

# WORLD TRADE ORGANIZATION

RESTRICTED

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**Committee on Trade in Financial Services**

Original: Spanish

## COMMUNICATION FROM URUGUAY

### Initial Offer on Financial Services

#### Addendum

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

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This offer replaces the section on Financial Services on pages 10 to 13 of document GATS/SC/91.

This offer is conditional and Uruguay reserves the right to modify all or part of it.

URUGUAY

SPECIFIC COMMITMENTS - INITIAL OFFER ON FINANCIAL SERVICES

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	(3) Any supplier of financial services wishing to engage in operations in Uruguay may not do so without prior authorization from the competent authorities. The application may be rejected on precautionary grounds, including the current state of the market.		
A. <u>Insurance and insurance-related services</u>	(1) Unbound	(1) None	
Motor-vehicle insurance services (81292)	(2) Unbound	(2) None	
	(3) In order to have a commercial presence in Uruguay, enterprises must be organized as Uruguayan public limited companies, subject to the limitations laid down by the existing legislation. This requirement does not apply to the reinsurance sector.	(3) None	
	(4) Unbound, except as indicated in the horizontal section.	(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
Marine, aviation and other transport insurance services (81293)	(1) Unbound	(1) None	
	(2) Unbound	(2) None	
	(3) Limitation mentioned for motor-vehicle insurance services.	(3) None	
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
Freight insurance services (81294)	(1) Unbound	(1) None	
	(2) Unbound	(2) None	
Insurance and pension consultancy services (81402)	(3) Limitation mentioned for motor-vehicle insurance services.	(3) None	
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

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Actuarial services (81404)	(1) None (2) None (3) None	(1) None (2) None (3) None		
B. <u>Banking and other financial services</u>	(4) Unbound, except as indicated in the horizontal section. (3) Authorization for enterprises established abroad to set up branches or agencies in Uruguay to engage in financial intermediation activities is subject to the requirement that their by-laws or statutes do not prohibit Uruguayan citizens from being members of the management or board of directors or holding any other senior post, employment or position in the institution, within the territory of Uruguay.	(4) Unbound, except as indicated in the horizontal section.		
Wholesale deposit services (81115)	(1) None (2) None	(1) None (2) 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>(3) Banks wishing to become established in Uruguay must be organized as Uruguayan public limited companies with registered shares or as branches of foreign banks.</p> <p>For banks, commercial presence is subject to the following quantitative limit: in any one year, the number of authorizations for new banks to operate may not exceed 10 per cent of the number in the year immediately preceding.</p> <p>This provision applies exclusively to those institutions which are defined by the law as banks and does not affect other financial intermediation enterprises.</p> <p>Financial intermediation enterprises comprise: banks, financial intermediation cooperatives, finance houses, offshore financial institutions, consortium managers and investment banks.</p>	(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>Banks carry out all types of financial operations and, together with financial intermediation cooperatives, are the only institutions authorized:</p> <ul style="list-style-type: none"> <li>(a) To accept current account deposits and allow them to be drawn on against cheques;</li> <li>(b) to accept demand deposits;</li> <li>(c) to accept term deposits from residents.</li> </ul> <p>Finance houses may carry out all financial intermediation activities except those restricted to banks and cooperatives, drawing their resources exclusively from non-residents.</p> <p>Offshore financial institutions operate exclusively with non-residents.</p> <p>Consortium management firms are those which organize or manage groups, associations or consortiums whose members contribute funds to be applied, mutually or jointly, for the purchase of particular goods or services.</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	
Other bank deposit services (81116)	Investment banks may only accept deposits from and extend loans to non-residents for terms of more than one year; issue negotiable bonds or debentures; finance the issue of or place securities, bonds, debentures, stocks and shares on behalf of non-financial enterprises; acquire shares or capital interests in enterprises for the purpose of launching investment projects or reorganization, development or conversion schemes; accept or place bills linked with those enterprises and carry out bank giro operations with them (except for accepting current account deposits); medium and long-term credits and loans; provide sureties, bonds, guarantees and securities; do trust and commission business; and advise on investments and business management.			
	(4) Unbound, expect as indicated in the horizontal section.	(4) Unbound, expect as indicated in the horizontal section.		
	(1) None	(1) None		
	(2) None	(2) None		
	(3) Limitation indicated for wholesale deposit services.	(3) None		
	(4) Unbound, expect as indicated in the horizontal section.	(4) Unbound, expect 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
Financial leasing services (81120)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Limitation indicated for wholesale deposit services.	(3) None	
	(4) Unbound, expect as indicated in the horizontal section.	(4) Unbound, expect as indicated in the horizontal section.	
Personal instalment loan services (81132)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Limitation indicated for wholesale deposit services.	(3) None	
	(4) Unbound, expect as indicated in the horizontal section.	(4) Unbound, expect as indicated in the horizontal section.	
Credit card services (81133)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Limitation indicated for wholesale deposit services.	(3) None	
	(4) Unbound, expect as indicated in the horizontal section.	(4) Unbound, expect as indicated in the horizontal section.	