

Miscellaneous Commitments

1. The Schedule of a Party sets out the commitments to liberalize non-discriminatory measures undertaken by that Party pursuant to Article 1208.
2. Each commitment sets out the following elements:
 - (a) **Sector** refers to the general sector in which the commitment to liberalize is undertaken;
 - (b) **Sub-Sector** refers to the specific sector in which the commitment to liberalize is undertaken;
 - (c) **Industry Classification** refers, where applicable, to the activity covered by the non-discriminatory measure to be liberalized according to domestic industry classification codes;
 - (d) **Level of Government** indicates the level of government maintaining the non-discriminatory measure to be liberalized;
 - (e) **Measures** identifies the non-discriminatory measures to be liberalized; and
 - (f) **Description** sets out the commitment undertaken by the Party to liberalize a non-discriminatory measure.
3. In the interpretation of a commitment, all elements of the commitment shall be considered. The **Description** element shall prevail over all other elements.
4. For purposes of this Annex:

CMAF means Clasificación Mexicana de Actividades y Productos (CMAF) numbers as set out in Instituto Nacional de Estadística, Geografía e Informática, *Clasificación Mexicana de Actividades y Productos*, 1988;

CPC means Central Product Classification (CPC) numbers as set out in Statistical Office of the United Nations, Statistical Papers, Series M, No. 77, *Provisional Central Product Classification*, 1991; and

SIC means:

- (a) with respect to Canada, Standard Industrial Classification (SIC) numbers as set out in Statistics Canada, *Standard Industrial Classification*, fourth edition, 1980; and
- (b) with respect to the United States, Standard Industrial Classification (SIC) numbers as set out in the United States Office of Management and Budget, *Standard Industrial Classification Manual*, 1987.

Schedule of Canada

Sector:	Professional Services
Sub-Sector:	Lawyers
Industry Classification:	SIC 7761 - Offices of Lawyers and Notaries
Level of Government:	Provincial
Measures:	British Columbia: <i>Legal Profession Act</i> , S.B.C. 1987, c. 25

Ontario: *Law Society Act* ,
R.S.O. 1990, c. L-8
Saskatchewan: *Legal
Profession Act* , S.Sask.
1990, c. L-10.1

Description: Lawyers authorized to practice in Mexico or the United States and law firms headquartered in Mexico or the United States will be permitted to provide foreign legal consultancy services, and to establish for that purpose, in British Columbia, Ontario and Saskatchewan, and in any other province that so permits by the date of entry into force of this Agreement.

Schedule of Mexico

Sector: Communications

Sub-Sector: Entertainment Services
(Cinema)

Industry Classification: CMAP 941102 - Private Services of Distribution and Films Rental

Level of Government: Federal

Measures: *Ley de la Industria Cinematográfica*
Reglamento de la Ley de la Industria Cinematográfica

Description: Cross Border Services

A "distributor" of films produced outside of Mexico is required to provide to the Cineteca Nacional no more than one copy of two film titles for each five film titles imported by the distributor into Mexico.

Sector: Professional, Technical and Specialized Services

Sub-Sector: Professional Services

Industry Classification: CMAP 951002 - Legal Services (limited to foreign legal consultancy)

Level of Government: Federal and State

Measures:

Description: 1. Mexico will ensure that:

(a) a lawyer authorized to practice in a province of Canada or a state of the United States who seeks to practice as a foreign legal consultant in Mexico will be granted a license to do so if lawyers licensed in Mexico are accorded equivalent treatment in such province or state; and

(b) a law firm headquartered in a province of Canada or a state of the United States that seeks to establish in Mexico to provide legal services through licensed foreign legal consultants will be authorized to do so if law firms headquartered in Mexico are accorded equivalent treatment in such province or state.

