

1402.9 states that, with respect to trade in services, there are no obligations arising under this agreement regarding subsidies or government procurement practices.

Annex 1408: Services covered by the agreement

This annex lists a wide range of commercially-traded services covered by the agreement. Services provided by government and social services such as child care are excluded, as are cultural industries, legal services, all transportation modes and basic telecommunications. Financial services other than insurance are dealt with in a separate chapter.

Annex 1404.1.B: Tourism

Both parties have agreed not to use departure taxes or fees or currency restrictions to impede trade in tourism. Tourism-related services of a financial nature are included in the definition of tourism services.

Annex 1404.1.C: Computer Services and Telecommunications Network-Based Enhanced Services

The definition of basic and enhanced services will be as defined and classified by the respective regulators. No further benchmarks for these definitions have been included in the trade agreement.

The annex explicitly excludes any obligations regarding the establishment of facilities and offering of basic telecommunications transport services.

When a monopoly provider of basic telecommunications services competes in the provision of enhanced services, it may not engage in anticompetitive practices in the enhanced market. Separate accounting and other requirements shall ensure the separation of monopoly and competitive activities.

Annex: Transportation

The Elements of the Agreement stated that, subject to review by both parties, an annex would be included that clarifies the application of the agreement to future laws and regulations in the transportation section.

There is no transportation Annex because the U.S. was unable to bring the shipping industry under the discipline of the Services Code. No modes of transportation services are covered by the Services Code.