (CPC 8112)		(1) Unbound	<p>Financial leasing companies may carry out financial leasing activities. Foreign investors may hold up to 49 per cent of paid-up capital and up to 30 per cent of non-voting paid-up capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of paid-up capital. Effective control of the enterprise by the Mexican shareholders is required.</p> <p>Multiple banking institutions may carry out financial leasing activities. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.</p>	(1) Unbound	
		(2) Unbound		(2) Unbound	
		(3)		(3) None	
		(4) Unbound		(4) Unbound	

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)	Trading on own or customers' account on a stock exchange, over-the-counter or otherwise, in: - Money market instruments (cheques, bills, certificates of deposit, etc.) (CPC 81339**)	(1) Unbound	Securities firms and securities specialists may carry out this activity. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(1) Unbound	
		(2) Unbound		(2) Unbound	
		(3)		(3) None	
		(4) Unbound		(4) Unbound	

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
- Foreign exchange (CPC 81333)		(1) Unbound	<p>Multiple banking institutions may carry out this activity. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.</p> <p>Foreign exchange firms may also carry out this activity. Foreign investors may hold up to 49 per cent of the paid-up capital and up to 30 per cent of the non-voting paid-up capital. Foreign investment by artificial persons exercising functions of authority is not allowed. The limit on individual holdings is 10 per cent of the paid-up capital. Effective control of the enterprise by the Mexican shareholders is required.</p>	(1) Unbound	
		(2) Unbound		(2) Unbound	
		(3)		(3) None	
		(4) Unbound		(4) Unbound	

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	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) Securities firms and securities specialists may carry out this activity. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		
	(4) Unbound	(4) Unbound		

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	
- Other negotiable instruments and financial assets, including bullion (CPC 81339***)	(1)	Unbound	(1) Unbound		
	(2)	Unbound	(2) Unbound		
	(3)	Multiple banking institutions may carry out this activity. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		
	(4)	Unbound	(4) Unbound		

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
(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	Securities firms and securities specialists may participate in issues of securities, underwriting and placement as agents. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(1) Unbound	
		(2) Unbound		(2) Unbound	
		(3)		(3) None	
		(4) Unbound		(4) Unbound	

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	
(h) Money broking (CPC 81339***)	(1)	Unbound	(1) Unbound		
	(2)	Unbound	(2) Unbound		
	(3)	Multiple banking institutions may carry out this activity. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional capital representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		
	(4)	Unbound	(4) Unbound		

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) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, and trust services (CPC 81323*)	(1) Unbound	(1) Unbound	
	(2) Unbound	(2) Unbound	
	(3) Investment companies may carry out activities such as asset management, cash or portfolio management and all forms of collective investment management. Foreign investors may hold up to 49 per cent of overhead capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the paid-up capital. Effective control of the enterprise by the Mexican shareholders is required. Managing companies of investment companies carry out the administration of investment trusts. Foreign investors may hold up to 49 per cent of the capital stock. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the paid-up capital. Effective control of the enterprise by the Mexican shareholders is required.	(3) None	

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>Pension fund management companies may carry out pension fund management activities. Foreign investors may hold up to 49 per cent of the capital stock. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the capital stock. Effective control of the enterprise by the Mexican shareholders is required.</p> <p>Multiple banking institutions may provide trust services. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional stock representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.</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	
(k) Advisory and other auxiliary financial services, including credit reporting and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8133)	Securities firms may provide trust services in business directly connected with their own specific activities. Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional stock representing 40 per cent of the non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the capital stock or up to 20 per cent of the capital stock with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.			
	(4) Unbound	(4) Unbound		
	(1) Unbound	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) Credit information companies (Credit Bureaus) may carry out credit reporting activities. Foreign investors may hold up to 49 per cent of the paid-up capital stock. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 30 per cent of the paid-up capital. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		

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. <u>Others</u> Holding companies	Investment consultants may carry out activities such as investment and portfolio analysis, research and advice, advice on acquisitions and on corporate restructuring and strategy. Foreign investors may hold up to 49 per cent of the capital stock. Foreign investment by artificial persons exercising governmental functions is not allowed. Effective control of the enterprise by Mexican shareholders is required.			
	(4) Unbound	(4) Unbound		
	(1) Unbound	(1) Unbound		
	(2) Unbound	(2) Unbound		
	(3) Foreign investors may hold up to 40 per cent of the common stock capital and up to 100 per cent of the additional stock representing 40 per cent of non-voting common stock capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 5 per cent of the capital stock and up to 20 per cent of the capital stock with the authorization of the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None		
	(4) Unbound	(4) Unbound		

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	
Guarantee institutions	(1) Unbound	(1) Unbound	(3) Foreign investors may hold up to 49 per cent of the paid-up capital and up to 30 per cent of the non-voting paid-up capital. Foreign investment by governments and official agencies is not allowed. The limit on individual holdings is 10 per cent of the paid-up capital or up to 20 per cent of the paid-up capital with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(1) Unbound	
	(2) Unbound	(2) Unbound		(2) Unbound	
				(3) None	
Re-guarantee institutions	(4) Unbound	(4) Unbound	(1) Foreign re-guarantee companies may participate in re-guarantee operations. According to the applicable regulations, these institutions must register with the SHCP, which may authorize or refuse registration.	(4) Unbound	
		(1) None		(1) None	
	(2) Unbound	(2) Unbound		(2) Unbound	

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		
General deposit warehouses	(3) This activity may be carried out through guarantee companies. Foreign investors may hold up to 49 per cent of the paid-up capital and up to 30 per cent of the non-voting paid-up capital. Foreign investment by governments and official agencies is not permitted. The limit on individual holdings is 10 per cent of the paid-up capital or up to 20 per cent of the paid-up capital with authorization from the SHCP. Effective control of the enterprise by the Mexican shareholders is required.	(3) None			
	(4) Unbound	(4) Unbound			
	(1) Unbound	(1) Unbound			
	(2) Unbound	(2) Unbound			
	(3) Foreign investors may hold up to 49 per cent of the paid-up capital and up to 30 per cent of the non-voting paid-up capital. Foreign investment by artificial persons exercising governmental functions is not allowed. The limit on individual holdings is 10 per cent of the paid-up capital. Effective control of the enterprise by the Mexican shareholders is required.	(3) None			
	(4) Unbound	(4) Unbound			