2. Mexico will, pursuant to paragraph 1(a), deny benefits to foreign lawyers employed by or associated with foreign legal consultancy firms established in Mexico, pursuant to paragraph 1(b), if such lawyers are not authorized to practice in a province of Canada or a state of the United States that authorizes lawyers licensed in Mexico to practice as foreign legal consultants in its territory.

3. Subject to paragraphs 1 and 2, Mexico will adopt measures regarding the practice of foreign legal consultants in the territory of Mexico, including matters related to association with and hiring of lawyers licensed in Mexico.

Sector:	Transportation
Sub-Sector:	Land Transportation
Industry Classification:	CMAP 711201 - Road Transport Services for Construction Materials CMAP 711202 - Road Transport Moving Services CMAP 711203 - Other Services of Specialized Cargo Transportation CMAP 711204 - General Trucking Services CMAP 711311 - Inter-City Busing Services CMAP 711318 - School and Tourist Transportation Services (limited to tourist transportation services)
Level of Government:	Federal and State
Measures:	
Description:	An enterprise authorized in Mexico to provide bus or

truck transportation services may use equipment of its own, leased vehicles with an option to purchase (financial leasing), leased vehicles (operational leasing), or shortterm rental vehicles.

Federal measures will be established in relation to leasing and rental operations.

Schedule of the United States

Sector:	Communications
Sub-Sector:	Broadcasting
Industry Classification:	CPC 7524 - Program Transmission Services
Level of Government:	Federal
Measures:	<i>Communications Act of 1934</i> , 47 U.S.C. §§ 309, 325
Description:	The United States will ensure that in considering applications for a grant of authority to transmit programming to foreign stations for retransmission into the United States under section 325 of the <i>Communications Act of 1934</i> ("the Act"), the Federal Communications Commission (FCC) will not consider the nationality of the affected stations for the purpose of favoring a U.S. station that is competing with a Mexican station for affiliation with a U.S. programmer. Rather, the FCC will apply the criteria for the grant of such a permit in the same manner as they would be applied to a domestic broadcast station application under

section 309 of the Act.

In addition, the term of the section 325 permit shall be extended from one year to five years in all situations where it can be assured that the retransmitting station is and will be in full compliance with applicable treaties. In assessing the public interest, convenience and necessity required by the Act for the grant of authorization under section 325, the primary criterion will be avoiding the creation or maintenance of electrical interference to U.S. broadcast stations that violates applicable treaty provisions. In evaluating this and any other criterion permitted under section 309, the United States will ensure that the section 325 process is not conducted in a manner that would constitute an unnecessary restriction on trade.

Sector:	Professional Services
Sub-Sector:	Legal Services
Industry Classification:	SIC 8111 - Legal Services
Level of Government:	State
Measures:	Alaska Bar R. 44.1 California R. Ct. 988 Connecticut Pract. Book § 24A D.C. Ct. App. R. 46(c)(4) (Washington, D.C.) Rules Regulating the Florida Bar, Chapter 16, as adopted in Amendment to Rules Regulating the Florida Bar , 605 So. 2d 252 (1992)

Rules and Regulations of
the State Bar of Georgia,
Part II, Rule 2-101, Part D

Hawaii Sup. Ct. R. 14

Illinois Rev. Stat. Ch. 110A,
par. 712 (Sup. Ct. R. 712)

Michigan Bd. of Law
Examiners R. 5(E)

New Jersey Sup. Ct. R.
1:21-9

New York Admn. Code tit.
22, Section 521

Ohio Sup. Ct. R. for the
Government of the Bar XI

Rules Regulating Admission
to Practice Law in Oregon,
Chapter 10

Texas R. Governing
Admission to the Bar of
Texas XVI

Wash. R. of Ct. 14

Description:

Lawyers authorized to practice in Canada or Mexico and law firms headquartered in Canada or Mexico will be permitted to provide foreign legal consultancy services, and to establish for that purpose, in Alaska, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Michigan, New Jersey, New York, Ohio, Oregon, Texas and Washington, or in any other state that so permits by the date of entry into force of this Agreement.